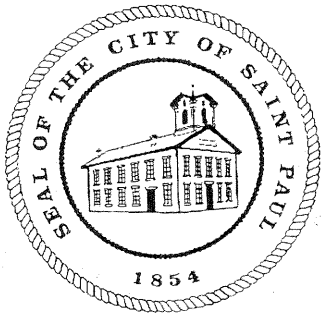




APPLICATION FOR APPEAL

RECEIVED

AUG 17 2012

CITY CLERK

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

The City Clerk needs the following to process your appeal:

- ☒ \$25 filing fee payable to the City of Saint Paul
(if cash: receipt number CASH)
- ☒ Copy of the City-issued orders or letter which
are being appealed
- ☒ Attachments you may wish to include
- ☒ This appeal form completed
- ☒ Walk-In OR ☐ Mail-In

YOUR HEARING Date and Time:

Tuesday, Sept 11

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 812 Stewart Ave City: ST. PAUL State: MN Zip: 55102

Appellant/Applicant: Robert W. Outh Email: Bob@weatherball.com

Phone Numbers: Business 800 829-6586 Residence _____ Cell: 651-592-9794

Signature: R. W. Outh Date: 08/17/12

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): 288 Erie St Upper Duplex

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
- ☐ Fire C of O: Only Egress Windows
- ☒ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other

SEE ATTACHMENTS #
Also windows passed
vacant Building inspection
for EGRESS in 2009. By
JAMES Segan

Dear OFFICE of The City Clerk.

I am appealing my Fine Inspection
order for the following reasons cited
in my letter to Fine Inspector
A.J. Neis of 08/15/12

Robert Outh
812 Stewart
ST. PAUL, MN

(X)

Sincerely

R. W. Outh 08/17/12

ATTN A.J. NEIS

GARAGE BOB ORTH - 651-266-8951 (2)

Dear A.S. This is to Address our conversation

yesterday. First Mike Cassidy was late for his first appointment of the day. Second he was implying we were using the House as a Duplex. The BASEMENT has no working Bathroom no KITCHEN no Beds, and is a work in progress. As per The order There is a working smoke Detector of The First level.

Second the OUTSIDE needs No painting on Touch up it is the Best on the Block. Third included is my Lease with the Tenants who have lived there for going on 3 years. The Lease explicitly states The BASEMENT and Garage are not included. The GARAGE is for my personal use and has its own electric service which I pay for, and is about 40ft from the House.

The Inspection Appointed clearly states the inspection is to be let in each rental unit. The GARAGE is not part of the RENTAL unit or STRUCTURE of the rented house.

Further my next Door neighbor has the exact same arrangement with his Tenants, and the Inspector never went in his ~~the~~ GARAGE, and PAT FISH never went into my other Homes where the GARAGE is separate from the Home and not included in The Lease.

page ~~8~~ (3)
The GARAGE is a separate STRUCTURE and I will
contest this matter if we can't reach a
fair solution. (X)

Please let me know how we can
resolve this issue

Sincerely

P. W. Oth

651-592-9794

Description:

(one year) Lease of \$14,400 paid monthly at a rate of \$1,200 per month Lease (X)

812 Stewart Ave

St. Paul, MN 55102

3 Bedroom, 1 Bathroom Basement and Garage Not Included

Owner:

Robert W. Orth

Residents:

Name:

Social Security Number

(1) _____
(2) _____
(3) _____
(4) _____
(5) _____

PAM 651-222-4099

Original Move in Data:

Move in Date

Rent Start Date

Rent End Date

July 1st, 2012

July 1st, 2012

June 30th, 2013

April 31

Total Monthly Rent:

House

\$1200.00

First Month Rent

\$1200.00

Lease Terms:

Lease Term

1 year

Total lease pmts not inc fees

14,400

Lease start date

April 31 July 1st, 2012

Expiration date

June 30, 2013

Days notice of termination

of annual lease will be

60 days (2 months)

Cable TV and Internet

Paid by owner

Paid by occupant x

Gas

Paid by owner

Paid by occupant x

Electricity

Paid by owner

Paid by occupant x

Water & Sewer

Paid by owner x

Paid by occupant

Garage

Paid by owner x

Paid by occupant

FEES:

Late Fee (4 days past due)

\$100.00

Additional late fee after 4 days

\$25.00 per day

NSF Fee

\$35.00

Security Deposit - 1 Months rent

\$1200.00

The Lease is a **Legally Binding Document**. Each resident acknowledges receipt of a copy of the 7 page lease. Your signature means you understand the lease

Resident(s)

(1) Amelia Swenson
(2) _____
(3) _____
(4) _____
(5) _____

Dated:

7-20-2012

(X)

29. HOUSE COMMUNITY RULES AND ATTACHMENTS ARE PART OF LEASE: Any attachments to this Lease, including the House Community Rules, are a part of this Lease. Owner may make reasonable changes in the House from time to time by giving Resident written notice.

30. NOTICES: Resident agrees that notices delivered by Owner to the House are proper notice to all Residents and are effective as soon as delivered to the House. In addition to delivery to the House, Owner may send notice by first class mail, postage prepaid to the House address, and such notice shall be considered effective on the third mail delivery date after the date it is deposited in the mail. Owner may also deliver any notice in person to Resident. The receipt of written notice by one Resident shall be considered proper notice to all Residents. Any notices to be given by Resident to Owner may be delivered to the address on the first page of this Lease or by mail, postage prepaid, to Robert W. Orth. Mailed notices will be effective on the date mailed by Robert W. Orth.

31. FAIR HOUSING: Owner is committed to being an equal opportunity housing provider. Owner believes all Residents, potential Residents, and applicants should be protected from discrimination in housing on the basis of race, color, ancestry, sex, religion, creed, national origin, marital status, familial status, physical handicap, mental handicap and affectional preference. Any act or practice believed to constitute discrimination should be reported to Owner. Owner will promptly investigate such reports and will take immediate action to eliminate any act or practice that violates the fair housing laws.

HOUSE LEASE GUARANTEE

In consideration of the House Lease, the undersigned hereby guarantee(s) the payment of rents and performance of all promises in this House Lease.

Robert W. Orth

OWNER:
Robert W. Orth
812 Stewart Ave
St. Paul, MN 55102

Postal address:
PO Box 50785
Mendota, MN 55150

Resident (1) Kimberly Swenson

Resident (2) Laron L. Lohr

Resident (3) _____

Resident (4) _____

Resident (5) _____

DATED 06/28/12

DATED _____



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

August 7, 2012

ROBERT ORTH
PO BOX 50785
MENDOTA HGTS MN 55150-0785

FIRE INSPECTION CORRECTION NOTICE

RE: 812 STEWART AVE
Ref. #110991
Residential Class: C

Dear Property Representative:

Your building was inspected on August 7, 2012 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

A re-inspection will be made on September 7, 2012 at 1:00 pm.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. 1st Floor - Living room - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Smoke detector not working.
2. 1st Floor - UMC 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. This work may require a permit(s). Call DSI at (651) 266-8989.-Dryer duct disconnected from dryer.

3. 2nd Floor - South room - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.
4. 2nd Floor - 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 manufacturers instructions.
5. Front door - SPLC 34.09 (1) b,c, 34.32 (1) b,c - 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.-Repair wall by front door frame.
6. Garage - SPLC 34.19 - Provide access to the inspector to all areas of the building.
7. Soffits and trim - SPLC 34.09 (1) b,c, 34.32 (1) b,c - 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.
8. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
9. 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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: mike.cassidy@ci.stpaul.mn.us or call me at 651-266-8984 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Mike Cassidy
Fire Inspector

Reference Number 110991