

RLH FCO 22-98



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

OCT 11 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 waived)

☒ Copy of the City-issued orders/letter being appealed

☒ Attachments you may wish to include

☒ This appeal form completed

☐ Walk-In OR ☒ ~~Mail In~~ ^{Email}
for abatement orders only: ☐ Email OR ☐ Fax

HEARING DATE & TIME

(provided by Legislative Hearing Office)

Tuesday, Oct. 25, 2022

Location of Hearing:

☒ Telephone: you will be called between

2:00 p.m. & 4:00 p.m.

☐ In person (Room 330 City Hall) at: _____
(required for all Fire C of O revocation & vacate; Condemnation orders)

Address Being Appealed:

Number & Street: 1145 Hudson Rd #429 City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Derrick Parker/Kjersti Zaragoza Case Manager Email kjersti.zaragoza@va.gov

Phone Numbers: Business _____ Residence _____ Cell 651-357-6372

Signature: KJERSTI ZARAGOZA Digitally signed by KJERSTI ZARAGOZA
Date: 2022.10.07 15:43:11 -05'00' Date: 10/7/2022

Name of Owner (if other than Appellant): Capriet Management Parkway Gardens Senior Apartments

Mailing Address if Not Appellant's: May Vang <MVang@Capreit.com>

Phone Numbers: Business _____ Residence _____ Cell 651-771-0267

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 Resident is disabled. Please see attached document.

☐ Code Enforcement Correction Notice

☐ Vacant Building Registration

☐ Other (Fence Variance, Code Compliance, etc.)

Zimny, Joanna (CI-StPaul)

From: Zaragoza, Kjersti J. <Kjersti.Zaragoza@va.gov>
Sent: Friday, October 7, 2022 4:02 PM
To: *CI-StPaul_LegislativeHearings
Subject: Appeal and Reasonable Accommodations
Attachments: Application for Appeal D.P 10.7.22.pdf; Reasonable Accommodation D.P 10.4.22.docx; 1st inspection notice August 11th D.P.pdf; 2nd Notice D.P Inspection 9.7.2022.pdf; Final Notice Not up to code D.P 9.30.2022.pdf; Flooring Replacement notice 8.6.2022 D.P.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, I am a housing advocate through the department of Veterans Affairs. My veteran Derrick Parker and I are asking for an extension of time before his next inspection so that he and I can get things ready. Myself and Derrick did not understand what it was that he needed to do to get ready for these inspections and Derrick and myself have made efforts to be prepared for inspections including talking with the landlord and asking for further clarification (I have copies of emails as proof), leaving a message for the inspector (which I did not receive a call back), we did a walk through with the landlord together before the last inspection was done to see if they could tell us what more needs to be done to prepare and they thought it would most likely pass (but couldn't give us a guarantee because they are not the fire inspector). If it's difficult for me and property management to understand what Derrick needs to do for an inspection, how can we expect Derrick who is disabled to understand. Derrick and I also made sure to move his belongings so that the flooring could be replaced before the end of August and this was done successfully. I also noticed that Derrick did make reasonable efforts to move his belongings and to be within what he interpreted to be code. For example I noticed that he moved his belongings so that there was more clearance for the window and he made sure to have space in the closets for the sprinkler system. Now after talking to a supervisor in the inspection department today and finding out about the appeal process, I think I finally understand what Derrick and I can do to prepare for the next inspection, but we will need more time. Furthermore I think it should be noted that all notices I have received have not included any information on the appeals process otherwise I would have made an appeal much earlier.

Thank you.

Kjersti Zaragoza MSW LICSW she/her
Social Worker – HUD VASH
Mental Health Homeless Programs
Minneapolis VA Health Care System
mobile: 612-895-0344
office: 612-313-3279
VA Community Resource and Referral Center (CRRC)
1201 Harmon Place Suite 103
Minneapolis, MN 55403
Main CRRC: (612) 313-3240
Fax: 612-338-5902

VA



U.S. Department of Veterans Affairs
Veterans Health Administration

Veterans Crisis Line 800-273-8255 then press 1 (or send a text to 838255)

National Call Center for Veteran Homelessness 877-424-3838

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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

September 23, 2022

MAY BONG
TILDEN FUNDAMENTAL HOLDINGS LLC
1145 HUDSON ROAD
ST PAUL MN 55106 USA

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
1145 HUDSON ROAD

Ref. # 100321

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on September 23, 2022. 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 12, 2022 at 1:00 P.M.

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. 317 - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce by 50%
2. 429 - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce 60%

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 the original orders.

An Equal Opportunity Employer

If you have any questions, email me at james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 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,

James Thomas
Fire Safety Inspector
Ref. # 100321

VA



U.S. Department of Veterans Affairs
Veterans Health Administration
Minneapolis VA Health Care System

Community Resource and
Referral Center (CRRC)
1201 Harmon Place, Suite #103
Minneapolis, MN 55403
www.minneapolis.va.gov

October 4, 2022

In regards to Derrick Parker

1145 Hudson Rd #429 St. Paul MN 55106

To whom it may concern,

This is a letter to confirm that the veteran, Derrick Parker, has a physical and or mental impairment that substantially limits one or more major life activity--meeting the legal definition of a disability under Title 42 of United States Code. Veteran requires assistance from case management and other services in order to maintain independence in housing and requires reasonable accommodations to be able to pass the upcoming inspection.

This letter is to ask that veteran get a reasonable accommodation to have an extension on the amount of time to get ready for inspection. October 12th in this clinicians view is not sufficient time for veteran to prepare based on this veterans disability status. This letter is also asking for clarity and more specifics from the City of St. Paul and landlord on what the veteran needs to do in order to pass the inspection so that veteran can reasonably successful in meeting the requirements. Writer would prefer that the inspector have a conversation with both veteran and this case manager about the specifics of what needs to be done so that writer can ask clarifying questions on veterans behalf as he requires that level of advocacy in order to be successful.

Thank you.

Kjersti Zaragoza MSW LICSW

Phone: 612-895-0344

Main CRRC (612) 313-3240

PARKWAY GARDENS

August 11, 2022

Derrick Parker
1145 Hudson Rd Apt. 429
Saint Paul, MN 55106

Dear Derrick,

On July 19, 2022, the City of Saint Paul, Department of Safety and Inspections inspected your apartment and found that your apartment is not in compliance with city codes.

Below is a Correction Notice of findings from the City of Saint Paul, Department of Safety and Inspections. All deficiency listed below **MUST** be corrected immediately. Failure to address the deficiency is a violation of your Lease and may result in further actions being taken against you, including termination of your Lease.

A reinspection from the Department of Safety and Inspections is scheduled for Wednesday, August 31, 2022, between 11:00AM-1:00PM. During this inspection the apartment **MUST** show significant progress and be accessible for inspection. It is your responsibility to ensure that the apartment is prepared for inspection.

Your apartment is currently **NOT** in compliance with the following city codes:

1. **SPLC 34.10 (1), 34.34 (4), 34.16**-Provide and maintain interior in a clean and sanitary condition.
2. **SPLC 34.10 (7)**- Repair and maintain the floor in an approval manner. (Parkway Gardens' Staff will need to enter your apartment on Monday, August 15, 2022, to inspect your flooring). *Between 9 AM - 5pm M.U*

I am hopeful that you will take necessary steps to correct this matter immediately. Please call with any questions or concerns. Thank you for your cooperation!

Sincerely,

May Vang
Property Manager

cc: Mon Aung

HCV Specialist; Saint Paul Public Housing Agency



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com

PARKWAY GARDENS

September 7, 2022

Derrick Parker
1145 Hudson Rd Apt. 429
Saint Paul, MN 55106

Dear Derrick Parker,

On August 31, 2022, the City of Saint Paul Department of Safety and Inspections re-inspected your apartment and found that your apartment **is not** in compliance with city codes. Therefore, an infraction notice will be issued to you.

Please refer to your Lease Agreement:

Section 33: Responsibilities of Residents. You covenant that you shall:

- (a)-not allow damage nor commit waste to the apartment or surrounding property;
- (f)-keep the apartment in good, clean, and sanitary condition;

A reinspection from the Department of Safety and Inspections is scheduled for Friday, September 23, 2022, between the hours of 9:00 AM-4:00 PM. During this inspection your apartment **MUST** show significant progress and be accessible for inspection. It is your responsibility to ensure that the apartment is prepared for inspection. Below is a Correction Notice of findings from the City of Saint Paul, Department of Safety and Inspections.

Please be aware that this is your final notice. Should your apartment fail inspection on September 23, 2022, it may result in further actions being taken against you, including termination of your Lease. I am hopeful that you will take necessary steps to correct this matter immediately. Please call with any questions or concerns. Thank you for your cooperation!

Your apartment is currently **not in compliance with** the following city codes:

1. **SPLC 34.10 (1), 34.34 (4), 34.16**-Provide and maintain interior in a clean and sanitary condition.



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com

PARKWAY GARDENS

I am hopeful that you will take necessary steps to correct this matter immediately. Please call with any questions or concerns. Thank you for your cooperation!

Sincerely,

May Vang
Property Manager

cc: Mon Aung HCV Specialist; Saint Paul Public Housing Agency
 Jamie Pexa Regional Manager; CAPREIT Residential Management



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com

PARKWAY GARDENS

TO: Derrick Parker PROPERTY: PARKWAY GARDENS

ADDRESS: 1145 Hudson Road # Saint Paul, MN 55106

Please be advised that we have recorded one of the following incidents in your tenant record. Three (3) violation notices may result in immediate eviction.

One of the following infractions was committed by:

X You _____ Your Child / Children _____ Guest / Visitor

The date of the lease/rules infraction was: 8/31/22

DESCRIPTION OF THE INCIDENT / INFRACTION:

- _____ Late and/or nonpayment of rent. In the amount of \$ _____.
- _____ Destruction of property, buildings, grounds.
- _____ Disturbing or harassing of other residents.
- _____ Excessive noise/music from your unit or vehicle.
- _____ Drunk and disorderly conduct and/swearing.
- _____ Illegal Activities on the premise. (Drugs, Weapons, Fights, etc.)
- _____ Activities causing police action of the property.
- _____ Tampering with mailboxes.
- X Failure to keep unit clean and sanitary.
- _____ Leaving garbage, trash, etc. on public areas.
- _____ Allowing unauthorized person to live in unit.
- _____ Failure to allow landlord to enter premise.
- _____ Failure to observe quiet hours after 10:00 PM.
- _____ Unauthorized alterations to unit.
- _____ Breach of building security, leaving doors open.
- _____ Failure to report change of income and/or change of household size.
- _____ Having pet(s) in unit or on common areas without authorization.
- _____ Smoking in a non-designated area.
- _____ Other breaches of lease/rules/regulations: _____

May Varg
Manager Signature

9/7/22
Date



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com

PARKWAY GARDENS

via Hand Delivery

September 30, 2022

Derrick Parker
1145 Hudson Rd Apt. 429
Saint Paul, MN 55106

RE: FINAL NOTICE

Dear Derrick,

On July 19, 2022, the City of Saint Paul Department of Safety and Inspections inspected your apartment and found your apartment not in compliance with the city codes. As of to date, your apartment has been re-inspected three (3) times, on July 29, 2022, August 31, 2022, and September 23, 2022, and it is still not in compliance with city codes. This is a violation of your Lease; therefore, an infraction notice will be issued to you.

Additionally, the City of Saint Paul Department of Safety and Inspections will re-inspect your apartment on October 12, 2022, at 1:00 PM. Below is a correction notice of findings. The deficiency listed below MUST be corrected immediately. During this inspection the apartment MUST show significant progress and be accessible for inspection. Failure to comply will give management no choice but take further actions against you including termination of your Lease.

Your apartment is currently not in compliance with the following city codes:

1. MN Stat 299F.18-Immediately remove and discontinue excessive accumulation of combustible materials. -Reduce by 60%

I am hopeful that you will take necessary steps to correct this matter immediately. Please call with any questions or concerns. Thank you for your cooperation!

Sincerely,

May Vang
Community Manager

CC:

Stephanie St. Jacque
Jamie Pexa

HCV Specialist; Saint Paul Public Housing Agency
Regional Manager; CAPREIT Residential Management



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com

PARKWAY GARDENS

TO: Serrick Parker PROPERTY: PARKWAY GARDENS

ADDRESS: 1145 Hudson Road # Saint Paul, MN 55106

Please be advised that we have recorded one of the following incidents in your tenant record. Three (3) violation notices may result in immediate eviction.

One of the following infractions was committed by:

6 You Your Child / Children Guest / Visitor

The date of the lease/rules infraction was: 9/23/2022

DESCRIPTION OF THE INCIDENT / INFRACTION:

- Late and/or nonpayment of rent. In the amount of \$.
- Destruction of property, buildings, grounds.
- Disturbing or harassing of other residents.
- Excessive noise/music from your unit or vehicle.
- Drunk and disorderly conduct and/swearing.
- Illegal Activities on the premise. (Drugs, Weapons, Fights, etc.)
- Activities causing police action of the property.
- Tampering with mailboxes.
- Failure to keep unit clean and sanitary.
- Leaving garbage, trash, etc. on public areas.
- Allowing unauthorized person to live in unit.
- Failure to allow landlord to enter premise.
- Failure to observe quiet hours after 10:00 PM.
- Unauthorized alterations to unit.
- Breach of building security, leaving doors open.
- Failure to report change of income and/or change of household size.
- Having pet(s) in unit or on common areas without authorization.
- Smoking in a non-designated area.

☒ Other breaches of lease/rules/regulations: Failure to comply
with City codes

May Long
Manager Signature

9.30.22
Date



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com

PARKWAY GARDENS

August 16, 2022

Derrick Parker
1145 Hudson Road #429
Saint Paul, MN 55106

Dear Derrick,

This memo is to inform you that your apartment is scheduled to have the living room, hallway to the bathroom and bathroom flooring replace on Wednesday, August 24, 2022, between the hours of 8:00 AM-5:00 PM.

On Wednesday August 24, 2022, you will need to move all personal belonging out of the living room, kitchen flooring/countertops, hallway closet and bathroom for the plank flooring to be installed. All the areas listed will need to be free of clutter and accessible for our vendors to work in the area. In addition, maintenance will need to enter your apartment around 8:00 AM to remove the refrigerator, stove, toilet and turn off the water.

At the time of these services, you will need to leave the apartment until the projects have been completed. This is tentatively a one-day project. Please make sure these areas are accessible and free of clutter as management and vendors will not be liable for any damages.

Please let me know if you have any questions

Sincerely,

May Vang
Community Manager



Parkway Gardens Apartments
1145 Hudson Road | Saint Paul, MN 55106
(P) 651.771.0267 | Email: parkwaygardens@capreit.com