



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

NOV 30 2018

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 #820607))
  - 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><b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>DEC. 11, 2018</u></p> <p>Time <u>2:30</u></p> <p><u>Location of Hearing:</u> Room 330 City Hall/Courthouse</p>
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## Address Being Appealed:

Number & Street: 933 Albermarle City: St Paul State: MN Zip: 55117

Appellant/Applicant: Investors Capital Email: management@investorscapital.com

Phone Numbers: Business 952-797-9999 Residence \_\_\_\_\_ Cell 952-913-3723

Signature: [Signature] Kaytee Schugel - Agent for owner Date: 11/30/2018

Name of Owner (if other than Appellant): Investors Capital LLC

Mailing Address if Not Appellant's: 7401 Bush Lake Rd Edina MN 55439

Phone Numbers: Business same as above 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.)

See attached documentation of timeline and assurance and reasoning behind request to remove address from vacant building registration.



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](http://www.stpaul.gov/dsi)

362.0

November 20, 2018

Investors Capital Llc  
7401 Bush Lake Rd  
Minneapolis MN 55439-2802

Dear Sir or Madam:

**933 ALBEMARLE ST** is a Registered Vacant Building that requires a Code Compliance Inspection per the City of St. Paul's Vacant Building Statute (Chapter 43). **This dwelling cannot be occupied without a Certificate of Code Compliance. Violation of the Vacant Building Statute (Chapter 43) will result in the issuance of a criminal citation.** This inspection can be obtained by calling Building Inspections and Design at (651) 266-9016.

**THE VACANT BUILDING REGISTRATION FORM AND FEE MUST BE RECEIVED BY THE VACANT BUILDING PROGRAM BEFORE DSI WILL ISSUE ANY PERMITS.**

**Written permission from the City of Saint Paul is required before a Category 2 or Category 3 Vacant Building can be sold.** Requirements which must be met for Category 2 Vacant Buildings include: 1. register/re-register the building; 2. Pay outstanding fees; 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. In addition to meeting all 6 (six) of these requirements, a Category 3 Vacant Building must obtain a **Certificate of Occupancy** or a **Certificate of Code Compliance** prior to the sale of the building. If you have any questions, please contact me at the number below.

**PROPERTIES WHICH ARE SUSPECTED TO BE ILLEGALLY OCCUPIED ARE SUBJECT TO RANDOM INSPECTIONS ANY HOUR OF DAY/NIGHT.**

Sincerely,

**Mike Kalis**  
**651-266-1929**  
Vacant Buildings Code Enforcement Officer

md

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8585. You must submit a copy of this Order with your appeal application.



CITY OF SAINT PAUL

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

Telephone: 651-266-8989

Facsimile: 651-266-1919

www.stpaul.gov/dsi

November 07, 2018

Investors Capital Llc  
7401 Bush Lake Rd  
Minneapolis MN 55439-2802

Customer #:1525899

Bill #: 1406948

## VACANT BUILDING REGISTRATION NOTICE

The premises at **933 ALBEMARLE ST** 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 **\$2,127.00**. 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.

**Payment must be received by December 07, 2018 .**

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

**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 the above address.

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 , Mike Kalis, at 651-266-1929 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, Mike Kalis, at 651-266-1929.

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: mk  
vb\_registration\_notice 11/14



**933 Albermarle Street, St. Paul, MN <sup>55117</sup>~~55439~~ Ref #117457**

9/24/2018 – Property inspected by City of St. Paul. Failed inspection. Reinspection scheduled for 10/31/2018.

10/16/2018 – After non-compliance from tenant made a house call. Tenant did not cooperate with Management's requests to schedule and confirm and address items in unit for re-inspection. Tenant stated most items were already taken care of. However had not paid Sept or Oct rent.

10/17/2018 – Reached out to Fire Inspector Efrayn Franquiz LVM

10/18/2018 – Spoke with Inspector Efrayn Franquiz asked inspector what to do about tenant non-compliance if we should start eviction process. Inspector instructed no, that the inspection is on 10/31/18 and the tenant would have to be out anyway no point in filing.

10/31/2018 – Arrived at residence at 12:50PM, waiting until 2:15PM for inspection. Contacted Department of Safety and Inspections. Receptionist stated Inspector was marked as "out" but no other details. Receptionist proceeded to call a peer inspector and Inspector Franquiz's supervisor neither answered or attempted to reach me.

- LVM to follow up with RE-inspection on 10/31/2018 with Inspector Franquiz
- LVM to follow up with Re-inspection 11/1/2018
- LVM to follow up with Re-inspection 11/2/2018
- LVM to follow up with Re-inspection 11/5/2018
- LVM to follow up with Re-inspection 11/6/2018
- LVM to follow up with Re-inspection 11/7/2018

\*\*Could not reach Inspector Franquiz and did not receive a returned call.

11/7/2018 – Spoke with the receptionist to reach another inspector or a supervisor of Inspector Franquiz. Receptionist informed me that the building was turned over to vacant building status and that I needed to speak to them. This was the first I had heard of this.

11/7/2018 – Spoke with Mike with Vacant Building, he informed me that Inspector Franquiz had turned it over to them as a category 2 vacant building. I explained the situation that the Inspector had not appeared to re-inspect the unit. That we believed most items had been addressed and it was not in the condition being reported. Mike advised to appeal the status.

Kaytee Schugel – Operations Manager  
Caspian Management, LLC  
952-913-3723  
[kaytee@caspianrealty.com](mailto:kaytee@caspianrealty.com)

7401 Bush Lake Rd Suite 7  
Edina, MN 55439