

RLH VO 22-17



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 29 2022

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 536265)
  - Copy of the City-issued orders/letter being appealed
  - Attachments you may wish to include
  - This appeal form completed
  - Walk-In  OR  Mail-In
- for abatement orders only:  Email  OR  Fax

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>July 5, 2022</u>  Time: <u>11:00 a.m.</u> Location of Hearing: <u>Room 330 City Hall</u>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## Address Being Appealed:

Number & Street: 776 Bush Ave City: St Paul State: mn Zip: 55106

Appellant/Applicant: Sharon Kennedy & Michael Garcia Email: sharonshen@greater

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell (320) 490-6170

Signature: [Handwritten Signature] Date: June 29, 2022

Name of Owner (if other than Appellant): Assumpta Dikai

Mailing Address if Not Appellant's: 2431 E Mainland Rd, Maplewood mn 55119

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell \_\_\_\_\_

## What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

The landlord rented to us without having an Certificate of occupancy. I found out and reported her to the city & the city inspected the apartment and gave her orders to fix things but she refused so that the city could evict us. She has been illegally rent illegally since 8/1/2022

Revised 3/24/2021



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

May 25, 2022  
ASSUMPTA SIRRI

2431 MAILAND ROAD  
MAPLEWOOD MN 55119USA

## Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 776 BUSH AVE  
Ref. # 126462

Dear Property Representative:

Your building was inspected on May 25, 2022, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code. **A reinspection will be made on June 15, 2022 at 2:30 PM or the property vacated on June 30<sup>th</sup> 2022.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

### DEFICIENCY LIST

1. Exterior - Back Yard & Garage - SPLC 34.08 (1), 34.32 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces. **The back yard and inside the garage have garbage**
2. Exterior - Balcony Area - SPLC 34.09 (3), 34.33(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989. **The guardrails on the top exterior balcony is damaged and a section has fallen.**
3. Exterior - Doors - SPLC 34.09(4), 34.33 (3) - Repair and maintain the door in good condition. **The exterior doors and door frames have chipping and peeling paint.**

4. Exterior - Garage & Fence - SPLC 34.08 (5), 34.32 (3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. **The garage has worn and chipped paint, the garage door sensors are damaged and have broken off and the garage service door and door frame are damaged. The fence gate and the fence are in disrepair with broken railings, balustrades and pickets.**
5. Exterior - House & Retaining Wall - SPLC 34.09 (1)(2), 34.33 (1) - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint. **There are different section along the edge of the roof and building, where there are openings in the fascia and soffits and daylight can be seen from inside the attic. The retaining wall is in disrepair and there is a section near the back stairs that has a large piece broken off. On the North-East corner of the house, there is a large opening in the fascia. On the South side of the building, the section of wall between the concrete stairs and building has cracked and bulged outward. The wooden structure over the back basement stairway is damaged and has peeling paint.**
6. Exterior - Stairs & Deck - SPLC 34.09 (3), 34.33(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989.-A very large section of the back concrete landing has is damaged and has sunken in. **The back entry stairs are damaged with a large piece broken off.**
7. Exterior - Window Screens - SPLC 34.09 (4), 34.33 (3) -All screens shall be maintained in a professional state of maintenance and repair.
8. Exterior - Windows - SPLC 34.09 (4), 34.33 (3)- Repair and maintain the window in good condition. All windows shall be maintained in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit. **There are windows with damaged frames, worn surfaces and chipped paint.**
9. Interior - Attic Door – MSFC 1010.1.9 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. **Remove the latch on the attic door.**
10. Interior - Basement - MSFC 1031.2, 1031.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. **Remove all the clothing and other objects that is blocking the back basement stairs.**
11. Interior - Basement - SPLC 34.10 (3), 34.34(2) - Repair or replace the unsafe stairway in an approved manner. **The wooden basement stairs (bottom section) is not properly secured to the wall and moves.**

12. Interior - Basement - MMC 504.1 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-The incorrect type of dryer duct is being used. Contact a licensed contractor to install the correct type of duct under permit.
13. Interior - Basement - MMC 603.9, MMC 604 - Repair, maintain or install proper insulation and duct sealant in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-There are small cracks and openings around the water heater exhaust duct. Properly seal around the duct.
14. Interior - Basement - MMC 305.2 - Install proper hangers and support for the gas piping in compliance with the mechanical code. **The gas line near the drying machine is loose and unsecured.**
15. Interior - Basement - MPC 418.2 - Provide a removable strainer and a clean out plug or cap for the floor drain. **There is a floor drain cover near the electrical panel that is broken.**
16. Interior - Basement - MSFC 604.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. There is a junction box near the furnace that is missing the cover.
17. Unit 1 - Basement - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. **Repair or replace and maintain an approved private tub or shower. This work may require a permit(s). Call DSI at (651) 266-8989. The bath tub is clogged and the seal (rubber ring) under the tub is worn and water is leaking into the basement.**
18. Unit 1 - Bathroom - MSFC 604.6 - Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes. **There are exposed wires over the bathroom vanity mirror.**
19. Unit 1 - Bathroom - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. **The bathroom vanity with the mirrors and the cabinet is damaged.**
20. Unit 1 - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. **The kitchen ceiling and other ceilings throughout the apartment have large cracks.**
21. Unit 1 - Doors - SPLC 34.09(4), 34.33 (3) - Repair and maintain the door in good condition.
22. Unit 1 - Living Room Area - MN Stat. 299F.362, MSFC 1103.8 - Immediately provide and maintain a smoke alarm located outside each sleeping area. **The battery-powered combination alarm in the living room is missing.**

23. Unit 1 - Throughout - SPLC 34.10 (6), 34.34 (5) - Every owner of a structure shall be responsible for the control and/or elimination of insects, rodents or other pests wherever infestation exists. **There is an infestation of fruit flies throughout the apartment.**
24. Unit 1 - Windows - SPLC 34.09 (4), 34.33 (3)- Repair and maintain the window in good condition. All windows shall be maintained in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit.
25. Unit 2 - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
26. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

Saint Paul Legislative Code authorizes this inspection and collection of inspection fees. For forms, fee schedule, inspection handouts, or information on some of the violations contained in this report, please visit our web page at: <http://www.stpaul.gov/cofo>

You have the right to appeal these orders to the Legislative Hearing Officer. Applications for appeals may be obtained at the Office of the City Clerk, 310 City Hall, City/County Courthouse, 15 W Kellogg Blvd, Saint Paul MN 55102 Phone: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [travis.almsted@ci.stpaul.mn.us](mailto:travis.almsted@ci.stpaul.mn.us) or call me at 651-266-8977 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Travis Almsted  
Fire Safety Inspector II

Ref. # 126462