

RLH VO 2-17



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

MAY 18 2021

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 _____)
 - 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, May 25, 2021

Time: you will be called between
11:30 a.m. & 1:00 p.m.

Location of Hearing:
 Teleconference due to Covid-19 Pandemic

Call 612-799-4412

Address Being Appealed:

Number & Street: 58 Lawson Ave. W. City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Steven Kraut / Apogee Properties Email: imsunk@aol.com

Phone Numbers: Business 612-799-4412 Residence None Cell 612-799-4412

Signature: Steven W. Kraut / Apogee Properties, LLC Date: 05/13/2021

Name of Owner (if other than Appellant): Apogee Properties, LLC

Mailing Address if Not Appellant's: 2369 Westcliffe Dr. Burnsville, MN 55306

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why? *Attachments Are Acceptable*

- Vacate Order/Condemnation/Revocation of Fire C of O Due to Covid & noncooperation of occupants/squatters
- Summary/Vehicle Abatement _____
- Fire C of O Deficiency List/Correction _____
- Code Enforcement Correction Notice Due to Covid & non cooperation of occupants/squatters
- Vacant Building Registration Need time to repair & sell property - 120 days
- Other (Fence Variance, Code Compliance, etc.) _____

05/13/2021

Dear City of St. Paul,

Attached is a copy of Revocation of Fire Certificate and order to vacate 58 Lawson Ave. W. St. Paul, MN 55117. Due to Covid 19 (shortage of Contractors, building materials, and items on backorder) and also, non-cooperation of occupants, I have not been able to complete items requested from the inspector for repair. All items for 2020 were complete and a Cert. of Occupancy was issued Nov. 2019. In the process of rehab to prepare house for sale, occupants broke in and changed locks. Due to Covid, I could not get them removed. They stayed in the house rent free and paid no utilities. They caused extensive damage. I had to remove listing of house for sale. I was not granted access to my own house. After pleading to Sheriff, Police, City Officials, and my Attorney, because of Covid, I was unable to evict occupants. Finally, I was able to prove damages caused by occupants and was able to get a Court Hearing. Occupant contested WMD and was going to Trial. An agreement was reached were occupant would complete items on inspection list by 05/03/2021. I was responsible for electrical & fuel burning requirements, of which I took care of. Occupant did not comply with agreement.

The bottom line is, I would like more time to complete repairs, put the house back on the market to sell, and be done with this nightmare. As an added note... this is my last house in St. Paul. I have no intention of owning anymore rental units in Minnesota.

I need to replace all doors in the house due to occupants

extensive damage. The doors I need are currently not in stock. The windows and screens to be replaced and/or repaired are currently at the Ace Hardware store and could take 2-3 weeks to fix. I have hired a contractor to repair any remaining items, but do not have a finish date as of yet.

I do not wish property to go to Category 2 or Vacant status. I want to complete repairs ASAP, so I may relist property and sell ASAP. I am not trying to cause problems or create any issues, and have every intention to comply with any and all requirements.

Thank You for your consideration!

Sincerely,

Steven W. Grant Apogee Properties, LLC.



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 6, 2021

APOGEE PROPERTIES LLC
2309 WESTCLIFFE DRIVE
BURNSVILLE MN 55306-6977USA

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 58 LAWSON AVE W
Ref. # 111907

Dear Property Representative:

Your building was inspected on April 29, 2021, 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 June 2, 2021 at 10:45 AM 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

- Done*

1. Exterior - Garage - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-NEW- May 3, 2021 - There is a light fixture hanging from the box in the garage. *Removed*
2. Exterior - Garage & Fence - 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.

There is damaged and worn fascia boards, broken trims, missing corner cover panels, and boards on the garage. *- Looking for materials*

The garage service doors are damaged, does not close properly and is missing hardware. *Replaced*

The West side fence gate does not connect and close properly and the East side fence is damaged. *Remove gate. East side fence/gate damaged due to tree falling on it... Remove 2' gate between fence & house.*

- Done*
3. Exterior - Window Screens - SPLC 34.09 (4), 34.33 (3) - Provide or repair and maintain the window screen. - There are torn and damaged window screens.
 4. Exterior - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
On the East side of the house there is a window opening that is damaged and is not properly sealed to prevent cold air from entering the house.
On the West side of the house the storm window and screen are missing.
At Ace Hardware Store - Payne Ave.
 - Done* 5. Exterior & Interior - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
 6. Exterior - Interior - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition.
There are doors and door frames that are damaged, have parts broken off, missing strike plates, missing door stop trims and do not latch.
NEW - MAY 3, 2021 - More doors and frames have been recently damaged.
Replacement doors not in stock. Back-ordered.
 - Done* 7. Interior - Basement - MPC 507.5 - Provide pressure relief valve for hot water heater piped to within 18 inches of the floor. - The drain relief pipe has a rubber hose attached. Provide an approved pipe for the water heater.
 8. Interior - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair. - The new handrail is missing the return piece at the bottom.
Being installed.
 - Done* 9. Interior - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Repair or replace the unsafe stairway in an approved manner. - There are loose and damaged stair treads.
 10. Interior - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition.
Upstairs bathroom, a damaged piece of drain pipe has been improperly installed. Contact a licensed plumber to properly install the drain pipe.
NEW - May 3, 2021 - Upstairs bathroom - The glass shower wall is damaged and the control handle for the shower faucet is missing. *Purchased materials for repair.*
 - Done* 11. Interior - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. - There are unfinished repairs and holes on the ceiling. NEW - MAY 3, 2021 - New holes have been made on the bedroom ceiling.
 - Done* 12. Interior - Drying Machine - 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 requires a permit(s). Call DSI at (651) 266-8989
- Properly re-tape the dryer exhaust duct with the approved UL Listed 181 A-P foil tape.
New - 3-25-2021 - There is a nail in the exhaust duct.

13. Interior - Electrical Fixtures - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.
Front Upstairs Bedroom - There is an outlet behind the television that is worn and can no longer hold in plugged items.
NEW - MAY 3, 2021 - The outlet next to the back-bedroom window is worn and can no longer hold in plugged items. *checked plug ins - holds 3 prong just fine*
14. Interior - Floors - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -NEW - May 3, 2021 - There are new floor damages. *2*
Have not seen any damages
15. Interior - Guardrail - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged guardrail in an approved manner. *Spindle Purchased*
16. Interior - Light Fixtures - 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.- There are light fixtures in the house that is missing the covers/globes.
Winc
one replaced - to go replace 1 more
17. Interior - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.
Throughout the house, there are different walls, including the bathroom and under the sinks, that have unfinished repairs, large holes and openings, sections that are cracked and damaged. *Patched*
NEW - MAY 3, 2021 - A new piece of gypsum board is being installed on the first-floor bedroom wall. This repair is not complete. *- Electrician knocked out to fix outlet*
NEW - MAY 3, 2021 - There are walls with new damages on them. *- hole in wall opening*
door knob - Patched
18. Interior - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The back-upstairs bedroom window does not stay up, is missing the latch, NEW - MAY 3, 2021 - The bottom of the glass pane is now broken. NEW - MAY 3, 2021 - The gasket for the downstairs bedroom window has popped out. Upstairs Bathroom - The upstairs bathroom window has not been repaired and cannot stay open on its own. According to the tenant, there are parts missing for this window. *Gasket repaired, why does both windows need to stay open? Too small for us open!*
19. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
Done
20. SPLC 40.06. - Suspension, revocation and denial. (a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor: (3) If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations;
-The Fire Certificate of Occupancy has been revoked due to long term non-compliance. All work must be completed and all permits final by May 31, 2021 or the property must be vacated. Due to holiday, the re-inspection will be on June 2, 2021.

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 or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz
Fire Safety Inspector

Ref. # 111907