



# APPLICATION FOR APPEAL

RECEIVED  
OCT 26 2012  
CITY CLERK

Saint Paul City Clerk  
310 City Hall, 15 W. Kellogg Blvd.  
Saint Paul, Minnesota 55102  
Telephone: (651) 266-8560

**The City Clerk needs the following to process your appeal:**

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number \_\_\_\_\_) *Please waive for SMRIS*
- Copy of the City-issued orders or letter which *SMRIS* are being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR  Mail-In

<b>YOUR HEARING Date and Time:</b>
Tuesday, <u>NOV. 6, 2012</u>
Time <u>11:00 a.m.</u>
<b>Location of Hearing:</b>
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 951/953 Desoto St. City: St. Paul State: MN Zip: 55130  
 Appellant/Applicant: Brandy Patterson through Lisa Hollingsworth Esq. Email: lisa.hollingsworth@smrk.org  
 Phone Numbers: Business 651-894-6922 Residence \_\_\_\_\_ Cell \_\_\_\_\_  
 Signature: [Signature] Date: 10/26/12  
 Name of Owner (if other than Appellant): Alan Peterson d/b/a Provest  
 Address (if not Appellant's): 1951 University Ave W. Unit 200  
 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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

The tenants will become homeless after next Wednesday. Ms. Patterson is working with SMRIS to evaluate the feasibility of an Emergency Tenant Remedies Action. In the alternative, she needs additional time for herself and her two minor children to find alternate housing.



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

October 16, 2012

PROVEST, PARTNERSHIP  
1951 UNIVERSITY AVE W UNIT 200  
ST PAUL MN 55104

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 951 DESOTO ST  
Ref. # 82956

Dear Property Representative:

Your building was inspected on October 15, 2012, 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. **An inspection will be made on October 31, 2012 at 1:15 pm 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. 2nd Floor - East Hallway Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace molding along walls throughout east hallway.
2. 2nd Floor - West Wall by Unit 3 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls.
3. 3rd Floor - East Landing Ceiling - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Smoke detector hanging by wires on 3rd floor ceiling.
4. All Units and Common Areas - Electrical Service Throughout - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.-Multiple wall outlets not working throughout interior of building in multiple units and in common areas. Have a licensed contractor inspect and repair or replace electrical outlets throughout.

5. Building - Roof - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Shingles falling apart on south side of roof.
6. Exterior - Building - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair or replace all deteriorated trim, eaves and fascia throughout property on all floors.
7. Exterior - East Wooden Staircase and Deck Boards - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace all deteriorated and damaged staircase and deck boards throughout property.
8. Exterior - Storm Windows and Screens - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.-Replace all missing and/or broken screens and storm windows throughout exterior of building.
9. Exterior - Trash Bin - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Locate trash bin closer to property. Remove couch lying on ground next to garage and cushions by trash receptacle.
10. Interior - 2nd Floor West Stairwell - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace missing molding along staircase landing.
11. Interior/Exterior - Throughout - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be:-Repair and maintain the door closers and door latches throughout property. Multiple door closers not working and multiple doors not self closing.
12. Northwest - Exit/Entry Inner Door Frame - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Missing framing around inner door frame.
13. UNIT 1 - East Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Broken wall outlet on north side of bedroom.
14. UNIT 1 - East Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Missing smoke detector battery.
15. UNIT 1 - East Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.-Loose bedroom door handle.
16. UNIT 1 - Fire Extinguisher - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.-Service unit fire extinguisher. Fire Extinguisher dated 2008.

17. UNIT 1 - Kitchen Stove - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair or replace kitchen stove. Burners not working on stove top.
18. UNIT 1 - Living Room - MSFC 605.6 - Provide all openings in junction boxes to be sealed.-Old hard wired wiring not sealed or plated on east living room wall.
19. UNIT 1 - Multiple Rooms - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls in east, north bedrooms and living room.
20. UNIT 2 - East Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Missing smoke detector battery and cover.
21. UNIT 2 - East Hallway - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Cable cord in hallway causing tripping hazard.
22. UNIT 2 - Kitchen Baseboard Heater - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Heater coming apart from kitchen wall. Secure baseboard heater on kitchen wall.
23. UNIT 3 - Access - SPLC 34.19 - Provide access to the inspector to all areas of the building.-Provide immediate access or failure to provide access will result in immediate enforcement action.
24. UNIT 4 - Combustible Storage - MSFC 315.2.5 - Fueled equipment, including but not limited to charcoal, lighter fluid, motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Tenant is to store charcoal outside of building and unit.
25. UNIT 4 - East Bedroom - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove chain lock from bedroom door.
26. UNIT 4 - East Hallway North Wall - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls.
27. UNIT 4 - Kitchen Stove - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove and plug stove cord directly into wall outlet.
28. UNIT 4 - South Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Ceiling light fixture hanging by wires.
29. UNIT 4 - South Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light fixture cover.

30. UNIT 4 - Throughout Unit - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Tenant is to maintain and clean unit throughout. Found bathtub half full of standing water. Stove top with food sitting out, smell and cleanliness issues throughout unit.
31. UNIT 5 - Baseboard Heater Covers Throughout - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace missing baseboard heater covers throughout unit.
32. UNIT 5 - Kitchen - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Remove multi plug adapter.
33. UNIT 5 - Kitchen Cabinets - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair kitchen cabinet drawers and doors throughout unit to include missing hardware.
34. UNIT 5 - Kitchen Pantry Closet - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair holes in wall inside kitchen pantry closet.
35. UNIT 5 - Living Room - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Missing smoke detector battery.
36. UNIT 5 - Living Room - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light fixture cover.
37. UNIT 5 - Multiple Unit Outlets - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace all inoperative wall outlets throughout unit.
38. UNIT 5 - Underneath Kitchen Sink - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Seal and repair wall underneath kitchen sink.
39. UNIT 5 - West Exit/Entry Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-Repair or replace damaged inner frame molding around exit/entry door.
40. UNIT 6 - Baseboard Heater Covers Throughout - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace all missing baseboard heater covers throughout unit.
41. UNIT 6 - East Bedroom Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair hole on backside of bedroom door or replace door.
42. UNIT 6 - Living Room - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light fixture cover.
43. UNIT 6 - Living Room - MSFC 605.4 - Discontinue use of all multi-plug adapters.- Remove multi plug adapter from wall outlet.

44. 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.
45. 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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [sean.westenhofer@ci.stpaul.mn.us](mailto:sean.westenhofer@ci.stpaul.mn.us) or call me at 651-266-8982 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,

Sean Westenhofer  
Fire Inspector  
Ref. # 82956