



# APPLICATION FOR APPEAL

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NOV 22 2011

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 \_\_\_\_\_)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR  Mail-In

**YOUR HEARING Date and Time:**

Tuesday, 12-6-11

Time 11:00 am

**Location of Hearing:**

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 416 Van Buren Ave City: St Paul State: MN Zip: 55103

Appellant/Applicant: Benjamin Aung Email \_\_\_\_\_

Phone Numbers: Business 651 489 4236 Residence 651 488 1501 Cell 651/503-2746

Signature: Benjamin Than Aung Date: 11-21-2011

Name of Owner (if other than Appellant): BENJAMIN T & PRISCILLA P AUNG

Address (if not Appellant's): 416 NEBRASKA AVE W ST PAUL MN 55117

Phone Numbers: Business 651 489 4236 Residence 651 488 1501 Cell 651 503 2746

## 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

We are appealing this notice because we are working on fixing these issues. We fixed the carbon monoxide detector & smoke detector already. The tenants moved furniture out of the way. We have started fixing things already & need more time to finish. The tenants have

no where to go, on such short notice



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)

November 18, 2011

Benjamin T Aung  
416 Nebraska Ave W  
St Paul MN 55117-3594

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

RE: 416 VAN BUREN AVE

Dear Property Representative:

Your building was inspected on November 18, 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 November 28, 2011 at 8:30 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 71.01 - The address posted is not visible from street.-Provide reflective numbers or background or illuminate at night.
2. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Clean out the garage and secure immediately.

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3. 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.
4. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.
5. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the doors in good condition.
6. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frames.
7. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
8. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.
9. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
10. Exterior-Throughout - 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.-Repair or remove the garage and fence to meet code. Permit required.
11. Exterior-Throughout - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
12. Interior-Throughout - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Hire a licensed exterminator to eliminate roaches and other pests. Provide written documentation.
13. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
14. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceilings in an approved manner.
15. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floors in an approved manner.
16. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch and paint the holes and/or cracks in the walls.

17. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.
18. Interior-Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
19. Interior-Throughout - UMC 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. This work may require a permit(s). Call DSI at (651) 266-8989.- Hire a licensed contractor to install the dryer vent to meet code.
20. Interior-Throughout - SPLC 34.19 - Provide access to the inspector to all areas of the building.
21. Interior-Throughout - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
22. Interior-Throughout - SPLC 34.13 (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the sleeping rooms to: 2 occupants.
23. Interior-Throughout - SPLC 34.13 (2), (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the unit.
24. Interior-Throughout - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) - 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-Unable to get to windows due to beds from wall to wall.
25. Interior-Throughout - 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.
26. Interior-Throughout - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times.
27. Interior-Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
28. Interior-Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
29. Interior-Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work requires a permit(s). Call DSI at (651) 266-9090.-Hire a licensed electrician to repair light fixtures throughout the house and garage to meet code. Remove all temporary lighting. Permit required.

30. Interior-Throughout - MSFC 1003.3.1.8 - 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.
31. Interior-Throughout - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
32. Interior-Throughout - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
33. Interior-Throughout - 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. This includes the house and garage.-The house and garage are condemned based on over-occupancy, no co detectors, electrical hazards, no legal egress windows, exits blocked, floors rotted that are buckled, needs smoke detectors, dryer vent does not meet code, over-crowded sleeping areas throughout, plumbing issues.
34. Interior-Throughout - 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 install missing fixtures and repair low water pressure throughout.
35. Interior-Throughout - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.
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.

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 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

cc: Housing Resource Center/Force Unit