



# APPLICATION FOR APPEAL

**Saint Paul City Clerk**

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

MAY 05 2011

The City Clerk needs the following to process your appeal:

- \$25 filing fee payable to the City of Saint Paul (if cash: receipt number \_\_\_\_\_) *Requesting fee waiver for SMRCS client.*
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed

**YOUR HEARING Date and Time:**

Tuesday, 5-10-11

Time 11:00 a.m.

**Location of Hearing:**

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 573 Charles Ave City: St. Paul State: MN Zip: 55103

Appellant/Applicant: Patricia DeLaCruz Email lisa.hollingsworth@smrcls.org

Phone Numbers: Business 651-894-6922 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] attorney for Patricia DeLaCruz Date: 5/5/11

Name of Owner (if other than Appellant): Thomas Phung

Address (if not Appellant's): 1600 128th Lane NW, Coon Rapids MN 55448 - 1573

Phone Numbers: Business 612-232-6978 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
- Other
- Other

The family living at 573 Charles first learned of the inspection of their unit on 5/2/11 when Inspector Martin arrived at their door. Since then, they have taken steps to address all life/safety issues within their control. The family will continue to address lingering issues with dog feces & mold. Al Harris from SMRCS is working with the family to monitor their progress & provide suggestions for improvement. The family has no where to go & will be made homeless by this condemnation.



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)

May 2, 2011

THOMAS PHUNG  
1600 128TH LN NW  
COON RAPIDS MN 55448-1573

## NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE

RE: 573 CHARLES AVE

Dear Property Representative:

Your building was inspected on May 2, 2011.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

**A re-inspection will be made on May 5, 2011 at 9:30 am.**

CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF OCCUPANCY.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

### DEFICIENCY LIST

1. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.
2. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens throughout.
3. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass throughout.- Replace all broken windows throughout.

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4. Exterior - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.
5. Exterior - 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.
6. Exterior - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.
7. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.
8. Exterior - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
9. Exterior - SPLC 34.09 (2) 34.32 (2) - Provide an approved guardrail with intermediate balustrade or rails 4 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-9090.
10. Exterior - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.
11. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
12. Exterior - SPLC 34.11 (7), 34.34 (4) - Provide additional approved containers or additional pick-ups to meet tenant trash demands.
13. Exterior/Interior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.- Repair or replace the rotted moldy windows throughout.
14. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building.
15. Interior - SPLC 34.13 (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the sleeping rooms to: 2 occupants.
16. Interior - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
17. Interior - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times.-Hire a licensed mechanical contractor to provide heat to the front and rear bedrooms on floor two.

18. Interior - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
19. Interior - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Remove dog urine and feces from the basement, and clean the entire home.
20. Interior - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
21. Interior - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
22. Interior - SPLC 34.14 (2) c - Provide or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-9090.-Hire a licensed electrician to provide working outlets throughout under permit.
23. Interior - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.-Repair or replace the deteriorated basement stairs to meet code. Permit required.
24. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the carpeting.
25. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch and paint the holes and/or cracks in the ceiling of the bathrooms, throughout, and remove all mold like substance throughout.
26. Interior - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Hire a licensed contractor to repair the ventilation fans.
27. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Paint and patch the walls throughout and remove all mold like substance, including removing the plastic from the basement walls.
28. Interior - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit way.-Remove all items from hallways, stairs, and egress windows throughout.
29. Interior - SPLC 34.11 (5), 34.34 (2) - Contact a licensed contractor to repair or replace the water heater. This work require as permit(s). Call DSI at (651) 266-9090.-Hire a licensed contractor to verify that the water heater meets code including the tpr valve.
30. Interior - 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-Have all three dogs licensed.

31. Interior - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
32. Interior - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.
33. Interior - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 4715.0200.C - Provide an approved number and type of plumbing fixtures.-Hire a licensed plumber to repair or replace the clogged second floor toilet.
34. Interior - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office.-Condemned due to gross unsanitary conditions.
35. SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
36. 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.
37. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

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 the original orders.

If you have any questions, email me at: [lisa.martin@ci.stpaul.mn.us](mailto:lisa.martin@ci.stpaul.mn.us) or call me at 651-266-8988 between 6:30 - 8:30 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin  
Fire Inspector  
Ref. # 100976

cc: Housing Resource Center  
Force Unit