



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

AUG 19 2021

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, <u>August 24, 2021</u>	
Time	<u>1:30 p.m. to 3:30 p.m.</u>
Location of Hearing:	<u>Teleconference</u>
<del>Room 330 City Hall/Courthouse</del>	

Call Erin \*

### Address Being Appealed:

Number & Street: 785 Stryker Ave City: St. Paul State: MN Zip: 55107

Appellant/Applicant: Enrique & Erin Delaney Email Erin\_Caroline@me.com

Phone Numbers: Business N/A Residence Enn 612-306-3423 Cell Enrique 612-275-6751

Signature: [Signature] Date: 8/14/2021

Name of Owner (if other than Appellant): Russell & Marilyn Kreuzer (deceased)

Please mail to Erin 12572 Danbury Way, RSMT, MN 55068

Phone Numbers: Business N/A Residence see above

### 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.)

Comments:

Cover letter/attachment that also includes legal work w/ Ricardo Cervantes, City Attorney and more as this house not rental and was on May 15, 2018 terminated from this occasional pool of rental stuff.



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

August 10, 2021

RUSSELL & MARILYN KREUSCHER  
C/O ERIN DELANEY MONJARREZ  
12572 DANBURY WAY  
ROSEMOUNT MN 55068-3516

RE: INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
785 STRYKER AVE

Ref. # 125001

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on August 10, 2021. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on September 14, 2021 at 9:30am.

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

#### DEFICIENCY LIST

1. Basement - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window glass.-Replace glass in south basement window.
2. Basement - MMC 603.10 - Install proper supports for ducts in compliance with the mechanical code.-Secure 3-point vent on water heater.
3. Basement - MFGC 408 - Install drip tee in gas line in compliance with the fuel gas code. This work may require a permit(s). Call DSI at (651) 266-8989.-Add drip tee to gas line feeding clothes dryer.
4. Exterior - SPLC 34.09 (1)(2), 34.33 (1) - 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.-Replace rotted wood on garage. Also scrape and paint chipped and peeling areas of garage.

An Equal Opportunity Employer

5. Exterior - SPLC 34.33 (3) - Repair and maintain the door in good condition.-Repair south screen door and replace closer.
6. Exterior - SPLC 45.03 (7) - Cut and maintain the grass/weeds less than 8 inches tall.
7. Exterior - SPLC 34.08 (1), 34.32 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove yard waste.
8. Exterior - 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.-Provide air gap between front gutter and underground drain tile.
9. Exterior - MMC 2103 - All equipment, appurtenances, devices, and piping must be installed in a workmanlike manner.-Exterior furnace intake and exhaust are too close together.
10. Exterior House - SPLC 34.09 (1)(2), 34.33 (1) - 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.-Remove paint and overspray from windows and electrical meter.
11. Interior - Back Bedroom - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.-Replace door frame on back bedroom.
12. Interior - Basement - 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 will require a permit(s). Call DSI at (651) 266-8989.-Have a licensed plumber pull a permit and provide a code compliant dryer vent. Current vent is flexible style.
13. Interior - Basement Stairs - SPLC 34.10 (3) 34.34(2) - Provide an approved guardrail on both sides. Intermediate balustrade must not be more than 6 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.-
14. Interior - Throughout - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls.
15. Interior - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light globes in both bedrooms.
16. 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 the original orders.

If you have any questions, email me at [angie.wiese@ci.stpaul.mn.us](mailto:angie.wiese@ci.stpaul.mn.us) or call me at 651-266-8953 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,

Angie Wiese  
Fire Safety Manager  
Ref. # 125001

An Equal Opportunity Employer

Russell & Marilyn Kreuzscher  
Erin C. Delaney (Monjarrez), Enrique S. Monjarrez, Trustees

August 14, 2021

# Property Appeal:

785 Stryker Avenue

To the Saint Paul City Council - Legislate Hearings,

First, I Would like to take the time to thank you for your review of the following application for appeal for the above property. As you may notice while I am the appellant I am also a Trustee and not an Owner or a Landord (Professional informal) as being addressed, treated, or financially assessed. There are two things in this appeal that pertain to current date as well as date back to May 15, 2015 at a meeting with Mr. Ricardo Cervantes, Director, and several others.

As the Trustee of this property, I have had to work extensively with legal representation of my own as well as that of the original trust. In addition, I have also worked extensively with Ramsey County after there were changes to how they handle the transfer of deeds and sale of "Real Property". The house continues to be maintained up to date in taxes, insurance, City and County Assessments Regular and Special out of my personal funds. The house was in pre-existing, disarray due to the lifestyle of the couple, complications with mental illness, aging, functional and cognitive decline. In addition it was further complicated when an immediate relative (as per County allowed to stay there) was working extensively to prepare the home for improvement and unfortunately ran into struggles of his own and out of my control that left the home with additional damage to be remedied for the intent of sale (and distribution to listed beneficiaries). Due to the fact this was a Trust, it was not as simple as going to Probate.

Furthermore, the homes was again, in a pre-existing condition that offers for as is was as low at the time as \$75,000, far less than what the Estate would owe me personally for expenses incurred while in long term care that ended up paid for personally. I was instructed, given permission and followed the legal instruction to bring up the home to a more reasonable marketable status and value.

Suddenly in January of 2018, we began to receive notices that were indicative of a Property being used and maybe registered by none of us as that of Professional Rental Status. Long story short, this resulted in numerous inspections, incurring extensive and urgent modifications out of personal money again vs. rightfully that of the Estate and a meeting with Mr. Cervantes, Angie Wiese, Travis Bistodeau, a 3rd Party on our behalf from our Legal Representation at the time, and Legal Representation of the City of St. Paul. At this meeting on May 15th, 2018, we agreed upon several items that were based apparently on complaint to remedy and of concern of Mr. Klein, the then assigned Inspector, and were “not to pursue any further action”. It was emphasized that unfortunately the City and County do not always match and in exact words both Mr. Cervantes as well as I agreed perhaps this was an opportunity of “Systems Change” and our situation unanimously agreed, that of a unique position. Still, it ended that we would no longer be in this process or pool, to continue to improve the home for eventual sale and it IS, ironically in a Purchase Agreement as we speak. The current purchaser also ironically going through both a City and County program meant for Minority, First Time Homebuyers Program as well as Property Improvement and Beautification. This was perfect as it is consistent with both what a new owner would naturally prefer and do as well as what the City desired at the time and sounds like, likely continues to desire despite CONSIDERABLE progress. Following the meeting, without solicitation evidence of working with the Deed, proof, by letter of 1 of 2 Lawyers on the Real Property and next steps were mailed on more than 1 occasion. Via phone contact, we were thanked and told it was no longer necessary.

As mentioned the home has been in the process of purchase that has taken a little longer due to the Pandemic. The Purchaser, as mentioned above is accessing several very good, and recommended programs, assisted at Neighborhood House and CLUES (a Latino specific local non-profit). Many of the items listed in the attached copy of the inspection, fall under the

responsibility and even preference of new owner. Most of these things pictures can be presented such as holes in exterior due to a Woodpecker. Yard Waste that is actually a properly maintained Compost, one strip of grass longer due to not mowing the strip with drought conditions (and the only surviving small strip of grass), and so on. The interior walls are in good shape but patched as needed as they original plaster vs sheetrock of a 1952 home. The missing globes for example, due to the current process of changing/updating light fixtures, etc. I have receipts amounting to almost \$50,000 of home improvements and installations.

Attached you will find the receipt of prompt correction to vent and other mechanical items brought to attention. Again it incurred \$1,550 out of OUR pocket to address, yet please note the promptness and agree ability to do so.

We are asking the City of St. Paul to please honor the agreement and promise in 2018/2019 to no longer pursue us incorrectly as Professional Rental Property/Landlords and continue with clean up, improvement and purchase. We have held up our ends and honored the Trust and the City, and are in the final stages as notified to begin with via email with first notice to Angie Weise, of the purchase. At the date of inspection Angie herself came out vs. the Inspector also attempted to reach by phone on 8/3/2021. The inspection proceeded despite that it should not have, and a Trustee present. The bigger of items still addressed at great cost, but the other items need to remain with the new home owner as well as be her responsibility. Again, many of the items are also covered with the City and County programs accessed by her as well as a component of the program completed to proceed with the purchase.

We await your response whether it be to proceed with a hearing or honor the closure of this process and program. Should we need to proceed with a hearing process we will likely have more pictures and documentation to present that is extensive. Also, Noting that hearings are performed on Tuesdays at 1:30 it is our hopes that we will be able to schedule during the filing process in person a date that is able to be accommodated.

Very Respectfully,

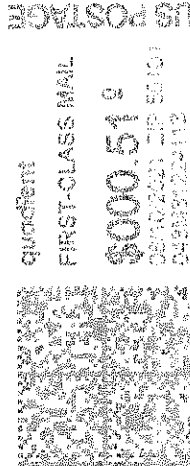
Erin Delaney (Monjarrez), Trustee and Enrique S. Monjarrez, Trustee



**SAINT PAUL**  
SAFETY & INSPECTIONS

City of Saint Paul  
Department of Safety & Inspections (DSI)

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



*Received*  
*8/13/21 (Friday)*





A



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

July 6, 2021

Russell & Marilyn Kreuzscher  
C/O Erin Delaney Monjarrez  
12572 Danbury Way  
Rosemount Mn 55068-3516

### Fire Safety Inspection Appointment

Dear Property Owner:

We have scheduled an inspection of your property. The details of the inspection are listed below:

<b>Address:</b> 785 Stryker Ave	<b>Units:</b> 1
<b>Date:</b> August 10, 2021	<b>Time:</b> 9:30am
<b>Inspector:</b> Angie Wiese	<b>Phone:</b> 651-266-8953
	<b>Email:</b> <a href="mailto:angie.wiese@ci.stpaul.mn.us">angie.wiese@ci.stpaul.mn.us</a>

*sent e-mail  
8-3-21  
e 1:22  
pm*

#### Action Required By You

You or someone representing you must report to the front of the building to accompany the inspector throughout the building, including each rental unit, where applicable. Please have keys available to all units and common areas. The owner of a building is responsible for notifying the tenants that an inspection will be done at least 24 hours before the inspection.

If you no longer own or manage this building, contact Angie Wiese at 651-266-8953 immediately.

*Also contacted  
who according to  
the map SHOULD  
BEEN the inspect.*

#### Additional Action Required For Housing

You must complete a **Smoke and Carbon Monoxide Detector Affidavit** prior to the inspection.

The success of your initial inspection determines what happens next in the inspection cycle. Routine self-inspections before our visit can help you obtain the best grade possible.

#### About the Inspection

Forms, fee schedules, a pre-inspection checklist and other inspection handouts and information are available on our website at: <http://www.stpaul.gov/cofo>. Thank you for your co-operation.

Saint Paul Legislative Code authorizes this inspection and the collection of inspection fees. It is a criminal misdemeanor violation to not appear for this appointment without rescheduling with the inspector. In addition, a **No Entry Fee of \$74.00** may be assessed to your Renewal Fee if you need to re-schedule the appointment but fail to notify the inspector in writing by 8:00 a.m. on the date of the inspection.

B) From: Erin Delaney erin\_caroline@me.com

Subject: 785 Stryker

Date: Aug 3, 2021 at 1:22:14 PM

To: angie.weise@ci.stpaul.mn.us

Cc: Enrique Monjarrez monjarrezes@aol.com

Hi Angie this is Erin Delaney, I was surprised to get another mailing from the City after our work with a Lawyer a couple years ago and meeting with Mr. Ricardo Cervantes. No worries, I am not mad or anything, I think some things weren't updated or actually I should say clarified and maybe some of it is my fault from where we left off. If you recall you had helped me with a resource to clean up the house that while habitable was a complete wreck and even required dumpsters. We had fulfilled inspection requirements despite that it was not being used as or occupied as a rental property. I provided proof of ongoing tax payments (still up to date) "Single Family Dwelling" (vs Homestead) as well as insurance. Furthermore in our more in depth meeting it was clarified the work legally (Probate), the reconditioning of the home to prepare for sale and so on.

We have an inspection scheduled on August 10th. I am thinking this is a mistake in the absence of the closure with clarification of the home. I have a meeting this Friday, August 6th in which I am paying again \$250 an hour to (at additional cost) prepare a letter to the City, the status to stop this ongoing process. It's still learning process realizing that while I assumed you guys work with the County, it's obvious they don't go hand in hand. If I do not need to have this meeting to prepare a special letter please let me know as COVID has created unemployment and limited resources. The Lawyer is able to let you know that at no time still even like before has the property been rented, leased and so on.

There has been a while ago a purchase agreement that had gone through and prior to even final stages of renovation and the individual went through a County and State program for first time homebuyers, first generation homeowners, and minority purchasers. There are Grants involved as well which also factored in to what was worked on and what will be covered by that.

It's my hope that this was something auto-generated and that the status of the home was not in a City system, clarified, and after our meeting that included all the legal work and Mr. Cervantes. If you feel a letter is still needed, while it will incur probably close to a \$500 cost, I am willing to do so, also confirming the status of the transfer leg work.

Please feel free to contact me, I know I can be difficult to answer but am quick to call back.

Very Respectfully,

Erin Delaney

[612-306-3423](tel:612-306-3423)



## CITY OF ST. PAUL

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 JACKSON STREET, SUITE 220  
SAINT PAUL, MINNESOTA 55101-1806  
Phone: 651-266-8989 Fax: 651-266-8951  
Visit our Web Site at [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## CERTIFICATE OF OCCUPANCY GRADING SHEET

Revised 1/2018

### Owners Guide for Improving Residential Fire Inspection Grades

There are many incentives for maintaining your property, including; safe and habitable housing, better tenants, increased property values, fewer inspections, and reduced inspections fees.

Once you have completed your Fire Safety Inspection, the Inspector will write a report based upon any violations found. The individual violations are assigned a score based on the severity. The score determines what grade the property receives.

Residential properties are graded into four (4) categories;

- Class A: Inspected and fees due every six (6) years.
- Class B: Inspected and fees due every four (4) years.
- Class C: Inspected and fees due every two (2) years.
- Class D: Inspected and fees due every one (1) year.

It is important to know that you can improve your grade on your next scheduled inspection cycle, if there are fewer or no violations found in that inspection. A better score means fewer inspections and fewer fees you pay!

Here are a few easy tips on how you can improve your grade;

1. **Be proactive about maintenance related items.** Simple, and easily repaired items may become more serious and cost much more to repair if general maintenance is deferred.
2. **Conduct a pre-inspection of your property before the inspector arrives.** Ensure the home is safe and habitable. For example, check Smoke and Carbon Monoxide alarms to ensure they are working, make sure escape routes and windows are unobstructed, remove combustibles away from heating appliances, ensure fire protections systems are maintained, and extension cords are not being used for permanent wiring.
- \* 3. **Educate your tenants about their responsibilities.** Tenants also have a responsibility to ensure your building is safe and habitable. They are responsible for keeping the home clean and sanitary and must not disable smoke alarms. The tenant must also allow access to make repairs upon receiving reasonable notice, usually 24 hours.

→ Big clue as well/tip, this property and us as trustees of an estate have NO <sup>(see reverse)</sup> Business as well established & discussed 5/15/2017 (actually prior) that we are considered and dumped in a pool of landlords, tenants, rental properties, and legalities of such (ironically inconsistent w/ estate, trust and really law of MN)

Here are some of the most common code violations Fire Safety Inspectors observe, and an example of how the Fire Certificate of Occupancy grading system works. This list covers the most common code violations found by Fire Safety Inspectors, but does not include a comprehensive list of all the codes we enforce. For more information, please visit our website at [www.stpaul.gov/cofo](http://www.stpaul.gov/cofo).

### TOP 10 RESIDENTIAL CODE VIOLATIONS

Number	Violation	Point Value
1	Carbon Monoxide (CO) alarm or smoke alarm missing or in an incorrect location.	10
2	Egress windows blocked by furniture.	10
3	Sleeping in the basement without an egress window.	10
4	Storage too close to water heater or furnace.	6
5	Improperly vented dryer.	6
6	Address missing on garage.	6
7	Peeling paint in the bathroom.	4
8	Improper handrail.	4
9	Use of multi-plug adapters:	2
10	Improper use of extension cords.	2

*\* Not one of these are of long list of concerns. They very small if at all exist (that with photos can establish as legacy established and now w/ purchase agent, acts to maintain or beautify later New owner. Currently, going through a Rousey City audit program.*

#### Grading Examples;

Single family dwelling with violations 2 and 7 will receive an A grade.

Single family dwelling with violations 1, 5, and 6 will receive a B grade.

Single family dwelling with **all** of the above violations will receive a C grade.

A single-family dwelling would need over 120 points to receive a D grade.

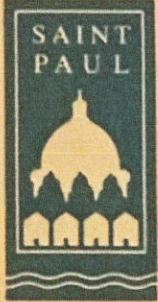
#### DSI's MISSION

*To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.*

An Equal Opportunity Employer

D

**Travis Bistodeau**  
Deputy Director



**CITY OF SAINT PAUL**

DEPARTMENT OF SAFETY AND INSPECTIONS (DSI)

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

*Tel: 651-266-1922*

*Fax: 651-266-1919*

*Email: [travis.bistodeau@ci.stpaul.mn.us](mailto:travis.bistodeau@ci.stpaul.mn.us)*

**Angie Wiese, PE CBO**  
**Fire Safety Manager**

Tel: 651-266-8953

*Email: [angie.wiese@ci.stpaul.mn.us](mailto:angie.wiese@ci.stpaul.mn.us)*



**CITY OF SAINT PAUL**

DEPARTMENT OF SAFETY AND INSPECTIONS

**FIRE SAFETY INSPECTION DIVISION**

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

*Info: 651-266-8989*

*Fax: 651-266-8951*

Individual(s) to Individual(s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required Certificate of Real Estate Value No. \_\_\_\_\_

DOC# 3783463

Certified Recorded On AUG. 17, 2004 AT 09:00AM

NO DELINQUENT TAXES AND TRANSFER ENTERED

County Auditor

by AUG 12 2004

DIRECTOR Dept. of Property Taxation, Ramsey Co., MN

Deputy

OFFICE CO. RECORDER RAMSEY COUNTY MN

Fee Amount: \$24.50



DEED TAX DUE: \$ \_\_\_\_\_

Date: AUG 5, 2004

(reserved for recording data)

FOR VALUABLE CONSIDERATION, Russell B. Kreuscher and Marilyn J. Kreuscher, husband and wife

Grantor, hereby conveys and warrants to Russell B. Kreuscher and Marilyn J. Kreuscher, Trustees, or their successors in trust under the RUSSELL B. KREUSCHER LIVING TRUST dated March 11, 2004

Grantee, real property in Ramsey County, Minnesota, described as follows: Lot 4, Block 6, Jackson & Bidwell's Addition to West St. Paul

RAMSEY COUNTY

Receipt No: 179105 Date: 8/12/2004 Deed tax hereon of \$1.70 Paid MN Conservation Fund M.S. 473H \$5.00 Paid Dorothy A. McClung, Auditor by Rbmoser

This total consideration for the transfer of property is \$500.00 or less Signed \_\_\_\_\_

together with all hereditaments and appurtenances belonging thereto, subject to the following encumbrances: \_\_\_\_\_

Check box if applicable:

- [X] The Seller certifies that the seller does not know of any wells on the described real property. [ ] A well disclosure certificate accompanies this document.

Registrar of Titles / County Recorder Ramsey County, Minnesota

Date 8/27/2018 Fee \$2.00

Copy of Document No. copy Certified Non-Certified Copy of Plat/R.L.S. Certified Non-Certified

Mortgagee's Duplicate Certificate No. Document No.

Condition Of Titles No. Book Page Owner

Ordered By: ERIN Mail To:

RETURN TO:

RETURN TO Suite 101 1549 Livingston Avenue West St. Paul, MN 55118-3415 (651) 451-9696 110929

St. Paul, MN 55107 - 332 2

F)

August 22, 2018

To Whom It May Concern:

Re: **785 Stryker Ave., St. Paul, MN**  
**Ref. #125001**  
**Residential Class: C**

Please be advised that I am working with Erin Delaney, aka Erin Delaney Monjarrez, who is one of the alleged co-trustees of the Russell B. Kreuscher Living Trust dated March 11, 2004, to determine ownership of the real property located at 785 Stryker Avenue in St. Paul following the deaths of Russell and Marilyn Kreuscher.

Very truly yours,

GUZMÁN LAW FIRM, PA



Lori L. Guzmán

LLG/fsj



G) Classification is always paid to date as legally required and consistent for eventual/pending sale.

 RAMSEY COUNTY

Pay Property Tax

Pay Property Taxes

Summary View

Parcel ID	072822440021
Parcel Status	Active
Property Address	785 STRYKER AVE ST PAUL, MN 55107-3322
Sec/Twp/Rng	07/028/022
Brief Tax Description	Lot 4 Block 6 of JACKSON AND BIDWELL'S ADDITION LOT 4 BLK 6 (Note: Not to be used on legal documents)
Parcel Area	0.17 Acres
Parcel Width	50 Feet
Parcel Depth	150 Feet (Note: Width and Depth represent buildable area of lot in the case of irregularly shaped lots)
Tax Classification	4BB-Residential Non-Homestead SFD
Roll Type	Real Property ← letter Lawyer to City (Guzman Law)
Municipality	ST PAUL
School District	ISD #625
Watershed	N/A
TIF District	
Land Use Code	510 R - SINGLE FAMILY DWELLING, PLATTED LOT

\* The Tax Classification is the Assessor Office's determination of the use of the property and is not the same as the property's zoning.  
\* Please contact the zoning authority for information regarding zoning.  
\* To determine whether your property is Abstract or Torrens, call 651-266-2050

Abstract

Taxpayers

Please refer to disclaimer at bottom of this page

Type	Name
Owner	Russell B Kreuscher Trustee Marilyn J Kreuscher Trustee

Address  
789 Stryker Ave  
St Paul MN 55107-3322



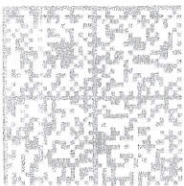
**SAINT PAUL**  
SAFETY & INSPECTIONS

**City of Saint Paul**  
**Department of Safety & Inspections (DSI)**

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

*H*  
*Inspection*  
*Some*  
*Specifics*

5506833516 R001



quodient  
FIRST-CLASS MAIL  
**\$000.51**  
DENVER, CO ZIP 55101  
02582322442

US POSTAGE

*Received*  
*8/13/21 (Friday)*



CITY OF SAINT PAUL

August 10, 2021

RUSSELL & MARILYN KREUSCHER  
C/O ERIN DELANEY MONJARREZ  
12572 DANBURY WAY  
ROSEMOUNT MN 55068-3516

RE: INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES  
785 STRYKER AVE

Ref. # 125001

Dear Property Representative:

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#### DEFICIENCY LIST

1. Basement - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window glass.-Replace glass in south basement window.
2. Basement - MMC 603.10 - Install proper supports for ducts in compliance with the mechanical code.-Secure 3-point vent on water heater. - See replaced note
3. Basement - MFGC 408 - Install drip tee in gas line in compliance with the fuel gas code. This work may require a permit(s). Call DSI at (651) 266-8989.-Add drip tee to gas line feeding clothes dryer.
4. Exterior - SPLC 34.09 (1)(2), 34.33 (1) - 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.-Replace rotted wood on garage. Also scrape and paint chipped and peeling areas of garage.

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5. Exterior - SPLC 34.33 (3) - Repair and maintain the door in good condition.-Repair south screen door and replace closer.

6. Exterior - SPLC 45.03 (7) - Cut and maintain the grass/weeds less than 8 inches tall. *? one strip done to depth*

7. Exterior - SPLC 34.08 (1), 34.32 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove yard waste. - *Compost pile*

8. Exterior - 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.-Provide air gap between front gutter and underground drain tile.

9. Exterior - MMC 2103 - All equipment, appurtenances, devices, and piping must be installed in a workmanlike manner.-Exterior furnace intake and exhaust are too close together.

10. Exterior House - SPLC 34.09 (1)(2), 34.33 (1) - 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.-Remove paint and overspray from windows and electrical meter.

11. Interior - Back Bedroom - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.-Replace door frame on back bedroom.

12. Interior - Basement - 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 will require a permit(s). Call DSI at (651) 266-8989.-Have a licensed plumber pull a permit and provide a code compliant dryer vent. Current vent is flexible style. - *MSP*

13. Interior - Basement Stairs - SPLC 34.10 (3) 34.34(2) - Provide an approved guardrail on both sides. Intermediate balustrade must not be more than 6 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.- *NO! Not possible*  
*ADD consistent w/ policy of standards of broken house was built 1952*

14. Interior - Throughout - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls. *Plastered + Non-exist*

15. Interior - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Replace missing light globes in both bedrooms. *Because fixtures were being changed*

16. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office. - *Signed to attest fire and Carbon Mon. detectors in order per laws/policy/code of a Residential Dwelling. Will not attest on a legal document as if I was a Professional (or even quasi) rental*  
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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 the original orders.

If you have any questions, email me at [angie.wiese@ci.stpaul.mn.us](mailto:angie.wiese@ci.stpaul.mn.us) or call me at 651-266-8953 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,

Angie Wiese  
Fire Safety Manager  
Ref. # 125001

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I)



**CITY OF ST. PAUL**  
DEPARTMENT OF SAFETY AND INSPECTIONS  
375 JACKSON STREET, SUITE 220  
SAINT PAUL, MINNESOTA 55101-1806  
Phone: 651-266-8989 Fax: 651-266-8951  
Visit our Web Site at [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

**SINGLE FAMILY OR DUPLEX  
SMOKE & CARBON  
MONOXIDE DETECTOR  
INSPECTION AFFIDAVIT**

Revised 04/2020

\*\*\*This affidavit must be completed and returned to the fire inspector upon inspection of the property. A certificate of occupancy cannot be issued /renewed without this completed affidavit.\*\*\*

Per Ramsey City  
Per State of MN (court)  
Single family or Duplex

Per Trust

(Circle one)

Single Family Dwelling / Residential Non-Homestead  
Address

I affirm that I, the owner, or responsible party has given the occupant of the single family or duplex at the above address a written explanation of the following:

1. The location and operation of each smoke detector and carbon monoxide detector. *see initials*
2. Instructions describing the action to be taken when an alarm sounds.
3. The procedures for testing the detectors.
4. Who to contact when a low-battery tone sounds or power light fails.
5. The penalties for disabling smoke detection or carbon monoxide detection. Tampering with alarms may result in a criminal citation.

Signature: N/A

Date: 8/14/2021

*\* Does not pertain to Residential, and not used now or ever as rental property.*

I affirm that I, the owner, or responsible party has inspected the smoke detectors and carbon monoxide detectors in the single family or duplex at the above address and that all required detectors were in place and in good working order.

Signature: [Signature]

Date: 8/14/2021

Minnesota State Statute 299F.362 requires smoke detectors and Minnesota State Statute 299F.50 requires carbon monoxide detectors. Saint Paul Ordinance 39.02(c) requires that an affidavit stating that "all detectors are inspected and serviced when needed and are operational be filed before a Certificate of Occupancy can be issued or renewed."

*\* Demonstrated that they work, are hardwired & battery, properly installed and in locations per General Policy & Law.*



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**CERTIFICATE OF  
OCCUPANCY GRADING  
SHEET**

Revised 4/2020

## Owners Guide for Improving Residential Fire Inspection Grades

There are many incentives for maintaining your property, including; safe and habitable housing, better tenants, increased property values, fewer inspections, and reduced inspections fees.

Once you have completed your Fire Safety Inspection, the Inspector will write a report based upon any violations found. The individual violations are assigned a score based on the severity. The score determines what grade the property receives.

Residential properties are graded into four (4) categories;

- Class A: Inspected and fees due every six (6) years.
- Class B: Inspected and fees due every four (4) years.
- ? Class C: Inspected and fees due every two (2) years.
- Class D: Inspected and fees due every one (1) year.

It is important to know that you can improve your grade on your next scheduled inspection cycle, if there are fewer or no violations found in that inspection. A better score means fewer inspections and fewer fees you pay!

Here are a few easy tips on how you can improve your grade;

1. **Be proactive about maintenance related items.** Simple, and easily repaired items may become more serious and cost much more to repair if general maintenance is deferred.
2. **Conduct a pre-inspection of your property before the inspector arrives.** Ensure the home is safe and habitable. For example, check Smoke and Carbon Monoxide alarms to ensure they are working, make sure escape routes and windows are unobstructed, remove combustibles away from heating appliances, ensure fire protections systems are maintained, and extension cords are not being used for permanent wiring.
3. **Educate your tenants about their responsibilities.** Tenants also have a responsibility to ensure your building is safe and habitable. They are responsible for keeping the home clean and sanitary and must not disable smoke alarms. The tenant must also allow access to make repairs upon receiving reasonable notice, usually 24 hours.

(see reverse)

Here are some of the most common code violations Fire Safety Inspectors observe, and an example of how the Fire Certificate of Occupancy grading system works. This list covers the most common code violations found by Fire Safety Inspectors but does not include a comprehensive list of all the codes we enforce. For more information, please visit our website at [www.stpaul.gov/cofo](http://www.stpaul.gov/cofo).

### TOP 10 RESIDENTIAL CODE VIOLATIONS

Number	Violation	Point Value
1	Carbon Monoxide (CO) alarm or smoke alarm missing or in an incorrect location.	10
2	Egress windows blocked by furniture.	10
3	Sleeping in the basement without an egress window.	10
4	Storage too close to water heater or furnace.	6
5	Improperly vented dryer.	6
6	Address missing on garage.	6
7	Peeling paint in the bathroom.	4
8	Improper handrail.	4
9	Use of multi-plug adapters.	2
10	Improper use of extension cords.	2

#### Grading Examples:

Single family dwelling with violations 2 and 7 will receive an A grade.

Single family dwelling with violations 1, 5, and 6 will receive a B grade.

Single family dwelling with **all** of the above violations will receive a C grade.

A single-family dwelling would need over 120 points to receive a D grade.

### DSI's MISSION

*To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all.*



4BB - Single Family Dwelling  
Residential non-homestead

1/1/2017 → 2018 19294

Built 1952 — meet codes of 1952  
property never abated

Overzealous & inconsistent of imposing standards  
when pre-existing

Legal Challenge

IO 07.28.22.44.0022

David Klem



640 Grand Ave  
 St Paul, MN 55105  
 Phone: 651-228-9200  
 Fax: 651-228-9201

**Billing Address**  
 ENRIQUE MONJARREZ  
 785 STRYKER AVE  
 SAINT PAUL, MN 55107-3322

**Service Address**  
 ENRIQUE MONJARREZ  
 785 STRYKER AVE  
 SAINT PAUL, MN 55107-3322  
 Phone: 612-275-6751

## SERVICE RECEIPT

**Order Number:** 524676  
**Date:** 8/10/2021  
**Account No:** 121024  
**Prepared For:** ENRIQUE MONJARREZ  
**Technician:** NICKG

Description	Qty	Price	Extended
OPTION SELECTED. INSTALL NEW DRYER VENT WITH INSULATION WRAP. NEW GAS VALVE AND FLEX CONNECTOR. REPLACE SECTION OF CORRODED COLD FEED PIPE TO WATER HEATER AND HOT SIDE PIPE AFTER HEATER	1.0000	\$1,550.00	\$1,550.00

### ORDER NOTES

- Owner is selling home eventually to sister. Had inspection from city who is requesting dryer vent and gas valve update and corroded water pipe replaced

Type	Model	Brand	Equipment	Serial	Age
FURNACE	59SC5A060-10	CARRIER		4914A47340	6
AC					
WATERHEATER					

Payments		
Date	Amount	Type
8/13/21	\$1,550.00	

**Join Our Total Care Club Today for Only \$19:**  
 - Receive Priority Service  
 - Annual Furnace, AC, & Water Heater Maintenance  
 - Take Advantage of the savings you missed out on today's visit  
 Call 651-228-9200 to get signed up!

**TERMS AND CONDITIONS**

Net due on day of installation, or in accordance with financing agreement. The Seller retains the title to all materials and property listed herein until payments have been made in full. Accounts not paid within thirty (30) days of notice of invoice are in default and a late payment charge of 1 - ½ % per month will be added. Buyer agrees to any reasonable attorney or collection fees incurred by Seller in securing payment for this contract.

Accepted By \_\_\_\_\_

Taxable:	\$1,550.00
Non-Taxable:	\$0.00
Sub Total:	\$1,550.00
Sales Tax:	\$0.00

<b>Amount Paid:</b>	<b>\$1,550.00</b>
<b>Amount Due:</b>	<b>\$0.00</b>

**PAID IN FULL**