



CITY OF SAINT PAUL
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REVISED LETTER

March 22, 2017

Lon LeVitre
ResCare MN
5615 Brooklyn Blvd, Ste 200
Brooklyn Center MN 55429

VIA EMAIL: lon.levitre@rescare.com

Re: Appeal for Property at 1585 Rice Street

Dear Mr. LeVitre:

At yesterday's Legislative Hearing, I came to the conclusion that I would recommend to the Council that your appeal be denied with respect to this item in the December 19, 2016 Fire Correction Notice-DHS Licensing Inspection:

8. *HALLWAY FIRE DOORS - REPLACE MISSING FIRE RATED DOORS - MSFC 703.1 - Provide, repair or replace the fire rated assembly. The minimum rating must be: 1Hour.-The fire doors leading from the hallways into the bedroom common areas has been removed. You man either replace the hallway fire rated doors, or provide fire doors to each sleeping room throughout the building.*

In the course of our discussion we talked about the old apartment doors which are in storage in the building and how these were replaced by hollow-core doors which are presently in place. The hollow-core doors have been found to provide inadequate protection to the sleeping rooms in the event of a fire. We didn't discuss when these doors were traded, but I am under the impression it occurred prior to ResCare MN acquiring the building. Additionally, we discussed how there were, at some point, doors in 7 locations in the corridors. These doors acted to provide a barrier for fire and smoke migrating throughout the floor. We did not have any concrete information as to when the corridor doors were removed, but this also seems to have occurred at some point before ResCare MN acquired the building and maybe before a building permit pulled in December 2005.

While we were researching the city's records on these points at the legislative hearing, a question arose as to whether there had been an appeal on the requirement of 20-minute fire rated doors for

the units, which was listed as a needed correction in orders from January 6, 2000. Mai Vang and I had a chance to see what was in our files for this property from the year 2000. We found an appeal, minutes and a resolution regarding unit doors. The decision of the legislative hearing officer and council was to grant the appeal.

While on its face this may seem to resolve the current appeal, I think it's more difficult to interpret the decision. The recommendation was made in the context of many appeals coming forward for fire-rated doors to individual units in apartment buildings city-wide. There were several other cases of this type for the day this was heard and many during this general time period. It looks like Fire Prevention was writing orders on apartment doors which were not 20-minute rated. Because this appeal was in the context of other cases where we were talking about apartments and not rooms, I am fairly confident the order was referring to the doors which are in storage, not the hollow-core doors which are currently in place. However, I can't know that for certain. Complicating this further is the provision in the appeal decision indicating that when the nonconforming doors need to be replaced, they will be replaced with conforming fire rated doors. I think it is very plausible the hollow core doors were a noncompliant change to the old doors.

I also do not know if the doors which were in the corridors were in place at the time in January 2000. There was no mention of them in the orders, so either the corridors were code compliant or the inspector missed the violation. Either way, I do not know have context for the orders on the unit doors. On balance, I think we came to right conclusion yesterday that the doors to the rooms should be changed out to be the old ones, rather than hollow core ones OR the corridor doors should be re-installed.

I am attaching the council's record from 2000 on this. The City Council Public Hearing is on your appeal is Wednesday, April 19, 2017 at 5:30 p.m. in Room 300 Council Chambers if you wish to contest to this recommendation. If you have any questions, please contact me or Mai Vang at 651-266-8563.

Sincerely,

/s/

Marcia Moermond ,
Legislative Hearing Officer

Cc: Fire Supervisors
James Perucca