

#14-09V



5/9/2013

550 ASSOCIATION TWO  
4175 LOVELL RD STE # 114  
CIRCLE PINES, MN 55014

RE: CREEKSIDE ESTATES

It has been brought to our attention there are areas of concern in Creekside Estates located at 1100 Egret Blvd Coon Rapids, Minnesota. A recent survey of issued citations and a recent fire of a cluttered manufactured home have been brought to the attention of the Neighborhood Reinvestment Division.

The city of Coon Rapids Neighborhood Reinvestment Division works with owners to help them bring properties into compliance. Your property is unique considering there are over 200 units in the park. The way the City Ordinance is written, there would be a \$300.00 Citation issued for each violation. The fees are collected in the form of a special assessment and would be charged to your property taxes, not to the individual with the violation. We would like to discuss a plan of action and work with you to address these issues using an alternative format. Our intention is to address the issues efficiently. Our plan is outlined as follows:

**May 2013**

A notification letter will be sent to every resident of Creekside Estates. (Please see attached sample of notification). Our inspections not will begin until June, 2013 and it is our hope that any issues will be addressed by the resident during the 30 days from notification before the inspections occur.

**June 2013**

Reminder cards will be sent to every resident of Creekside Estates reminding them of the upcoming inspections.

**June/July 2013**

Inspections will be conducted throughout Creekside Estates. All violations will be noted and an Administrative Citation will be issued. A compliance date will be set for seven (7)

days after the date of issuance. If the recipient wishes to appeal the Citation or request a time extension, an appeal form must be completed by 550 Association Two and submitted to City Staff by the compliance date. We will include this application and instructions with the citation. We will send copies of all Citations to 550 Association Two.

Reinspections of issued citations will occur after the compliance date of all citations not appealed. If the violation remains it will be abated. If the violation cannot be abated, a second Administrative Citation will be issued as prescribed by City Ordinance.

In respect to the common areas we will be inspecting 1100 Egret Blvd to ensure all areas of the conditional use permit are in compliance.

Our primary concern is for the safety of our citizens and first responders. If you have any questions, please contact me and I will be happy to assist you.

Sincerely,

Leya Drabczak  
Housing Official  
City of Coon Rapids  
[ldrabczak@coonrapidsmn.gov](mailto:ldrabczak@coonrapidsmn.gov)  
763-767-6420



5/15/2013

Current Resident  
Creekside Estates

RE: Upcoming Inspections

In an effort to make our community safer, The Coon Rapids Neighborhood Reinvestment **Division will be conducting inspections in your neighborhood beginning June 17, 2013.**

Our primary concern is for the safety of our citizens and first responders. With this in mind, the following items will be inspected to ensure they meet current requirements set forth by Coon Rapids City Ordinance, Minnesota State Fire Code and the Minnesota State Building Code.

The items inspected will include but are not limited to:

- Stairs at all exits (front and back) to be of sound condition and a handrail in place if there are more than 3 stairs
- Skirting is secure with no missing sections
- Windows are not broken or missing
- Siding is secure and weather tight
- Roofs are secure and weather tight
- All accessory structures are compliant with secure siding, doors and roofs
- Yards to be free of all junk, garbage and debris (items not intended for exterior use)
- No evidence of illegal fire pits/ recreational fires (Creekside Estates will be updating park rules and prohibiting all recreational fires)
- Vehicle violations (non-operating vehicles, expired tabs, parking off pavement)
- House numbers visible and code compliant
- Any life safety issues will be addressed on a case by case basis
- Any other violations that are found during the time of the inspection

Additionally, the Coon Rapids Fire Department will be available to check smoke detectors and carbon monoxide detectors free of charge and answer any questions that

you may have. The Fire Department would also like to remind you that for your safety a three foot clearance space in front of all doors and windows is required.

After an inspection of your property occurs in June, you will receive a summary letter from the City of Coon Rapids with your inspection results.

If any violations are present, correction orders and/ or Administrative Citations will be issued to the resident/owner. Instructions on what you need to do will be included at the time the orders/ citations are issued.

Limited pre-inspection appointments will be available for the morning of 6/12/2013. If you want a pre-inspection of your property or need questions answered on-site, please call the number below to arrange an appointment.

Please find the attached list of information on how to properly dispose of unwanted items in addition to the Coon Rapids Recycling Center hours.

Thank you in advance for your cooperation.

Sincerely,

Neighborhood Reinvestment  
City of Coon Rapids  
763-767-6420  
ldrabczak@coonrapidsmn.gov

June 2013 Postcard



**Inspections begin: June 17, 2013**

Dear Creekside Resident,

Please be reminded that inspections in Creekside will begin June 17, 2013. For a list of items to be inspected, please contact Roger Buyers at the Creekside Manager's Office, or refer to the previous letter mailed to all Creekside residents by the City of Coon Rapids.

Sincerely,  
Neighborhood Reinvestment  
763-767-6420

Reminder

Received 5pm 1/21/14

MALKERSON GUNN MARTIN LLP

1900 U.S. BANK PLAZA SOUTH TOWER  
220 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
TELEPHONE 612-344-1111  
FACSIMILE 612-344-1414

January 21, 2014

SENT VIA E-MAIL

Kristin DeGrande  
City of Coon Rapids  
11155 Robinson Drive  
Coon Rapids, MN 55433

RE: Creekside Estates / City of Coon Rapids Citations

Dear Ms. DeGrande:

I write on behalf of Creekside Estates to object to each citation attached hereto and referenced below. I have divided the citations into two categories: the six (6) citations that were enclosed by letter dated January 6, 2014 and the approximate fifty-four (54) citations that were enclosed by letters dated January 8, 2014.

I will address the smaller group of six citations first and in order:

1. PIN # 23-31-24-42-0003 / 10475 Xeon Street – Removal & Disposal: Creekside Estates hereby appeals this citation. This alleged code violation was not committed by Creekside Estates. Instead, any debris at this home site was contributed or was otherwise the responsibility of others. Further, this is a vacant lot.  
*Case # 14-07V*
2. PIN #23-31-24-43-0004 / 10255 Xeon Street – Egress Window: Creekside Estates hereby appeals this citation. This alleged code violation concerns a manufactured home not owned by Creekside Estates. Further, Creekside Estates could not remedy this alleged violation even if it wished too.  
*ASC # 14-08V*
3. PIN #23-31-24-42-0003 / 10460 Vale Street – Securing Vacant Property: This property was secured by on-site management in response to a request by a city building official. After that, there were reports of cats in the home. City staff responded, secured the home, and retained the only key. It was subsequently re-secured by Creekside Estates management after an unidentified trespasser entered the home without authorization. This citation should be withdrawn.  
*Case # 14-09V*

4. PIN #23-31-24-43-0004 / 10253 Yellow Pine Street – Removal & Disposal  
Creekside Estates hereby appeals this citation. This alleged code violation was not committed by Creekside Estates. Instead, any debris at this home site was contributed or was otherwise the responsibility of others. Further this is a vacant lot.

Case #14-10V

5. PIN #23-31-24-42-0003 / 10312 Wintergreen Street – Removal & Disposal:  
Creekside Estates hereby appeals this citation. This alleged code violation was not committed by Creekside Estates. Instead, any debris at this home site was contributed or was otherwise the responsibility of the individual(s) residing at this home site.

Case #14-11V

6. PIN #23-31-24-43-0004 / 10220 Xeon Street – Cap Gas Meter: Creekside Estates hereby appeals this citation. The gas meter is the property of Center Point Energy – not Creekside Estates. My understanding is that Creekside Estates could not remedy this alleged violation even if it wished too. Further, Creekside Estates did contact Center Point, and they remedied the situation in their normal course of conducting such repairs. There is nothing further we could have done.<sup>1</sup>

Case #14-12V

With respect to the fifty-four citations for which time extension agreements were allegedly signed, I have several comments. First, I have not had an opportunity to confirm that all 54 citations are the subject of these agreements, and I hereby request a copy of those agreements. Given the upcoming February 6<sup>th</sup> hearing date, I ask that I be provided with these extension agreements no later than 5:00 p.m. on February 3, 2014. Please let me know if there is any reason you cannot provide these agreements by that date and time. Second, I do not read those agreements to include a waiver of my right to appeal these citations to the district court. Further, many of these citations (by my count approximately thirty (30) such violations are alleged totaling some \$9,000.00+ in penalties) again relate to alleged defects in manufactured homes themselves. I have attached a copy of the citation listings and I have highlighted the thirty (30) citations that appear to allege violations relating to the condition of manufactured homes that Creekside Estates does not own and cannot repair in the manner

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1 Center Point also performed repairs at:

- 10155 Wintergreen / work order # 68199315
- 10253 Yellowpine / work order # 68199319
- 10310 Wintergreen / work order # 68199321
- 10311 Wintergreen / work order # 68199323
- 10315 Xeon / work order # 68199325
- 10345 Xeon / work order # 68200381
- 10445 Xeon / work order # 68200383
- 10489 Xeon / work order # 68200386
- 1103 101<sup>st</sup> Ave. / work order # 68200388
- 1104 101<sup>st</sup> Lane / work order # 68200571
- 1111 104<sup>th</sup> Ave. / work order # 68200574
- 1168 101<sup>st</sup> Ave. / work order # 68200575

suggested. Creekside Estates does not own these structures, not does Creekside Estates have the ability to enter into these homes to complete the suggested repair or maintenance work.

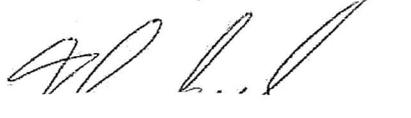
At a prior meeting between the parties, we suggested the option of Creekside Estates providing recalcitrant residents with a thirty (30) day notice of lease violation to assist in promoting code compliance. I do not believe the City has pursued that suggestion.

Finally, with respect to on the assessment for 23-31-24-43-0005 - 1114 101st Ave., for removal of debris, Creekside Estates hired and paid Mobile Maintenance to remove the debris from that yard on August 24, 2013. I have attached a copy of Mobile Maintenance's invoice evidencing this work. I note that the date of the assessment is September 11, 2013. I ask that this assessment be withdrawn.

I wish to reiterate my objection to citations based on conduct of third parties and citations issued regarding property owned by third parties – not Creekside Estates. This objection is especially well taken in those instances where the alleged violation cannot be remedied by Creekside Estates. I understand that the filing of this written objection is sufficient to preserve all of our appeal rights and that Creekside Estates need not appear at tonight's City Council meeting. Please advise at once if my understanding is incorrect in any part.

Sincerely,

  
Shannon Morris, owner

  
Thomas F. DeVincke, Attorney

TFD  
Enclosures

cc: City Attorney David Brodie

PIN: 233124420003  
OPEN

**PROPERTY ADDRESS: 10460 vale st**  
Work Order #54913

Vacant Hazardous Conditions

Task Name	Projected Start	Actual Start	Assigned To	COMMENTS
NOT HABITABLE INFORMATION		9/26/13	DRABCZAK, LEYA	Trailer. property posted due to no elec service. Id called connexus(jolene) as tampering suspected, lock has been cut off meter generator being used for electric adam spoke suspected drug activity and people in the unit after allowed posted times.
POLICE CONTACT		10/2/13	DRABCZAK, LEYA	police on site with Id tenant states that friends of his mother were in the house and left when pd arrived due to warrants.
INSPECTION 1		10/2/13	DRABCZAK, LEYA	jolene at connexus states that there is a history of tampering with electric meters with the owner of this unit.
NOT HABITABLE		10/2/13	DRABCZAK, LEYA	property posted as never/never for the times allowed. tenant, a admitted to being in dwelling beyond posted hours and had friends with warrants and using drugs at this unit. Id warned to stop both practices.
SECURE PROPERTY		10/3/13	DRABCZAK, LEYA	Paul from creekside called and will be boarding the window on the trailer today.
SECURE PROPERTY		10/22/13	DRABCZAK, LEYA	DWELLING OPEN, CAT LEFT INSIDE. DWELLING UNINHABITABLE DUE TO UNSANITARY LIVING CONDITIONS EXCESSIVE STORAGE AND OVERFLOWING TOILET. CRFD DISCONNECTED GAS SERVICE. MGMT SHUT OFF WATER
INFORMATION SENT		10/23/13	DRABCZAK, LEYA	CORRECTION ORDERS SENT TO OWNER AND PARK OWNERS AND PAUL SCHWARTZ. SECURE LETTER SENT TO OWNER.
INFORMATION SENT		10/23/13	DRABCZAK, LEYA	COPIES OF ALL LETTERS SENT TO OWNER OF RECORD
ASSESSMENT		10/30/13	DRABCZAK, LEYA	flos invoice # 1038
INFORMATION		10/30/13	DRABCZAK, LEYA	electric repair needed on meter due to tampering.

~ ADMINISTRATIVE CITATION INFORMATION ~ If blank, no Administrative Citation was issued on this work order.

City Code	#	Inspection Date	Fine	Inspected By	Compliance Date & Instructions	Citation Issued To

Files attached to this work order:  
 \WorkOrder\54913\10460 VALE ST 10222013.docx  
 \WorkOrder\54913\10460 vale st compliance letter.docx  
 \WorkOrder\54913\10460 vale st 10222013.pdf  
 \WorkOrder\54913\10460 vale st crpd 10262013.pdf





10/22/2013

RYAN AURORA  
10460 VALE ST NW  
COON RAPIDS, MN 55433

Re: 10460 VALE ST

To Whom It May Concern:

During a recent inspection of vacant properties in the City of Coon Rapids, our inspectors noted that the above property was unsecured.

In an effort to reduce property damage and crime, our city has the policy of securing these properties immediately. If required, a lock set or hasp and padlock is used to secure the property. You may contact our office for a set of keys.

Any fees incurred will be charged back to the property in the form of a special assessment.

Please contact me with any questions, I will be happy to assist you.

Sincerely,

Leya Drabczak  
Housing Inspector  
City of Coon Rapids  
763-767-6420  
LDrabczak@coonrapidsmn.gov



10/23/2013

RYAN AURORA  
10460 VALE ST NW  
COON RAPIDS, MN 55433

RE: LIVING CONDITIONS AT ABOVE PROPERTY

We received a call regarding a cat being inside the above property. Animals may not reside in dwellings that are posted uninhabitable. Upon arrival, the front door of the unit was open and could not be locked. During our securing process the following items were noted and added to the conditions of the uninhabitable status of the dwelling. All items must be corrected before the unit can be occupied by a person(s) or animals.

1. The current condition of the unit is not clean and sanitary. City Code Section 12-306.
2. The flooring in the unit is rotting and in poor condition in various parts of the dwelling and must be repaired to the requirements of the Minnesota State Building Code. City Code Section 12-306 (5) A Building Permit is required please contact the Building Inspections Department at 763-767-6476 with any permit questions.
3. All floors must be cleared of excessive storage.
4. All floors must be of a clean and sanitary condition.
5. All doors and windows must have a three foot clear area to meet egress requirements.
6. The toilet was over flowing when we arrived. City staff shut of the valve and requested water shut off from park management to avoid more damage.
7. Toilet must be repaired due to leaking.
8. Smoke detectors and carbon monoxide detectors must be installed per Minnesota State Building Code.
9. Gas and electric service must be restored before the water service can be reinstated.
10. Electric meter must be repaired as it was damaged due to tampering.
11. Front window is broken and boarded it must be repaired or replaced.
12. Due to numerous complaints of occupancy this property has been added to our police roll call system. We need to ensure that no one is residing in the dwelling while it is posted uninhabitable.

Our primary concern is for the safety of our citizens and first responders. Please contact me with any questions I will be happy to assist you.

Sincerely,  
Leya Drabczak  
Housing Official  
763-767-6420

Cc: Paul Schwartz  
550 Associates Two

**flos remodeling**

9781 monroe st ne  
blaine, MN 55434

Phone # 6127517117  
Fax # 7637833504

fdmagadan@comcast.net

**Invoice**

Date	Invoice #
10/22/2013	1038

<b>Bill To</b>
city coon rapids 11155 robinson dr coon rapids, mn 55433

P.O. No.	Terms	Project
58812		

Quantity	Description	Rate	Amount
	10460 Vale st. (trip fee)	50.00	50.00
	lock hasp front door	30.00	30.00
2	labor	55.00	110.00
leya		<b>Total</b>	\$190.00