



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

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 \_\_\_\_\_)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <b>APRIL 14, 2020</b>
Time <b>10 AM</b>
Location of Hearing: Room 330 City Hall/Courthouse <b>VIA TELEPHONE</b>

### Address Being Appealed:

Number & Street: 2245/2247 Hillsdale Ave. City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Kristina Lepley Email stpaulpm@jimbernco.com

Phone Numbers: Business 651-738-2806 Residence N/A Cell 612-799-4654

Signature: [Handwritten Signature] Date: 4/6/2020

Name of Owner (if other than Appellant): Jim Bern Company

Mailing Address if Not Appellant's: 8162 Bloomington Ave. Bloomington, MN 55425

Phone Numbers: Business 952-854-7788 Residence N/A Cell 952-237-8650

### 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:

I requested to have three fire inspections rescheduled, as tenants requested that no one is brought into their units during the stay at home order as to avoid unnecessary person to person contact. Notice was given with more than 24 hours notice (see attached). The inspector, James Thomas, showed up all three days and was not given permission to enter the units as tenants didn't want anyone in their homes during the stay at home order.



CITY OF SAINT PAUL

March 30, 2020

JIM BERN COMPANY  
8162 BLOOMINGTON AVE S  
BLOOMINGTON MN 55425

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

RE: 2245 HILLSDALE AVE  
Ref. # 107364

Dear Property Representative:

Your building was inspected on March 30, 2020, 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 April 13, 2020 at 2:30P.M. 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. 2245 - Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce by 75%
2. 2245 - Basement - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-
3. 2245 - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path..-Remove all cords from all pathways . Rug is covering the cords across threshold leading to the kitchen
4. 2247 - Basement - NEC 300-4 - Provide for conductors to be adequately protected from physical damage.-

5. 2247 - Basement - NEC 300-21 - Provide for the openings through walls, floors or ceilings to be fire stopped CORD CONNECTION GOING THROUGH A HEATING VENT . THIS CORD CANNOT GO THROUGH THE HEAT VENT
6. 2247 - Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structure , EXTENDED through walls , ceiling or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact.-You electrical cords going through floors and heat vents tha is not code.
7. 2247 - MSFC 603.7 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call DSI at (651) 266-8989. Red tags may not be removed except by fire department inspector. YOU STILL HAVE A OPEN PERMIT FOR THE INSTALLATION OF THE FURNACE. CONTACT YOUR CONTRACTOR AND HAVE YOUR PERMIT FINAL.-  
*Killmer is coming out April 9th*
8. 2247 - MMC 504.6 - 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 SHALL require a permit(s). Call DSI at (651) 266-8989.-DRYER DUCT INSTALLED WITOUT A PER IT. INSTALLATION REQUIRES A PERMIT  
*Already done + closed out*
9. Landing 2245 - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path..-Remove all storage racks from the landings upstairs and downstairs of the top and bottom of stairway

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](mailto: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



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

January 13, 2020

Jim Bern Company  
8162 Bloomington Ave S  
Bloomington Mn 55425

## Fire Safety Inspection Appointment

Dear Property Owner:

We have scheduled an inspection of your property. The details of the inspection are listed below:

<b>Address:</b>	2245 Hillsdale Ave	<b>Units:</b>	2
<b>Date:</b>	January 29, 2020	<b>Time:</b>	11:00A.M.
<b>Inspector:</b>	James Thomas	<b>Phone:</b>	651-266-8983
		<b>Email:</b>	james.thomas@ci.stpaul.mn.us

### Action Required By You

You or someone representing you must report to the front of the building to accompany the inspector throughout the building, including each rental unit, where applicable. Please have keys available to all units and common areas. The owner of a building is responsible for notifying the tenants that an inspection will be done at least 24 hours before the inspection.

If you no longer own or manage this building, contact James Thomas at 651-266-8983 immediately.

### Additional Action Required For Housing

You must complete a **Smoke and Carbon Monoxide Detector Affidavit** prior to the inspection.

The success of your initial inspection determines what happens next in the inspection cycle. Routine self-inspections before our visit can help you obtain the best grade possible.

### About the Inspection

Forms, fee schedules, a pre-inspection checklist and other inspection handouts and information are available on our website at: <http://www.stpaul.gov/cofo>. Thank you for your co-operation.

Saint Paul Legislative Code authorizes this inspection and the collection of inspection fees. It is a criminal misdemeanor violation to not appear for this appointment without rescheduling with the inspector. In addition, a **No Entry Fee of \$74.00** may be assessed to your Renewal Fee if you need to re-schedule the appointment but fail to notify the inspector in writing by 8:00 a.m. on the date of the inspection.



CITY OF SAINT PAUL

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)

January 29, 2020

JIM BERN COMPANY  
8162 BLOOMINGTON AVE S  
BLOOMINGTON MN 55425

### **FIRE INSPECTION CORRECTION NOTICE**

RE: 2245 HILLSDALE AVE  
Ref. #107364  
Residential Class: C

Dear Property Representative:

Your building was inspected on January 29, 2020 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. A re-inspection will be made on March 2, 2020 at 11:00A.M.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

**YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.**

#### **DEFICIENCY LIST**

1. 2245 - Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials. -Reduce by 75%
2. 2245 - Bedroom S.W. Side - 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 storage and any

obstruction that will prevent emergency rescue and escape through one window to be used for emergency escape.

3. 2245 - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. -Remove all cords from all pathways. Rug is covering the cords across threshold leading to the kitchen
4. 2247 - Basement - NEC 300-4 - Provide for conductors to be adequately protected from physical damage. -
5. 2247 - Basement - NEC 300-21 - Provide for the openings through walls, floors or ceilings to be fire stopped using approved methods. Have an electrician remove and reconnection under permit. -you HAVE AND ELECTRICAL CORD CONNECTION GOING THROUGH A HEATING VENT. THIS CORD CANNOT GO THROUGH THE HEAT VENT
6. **2247 - Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structure, EXTENDED through walls, ceiling or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. -Your electrical cords going through floors and heat vents that is not code.**
7. 2247 - Bedroom South side - 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.-You must have at least one window that can be used as an emergency escape and rescue Remove the bed post are the flowers from one window.
8. 2247 - MSFC 603.7 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call **DSI at (651) 266-8989. Red tags may not be removed except by fire department inspector. YOU STILL HAVE AN OPEN PERMIT FOR THE INSTALLATION OF THE FURNACE. CONTACT YOUR CONTRACTOR AND HAVE YOUR PERMIT FINAL. -**
9. 2247 - MMC 504.6 - 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 SHALL

require a permit(s). Call DSI at (651) 266-8989.-DRYER DUCT INSTALLED WITOUT A PERMIT. INSTALLATION REQUIRES A PERMIT

10. Landing 2245 - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. -Remove all storage racks from the landings upstairs and downstairs of the top and bottom of stairway

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](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 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,

James Thomas  
Fire Safety Inspector

Reference Number 107364



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

March 2, 2020

JIM BERN COMPANY  
8162 BLOOMINGTON AVE S  
BLOOMINGTON MN 55425

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
2245 HILLSDALE AVE

Ref. # 107364

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on March 2, 2020. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on March 12, 2020 at 9:15AM.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

#### DEFICIENCY LIST

1. 2245 - Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Reduce by 75%
2. 2245 - Basement - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-
3. 2245 - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.-Remove all cords from all pathways . Rug is covering the cords across threshold leading to the kitchen

4. 2247 - Basement - NEC 300-4 - Provide for conductors to be adequately protected from physical damage.-
  
5. 2247 - Basement - NEC 300-21 - Provide for the openings through walls, floors or ceilings to be fire stopped using approved methods. Have a electrician remove and reconnection under permit .-YOU HAVE AND ELECTRICAL CORD CONNECTION GOING THROUGH A HEATING VENT . THIS CORD CANNOT GO THROUGH THE HEAT VENT
  
6. 2247 - Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structure , EXTENDED through walls , ceiling or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact.-You electrical cords going through floors and heat vents tha is not code.
  
7. 2247 - MSFC 603.7 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call DSI at (651) 266-8989. Red tags may not be removed except by fire department inspector. YOU STILL HAVE A OPEN PERMIT FOR THE INSTALLATION OF THE FURNACE. CONTACT YOUR CONTRACTOR AND HAVE YOUR PERMIT FINAL.-
  
8. 2247 - MMC 504.6 - 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 SHALL require a permit(s). Call DSI at (651) 266-8989.-DRYER DUCT INSTALLED WITOUT A PER IT. INSTALLATION REQUIRES A PERMIT
  
9. Landing 2245 - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path..-Remove all storage racks from the landings upstairs and downstairs of the top and bottom of stairway

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, 3 10 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 [james.thomas@ci.stpaul.mn.us](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 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,

James Thomas  
Fire Safety Inspector  
Ref. # 107364

**Camille Borgmann**

---

**From:** Kristina Lepley  
**Sent:** Thursday, April 2, 2020 3:27 PM  
**To:** Camille Borgmann  
**Subject:** FW: UPCOMING INSPECTION

**Importance:** High

**From:** Kristina Lepley  
**Sent:** Monday, March 23, 2020 4:27 PM  
**To:** Thomas, James (Cl-StPaul) <james.thomas@ci.stpaul.mn.us>  
**Subject:** UPCOMING INSPECTION  
**Importance:** High

Good afternoon,

I'd like to reschedule a few inspections due to the virus, The first one is going to be 2221 Hillisdale avenue for 3/25/20 the second one is going to be 2200 Glenridge that unit is now a vacant3/26/20. And also 2245 Hillisdale 3/30/20

Best regards,  
Kristina Lepley  
Property Manager  
Georgetown Park of St. Paul  
Maplehill's Townhome  
2257 Hillisdale Ave.  
St. Paul, MN 55119  
Office: 651-738-2806  
Fax: 651-738-9199  
Email: [stpaulpm@jimbernco.com](mailto:stpaulpm@jimbernco.com)

**Camille Borgmann**

---

**From:** Kristina Lepley  
**Sent:** Thursday, April 2, 2020 3:27 PM  
**To:** Camille Borgmann  
**Subject:** FW: Canceling inspections

**From:** Kristina Lepley <stpaulpm@jimbernco.com>  
**Sent:** Tuesday, March 24, 2020 10:29 AM  
**To:** Thomas, James (CI-STPaul) <james.thomas@ci.stpaul.mn.us>  
**Subject:** Re: Canceling inspections

Okay well that's fine I am requesting that you cancel them due to the virus and reschedule them for a later date please and thank you.

Best regards and be safe.  
Kristina

[Get Outlook for Android](#)

---

**From:** Thomas, James (CI-STPaul) <james.thomas@ci.stpaul.mn.us>  
**Sent:** Tuesday, March 24, 2020 10:24:33 AM  
**To:** Kristina Lepley <stpaulpm@jimbernco.com>  
**Subject:** Canceling Inspections

The City is not canceling inspections due to the virus