



APPLICATION FOR APPEAL

RECEIVED
AUG 24 2012
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 *E-Mail of Aug 23, 2012*
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:
Tuesday, <u>Sept 11</u>
Time <u>1:30 P.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 775 Cook Ave E City: ST PAUL State: MN Zip: 55106

Appellant/Applicant: AKP Investments LLC Email allan.k.petersen@peliks.ci

Phone Numbers: Business 651-777-1998 Residence (SAME) Cell _____

Signature: Allan K. Petersen Date: 8/24/12

Name of Owner (if other than Appellant): Allan K. PETERSEN

Address (if not Appellant's): 2515 White Bear Ave #121
Maplewood, MN 55109

Phone Numbers: Business _____ Residence 451-777-1998 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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

Additional Time To make boiler systems repairs ASAP but during September 2012.

Parties involved:
AKP Investments / Allan K. Petersen Owner
Real Property Mgmt. / Rental Management Co
see next pages + attachments

TIME LINE

ACTIONS / EXPLANATION

Aug 8, 2012
CORRECTION NOTICE

RE-INSPECTION COMPLAINT

This was the first notice I received (AKP) regarding inspections. All of the deficiencies were taken care of with the exception of the boiler system/furnace

Aug 20, 2012

Wenzel Heating + Air Conditioning visited duplex but furnace would not stay lit.

Aug 21, 2012
Invoice Attached

Stillwater Plumbing repaired boiler system/furnace

Aug 23, Morning
Invoice Attached

Wenzel Heating said boiler system/furnace emits too much carbon monoxide

Aug 23 Afternoon

Inspection by Dept of Safety + Inspection

Aug 24 Today

Real Property Management (RPM) is contacting their boiler system vendor for a repair/new system quote

Aug 28 Next Tuesday

Stillwater Plumbing boiler expert is returning and will be available to check system and make a repair/new system quote

Time line

ASAP During
September

Actions / Explanations

Current boiler system
will be repaired or new
system installed in order
to pass the heating inspection

June 5 letter
to RPM note
AKP not copied

I was not copied on
this letter and was unaware
of its contents.

After receiving the Aug 8
letter, I contacted RPM
and they could find
no records in their files
of previous inspection
notices.

Aug 23 E-mail
from St Paul
Inspector

I will not be able to comply
with a purchase agreement,
applicable permits and letter
of intent by Monday Aug 27,
but will do these things
As Soon As Possible in the
month of September.

Sincerely
Allan K. Peteren

651 777 1998

allan.k.peteren@pc link.com

Aug. 24, 2012



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

August 8, 2012

REAL PROPERTY MANAGEMENT
7250 FRANCE AVE S SUITE 301
MINNEAPOLIS MN 55435

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 775 COOK AVE E
Ref. # 105580

Dear Property Representative:

A re-inspection was made on your building on August 7, 2012, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date.

A reinspection will be made on August 23, 2012 at 1:30 PM.

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

DEFICIENCY LIST

1. Interior - Unit 1 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
-Recaulk bathtub in an approved manner.
2. Interior - Unit 2 - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged rear stair handrail in an approved manner.
3. Interior - 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.
4. 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.
5. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

3. SPLC 34.19 - Provide access to the inspector to all areas of the building.
-Multiple attempts have been made to gain access resulting in No Show fees. Failure to allow access to verify corrections to violations found may result in criminal citations for both owner and management, and revocation of the Fire Certificate of Occupancy.

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>

If you have any questions, email me at benjamin.ellis@ci.stpaul.mn.us or call me at 651-266-8946 between 7:30 a.m - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Benjamin Ellis
Fire Inspector

Ref. # 105580

Cc: Allan Petersen, Property Owner



WENZEL HEATING & AIR CONDITIONING

4145 Sibley Memorial Highway

Eagan, MN 55122

www.wenzelhvac.com

Office: 651-894-9898

Fax: 651-894-9955

Residential HVAC Service Order/Invoice

METHOD OF PAYMENT

CASH
 CHECK
 CREDIT CARD
 MC
 VISA

CC NO. _____

EXP. DATE _____

ID _____
(3 digits from bank of card)

UNIT

MAKE _____
 MODEL Hydro-Therm
 SERIAL NO. _____

CHECKLIST

- COMPRESSOR
- SUCTION _____ PSI
- HEAD _____ PSI
- VOLTS _____ AMPS
- ELECTRICAL CONNECTIONS
- CONTACTS TIGHT & CLEAN
- OIL LEVEL & CONDITION
- CONDENSER COIL
- CLEAN COIL & CHECK FIN COND.
- ENT _____ C LVG _____ C
- REFRIGERANT
- LEAK
- FAN AND MOTOR
- VOLTS _____ AMPS
- ELECTRICAL CONNECTIONS
- CONTACTS TIGHT & CLEAN
- FAN PULLEYS (ADJUST BELT)
- CHK. LUG BEARINGS & MOTOR
- EVAPORATOR COIL
- CLEAN COIL & CHECK FIN
- ENT DB _____ C LVG DB _____ C
- ENT WB _____ C LVG WB _____ C
- CONDENSATE AREAS
- INSPECT & CLEAN DRAIN PAN
- AIR FILTERS
- CLEANED
- REPLACED
- FILTER SIZE _____
- HEATING ASSEMBLY
- BURNER & HEAT EXCHANGER
- FUEL SUPPLY & PRESSURE
- PILOT ASSEMBLY
- FLAME ADJUSTMENT
- PRIMARY RELAY & FLUE
- FAN & SAFETY SWITCH
- BLOWER ASSEMBLY
- NV VALVE
- STRIP HEAT
- DEROST CYCLE
- ELECTRICAL COMPONENTS
- RELAYS
- OVERLOAD
- THERMOSTAT
- OK
- RELOCATE
- CONTRACTORS
- PHASE SWITCH
- REPLACE

NAME AKP Properties JOB #: 8170
 ADDRESS 7775 Oak Ave. E. DATE 8-23-12
 CITY St. Paul PROMISED
 PHONE (HOME) _____ PHONE (WORK) Tom 651 278-0937 SCHED _____
 TECHNICIAN Brian Funnare TIME _____ AM PM
 WORK TO BE PERFORMED Furnace Inspection

DESCRIPTION OF WORK

*Older boiler, 10 levels
 over 1000gpm in exhaust,
 complete boiler cleaning &
 adding new big fields
 to both inspections.*

QTY

MATERIALS & SERVICES

UNIT PRICE

AMOUNT

REFRIGERANT	FL	KGS	TOTAL MATERIAL
FILTERS	X	X	

HRS

LABOR

RATE

AMOUNT

TOTAL LABOR	AMOUNT
<u>Inspection</u>	<u>501</u>

RECOMMENDATIONS

TERMS: Payment due 10 days of receiving invoice. Residential customers are to pay upon completion of service. A finance charge of 1-1/2% per month is an annual percentage rate of 18% will be charged on all past due balances. All costs of collection including reasonable attorney's fees, shall be paid by the Buyer.

LIMITED WARRANTY: All materials, parts and equipment are warranted by the manufacturers or suppliers written warranty only. All labor performed by the above named company is warranted for 30 days or as otherwise indicated in writing. The above named company makes no other warranties, express or implied, and its agents or technicians are not authorized to make any such warranties on behalf of above named company.

CUSTOMER SIGNATURE _____

DATE _____

REGULAR

WARRANTY

SERVICE CONTRACT

RECOMMENDATIONS

TOTAL MATERIALS
 TOTAL LABOR
 DIAGNOSTIC FEE
 SUBTOTAL
 GDT

TOTAL

Corrine Petersen

From: "Allan K Petersen" <allankpetersen@pmlink.com>
Date: Thursday, August 23, 2012 9:28 PM
To: "corrine E Petersen" <corrinepetersen@pmlink.com>
Attach: 775CookAve_App_wCorr.pdf
Subject: Fw: 775 Cook inspection
 Corrine, Can you print this e-mail and the attachment for me. Thanks Allan

----- Original Message -----
From: [Ellis, Benjamin \(CI-StPaul\)](#)
To: Allan K Petersen
Sent: Thursday, August 23, 2012 3:06 PM
Subject: RE: 775 Cook inspection

Mr. Peterson,

Thank you for your call today. I'm glad I am able to assist in getting your property back into compliance. As stated before, multiple attempts to reinspect the property failed over the past few months. Since the maximum allowable time we are able to work with is about to expire, my supervisor has advised to revoke the certificate of occupancy if compliance is not achieved within a reasonable amount of time.

Now that we have been able to show initiative from the management company toward compliance, we may be able to conditionally allow additional time to complete the repair or replacement of the boiler. We will need a **purchase agreement, applicable permits, and letter of intent** from the contractor stating work commencement and estimated completion dates submitted to our office no later than end of business on Monday, August 27, 2012. With these documents we can provide proof of movement toward compliance to my superiors which may abstain from revocation of the certificate.

I have attached the original orders for your records and the appeals process you may take advantage of. Please feel free to call or email with any questions you may have. Have a great day.



Benjamin Ellis, Sr
Fire Inspector

Department of Safety & Inspections
375 Jackson Street, Suite 220
Saint Paul, MN 55101
P: 651-266-8946
F: 651-266-8951
Benjamin.Ellis@ci.stpaul.mn.us

The Most Livable City in America



Making Saint Paul the Most Livable City in America

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From: Allan K Petersen [mailto:allankpetersen@pmlink.com]
Sent: Thursday, August 23, 2012 2:45 PM
To: Ellis, Benjamin (CI-StPaul)
Subject: 775 Cook inspection

Benjamin,

We spoke on the phone a few minutes ago, and I hope this e-mail will go through now. My telephone number is 651 777 1998, if you ever need to call. Please e-mail me the correspondence we discussed regarding the appeal process. Thanks

Allan



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

Copy received with
Benjamin Ellis e-mail of
8/23/12 at 3:06

June 5, 2012

REAL PROPERTY MANAGEMENT
7250 FRANCE AVE S SUITE 301
MINNEAPOLIS MN 55435

FIRE CERTIFICATE OF OCCUPANCY APPROVAL WITH CORRECTIONS

RE: 775 COOK AVE E
Ref. # 105580

Dear Property Representative:

Your building was inspected on June 5, 2012 for the renewal of the Fire Certificate of Occupancy and was approved. When the required fee has been paid, you will receive your certificate. There are however seasonal or non-life safety deficiencies noted below which must be corrected prior to re-inspection.

The following deficiencies must be corrected immediately.

A reinspection will be made on July 5, 2012 at 2:00 PM.

DEFICIENCY LIST

1. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens throughout the building.
2. Interior - Unit 1 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
3. Interior - Unit 1 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Recaulk bathtub in an approved manner.
4. Interior - Unit 2 - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged rear stair handrail in an approved manner.
5. Interior - 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.
6. 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.

7. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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 this order.

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>

If you have any questions, email me at: benjamin.ellis@ci.stpaul.mn.us or call me at 651-266-8946 between 7:30 a.m - 9:00 a.m.

Sincerely,

Benjamin Ellis
Fire Inspector

Ref. # 105580