



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED 310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

AUG 28 2015

Telephone: (651) 266-8585

CITY CLERK

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number check # 4023)
- ☒ 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, September 15, 2015

Time 1:30 P.M.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 967 Reaney Ave. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Shoua Xiong Email: SUAVLWM@Yahoo.Com.

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 651-472-2858

Signature: Shoua Xiong Date: 8-28-15

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: 326 Fuller Ave. #3; St. Paul, MN 55103

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.)

I need more time than the specified Time period  
and want to appeal to a lot of correction items  
out of 40 things. I feel like this is an necessary.

# Legislative Hearing Fact Sheet

Legislative Hearings provide a forum to review appeals of City-issued orders and develop recommendations for City Council consideration. Appellants not satisfied with the recommendation of the Hearing Officer also have an opportunity to be heard before the City Council if they wish to appeal further. Any person unsatisfied by the quasi-judicial decision of the City Council may obtain judicial review by timely filing of an action.

## Appeal Applications

Appeal application forms are available online at <http://www.stpaul.gov/index.aspx?NID=161> or they can be mailed to you calling 651-266-8585. Appeal applications may be submitted in person at or by mail at Legislative Hearings, 310 City Hall, 15 Kellogg Boulevard W., St. Paul, MN 55102. Appeal applications should be filed within ten days of the date of written notification of the item(s) being appealed.

## Scheduling Your Appeal Hearing

The date and time of the hearing for those applications submitted in person will usually be set at that time. Mailed applications will be copied and returned to the appellant with the date and time clearly indicated on the form. Generally, appeal hearings are scheduled one to four weeks after the application is submitted. Once an appeal has been scheduled, it may not be rescheduled more than once. Additional rescheduling will only be done by referral from the City Council.

*If you are appealing a special assessment or wish to be heard on a proposed order to abate a nuisance building, the appeal dates and times are automatically listed in the orders themselves.*

## Hearings Are Held on Tuesdays & The Schedule Typically Is:

9:00	Tax Assessments & Orders to Remove or Repair, Repurchase of Application
11:00	Summary & Vehicle Abatement Orders, Correction Notice/Orders by Code Enforcement
11:30	Condemnations, Revocations & Vacate Order
1:30	Fire Certificate of Occupancy Letters & Fire Inspection Correction Order, Inspection Appointment Letters
2:30	Vacant Building Registration Notices
3:00	Other Cases (Usually Code Compliance Inspection Report, Fence Variance) and Overflow Hearings

## What to Expect at the Hearing

A number of appeals are heard in each hearing session. For each appeal, City Staff will give a report and appellants will be given time to present information, testimony, photos or other documents. The Hearing Officer will take all of this into account to develop a recommendation for Council consideration. Occasionally, a decision cannot be made at the hearing and the matter will be laid over or continued to allow the appellant and/or staff time to gather more information. The hearings are quite informal but it is still expected that cell phones and pagers will be turned off, and City staff and appellants will address one another respectfully.

**Interpreter:** If you need an interpreter for your hearing, please call 651-266-8585 for us to arrange one.



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)

RECEIVED

AUG 27 2015

CITY CLERK

RECEIVED

AUG 28 2015

CITY CLERK

August 21, 2015

SHOUA G XIONG  
CHAO J XIONG  
376 FULLER AVE  
ST PAUL MN 55103

### FIRE INSPECTION CORRECTION NOTICE

RE: 967 REANEY AVE  
Ref. #109973  
Residential Class: D

Dear Property Representative:

Your building was inspected on August 12, 2015 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 October 19, 2015 at 1:45 PM.**

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. Exterior - Back of Building - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.

2. Exterior - Back of Building - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.  
Repair the sidewalk at the rear of the building. The cement stones are no longer properly affixed and it is a tripping hazard.
3. Exterior - Roof - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.  
Repair the roof for the garage. There are loose and missing shingles on the garage roof.
4. Exterior - Throughout - SPLC 34.09 (1) b,c, 34.33 (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.  
Repair the broken and chipped off bricks at the front of the house and fill in the hole next to the front entry door.  
Repair the large opening on the North West corner of the building.  
Repair or replace the bricks that are loose from the wall on the North West part of the building.
5. Exterior - Throughout - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements.  
Repair or replace or remove the fence.  
Repair the fascia and soffits all around the garage. They have chipping and peeling paint on them and there are holes, cracks, and large openings all around the garage.  
Repair or replace the broken and chipped panels on the garage.  
Repair or replace the main garage doors. The doors are dented in and the left garage door has a loose molding that has come loose and is exposing the door track.  
Repair or replace the damaged corner panel on the North side of the garage.
6. Exterior - Throughout - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.
7. Exterior - Throughout - SPLC 34.12 (2), SPLC 34.36 (1) - 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 water gutter and all its components. They are rusted and damaged. The water gutters have been installed to capture and redirect water away from the house.
8. Interior - Basement - MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done. A permit is required for the installation of the water heaters in the basement.

9. Interior - Basement - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.
10. Interior - Basement - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the ceiling in the basement. There are large holes and broken lath & plaster pieces hanging from the ceiling.
11. Interior - Basement - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition. Repair the leak from the pipes in the basement.
12. Interior - Basement - MFGC Chapter 4 - Provide or replace fuel equipment piping in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.  
Replace the flexible pipe at the top of the water heater. They are not code compliant.
13. Interior - Basement Stairway - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
Repair the holes on the basement stairway hole.
14. Interior - Kitchen - MN Rules 1300.0180 - 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) 266-9090. Red tags may not be removed except by fire department inspector.  
Repair or replace the kitchen stove. The kitchen stove is missing the glass for the oven door and is exposing the stove exhaust ports on the door. Do not remove the red tag.
15. Interior - Throughout - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.-
16. Unit 1 - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.  
Repair the electrical heater on the bathroom wall. It is coming loose from the wall.
17. Unit 1 - Bathroom - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.  
Remove and maintain clean the bathroom wall and tub. There is mildew and possible mold developing.
18. Unit 1 - Bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.  
Repair or replace the baseboard molding in the bathroom. It is loose from the wall.

19. Unit 1 - Bathroom - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition. Repair or replace and maintain an approved private hand sink. This work may require a permit(s). Call LIEP at (651) 266-9090. Repair the leak underneath the bathroom sink and it is clogged.
20. Unit 1 - Bedroom - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit-way.-Remove the items that are blocking the bedroom windows.
21. Unit 1 - Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.  
Repair or replace the window in the bedroom. It is difficult to open and to stay open. Repair, scrape and paint the bedroom window. It has chipping and peeling paint on it.
22. Unit 1 - Bedroom - MSFC 315.2 - Provide and maintain orderly storage of materials.-
23. Unit 1 - Bedroom Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.- Provide, repair or replace the latch for the bedroom door. It does not latch to close.
24. Unit 1 - Doors - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-  
Repair or replace the door trims on the living room door frame. It has broken off and now interrupts the operation of the sliding door.  
Repair or replace the sliding door.  
Provide strike plates for the two back entry doors.  
Provide a new or repair or replace the door trim over the exterior back entry door. It is missing.  
Repair or replace the exterior back entry door. The door is not properly installed and the framing and the trimming around the door is not complete. Also ensure that the openings between the door frame and the building is properly seal and cover.
25. Unit 1 - East Side of Building - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.-
26. Unit 1 - Bedroom - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.  
There is an excessive amount of items in the bedroom. Reduce the amount of items in the room by 50%.
27. Unit 1 - Kitchen - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.  
The GFCI outlet in the kitchen is loose and has an opening around it. Secure the outlet and properly seal around it.

28. Unit 2 - Bathroom - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition. Repair or replace and maintain an approved private toilet. This work may require a permit(s). Call LIEP at (651) 266-9090. The toilet is loose.
29. Unit 2 - Bathroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.  
The GFCI outlet in the bathroom is loose within the wall. Secure the outlet.
30. Unit 2 - Doors - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.  
Repair or replace the South bedroom door. It does not close properly and the hinges are loose from the frame.  
Repair or replace the back entry door. The door does not fit properly within its frame and there are openings on the edges and sides.
31. Unit 2 - South Bedroom - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.  
Remove the unapproved locks on the bedroom windows.
32. Unit 2 - Throughout - SPLC 34.09 (3), 34.33 (3) - Provide or repair and maintain the window screen.  
Unit 2 - Repair or replace the torn screen for the window in the living room.
33. Unit 2 - 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.  
Unit 2 has been condemned because there is electrical and gas service or 2 months, unsanitary conditions, insects and rodents, and non-working smoke and carbon monoxide alarms.
34. Unit 2 - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
35. Unit 2 - Throughout - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-There is a lot of roach activity and there was a mouse spotted running across the kitchen floor.
36. Unit 2 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-Replace the heavily stained carpet in Unit 2 or professionally have the carpet clean.

37. Unit 2 - 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 manufacturer's instructions.-Unit 2 - Replace the carbon monoxide detectors in Unit #2. The carbon monoxide detectors battery door cannot be held up by tape.
38. Unit 2 - Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.  
Repair or replace the window in the bathroom. It is loose and not properly installed and sealed.  
Repair or replace the broken attic window
39. 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.
40. SPLC 39.02(c) - Complete and sign the 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: (651-266-8585) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: [Efrayn.Franquiz@ci.stpaul.mn.us](mailto:Efrayn.Franquiz@ci.stpaul.mn.us) or call me at 651-266-8955 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,

Efrayn Franquiz  
Fire Inspector

Reference Number 109973

An Equal Opportunity Employer

4/12  
#3272 filed  
for