



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED
OCT 21 2015
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, <u>Nov. 3, 2015</u>	
Time	<u>2:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse	

Address Being Appealed:

Number & Street: 1128 Magnolia Ave E City: St Paul State: Mn Zip: 55106

Appellant/Applicant: Sharon Bruestle Email sebruestle@gmail.com

Phone Numbers: Business 651-455-7355 Residence _____ Cell 651-307-2038

Signature: Sharon Bruestle Date: 10/14/15

Name of Owner (if other than Appellant): Palm Bay

Mailing Address if Not Appellant's: Po Box 18004 West St Paul 55118

Phone Numbers: Business 651-455-7355 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.)

We were given conflicting inspection dates & were not at first inspection



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

October 08, 2015

Equity Trust Company Fbo Z119285 Ira
161 Marie Ave E
Saint Paul MN 55118-4004

VACANT BUILDING REGISTRATION NOTICE

The premises at **1128 MAGNOLIA AVE E** 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 **\$2,025.00**. 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.

Please return the enclosed registration form along with your payment by November 08, 2015.

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:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

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 , Tom Friel, at 651- 266- 1906 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, Tom Friel, at 651- 266- 1906.

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: tf
vb_registration_notice 11/14



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

October 12, 2015

EPSTEIN ENTERPRISES LLC
PO BOX 18004
ST PAUL MN 55118-0004

FIRE INSPECTION CORRECTION NOTICE

RE: 1128 MAGNOLIA AVE E Ref. #123239 Residential Class: C

Your building was inspected on October 8, 2015 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 November 10, 2015 at 930 AM.

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.

1. EXTERIOR - BACK DOOR - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Peeling and flaking paint on the back door, needs to be maintained.
2. EXTERIOR - FRONT DOOR - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Repair the front door, it would not open during inspection.
3. EXTERIOR - GARAGE DOOR - 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.-Peeling and flaking of paint on the garage door, needs to be maintained

4. INTERIOR - BATHROOM - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220
- Repair or replace and maintain all parts of the plumbing system to an operational condition.-
Repair or replace and maintain an approved private toilet. Upper level bathroom toilet is loose,
should be snug to floor to prevent water leaks
5. INTERIOR - CEILING CRACK - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the
ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling, near the top of the
stairs on upper level.
6. INTERIOR - OUTLETS - MSFC 605.6 - Provide electrical cover plates to all outlets,
switches and junction boxes where missing.-Missing covers on outlets in back steps area and
upper bedroom
7. INTERIOR - SECURITY CHAIN - MSFC 1010.1, 1003.3.1.8 - Remove all locks in
excess of-Remove the security chain on the kitchen door leading to basement

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: Jonathan.Gaulke@ci.stpaul.mn.us or call me at 651-266-8994 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,
Jonathan Gaulke
Fire Inspector
Reference Number 123239



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

September 24, 2015

EPSTEIN ENTERPRISES LLC
PO BOX 18004
ST PAUL MN 55118-0004

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1128 MAGNOLIA AVE E Ref. # 123239

Your building was inspected on September 24, 2015, 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 October 5, 2015 at 12:15 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. 1128 MAGNOLIA - -MSFC SE 111.1 Order - Whenever the fire code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner the fire code official is authorized to issue a stop work order. You are to stop the electrical work at this property and obtain a permit necessary to do the work.
2. 1128 Magnolia - MSFC SEC 58.05 INSPECTIONS; RIGHT OF ENTRY. . The department shall be authorized to enter a dwelling at any reasonable time for the purpose of enforcing the provisions of this chapter. The owner shall give the department free access to such dwelling or premises at all reasonable times for the purpose of such inspection.-
3. 1128 Magnolia - SPLC - SEC. 40.01 - Fire Certificate of occupancy requirement. All existing buildings in the city are required to have and maintain a fire certificate of occupancy issued by the fire marshal. The certificate shall be an indication that the building meets at the time of inspection all relevant codes to maintain the health safety and welfare of the buildings occupants and the general public . It shall be a misdemeanor to rent or lease or permit the occupancy of a building or structure or portion thereof which does not have a fire certificate of occupancy-

4. 1128 Magnolia - SPLC SEC 33.03 PERMITS -- WHEN REQUIRED. d. Electrical. No person shall perform any new electrical installation in any construction remodeling replacement or repair except minor work as defined by the state board of electricity without first obtaining a permit to do such work from the building official.-
5. 1128 Magnolia - -SPLC -SEC 33.03 PERMITS -- WHEN REQUIRED - b. Plumbing. No person shall install remove alter repair or replace or cause of be installed removed altered repaired or replaced any plumbing without first obtaining a permit to do such work from the building official.
6. Basement - 1128 Magnolia - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. The walls in the basement are covered with mold and mildew sanitize clean walls.-Repair or replace the damaged or deteriorated wall coverings.
7. INTERIOR - DRYER VENT - MSMC 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.
8. INTERIOR - HEAT - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times.-With temp was 67 degrees inside the house at 130pm when I was there. Repair or replace the furnace to meet this need. This work require a permit(s). Call DSI at (651) 266-8989.
9. Upstairs - 1128 Magnolia - 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.-
10. Upstairs - 1128 Manolia - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-
11. MSFC 605.1 - Repair or replace damaged electrical fixtures. This work WILL require a permit(s). Call DSI at (651) 266-8989.-
12. MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work WILL require a permit(s). Call DSI at (651) 266-9090.-
13. MSMC 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 WILL require a permit(s). Call DSI at (651) 266-8989.-

14. 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.

15. 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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: Jonathan.Gaulke@ci.stpaul.mn.us or call me at 651-266-8994 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,
Jonathan Gaulke
Fire Inspector
Ref. # 123239



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

Sept 28

September 10, 2015

EPSTEIN ENTERPRISES LLC
PO BOX 18004
ST PAUL MN 55118-0004

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 1128 MAGNOLIA AVE E Ref. # 123239

An inspection was made of your building on September 10, 2015 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

A reinspection will be made on September 22, 2015 at 930 am.

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

1. INTERIOR - DRYER VENT - MSMC 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 require a permit(s).** Call DSI at (651) 266-8989.
2. INTERIOR - HEAT - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times. -With temp was 67 degrees inside the house at 130pm when I was there. Repair or replace the furnace to meet this need. **This work require a permit(s).** Call DSI at (651) 266-8989.

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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.

If you have any questions, email me at: Jonathan.Gaulke@ci.stpaul.mn.us or call me at 651-266-8994 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,
Jonathan Gaulke
Fire Inspector -Ref. # 123239



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Fax: 651-266-8951

September 8, 2015

Epstein Enterprises Llc
Po Box 18004
St Paul Mn 55118-0004

Fire Safety Inspection Appointment

Dear Property Owner:

We have scheduled an inspection of your property. The details of the inspection are listed below.

Address:	1128 Magnolia Ave E	Units:	1
Date:	October 8, 2015	Time:	11am
Inspector:	Jonathan Gaulke	Phone:	651-266-8994
		Email:	Jonathan.Gaulke@ci.stpaul.mn.us

Action Required By You:

You or someone representing you must report to the front of the building to accompany the inspector throughout the building, including each rental unit, where applicable. Please have keys available to all units and common areas. The owner of a building is responsible for notifying the tenants that an inspection will be done at least 24 hours before the inspection.

If you no longer own or manage this building, contact Jonathan Gaulke at 651-266-8994 immediately.

Additional Action Required For Housing

You must complete a **Smoke and Carbon Monoxide Detector Affidavit** prior to the inspection.

Contact a licensed heating or plumbing contractor to conduct a **Heating System Safety Test** that includes a carbon monoxide reading. Submit a completed copy of the report to be approved by this office.

The success of your initial inspection determines what happens next in the inspection cycle. Routine self-inspections before our visit can help you get the best grade possible.

About the Inspection

Forms, fee schedules, a pre-inspection checklist and other inspection handouts and information are available on our website at: <http://www.stpaul.gov/cofo>. Thank you for your co-operation.

Saint Paul Legislative Code authorizes this inspection and the collection of inspection fees. It is a criminal misdemeanor violation to not appear for this appointment without rescheduling with the inspector. In addition, a **No Entry Fee of \$70.00** may be assessed to your Renewal Fee if you need to re-schedule the appointment but fail to notify the inspector in writing by 8:00 a.m. on the date of the inspection.