



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAY 24 2021

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 536058)
- 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, June 8, 2021

Time: you will be called between
11:00 a.m. & 1:00 p.m.

Location of Hearing:
 Teleconference due to Covid-19 Pandemic

*Call 651-485-1254
 Appellant will be with
 atty. at this line*

Address Being Appealed:

Number & Street: 865 Jessie St. City: St. Paul State: MN Zip: 55130

Appellant/Applicant: Pa Mah Vang Email: Her Attorney's e-mail
ThroftLaw@gmail.com

Phone Numbers: Business 651-485-1254 Residence _____ Cell _____

Signature: [Signature] Law Clerk for Attorney Date: 5/24/2021
Derek Throft

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

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.) _____



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

May 24, 2021

NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION & ORDER TO VACATE

Pa Nah Vang
865 Jessie St
St Paul MN 55130-4125

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **865 JESSIE ST** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on May 24, 2021 and ordered vacated no later than June 1, 2021.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

“Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned.”

THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. **SPLC 34.23 CONDEMNATION:** This occupancy is condemned as unsafe or dangerous. It constitutes a condition of material endangerment to occupants and emergency personnel. The interior of home has many Code Violations as previously noted on the Correction Notice and previous notices sent from the Fire Inspection Division. The owner has not pulled any permits and refused access for the inspection.
2. **SPLC 157.03 PARKING:** Stopping or parking prohibited in any of the following places: Across a curb, on a sidewalk or boulevard, lawn, or grass. Please remove vehicles parked in the front yard, and the trailer from the rear yard.
3. **SPLC 45.03 TALL GRASS AND WEEDS:** Immediately cut tall grass and weeds which have grown to a height of eight (8) or more inches or have gone to seed. The Saint Paul Legislative code requires that grass be cut and maintained at a height of under eight (8) inches.
4. **SPLC 34.08 ACCESSORY STRUCTURES/FENCES:** All accessory structures including, but not limited to, detached garages, sheds and fences shall be kept in a professional state of maintenance and repair and maintained structurally sound. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint which is not lead-based paint or by other protective covering or treatment. Service doors to accessory structures shall be provided with securing locks.
5. **SPLC 45.03 EXTENSION CORDS:** Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords adequate to meet the building's needs. This work may require a permit(s), call DSI at (651) 266-9090. Remove extension cords from house and garage. Also, repair electric conduit on the north side of the house.
6. **SPLC 34.09 GUARDRAIL:** Provide an approved guardrail, Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
7. **SPLC 34.09 EXTERIOR WALLS:** The exterior walls and/or trim of the house and/or garage has defective or peeling paint, or unpainted wood surfaces. Maintain in a professional state of maintenance and repair. Repair peeling paint on house and garage.

8. SPLC 34.09 **STAIRWAY/SIDEWALK:** All sidewalks, walkways and exterior stairs shall be maintained in a professional state of maintenance and repair, free of defects and hazards. Repair or replace the unsafe stairway, walkway, and/or sidewalks in an approved manner.
9. SPLC 34.09 **DOOR(S):** All doors and its hardware shall be in sound condition and fit within its frame. Doors shall be maintained in a professional state of maintenance and repair. Repair or replace the damaged door, hardware, or frame. Please repair the front and back doors that are damaged.
10. SPLC 34.09 **WINDOWS:** Repair and maintain the window in good condition including the glass, sash, frame and screens. Windows shall be without cracks or holes, sashes shall be in sound conditions, the window shall be easily opened and maintain the open position. All screens shall be maintained in a professional state of maintenance and repair.
11. SPLC 33.03 (c) **DRYER VENTING:** Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code. This work requires a permit(s). Call DSI at (651) 266-8989.
12. SPLC 45.03 **EXPOSED WIRES:** Remove unapproved exposed wiring and repair or replace damaged electrical fixtures. Install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090. Repair the bathroom ceiling fixture.
13. SPLC 34.09 **LOCKS: UNAPPROVED LOCKS.** Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. Remove all unapproved hasp locks.
14. SPLC 34.14 **VENTILATION:** Provide and maintain a window or approved ventilation system in all bathrooms. Repair or replace non-functioning ventilation system to meet code. Permit will be required. All ventilation fans must meet code.
15. SPLC 45.03 **STORAGE:** Provide and maintain orderly storage of materials. Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling. Maintain orderly storage to allow exit paths throughout the home.
16. SPLC 34.11 **ELECTRICITY:** Immediately repair electrical service. Hire a licensed electrician to repair the flickering light in the kitchen and throughout the home.

17. SPLC 34.11 **SUPPLIED EQUIPMENT:** Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. Repair or replace the stove that was damaged.

18. SPLC 34.10 **WALLS:** All walls must be maintained in a sound condition and in a professional state of maintenance and repair. Patch and paint walls as needed including the upstairs bathroom.

19. SPLC 34.11 **WATER HEATER:** Every residential building or residential portion of a building shall have water heating facilities installed in accordance with the plumbing code, properly maintained and properly connected with hot water lines required under paragraph (4) of this section and which are capable of heating water to a temperature of 110 degrees Fahrenheit but not more than 120 degrees Fahrenheit. An adequate amount of water pressure shall be available for the system served. Contact a licensed contractor to repair or replace the water heater. This work may require a permit(s). Call DSI at (651) 266-8989. Water heater installed without permit. Please provide an approved permit for the water heater.

20. SPLC 33.03 **PLUMBING:** Repair or replace and maintain all parts of the plumbing system to an operational condition. Permits may be required. Toilet that was replaced must meet code.

NOTE: The previous Fire Certificate of Occupancy had been revoked due to long term non-compliance. The inspection process begun on October 22, 2020 with subsequent inspections on November 24, 2021 and February 23, 2021. The Fire Certificate of Occupancy has also been revoked due to; multiple attempts to contact the owner has failed. The revocation was to comply or vacate by April 30, 2021. An appointment letter was sent to the current owner Pa Vang for re-inspection on April 30, 2021 from Code Enforcement. Attempts made by Code Enforcement have been unsuccessful. On the re-inspection scheduled May 24, 2021, the owner refused access to the interior of the building per her attorney.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Lisa Martin, at 651-266-1940. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Lisa Martin
Enforcement Officer

lm

cc: Posted to ENS



CITY OF SAINT PAUL

- Yog hais tias koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yuav pab dawb xwb.
- Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

May 12, 2021

Pa Nah Vang/Occupant
865 Jessie St
St Paul MN 55130-4125

CORRECTION NOTICE

Date: **May 12, 2021**
RE: **865 JESSIE ST**
File #: **21-257234**

Dear Sir/Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **May 12, 2021** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. **SPLC 45.03 TALL GRASS AND WEEDS:** Immediately cut tall grass and weeds which have grown to a height of eight (8) or more inches or have gone to seed. The Saint Paul Legislative code requires that grass be cut and maintained at a height of under eight (8) inches.
2. **SPLC 34.08 ACCESSORY STRUCTURES/FENCES:** All accessory structures including, but not limited to, detached garages, sheds and fences shall be kept in a professional state of maintenance and repair and maintained structurally sound. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint which is not lead-based paint or by other protective covering or treatment. Service doors to accessory structures shall be provided with securing locks.
3. **SPLC 45.03 EXTENSION CORDS:** Immediately, discontinue use of frayed, deteriorated, damaged or spliced electrical cords adequate to meet the building's needs. This work may require a permit(s), call DSI at (651) 266-9090. Remove extension cords from house and garage. Also, repair electric conduit on the north side of the house.
4. **SPLC 34.09 GUARDRAIL:** Provide an approved guardrail. Intermediate balustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.

5. SPLC 34.09 **EXTERIOR WALLS:** The exterior walls and/or trim of the house and/or garage has defective or peeling paint, or unpainted wood surfaces. Maintain in a professional state of maintenance and repair. Repair peeling paint on house and garage.
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9. SPLC 33.03 (c) **DRYER VENTING:** Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code. This work requires a permit(s). Call DSI at (651) 266-8989.
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12. SPLC 34.14 **VENTILATION:** Provide and maintain a window or approved ventilation system in all bathrooms. Repair or replace non-functioning ventilation system to meet code. Permit will be required. All ventilation fans must meet code.

13. SPLC 45.03 **STORAGE:** Provide and maintain orderly storage of materials. Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling. Maintain orderly storage to allow exit paths throughout the home.
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NOTE: The previous Fire Certificate of Occupancy had been revoked due to long term non-compliance. The inspection process begun on October 22, 2020 with subsequent inspections on November 24, 2021 and February 23, 2021. The Fire Certificate of Occupancy has also been revoked due to; multiple attempts to contact the owner has failed. The revocation was to comply or vacate by April 30, 2021. An appointment letter was sent to the current owner Pa Vang for re-inspection on April 30, 2021 from Code Enforcement. Attempts made by Code Enforcement have been unsuccessful.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will re-inspect these premises on **May 24, 2021 at 10:00 AM**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

May 12, 2021
865 JESSIE ST
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You may file an appeal to this notice by contacting the City Clerk at 651-266-8585. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal and pay a filing fee.)

If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-266-1940.

Sincerely,

Lisa Martin
Badge # 335
CODE ENFORCEMENT OFFICER

Footnotes:

- ¹ To see the Legislative Code go to www.stpaul.gov on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- ² Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

WARNING: Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection for compliance after the due date will be collected from the owner rather than being paid for by the taxpayers of the City. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within said 12 months will be collected from the owner rather than being paid for by the taxpayers of the City. Any such future costs will be collected via assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.