



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

JUN 23 2021

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

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 536074)
- 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>June 29, 2021</u></p> <p>Time: you will be called between <u>11:30 a.m. & 1:30 p.m.</u></p> <p>Location of Hearing: Teleconference due to Covid-19 Pandemic <u>Call cell*</u></p>
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Address Being Appealed:

Number & Street: 888 Sims Ave City: St Paul State: MN Zip: 55106

Appellant/Applicant: Stephon Hines Email fanclub1948@gmail.com

Phone Numbers: Business _____ Residence _____ Cell *651-202-7189

Signature: [Signature] Date: 6/23/2021

Name of Owner (if other than Appellant): Dao Hoang

Mailing Address if Not Appellant's: 924 Como Ave

Phone Numbers: Business _____ Residence _____ Cell 612-716-0462

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 Owner Sold the Building to Somebody before the repairs was done. I have text messages from when they said they were going to fix things. now were I like I have been ordered to vacate today



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

June 22, 2021

DAO HOANG
924 COMO AVENUE
SAINT PAUL MN 55103

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 888 SIMS AVE
Ref. # 105950

Dear Property Representative:

Your building was inspected on June 22, 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.

A reinspection will be made on June 23, 2021 at 3:00 PM or the property vacated.

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. Access - All Areas - SPLC 34.19 - Provide access to the inspector to all areas of the building.
2. Access - All Areas - SPLC 34.20. - Duty of occupant to allow access to owner or operator. Every occupant of buildings, dwelling units, guest rooms, habitable rooms, premises, residential structures, rooming houses, rooming units and other structures or premises shall upon receiving reasonable prior notice give the owner or operator or their agent or employee access to the premises at reasonable times for the purpose of effecting inspections, maintenance, repairs or alterations which are necessary to comply with provisions of this chapter.

3. Exterior - Back Stairs - 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.

The left stringer (looking down) for the very top stairs sink in when stepped on. The stringer is cracked and damaged. Immediately have these steps repair.

The entire back stairs have chipping and peeling paint and surfaces that is no longer protected from the natural elements.

There are loose and broken balustrades.

4. Exterior - Back of Property - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points.-On the South and South East corner of the house, the foundation wall is damaged and has large sections that have broken off. There is also large holes and openings along the edges that may be contributing to the water damage in the basement.
5. Exterior - Front Porch Area - MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building. -There is a gas-powered lawnmower in the front porch area. Immediately remove this equipment.
6. Exterior - Handrails - SPLC 34.09 (3), 34.33(2) - Repair or replace the damaged handrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989.-The handrails for the back stairs are damaged and no longer properly installed.
The handrail for the front stairs has broken off.
7. 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 fascia covers that have come off and there are openings in the corner cover panel.
8. Exterior - Throughout - SPLC 45.03 (7) - Cut and maintain the grass/weeds less than 8 inches tall. -Remove all the trees that is growing along the property's foundation and around the gas meter.
9. Exterior - Window Screens - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen. -There are missing window screens and window screens that are torn and damaged.
10. Exterior - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -On the West side of the house, a

section of the covering for the window frame has broken off. Properly repair the wooden board first before placing the cover back.

There is a cellar window that is damaged and has fell off and the sill and frame need to be painted.

There is storm window at the top of the back stairs that has popped out of the frame.

There are front porch windows that are missing or popped out of the frame.

11. Interior - Basement - 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 near the water heater that has a damaged light bulb in it.
12. Interior - Basement - NEC 300.11 - Provide for all raceways, boxes, cabinets, and fittings to be securely fastened in place. -There is a light fixture in South end of the basement that is loose and unsecured.
13. Interior - Basement - SPLC 34.11 (6), 34.35 (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. -The radiators throughout the apartment are not working properly. One side of the radiator is hot, and the other side is very cold. Contact a licensed contractor to evaluate the problem.
14. Interior - Basement - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew. -On the East and South side of the basement, the walls are water damaged and has black substance developed on them.
15. Interior - Electric Panels - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use. -Both electrical panels do not have a circuit directory.
16. Unit 1 - Bathroom - Bath Tub - 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 LIEP at (651) 266-9090. The bath tub is completely gone. Contact a licensed contractor to install a new bath tub. A permit is required.
17. Unit 1 - Bathroom - Floor - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom floor impervious to water. -The floor underneath the bath tub is water damaged and rotted. The linoleum on the floor is damaged. Replace the bathroom floor. A permit may be required.

18. Unit 1 - Bathroom - Toilet - 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 is loose and is missing the seal around the bottom.
19. Unit 1 - Bedroom - MSFC 605.4 - Discontinue use of all multi-plug adapters. -In the bedroom, there is a multi-plug adapter being used and there is no cover plate behind it.
20. Unit 1 - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.
The bedroom ceiling is water damaged and has black substance developing on it.
The kitchen ceiling is water damaged.
21. Unit 1 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition.
The door knob for the front entry door is missing and the latch has been left in the opening, broken.
The back-entry door for Unit 1 is missing the door knob.
The bedroom doors do not latch properly.
22. Unit 1 - Floor - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -The kitchen floor is worn and damaged.
23. Unit 1 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There is an outlet in the kitchen with a broken cover plate.
24. Unit 1 - Kitchen - 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.-One of the burner plates for the electric stove is missing and there is a control button that is missing.
25. Unit 1 - Kitchen - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.
The base of the kitchen sink cabinet is rotted and damaged. Replace the base.
There is a missing tile for the counter and a piece of the ledge that is broken.
26. Unit 1 - Kitchen - 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 kitchen sink. This work may require a permit(s). Call LIEP at (651) 266-9090.

The pipes for the kitchen sink are leaking.

27. **Unit 1 - Throughout - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office. -Unit #1 has been condemned due to unfit conditions and gross and unsanitary conditions. There is no working bathroom in Unit 1 and there is an excessive amount of human feces in the basement. This apartment must be vacated June 23, 2021 by 3:00 PM.**
28. Unit 1 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -The walls in the bathroom, bedroom, hallway and underneath the kitchen sink is damaged, has peeling wallpaper and unfinished repairs.
29. Unit 1 - Water - SPLC 34.11(5), 34.35(2), MPC 408.3 - Provide adequate hot water between 110 degrees F and 120 degrees F.-The hot temperature in Unit 1 has been read at 149 degrees Fahrenheit. Reduce the water temperature.
30. Unit 1 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The bedroom windows are in disrepair. The windows have peeling paint, broken sash cords, do not stay up at any position and falls, including the top sash for the back facing window.
The bathroom window does not stay up and falls. There is a small can holding the window open.
31. **Unit 1 & Basement - Throughout - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. -In a back section of the basement, there is an excessive amount of human feces in this area. Contact a contractor to help clean and sanitize this area.**
32. Unit 2 - Bathroom - SPLC 34.14 (2) c - Repair or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-8989.-The GFCI outlet in the bathroom has been painted over. Replace this outlet.
33. Unit 2 - Bathroom - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms. - The bathroom fan is missing the cover.

34. Unit 2 - 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 tub or shower. This work may require a permit(s). Call LIEP at (651) 266-9090. There is large crack/opening on the shower wall.
35. Unit 2 - Bedroom & Kitchen - NEC 440.13 - For cord-connected equipment such as: room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug, and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet. -The air conditioner in the upstairs bedroom is plugged into an extension cord.
The refrigerator is plugged into a multi-plug adapter.
36. Unit 2 - Bottom of Stairs - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -The floor at the bottom of the stairs is in disrepair with loose/missing pieces.
37. Unit 2 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition. -Exterior - The mortise lock is missing for the front entry door.
Exterior - The crossbar and latch for the screen door do not line up and does not work.
Interior - The door knobs for the bedroom doors are loose.
Interior - The door leading to the third level has a hole/dent in it.
38. Unit 2 - Kitchen - MSFC 605.4 - Discontinue use of all multi-plug adapters.
39. Unit 2 - Light Fixture - 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.-The cover the kitchen light fixture is missing.
40. Unit 2 - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
There is an outlet in the front bedroom that is missing the cover.
The outlet next to the refrigerator is missing the cover.
41. Unit 2 - Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Upstairs Bedroom - The outlet next to the electric baseboard heater is burned. Replace under permit.
Front Bedroom - There is an outlet being held with tape and the cover is broken.

42. Unit 2 - Upper Stairway - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner. -In the stairway leading to the upstairs bedroom, there is a wooden board (next to handrail) that has a piece broken off.
43. Unit 2 - Upstairs Bedroom - MSFC 603.7 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work requires a permit(s). Call DSI at (651) 266-8989. Red tags may not be removed except by fire department inspector. - The electric baseboard heater in the upstairs bedroom has been red-tagged because the plug and the outlet are burned, creating a fire hazard.
44. Unit 2 - Upstairs Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
45. Unit 2 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -Front & Back Bedroom - The double-hung windows do not line up properly and are unable to latch.
Back Bedroom - The crank handle is missing and does not open.
Front Bedroom - The crank handle is missing.
Kitchen - The gasket for the left kitchen window is damaged.
46. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
47. **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, but not limited to, long term non-compliance and failure to provide access to the fire inspector. Immediately vacate apartment #1 by June 23, 2021. Vacate apartment #2 by July 1, 2021.**

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. # 105950