



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED

DEC 20 2021

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number _____)
 - 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

HEARING DATE & TIME
 (provided by Legislative Hearing Office)
 Tuesday, January 4, 2022

Time: you will be called between
1:30 p.m. & 3:30 p.m.

Location of Hearing:
 Teleconference due to Covid-19 Pandemic

Address Being Appealed:

Number & Street: 390 SIMS City: St. Paul State: MN Zip: 55130

Appellant/Applicant: Noah Rector Email noahrector11@gmail.com

Phone Numbers: Business 503-390-0000 Residence _____ Cell _____

Signature: [Handwritten Signature] Date: 12/20/2021

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

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.)

~~While~~ While I do not dispute the Fire C of O, I do need more time to assist disabled/section 8 tenant in finding replacement housing please.
 Noah



CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

December 10, 2021

NOAH J RECTOR
2451 CHURCHILL STREET
ROSEVILLE MN 55113-3317

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 390 SIMS AVE
Ref. # 102229

Dear Property Representative:

Your building was inspected on December 10, 2021, 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.

The Fire Certificate of Occupancy has been revoked and the property must be vacated on December 31, 2021. A reinspection will be made on January 6, 2022 at 1:30 PM to verify.

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 Porch Area - MSFC 308.1.2 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire. -There is a lot of improperly disposed cigarettes in the back porch area. Properly dispose of the used cigarettes.
2. Exterior - Front Stairs - SPLC 34.09 (3) 34.33 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair. -The handrail for the front stairs is missing.
3. Exterior - Guardrail - 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 front guardrail is missing a balustrade and the railing on the right side is wobbly and unsecured.

An Equal Opportunity Employer

4. Exterior - Gutters & Downspouts - SPLC 34.08 (2) Grading and drainage. All premises shall be graded and maintained to drain water away from structures and minimize the accumulation of water on such premises. This work may require a permit(s). Call DSI at (651) 266-8989.-All the gutters (house & garage) have branches, debris and vegetation growing in them. Clean out all the gutters and ensure that all downspouts are directing water away from the house.
5. Exterior - House - 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 damaged soffit boards and on the East side of the house, the soffit boards and gutter are separating from the house. Immediately repair this area.
At the front of the house, there are openings in the corners that is contributing to the traffic of rodents.
6. Exterior - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -On the East side of the house, there are windows that have holes in the frames and trims pieces that are breaking away.
7. **Exterior & Interior - House & Garage - SPLC 34.19 - Provide access to the inspector to all areas of the building. -Provide access to the house and the garage.**
8. Interior - Basement - MSFC 603.6 - Have the chimneys, fireplaces, and vents inspected for soundness, freedom from deposits, and correct clearances. Cleaning, maintenance, and repairs shall be done if indicated by the inspection. -The chimney wall around the exhaust duct is damaged and has openings all around it. Properly repair and seal the chimney wall.
9. Interior - Basement - MMC 504.6 - 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 bottom of the dryer exhaust duct is coming loose and there are small openings that is allowing lint and CO gas to come out. Properly repair and re-tape the duct with UL Listed 181 A-P foil tape.
10. Interior - Basement & Bathroom - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. -There is a warm-air duct (near the dryer) that is missing the proper vent cover. The vent cover for the second-floor bath vent is being held up by tape.
11. Interior - Basement Stairway - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged handrail in an approved manner. -One of the basement handrails is coming loose from the wall.

12. Interior - Bathroom - 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 toilet. This work may require a permit(s). Call LIEP at (651) 266-9090. The toilet on the second floor is loose and the seal around the bottom is missing.
13. Interior - Bathroom & Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.
There is chipping and peeling paint on the bathroom walls and all around the bathroom window frame.
There is a hole on the wall behind the back entry door.
14. Interior - CO Alarm - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturer's instructions. -The carbon monoxide alarm on the second floor is missing.
15. Interior - Kitchen - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -Near the kitchen sink, there is a section of the floor that is missing floor pieces.
16. Interior - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
At the top of the stairs, there is a battery-powered smoke alarm that is covering the hard-wired connection. Provide a hard-wired smoke alarm.
The hard-wired smoke alarm in the third-floor bedroom is disconnected.
17. Interior - Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.
There is a light fixture in the basement that has come loose from the junction box and is also hanging from the ceiling.
In the back bedroom, there are two (2) outlets. One outlet is worn and cannot hold plug items. The plugged item is being held up with blue tape. The other outlet is coming loose from the wall and is not secured.
The GFCI outlet in the bathroom is coming loose from the wall and is missing screws for the cover plate.
18. Interior - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. -There is an extension cord being used for the microwave and an extension cord being used in the left front bedroom.
19. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

20. SPLC 40.06. - Suspension, revocation and denial. (a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor: (3) If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations.

The Fire Certificate of Occupancy has been revoked due to long term non-compliance and failure to provide access to the fire inspector. The property must be vacated by December 31, 2021. A re-inspection will be made on January 6, 2022 to verify.

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: Efrayn.Franquiz@ci.stpaul.mn.us or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz
Fire Safety Inspector

Ref. # 102229