

RLH SAO 18-69



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

RECEIVED
SEP 11 2018

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 WAIVED SMPLS)
 - 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, <u>SEPT. 18, 2018</u>
Time <u>11:00</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1352 West 7th St City: Saint Paul State: MN Zip: 55102

Appellant/Applicant: Cynthia J. Johnstone Email cjohnstone53@gmail.com

Phone Numbers: Business _____ Residence 62-715-5064 Cell _____

Signature: Cynthia J. Johnstone Date: 9/11/2018

Name of Owner (if other than Appellant): NONE

Mailing Address if Not Appellant's: NONE

Phone Numbers: Business NONE 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
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

RV (old) Ford Mercury
the Ford has an appt. Nov 9th
with the senior program Fix it
they only do 1 car per week.
my RV is being used for storage
as my son and his wife are
homeless. I do not plan on
using it till next summer,
fishing. It has been vandalized, but
it still works.

Revised 8/2/2018



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

September 05, 2018

18 - 099021

VEHICLE ABATEMENT ORDER

Betty J Gruber
 1576 Griggs St N
 St Paul MN 55108-2224

Occupant
 1352 7TH W
 St Paul MN 55102-4225

Betty Gruber
 671 Hawthorne Ave E
 St Paul MN 55106-1904

- Yog hais tias koj hais 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 llamanos al (651)266-8989. No costo.

As owner or person(s) responsible for 1352 7TH ST W

**YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING VEHICLES ARE IN VIOLATION
 OF THE SAINT PAUL LEGISLATIVE CODE, CHAPTERS 34, 45, OR 163**

Vehicle	#1	#2	#3
Make	Mercury	Ford	Chevrolet
Color	Green	Tan	Gray
License	025 WMT	RV A4820	699 EWN
Violation	A, D	A, D	A, C
Vehicle	#4	#5	#6
Make			
Color			
License			
Violation			

VIOLATION CODE: **A** - Lacks current license/tabs **D** - Appears undriveable/inoperative
 B - Open to entry/unsecured **E** - Unimproved surface
 C - Missing vital parts/dismantled **F** - Other violation _____

FAILURE TO COMPLY MAY RESULTS IN TAGGING AND/OR TOWING.

CHARGES: If the City impounds and disposes of the vehicle(s), the charges assessed to the above property will be approximately \$1,000.00 for each vehicle. This charge does not include impound fees and other related costs for release of vehicle(s).

Vehicles found to be in violation on or after **September 20, 2018** will be removed, impounded and disposed of in accordance with law. The cost of this abatement will be charged against the property as a special assessment to be collected in the same way as property taxes. Noncompliance with this order and repeat violations will result in the issuance of criminal citation.
Issued by: Mark Kaisersatt Badge Number: 334 Phone Number: 651-266-1908

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) 266-8585. You must submit a copy of this Vehicle Violation Notice with your appeal application.

***WARNING:** Code inspection and enforcement trips cost the taxpayers money. If multiple trips to your property within a year are required to insure compliance with the law, you may be charged for the cost of inspections and enforcement trips to your property. Such charges are in addition to any other fines or assessments which may be levied against you and your property.



INTAKE AND HOTLINE PROJECT

132 North Broadway
Albert Lea, MN 56007

Toll-Free: 1-888-575-2954 • FAX: 1-866-573-2954
Website: www.smrls.org • Email: hotline@smrls.org

INTAKE AND HOTLINE PROJECT

55 East Fifth Street, Suite 400
Saint Paul, MN 55101

Telephone: (651) 222-4731 • FAX: (651) 788-8455
Website: www.smrls.org • Email: hotline@smrls.org

Reply to

Reply to

September 10, 2018

Cynthia Johnstone
1352 W. 7th Street, Apt. 1
Saint Paul, MN 55102

Dear Ms. Johnstone:

You recently contacted Southern Minnesota Regional Legal Services (SMRLS) about a legal issue. We receive a limited amount of funding to advise or represent low income clients and people aged sixty and over.

You called regarding a notice you received from the City of St. Paul which stated they would remove two vehicles from your apartment complex if you didn't get them in working order, or voluntarily move them by September 20th, 2018. Under St. Paul's city ordinance Sec. 163.01, the City does have the right to remove vehicles they deem to be abandoned or in such poor repair that they are deemed a nuisance, and therefore remove them.

I explained that you should either try and sell the vehicles to have them removed, or get them working and licensed before the city removes them. Similarly, you stated that there was an option to appeal the decision. While we cannot represent you in this matter, I would appeal the matter to try and receive more time to address this issue.

You were similarly concerned over a \$1,000 fine that may be levied against you if you don't remove the vehicles. As discussed, while they can fine you, you could pay the fine off over time to fit your financial situation. If you failed to pay the fine, it would go to collections and the state could try and garnish your income. However, because you are receiving public benefits, your income would be protected as long as you continue receiving said benefits. Please keep in mind however, the State may be able to levy your tax returns if you were to receive any and apply it to your fine.

Finally, I wanted to let you know that when you appeal, you may be eligible to have the application fee waived. Included with this letter is an IFP application which will allow you to possibly apply for the waiver. You may bring this with you when you apply for the appeal.

We can't help you further with this problem. Our guidelines must exclude many important legal problems. If you don't understand why we didn't take your case or if you have a complaint, call us again and ask for the person who is handling grievances.

Sincerely,


The Staff of Southern Minnesota Regional Legal Services