



# APPLICATION FOR APPEAL

RECEIVED  
AUG 04 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, 8-16-11

Time 2:30

Location of Hearing:  
Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 499 WESTERN AVE. N City: ST. PAUL State: MIN Zip: 55021

Appellant/Applicant: TOAN TRUONG Email toan.truong71@yahoo.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 952-484-2993

Signature: *Toan Truong* Date: 8/4/11

Name of Owner (if other than Appellant): TOAN TRUONG

Address (if not Appellant's): 1802 13<sup>th</sup> ST. NW, FARIBAULT, MN 55021

Phone Numbers: Business 952 Residence \_\_\_\_\_ Cell 952-484-2993

## 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

Due to the rental agreement with my tenant He should have 30 days to move everything out the property before we fix it. please give us more time to get things done.



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

Toan Thanh Truong  
1802 13th St W  
Faribault MN 55021-2851

Dear Sir or Madam:

**499 WESTERN AVE N** is a Registered Vacant Building that requires a Code Compliance Inspection per the Vacant Building Statute (Chapter 43). This inspection can be obtained by calling Building and Inspections and Design at (651) 266-9016. **This dwelling can not be occupied without a Certificate of Code Compliance.** Call (651) 266-9016 for a permit sign-off.

**THE VACANT BUILDING REGISTRATION FORM AND REGISTRATION FEE MUST BE RECEIVED BY THE VACANT BUILDING PROGRAM BEFORE DSI MAY ISSUE PERMITS.**

Violation of the Vacant Building Statute (Chapter 43) will result in the issuance of a criminal citation.

**Written permission from the City of Saint Paul is required before a Category 2 or Category 3 Vacant Building can be sold.** Requirements that must be met for Category 2 vacant buildings include: 1. register/re-register the building, 2. Pay outstanding fees, 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use. In addition to meeting all 6(six) of these requirements a Category 3 vacant building must obtain a **Certificate of Occupancy** or a **Certificate of Code Compliance** prior to the sale of the building.

If you have any questions you can call me at the number below.

**PROPERTIES THAT ARE SUSPECTED TO BE ILLEGALLY OCCUPIED ARE SUBJECT TO INSPECTIONS AT ANY HOUR OF THE DAY OR NIGHT.**

Sincerely,

**Matt Dornfeld**

Vacant Buildings Code Enforcement Officer  
651 266 1902



CITY OF SAINT PAUL  
 DEPARTMENT OF SAFETY AND INSPECTIONS  
 DIVISION OF CODE ENFORCEMENT  
 375 Jackson Street, Suite 220  
 Saint Paul, MN 55101-1806

August 04, 2011

11 - 251040

**SUMMARY ABATEMENT ORDER**

352

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

Toan Thanh Truong  
 1802 13th St W  
 Faribault MN 55021-2851

**As owner or person(s) responsible for: 499 WESTERN AVE N you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.**

- Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas.
- Cut and remove tall grass, weeds and rank plant growth.
- Remove and properly dispose of all animal feces from yard areas.
- IMMEDIATELY secure all buildings which are open to unauthorized entry, including: All accessible doors and windows will be boarded if house is not vacated immediately. A code compliance sign off is needed before house can be legally occupied.**
- Other:

If you do not correct the nuisance or file an appeal before **August 09, 2011**, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes. Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipment, etc. The rate will be approximately \$260.00 per hour plus expenses for abatement.

**You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times**  
**FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION**

*Issued by: Dennis Senty Badge Number 352 Phone Number 651-266-1930*  
**If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.**

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8688. You must submit a copy of this Correction Order with your appeal application.

**\*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 after the due date for compliance will be collected from the owner rather than being paid 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 such 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Nuisance Building Code Enforcement

375 Jackson Street, Suite 220

Saint Paul, MN 55101-1806

651-266-8989

651-266-1919

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

July 22, 2011

Toan Thanh Truong  
1802 13th St W  
Faribault MN 55021-2851

## VACANT BUILDING REGISTRATION NOTICE

The premises at **499 WESTERN AVE N**

has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required to register this building with the Department of Safety and Inspections, Vacant Buildings Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$1,100.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

**Please return the enclosed registration form along with your payment by August 22, 2011.**

### **Do not mail cash.**

If you wish to pay in person, you may do so from 8:00 a.m. to 4:00 p.m. Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806

You may file an appeal to this fee or registration requirements by contacting the Office of the City Clerk at (651) 266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

**If the registration fee is not received in this office within 45 days of the date of this letter the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

The Code Enforcement Officer has notified the Building Inspection And Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this Notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A  
CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

**Category 2:** Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

**Category 3:** All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer, Dennis Senty,  
at 651-266-1930 to find out what must be done before this  
building can be legally reoccupied.**

The Enforcement Officer may declare this building(s) to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building subject to demolition, the Enforcement Officer will notify all owners and interested parties of the Order to Abate, as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the Enforcement Officer, Dennis Senty, at 651-266-1930.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Thank You,

Steve Magner  
Vacant Buildings Program Manager  
Department of Safety and Inspections

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: ds  
vb\_registration\_notice 06/10

List has been done



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

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July 11, 2011

TOAN TRUONG  
1802 13TH ST NW  
FARIABAULT MN 55021-2851

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

RE: 499 WESTERN AVE N

Dear Property Representative:

Your building was inspected on July 11, 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.

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. (HN-1)-Provide reflective numbers or background or illuminate at night.
2. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
3. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.

- . 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.-Secure the shed.
5. Interior - 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 pests and rodents.
6. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building.
7. Interior - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.-Restore water or vacate the building.
8. 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.-Restore water or vacate the building.
9. Interior-Lower Unit - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
10. Interior-Lower Unit - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, stove a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-Hire a licensed electrician to provide an outlet for the stove.
11. Interior-Lower Unit - 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.
12. Interior-Lower Unit - MSFC 315.2 - Provide and maintain orderly storage of materials.- Remove 50% of all stored materials in the basement.
13. Interior-Lower Unit - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
14. Interior-Lower Unit - 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 all plumbing leaks.
15. Interior-Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair the kitchen ceiling that has fallen in, and patch and paint throughout.
16. Interior-Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.

17. Interior-Lower Unit - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
18. Interior-Lower Unit - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Tenants unable to clean as there is no water. Restore water.
19. Interior-Lower Unit - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
20. Interior-Lower Unit - 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.
21. 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.
22. 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

cc: Housing Resource Center  
Force Unit