



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

June 8, 2017

Sharri K Mueller  
664 Case Ave  
St Paul MN 55106-3702

## **CORRECTION NOTICE - COMPLAINT INSPECTION**

RE: 664 CASE AVE  
Ref. #

Dear Property Representative:

An inspection was made of your building on June 7, 2017 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately. **A re-inspection will be made on June 9, 2017 at 1:00 pm.**

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 re-inspection fees.

### DEFICIENCY LIST

1. **Building - No C of O** - Sec. 40.01. - Fire certificate of occupancy requirement.
  - (a) All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the department of safety and inspections. The fire certificate of occupancy 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 building's occupants and the general public.
  - (b) Provisional fire certificate of occupancy. When an owner-occupied dwelling changes to a rental dwelling unit, the owner of the dwelling must submit a completed application for a provisional certificate of occupancy, a completed owner's self evaluation affidavit and pay the fee for a provisional certificate of occupancy within thirty (30) days of the change in use.  
-Building is no longer owner occupied and needs to have a Certificate of Occupancy.
2. **Building - No C of O** - Sec. 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:
    - (1) Whenever the certificate was issued in error, or on the basis of incorrect information supplied;
    - (2) When the owner(s) has submitted a false, incomplete or inaccurate statement as a part of the application for certificate;

(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;

(4) If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party;

(5) If the nonresidential building becomes unoccupied or a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;

(6) If a residential building becomes unoccupied or is a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;

(7) Evidence of nuisance activity which shall follow the procedures stated in subsection (b)(2) below; or

(8) If a tenant, leaseholder, or third party payer files a written request for revocation following an owner's violation of Saint Paul Legislative Code chapter 53 which requires that owners notify tenants of pending mortgage foreclosure or cancellation of contract for deed involving the property.

(b) Notice of suspension, revocation or denial.

(1) When the fire code official revokes, suspends or denies a fire certificate of occupancy for safety code violations, the notice shall state:

a. The specific reason(s) for the city's suspension, revocation or denial of the fire certificate of occupancy;

b. The effective date of the revocation, suspension or denial of the fire certificate of occupancy;

c. A statement indicating that the commercial building or residential occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the commercial building or residential occupancy, or portion thereof, is in compliance with applicable safety codes; and

d. A statement indicating that the suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of issuance.

(2) When the fire code official determines in consultation with the city attorney that he or she has evidence of nuisance activity as described in Minnesota Statutes § 617.81, subdivision 2, or other violations of nuisance provisions of the Saint Paul Legislative Code are maintained or permitted in the jurisdiction he or she serves, the fire code official shall provide the written notice as described in paragraph a), by personal service or certified mail, return receipt requested, to the owner and interested parties.

a. The notice must:

1. State that a nuisance as defined in Minnesota Statute § 617.81 Subdivision 2, or other violations of the nuisance provisions of the Saint Paul Legislative Code, is maintained or permitted in the building and must specify the kind or kinds of nuisance being maintained or permitted;

2. Summarize the evidence that a nuisance is being maintained or permitted in the building, including the date or dates on which the nuisance-related activity or activities are alleged to have occurred;

3. Inform the recipient that failure to abate the conduct constituting the nuisance or to otherwise resolve the matter with the fire code official by entering into an agreed upon abatement plan within thirty (30) days of service of the notice will result in rec

3. **Interior - Throughout** - SPLC 34.19 - Provide access to the inspector to all areas of the building.-Allow access for inspection on 6/9/17 @ 1:00 pm for inspection. Failure to comply will result in enforcement action.

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 the original orders.

If you have any questions, email me at: [george.niemeyer@ci.stpaul.mn.us](mailto:george.niemeyer@ci.stpaul.mn.us) or call me at 651-266-8991 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,

George Niemeyer  
Fire Inspector

Ref. #