

RLH VO 19-31



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

AUG 08 2019

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 SMRLS)
 - 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>AUGUST 13, 2019</u>
Time <u>11:30</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 862 Atlantic St City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Laura Jelinek for Debra Marincell Email: laura.jelinek@smrls.org

Phone Numbers: Business 612-222-5863 Residence _____ Cell _____

Signature: *Laura Jelinek* Date: 8/08/2019

Name of Owner (if other than Appellant): Donny Bateman

Mailing Address if Not Appellant's: 879 Atlantic St, Saint Paul, MN 55106

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

Comments:
This appeal is on behalf of the tenant at this property. Ms. Marincell is requesting to be accomodated with more time to correct the deficiencies listed in the inspection report with the help of Housecalls and other disability services.

 **SMRLS**
SOUTHERN MINNESOTA
REGIONAL LEGAL SERVICES

SAINT PAUL CENTRAL OFFICE

55 East Fifth Street, Suite 400

Saint Paul, MN 55101

Phone: (651) 222-5863 • Fax: (651) 297-6457

Website: www.smrls.org • Email: central@smrls.org

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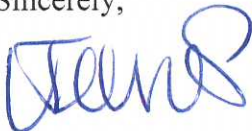
Legislate Hearing Office of City of St. Paul
310 City Hall
15 West Kellogg
St. Paul, MN 55102

Dear Legislative Hearing Staff:

Please find enclosed Application for appeal on behalf of my client Debra Marincell. Ms. Marincell is a tenant at 862 Atlantic Street in St. Paul. The landlord is not taking eviction action against her. She requests that she be given time to correct the deficiencies listed in the inspection report with the help of Housecalls and other disability related services.

Because Ms. Marincell is a tenant and qualifies for SMRLS services she requests the filing fee for the appeal be waived. Thank you for your consideration of this request.

Sincerely,



Laura Jelinek
Attorney



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/dsj

July 31, 2019

Batemans Properties Llc
2239 Matterhorn Ln
St Paul MN 55119-5608

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 862 ATLANTIC ST
Ref. # 100592

Dear Property Representative:

Your building was inspected on July 31, 2019, 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. A reinspection will be made on August 12, 2019 at 3:00P.M. to verify 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. All Freezers - NEC 440.13 - For cord-connected equipment such as: room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet. -
2. BEDROOM EAST WESTSIDE - SPLC 34.13 (3), SPLC 34.17 (2) - The sleeping room(s) are overcrowded. Reduce and maintain the number of occupants in the sleeping rooms to: 1-Bedroom is 99 square feet.

3. Bedroom east side - SPLC 34.23, MSFC 110.1 - This Bedroom is condemned as unsafe or dangerous. This Bedroom must not be used until re-inspected and approved by this office. -
4. MIDDLE BEDROOM - SPLC 34.13 (3), SPLC 34.17 (2) - The sleeping room(s) are overcrowded. Reduce and maintain the number of occupants in the sleeping rooms to: 1-This room is approx. 90 sq ft. You cannot measure because of the clothing on the floor and storage.
5. Middle bedroom - SPLC 34.23, MSFC 110.1 - This Bedroom is condemned as unsafe or dangerous. This Bedroom must not be used until re-inspected and approved by this office. -
6. Throughout house - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials. REDUCE 75%-
7. bedroom East side and - Middle bedroom - MSFC 1030.1 - Provide and maintain an approved escape window 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. Remove clothing storage furniture from one window with no obstruction that can be used for emergency escape. -
8. SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. -
9. SPLC 200.02 (a) - No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989-

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 this order.

If you have any questions, email me at: james.thomas@ci.stpaul.mn.us or call me at 651-266-8983 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

James Thomas
Fire Safety Inspector

Ref. # 100592