



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

OCT 18 2021

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 _____)
- ☒ 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, October 26, 2021

Time: you will be called between

1:00 p.m. & 3:00 p.m.

Location of Hearing:

Teleconference due to Covid-19 Pandemic

Address Being Appealed:

Number & Street: 1154 Galtier St. City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Dan Carlson Email: dan@dtcarlson.com

Phone Numbers: Business 612-414-1195 Residence NA Cell 612-414-1195

Signature: Dan Carlson Date: 10/13/21

Name of Owner (if other than Appellant): Dan Carlson

Mailing Address if Not Appellant's: 4448 Cosette Ln. N., Hugo, MN 55038

Phone Numbers: Business 612-414-1195 Residence NA Cell 612-414-1195

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.)

Please see attachments.

October 13th, 2021

Department of Safety and Inspections

RE: 1154 Galtier St.

Customer #: 1539923

Bill #: 1607251

To whom it may concern,

I would like to file an appeal on this fee (\$2,127.00) due to the following circumstances below:

I spoke to Fire Safety Supervisor Adrian Neis on 10/12/21 and he instructed me to write the letter explaining the events on what had happened:

- November 19th, 2020: we had an inspection scheduled with Torrance Harriel (Fire Department Safety Inspector) and had given the tenants a 48 hr. notice for this inspection.
 - Tenant was not home and would not let us in anyways due to Covid. We had to reschedule the inspection.
 - No rent was paid
- January 7th, 2021: re-inspection was scheduled with Torrance Harriel. We gave the tenants a 48 hr. notice and informed them that we would bring a key to let ourselves in.
 - The tenant informed me on January 4th that they were in the process of moving out, and that they still had valuable and expensive items inside and would be moving those items out
 - No one was home on 1/7 and the locks had been changed by the tenants. Could not get into the home
 - See attached text trail that was communicated between tenant and myself
 - We had to reschedule another date with Torrance Harriel
 - After several attempts to have tenants meet me at the home, I was advised by our attorney to have St. Paul Police escort me to remove the locks
 - No rent was paid for December and January
- I scheduled St. Paul Police on 1/27/21 to meet me on site with a lock smith to get inside the home and found the home partially empty. The tenant's belongings (mattresses, dresser, sofa, coffee table, and other misc items) were inside the home. The garage was filled with personal belongings and debris.
 - I placed a lock box with new key for tenant to have access to the home. I texted them a photo of the lock box location with code
 - Several attempts were made via phone and text and no response from the tenants

- I called our attorney Patricia Whitney and she informed us that we were not able to take back the home due to the moratorium and that we would have to wait it out
- February, March, April, and May went by, many attempts to contact the tenants, no response from them
 - We have communicated with Torrance Harriel twice since our meeting with him at the home in January with our “no possession” situation
 - Tenants are making small monthly payments (\$20) on their existing water bill. We were still informed by our attorney that we were unable to take possession of the home
 - Yard maintenance and building/ premises inspections were done throughout the months. We posted 48 hr notices on the exterior doors to enter the home on specific dates (per our attorney’s instructions) so we could inspect the inside of the home and premises
 - Our attorney informed us that with the documented visits to the home and the home remaining empty on each visit, we had reasonable grounds that the tenants no longer lived at the home, and we could take back the home
- August 31th, 2021, we scheduled St. Paul Police Dept to meet us on site for a walk through (CN#21-180883)
 - We finally took possession of the home that same day (8/31/21)
 - My company D.T. Carlson Construction started renovations on September 1st, 2021
- Notes:
 - No rent has been received since October 2020

We are filing an appeal of this fee because the circumstances were out of our control. We legally had no possession of the home due to the moratorium that was in place.

Since we legally took possession of the home, we have been financially committed to remodel the interior of the home (new kitchen, new main floor bathroom, new main floor laundry room, new flooring throughout, new light fixtures throughout, and new paint) and will be placing the home for sale.

I look forward to our remote hearing.



Thank you,
 Dan Carlson
 Property owner
 612-414-1195



CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

October 06, 2021

Daniel T Carlson
4448 Cossette Ln N
Hugo MN 55038-4436

Customer #:1539923

Bill #: 1607251

VACANT BUILDING REGISTRATION NOTICE

The premises at **1154 GALTIER ST** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,127.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Payment must be received by November 06, 2021 .

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

You must contact the Enforcement officer , Matt Dornfeld, at 651- 266- 1902 to find out what must be done before this building can be legally reoccupied.

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, Matt Dornfeld, at 651- 266- 1902.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: md
vb_registration_notice 11/14

City of Saint Paul
Department of Safety and Inspections
VACANT BUILDING REGISTRATION FORM

Date: 10/13/21

Address of Property: 1154 Galtier St., St. Paul

Planned disposition of this building (please check one):

☒ I plan to rehabilitate this structure commencing (date): work started on 9/1/21

☐ I plan to demolish (wreck and remove) this building by (date): _____

☐ I am willing to authorize the City of Saint Paul to demolish and remove this building(s).

☐ This building is **vacant as a result of fire damage**. The fire occurred on (date) _____

I, as the property owner, want to claim registration and fee exemption status for ninety (90) days from the date of the fire. I intend to repair and reoccupy the building.

Other: _____

Responsible Party: Persons/organizations who will ensure compliance with the ordinance:

NAME	ADDRESS	PRIMARY PHONE	ALTERNATE PHONE
<u>Dan Carlson</u>	<u>4448 Cosette Ln. N., Hugo, 55038</u>	<u>612-414-1195</u>	
<u>D.T. Carlson Construction, Inc.</u>			

Persons, lien holders, mortgagees, mortgagors and other interested parties known to me:

NAME	ADDRESS	PRIMARY PHONE	ALTERNATE PHONE

All persons listed here will receive letters for the annual fee renewal. *Also use this form to de-register your interest.*

Print Your Name (legibly)

Signature

Address

City State Zip

main contact telephone alternate phone

Email address (print legibly)

INSTRUCTIONS: \$2,127.00 Registration Fee

Complete and return this form via us mail or email:

DSIVacantbuildings@ci.stpaul.mn.us

Include the \$2,127.00 registration fee, ONLY if it is now due. For questions, call 651-266-8989.

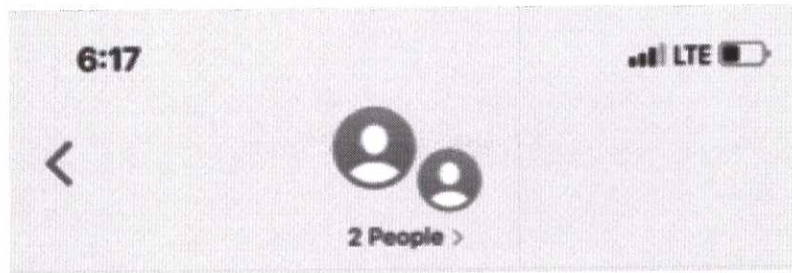
Make checks payable to: City of Saint Paul

Make Payment online or mail payment to:

City of Saint Paul
Department of Safety and Inspections
Code Enforcement – Vacant Buildings
375 Jackson Street, Suite 220
St. Paul, MN 55101-1806

*Credit Card payment accepted online or in person, or
by Fax: 651-266-9124*

Thank you for your cooperation



* Text trail between tenant and myself.

Text Message
Mon, Jan 4, 9:02 PM

Mr. Travis and Drena, please let me if you have moved out of the home. Thank you, Dan

If you are still occupying the home, I am giving notice that I will need to be there 1/6 Wednesday AM between 9:00-11:00 to repair the items for the reinspection on Thursday 1/7 at 11:30 with the fire inspector.

Mon, Jan 4, 10:19 PM

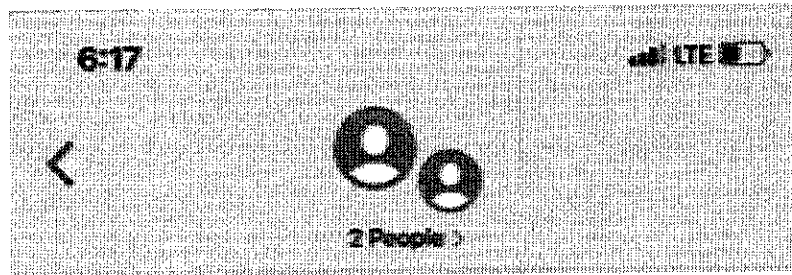
+1 (651) 387-4604

We haven't moved completely out..We still have some of our belongings there and we will not be there to get it until we come back from out of town this weekend.. This is notice of our belongings still being there until we get them out..Communicate to reschedule the inspection ahead of time with us instead of a two day notice..As mentioned



Text Message





Mon, Jan 4, 10:19 PM

+1 (651) 387-4604

We haven't moved completely out..We still have some of our belongings there and we will not be there to get it until we come back from out of town this weekend.. This is notice of our belongings still being there until we get them out..Communicate to reschedule the inspection ahead of time with us instead of a two day notice..As mentioned before I will let you know when we're completely out thank you..



Proper Notice is given for both days and inspection is scheduled with fire department. Thank you.

+1 (651) 387-4604

We still have valuable and very expensive things in there..We'll contact you once the rest of our items are moved out proper notice was given to you as well



Text Message



6:17

LTE



2 People

+1 (651) 367-4604

We still have valuable and very expensive things in there..We'll contact you once the rest of our items are moved out proper notice was given to you as well thank you



This is the fire departments inspection and there is no rescheduling with them. I would like to reschedule but unfortunately I can not. Inspection will proceed if you are not home. I will bring a key to let the inspector in.

+1 (651) 367-4604

I will forward these messages to my lawyer...If any of my items are missing I will file a police report



Just to inform you the alarm is set and will go off



Noted. Thank you.

Thu, Jan 2, 11:27 AM



Text Message





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

October 1, 2021

Daniel T Carlson
4448 Cossette Ln N
Hugo MN 55038-4436

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1154 GALTIER ST
Ref. # 126086

Dear Property Representative:

Your building was determined to be a registered vacant building on October 1, 2021. Since certificates are for the occupancy of buildings, it has become necessary to revoke the Certificate of Occupancy.

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required.

DEFICIENCY LIST

1. Exterior - Garage - 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. **-Repair garage roof and maintain exterior unprotected wood.**
2. Exterior - Throughout - 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. **-Clean out and maintain roof gutters. on the home and garage. Replace missing gutters on the Southeast side.**
3. Interior - Kitchen - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. **-Provide kitchen cabinets.**
4. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches, and junction boxes where missing. **-Replace missing outlet plates (2). Main level bathroom. Northeast, Southeast bedrooms.**

5. Interior - Upstairs 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. **-Replace missing fixtures in upstairs bathroom tub.**

6. Interior - Upstairs den - 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. **-Replace missing hardwired CO/Smoke detector in upstairs den.**

7. SPLC 40.05(2)(e). **Revocations of fire certificates of occupancy, condemnations, and orders to vacate. Where the fire certificate of occupancy has been revoked or suspended because of code violations associated with a condemnation and order to vacate, the certificate shall be scheduled for renewal in one (1) year.**

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: Torrance.Harriel@ci.stpaul.mn.us or call me at 651-266-8941 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Torrance Harriel
Fire Safety Inspector

Ref. # 126086

Supervisor
Andrew Weiss



CITY OF SAINT PAUL

June 4, 2021

Daniel T Carlson
4448 Cossette Ln N
Hugo MN 55038-4436

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1154 GALTIER ST

Ref. # 126086

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on June 4, 2021. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on **October 1, 2021 at 9:30AM.**

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. Exterior - Garage - 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. **-Repair garage roof and maintain exterior unprotected wood.**
2. Exterior - Throughout - 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. **Clean out and maintain roof gutters. on the home and garage. Replace missing gutters on the Southeast side.**
3. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. **-Replace missing outlet plates (2). Main level bathroom. Northeast, Southeast bedrooms.**

4. Interior - Upstairs 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. **-Replace missing fixtures in upstairs bathroom tub.**

5. Interior - Upstairs den - 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. **-Replace missing hardwired CO/Smoke detector in upstairs den.**

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If you have any questions, email me at Torrance.Harriel@ci.stpaul.mn.us or call me at 651-266-8941 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,

Torrance Harriel
Fire Safety Inspector
Ref. # 126086