

RLH VO 18-29



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

Fax: (651) 266-8574

Email: legislativehearings@ci.stpaul.mn.us

RECEIVED

JUN 27 2018

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number 820519)
 - 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>JULY 10, 2018</u>
Time <u>11:00</u>
Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1728 Ross ave City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Lilian A. Hernandez Email hernandezlilian514@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 651 313 0188

Signature: [Signature] Date: 6-27-18

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

I am appealing to find resources that can help me.



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

345.0

June 27, 2018

NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION & ORDER TO VACATE

Lilian A Hernandez
1728 Ross Ave
Saint Paul MN 55106-4237

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1728 ROSS AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **June 26, 2018** and ordered vacated no later than **July 2, 2018**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

“Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned.”

THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. **SPLC 34.23(2) CONDEMNATION: THE INTERIOR OF THE HOUSE CONSTITUTES ILLEGAL OCCUPANCY.** If any dwelling unit, structure or any part thereof is occupied by more occupants than provided by this chapter or is erected, altered or occupied contrary to law, the unit, structure or part thereof shall be deemed an unlawful structure and the enforcement officer shall cause the unit or structure vacated. It shall be unlawful to occupy such unit or structure until it or its occupation, as the case may be, has been made to conform to the law.
IMMEDIATELY REDUCE THE NUMBER OF OCCUPANTS IN THE HOME AND IMMEDIATELY REMOVE MATTRESSES, BEDS, BUNK BEDS, ALL ITEMS/EQUIPMENT WHICH INDICATES THAT PEOPLE ARE SLEEPING IN THE BASEMENT OR OBTAIN BUILDING PERMITS, ELECTRICAL PERMITS, ETC TO INITIATE CONSTRUCTION OF ADDITIONAL LEGAL BEDROOMS. IMMEDIATELY REMOVE SINK, CABINETS, REFRIGERATOR, CAP AND CONCEAL THE WATER PIPE IN THE BASEMENT OR LEGALLY CONVERT THE PROPERTY INTO A DUPLEX. IF YOU DECIDE TO CONVERT THE PROPERTY INTO A DUPLEX OR BUILD ADDITIONAL BEDROOMS, THE REMOVED OCCUPANTS NOR ANY NEW ADDITIONAL OCCUPANTS SHALL LIVE OR SLEEP IN THE HOUSE UNTIL CONSTRUCTION IS COMPLETE. FOR INFORMATION ON ADDITIONAL LEGAL BEDROOMS OR CONVERTING THIS PROPERTY INTO A LEGAL DUPLEX CONTACT ZONING ENFORCEMENT AT 651.266-9008.
2. **SPLC 34.13 REQUIRED SPACE IN SLEEPING ROOMS:** In every dwelling unit, every room occupied for sleeping purposes by one (1) occupant shall have a minimum gross floor area of at least seventy (70) square feet. In every dwelling unit, every room occupied for sleeping purposes by two (2) or more occupants shall have a minimum gross floor area of fifty (50) square feet per occupant thereof. Rooming units shall comply with section 34.17(2) of this Code. **IMMEDIATELY REDUCE THE NUMBER OF OCCUPANTS IN THE HOME OR OBTAIN BUILDING PERMITS, ELECTRICAL PERMITS, ETC TO INITIATE CONSTRUCTION OF ADDITIONAL LEGAL BEDROOMS.**
3. **SPLC 34.13 REQUIRED SPACE IN DWELLING UNITS.** Every dwelling unit shall contain a minimum gross floor area of at least one hundred fifty (150) square feet for the first occupant, at least one hundred (100) square feet for each occupant thereafter, the floor area to be calculated on the basis of the total habitable room area. **IMMEDIATELY REDUCE THE NUMBER OF OCCUPANTS IN THE HOME OR OBTAIN THE NECESSARY BUILDING PERMITS, ELECTRICAL PERMITS, ETC TO INITIATE CONSTRUCTION TO INCREASE THE SQUARE FOOTAGE OF THE HOUSE.**
4. **SPLC 34.15 CARBON MONOXIDE ALARM:** 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. **INSTALL A CARBON MONOXIDE ALARM IN THE BASEMENT AND ON THE TOP FLOOR.**

5. **SPLC 34.15 SMOKE DETECTOR:** The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke detector within 24 hours of discovering that the smoke detector in the dwelling unit is not functioning. Smoke detector may not be tampered with or disabled at any time. **INSTALL A SMOKE DETECTOR IN THE BASEMENT AND ON THE TOP FLOOR.**
6. **SLEEPING ROOMS:** Sleeping room does not meet light, ventilation or escape requirements. Stop the use of this room or repair to meet sleeping room requirements. **IMMEDIATELY REMOVE MATTRESSES, BEDS, BUNK BEDS AND ALL ITEMS/EQUIPMENT WHICH INDICATES THAT PEOPLE ARE SLEEPING IN THE ILLEGAL ROOMS IN THE BASEMENT.**
7. **SPLC 34.04 PRE-EXISTING STRUCTURES, BUILDINGS AND MODIFICATIONS:** Alterations, repairs, additions or modifications that required a permit at the time of construction must have been approved in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit. All applicable building permits must be obtained prior to conducting the required work. **IMMEDIATELY REMOVE SINK, CABINETS, SINK CABINETS, REFRIGERATOR, CAP AND CONCEAL THE WATER PIPE. FOR INFORMATION ON CONVERTING THIS PROPERTY INTO A LEGAL DUPLEX CONTACT ZONING ENFORCEMENT AT 651.266-9008**
8. **SPLC 34.14 BASEMENT: ILLEGAL DWELLING.** Remove the illegal dwelling unit from the basement. **IMMEDIATELY REMOVE SINK, CABINETS, SINK CABINETS, REFRIGERATOR, MATTRESSES, BEDS, BUNK BEDS AND ALL ITEMS/EQUIPMENT WHICH INDICATES THAT PEOPLE ARE LIVING OR SLEEPING IN THE BASEMENT OR LEGALLY CONVERT THE PROPERTY INTO A DUPLEX.**
9. **SPLC 34.13 EMERGENCY ESCAPE AND RESCUE OPENING:** At least one window or door opening in every room used for sleeping purposes shall be openable from the inside and maintained in a professional state of maintenance and repair. Provide and maintain an approved opening from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989. **PROVIDE AND MAINTAIN A MINIMUM OF 36 INCHES CLEARANCE IN FRONT OF AT LEAST ONE WINDOW IN EVERY BEDROOM.**
10. **SPLC 34.09 LOCKS: UNAPPROVED LOCKS.** Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. **REMOVE UNAPPROVED LOCK ON THE DOOR LEADING TO THE BASEMENT FROM THE KITCHEN.**

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

11. **SPLC 34.10 INTERIOR STAIRS:** Every flight of stairs shall be maintained in a professional state of maintenance and repair. Every required handrail and guard shall be firmly fastened and capable of supporting imposed loads and shall be maintained in a professional state of maintenance and repair. **REPAIR THE LOOSE AND DEFECTIVE HANDRAIL LEADING TO THE TOP FLOOR.**

12. SPLC 34.09 **LOCKS/DEADBOLT:** Lacking deadbolt door locks. Provide one-inch throw deadbolt locks for all entry doors to dwelling unit(s). **INSTALL A DEADBOLT DOOR LOCK ON THE SIDE DOOR LEADING TO THE EXTERIOR.**

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Stephan Suon, at 651-331-8273. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Stephan Suon
Enforcement Officer

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cc: Posted to ENS