

# **APPLICATION FOR APPEAL**

## Saint Paul City Council – Legislative Hearings

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

Fax: (651) 266-8574

RECEIVED

AUG 11 2014

Email: legislativehearings@ci.stpaul.mn.us

CITY CLERK

We need the following to process your appeal:		
\$25 filing fee payable to the City of Saint Paul	HEARING DATE & TIME	
(if cash: receipt number Check 10075)	(provided by Legislative Hearing Offic	ce)
/	Tuesday, 8-26-14	
Copy of the City-issued orders/letter being appealed  Attachments you may wish to include		
☐ This appeal form completed	Time_ 1:30 pm	
□ Walk-In OR 🙀 Mail-In	Location of Hearing:	
	Room 330 City Hall/Courthouse	Charles to
for abatement orders only:     Email OR   Fax	email sent 8-11-14	
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Address Being Appealed:	ith this situation. I o	most
<b>3</b> 11	f town Aug. 11 - 24 and Au	19.29-
Number & Street: City:	f town Aug. 11 - 24 and Au int Paul State: MN Zip: 55108	Sept.
Appellant/Applicant: GEORGIA DUNCAN foe En	nail gbhd@aol.com	Georgia
Phone Numbers: Business Heidy Flores Residence	•	
Phone Numbers: Business Residence	Cell <u>_651-644-1651</u>	
L (C : D)	0/0/2014	
Signature: (Georgie DUNCAN)	Date: 9/8/2014	
Name of Owner (if other than Appellant): HEIDY FLORES		
Mailing Address if Not Appellant's:1355 Albany Avenue, St. Paul, Mn	, 55108	
Phone Numbers: Business Residence	Cell	
What Is Being Appealed and Why?	Attachments Are Acceptable	
Vacate Order/Condemnation/	,	
Revocation of Fire C of O		
□ Summary/Vehicle Abatement		
	nanged this year that is a project for next year. Un	n affordable
	anged this year that is a project for next year. On	———
Code Enforcement Correction Notice		
Vacant Building Registration		
□ Other (Fence Variance, Code Compliance, etc.)		
1.1.	Revised 7/16	6/2014
teidy is available vio email: heidy of 7	Ogmail. com	

#### Dear Hearing Examiner:

I did not sleep well last night concerned for our two daughters involved with 1457 Albany house. The owner is our daughter Heidy. She can not afford to replace the upstairs carpeting that our daughter Amber has destroyed. And, she can not afford to replace the fence along the "half block long" east side of the property. The fence provides a boundary with the neighbor and also privacy for both.

If Amber has to move out she has nowhere to go. She is on a public housing waiting list. She plain and simply needs affordable housing. This is not a perfect living situation but it is better than most that she has had in the past 6 years.

Amber came to live with us at age 9. She is now 24. We adopted her. She had a very chaotic mind at that time. For the 9 years that she lived with us 4 personal care attendants worked with her to quiet her mind, to help her relax and to enjoy life among many other things. They worked with her to learn the Daily Living Skills (including house cleaning, dishes and laundry) needed to safely live in adulthood. Amber did not learn them very well. They are buried in her mind/body/spirit. And they are popping up sometimes now. Amber has issues with being oppositional making doing things like this very difficult. And she has many health issues. I am optimistic that in another 5 years she'll be able to keep a place clean enough to be acceptable. She is showing a desire to do this which is encouraging. She is making gains. I am very proud of her.

Since age 18 Amber has lived in 2 shelters (she says 3), lived in a friend's garage in Chicago, with a boyfriend's grandfather until the whole situation turned crazy and violent also in Chicago, lived on a friend's floor and in our basement for a year and a half. A year ago she moved into 1457 Albany. When Amber and the kids moved out of our basement we had to take up the linoleum (which was less than 8 years old) and repaint the entire basement. Amber and her children **LIVE HARD** and they are hard to live with.

1457 is a safe haven for Amber and her children. It is also a learning environment. Heidy and Pifo offered to rent the house to Amber to provide a home for her to continue her learning curve and to provide a safe place to be. When she moves out they will have to replace the carpeting and redo much of the house again. It was and is a very kind and generous offer. They are not people of means, nor are we.

The current plan is that Amber move out the end of May 2015. This gives the kids another year living close to us (grandparents) and gives Amber one more year to grow and learn. It also gives the kids another year of home and school stability. Elizabeth starts kindergarten and John Headstart (hopefully) in September.

Thank you for considering this request.

We are asking that the carpeting be allowed to remain. It is truly awful. I went down to clean it. It can not be done. I could put 2 or 3 area rugs over the worst parts. When Amber moves out it can be torn up, and that the fence remain for now.

We are also Esking

360490

Georgia Duncan <gbhd@aol.com> de:

lisa.martin@ci.stpaul.mn.us para:

Russ Stark <ward4@ci.stpaul.mn.us>; CC:

"Russ (CI-StPaul) Stark" <russ.stark@ci.stpaul.mn.us>,

Alice Hausman <rep.alice.hausman@house.mn>,

Heidy Flores < heidycf7@gmail.com>,

Heidy Mouw <a href="mouw@mhresources.com">heidy <a href="mouw@mhresource

6 de agosto de 2014, 17:08 fecha:

asunto: Regarding Ref. # 119498 Housing Code Violations

aol.com enviado por:

> I will attempt to be brief and clear. This letter is about 1457 Albany Ave., St Paul, 55108, Amber Duncan family renter, Heidy Flores, Amber's sister/owner, Tara Green, former property manager and me (Georgia Duncan, Mom/Grandma). My husband Mel and I live at 1355 Albany Ave., 2 blocks from Amber's home.

Amber rents this house from her sister Heidy Flores. Heidy is FAMILY even tho she is not blood family. None of us are blood family. We have 8 children, none of whom orginated with us. So, I am unsure why a Certificate of Occupancy is necessary for this property and I am unsure why Heidy was not allowed to get a homestead tax credit for this property. That is not why I am writing though.

I am writing because all of the code violations (ref# 119498) will not be completed by August 13. Heidy's sister, Tara Green was overseeing repairs. For personal reasons she is no longer able to oversee the repairs. I am Georgia Duncan (651-644-1651, GBHD@aol.com) Mom to Amber, Heldy and Tara. Following are my understandings of the repair status of the property:

- 1. The chimney's have been cleaned (Chimney Pro).
- 2. The shed is old and it works. The fence is old and may need to be replaced. I suggest that we wait on this. Information to follow below.
- 3. It is my understanding that the storm door has been repaired.
- 4. The screens have been replaced or repaired.
- 5. Amber has been working on keeping the yard cleaner.
- 6. A larger garbage can has been provided (Gene's is the service provider).
- 7. The dryer exhaust is in process. The repairman's son was hit by a car. He intends to finish this work. He's been sidetracked. It will be finished. 8/8 I heard from Mike Arcand finish this work. He's been sidetracked. It will be finished. 8/8 I heard from Mike work today - he is back to wark 8. Snelling Company came back and did the carbon Monoxide test. The boiler is less than a year old and is a "quality" boiler he said.

  Go.
- 9. I am just learning about the smoke detector affidavit. I will do it.

Amber lives in the house with her 2 children, Elizabeth 5 years old and John 3. Amber is

a very highly disorganized person who is a **very messy housekeeper**. For example the carpeting upstairs is ruined. I went down to scrub it the other day and learned that it will all have to be torn up. As you can imagine, Heidy and Erasmo can not do this until Amber moves out. They can not afford to replace it twice. Amber loves her children. She is trying and she is making improvements. She receives many county services.

This is a stop gap living arrangement until public housing or some affordable housing service becomes available. Amber needs a new place to live before next summer. If financial help were available it is possible that Heidy and her husband or we would find a way to make the house more and more "liveable/useable" for Amber. Being near us and in a neighborhood that she and the kids knows is helpful and provides a safety net for Amber and her children.

Amber's diagnosed disabilities are as follows: asthma, ulcerative colitis, fibromyalgia, ADD (maybe ADHD), ODD, PTSD, Depression and Anxiety. One assessment recently suggested Borderline Personality Disorder. She is frequently sick. I share her diagnoses to say "Amber needs lots of help". She is trying and we are trying. We work with her on budgeting, cleaning, shopping, share a car, organizing, remembering, social activities, child care and much more. Today Amber said to me today "I'm going to try and change. To eat better (less pop mostly) and walk more. Be happier...it's time for a change."

Our daughter Heidy and her husband Erasmo own the house. They had a dream of owning an adoption agency in MN hence they bought that house. That dream came to a crashing halt when the adoption laws changed some years ago. They love our neighborhood. About the time they bought the house the real estate market crashed too. So, they decided to help siblings who needed a place to live. One of Heidy's brothers lived there for 2 or 3 years. He decided "house living" is not for him.

Amber has lived in the house for a year. During that time my husband and I were able to be a stable force in our grandkids lives and to continue to support Amber in all kinds of ways. Because of Amber's lack of skills and her disabilities living in a house has been very difficult for her and for us. Much good has come too. Amber has learned an immense amount. And, as I said, we've been able to be in her kid's lives regularily. Lizzy came over for oatmeal and art this morning. Amber got a break and Lizzy got a break.

This is not a pretty situation. It is a messy situation. And, everyone is trying. Since the inspections began Amber's and Elizabeth's anxiety has been very high, especially Elizabeth's. She is now wetting the bed. This is a child who taught herself to ride a bike w/o training wheels at age 3.

I want to mention the fence. Yes, it is in need of replacing. At this point it is safer for Amber and the kids to have a border on at least one side of the house than no border at all. It helps them understand boundaries and it helps them maintain an "ok" relationship with that neighbor. He does not want the fence removed.

There are no magic answers to this situation. Amber called public housing again today. She is on the list. Currently we live near them. We can continue to provide LOVE.

I am coing Russ Stark, city council member. My question to Russ is "are there services to help disabled people with mowing and shoveling?" Last winter Amber shoveled some, I shoveled some and then I hired a fellow who snow blew it. We still got

ticket upon ticket. Very uncalled for. We were all trying hard. Amber is a good shoveler just as she is a good mower. The following day or two she can barely do anything though as her arthritis kicks in. I shoveled very hard a couple of times last winter to find that the city cited the house again, one time it had all been snow-blown and it was cited. This makes no sense to me. It is an odd spot: long windy sidewalks. Amber could use help with mowing from mid August on. We'll do it this weekend together.

I am also coing Rep. Alice Hausman. She knows our family and she looked into affordable housing for Amber. She may have ideas for us too.

Lisa, I go on vacation for much of this month. I am not in town on August 13. If you want to walk through the house Amber can be there. Please be as calming as you are able, as I mentioned she gets very heightened with anxiety. We totally recognize Amber's weaknesses, her strengths and her dreams (similar to yours and mine).

I note your words: Please help make Saint Paul a safer place in which to live and work. I agree and we are all trying to do that.

I will appreciate any and all ideas. Thank you in advance.

sincerely, Georgia

Shall we make a new rule of life...always to try to be a little kinder than is necessary?

J. M. Barrie



CITY OF SAINT PAUL Christopher B. Coleman, Mayor 375 Jackson Street, Suite 220 Saint Paul, Minnesota 55101-1806 Telephone: 651-266-8989 Facsimile: 651-266-8951 Web: www.stpaul.gov/dsi

July 29, 2014

HEIDY FLORES 1355 ALBANY AVE ST PAUL MN 55108-2502

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES 1457 ALBANY AVE

#### Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on June 24, 2014. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

#### A re-inspection will be made on August 13, 2014 at 10 am.

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. Exterior Chimney NFPA 211,9-2 Have the chimneys, fireplaces, and vents inspected for soundness, freedom from deposits, and correct clearances. Cleaning, maintenance, and repairs shall be done if indicated by the inspection.-Repair and seal the chimney.
- 2. Exterior Shed 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.-Secure the wood fence that is rotted. Repair, replace or remove the shed and fence.
- 3. Exterior Storm Door Ext. Door SPLC 34.09 (3), 34.33 (3) Repair and maintain the door in good condition.-Repair, replace, or remove the side storm door that is not closing.
- 4. Exterior Window Screens SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screens Repair or replace all missing or torn window screens.

An Equal Opportunity Employer

- 5. Exterior SPLC 34.08 (1), 34.31 (1) All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove all garbage bags from the boulevard.
- 6. Exterior SPLC 34.11 (7), 34.34 (4) Provide additional approved containers or additional pick-ups to meet tenant trash demands.
- 7. Interior Throughout MSMC 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.-Replace the dryer vent to meet code.
- 8. 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.
- 9. 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 lisa.martin@ci.stpaul.mn.us or call me at 651-266-8988 between 6:30 a.m - 8:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin Fire Inspector



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## SUMPLANT STATEMENT STANDER

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CITY OF SAINT PAUL Christopher B. Coleman, Mayor 375 Jackson Street, Suite 220 Saint Paul, Minnesota 55101-1806 Telephone: 651-266-8989 Facsimile: 651-266-8951 Web: www.stpaul.gov/dsi

June 24, 2014

HEIDY FLORES 1355 ALBANY AVE ST PAUL MN 55108-2502

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES 1457 ALBANY AVE

Ref. # 119498

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on June 24, 2014. 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 August 1, 2014 at 10 am.

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**

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

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If you have any questions, email me at lisa.martin@ci.stpaul.mn.us or call me at 651-266-8988 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,

Lisa Martin Fire Inspector Ref. # 119498



CITY OF SAINT PAUL Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Saint Paul, Minnesota 55101-1806 *Telephone:* 651-266-8989 *Facsimile:* 651-266-9124

Web: www.stpaul.gov/dsi

#### SMOKE AND CARBON MONOXIDE DETECTOR INSPECTION AFFIDAVIT

1457 Albany	; St. Paul, Mn, 551	08		<u> </u>	,
	Address	-	# of	Units	C of O#
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Signature:	,	+		Date:	8/8/2014
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operational be filed before a Certificate of Occupancy can be issued or renewed." Revised 12/09

an affidavit stating that "all detectors are inspected and serviced when needed and are

### SAINT PAGE PAGE AREA

# EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

(Use separate form for each Appliance)

Department of Safety & Inspections Fire Prevention Division

375 Jackson Street – Suite 220 Saint Paul MN 55101

Fax: 651-266-8951

Address: \ \	157 - 1	BANY		Date: 5 -1	14
Owner: AMBE	2 Dung		-	-	
Type of Heat:  Gravity Air	Forced Air	Gravity H	lot Water	Forced Hot Wat	erX
Steam	Unit Heater	Space He	ater	Other	
Type of Fuel: Gas Gas Design Make of Bu Model Serial Input Equipment venting type: A	103.00	92.71( W	onversion  ake odel  ax. BTU Rating ake of Furnace Other		
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Carbon Monoxide Detect Look At Total Heating Sy Does system operate safely COMMENTS:	vstem Before You I	.eave:	No		
Name of Licensed Contractor: The Street Person Doing Test (Print; De Certificate of Competency Number 1988)	D Kampa	(signatu	400 Condoes ST fam MN. ST fam MN.	,, -	65) ,46-7381

#### Snelling Company 1400 Concordia Avenue St. Paul, MN 55104 (651) 646-7381

### **STATEMENT**

Bili To:

Georgia & Mel Duncan 1355 Albany Ave Saint Paul, MN 55108

Type Rental/single	Status	Active	Date 08/06/14
Territory Snelling	Contact	Georgia & Mel Duncan	Page 1

Date	Туре	Ref#	Account	Description	Balance	Days
08/05/14	Invoice	52527	1457-ALBA SP108	Fire safety test	\$189.00	1
	Payment	1740	1457-ALBA SP108	Deposit	-\$189.00	0
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#### Account Paid in full - Thank you!

0-30 Days
\$0.00

31-60 Days	44.
	\$0.00

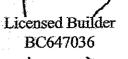
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Total	Bala	nce	
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GRAND TOTAL

Where a Professional ALWAYS Answers the Phone!

Chimney Professional's Signature

CSIA Certified (7944), Licensed (BC647036), Insured Office (651) 731-5111—Fax (651) 731-5181

·	www.	cnumi	иеурга	osmi.com ,
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Date Time	<del></del>	<del></del> -		Fireplace Opening Size:X
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CHIMNEY / FIREPLACE	Acceptable	Unacceptable	Not Applicabl	Roof Covering:  Pitch  Pitch
CONDITION REPORT	88	C Page	žg.	Roof Covering:
CHIMNEYAE:				COMMENTS:
1. Chimney Height (10/2 Code)		S 144 See 571 D.S		- ADDRETTOR
2. Chimney Cap/Spark Arrestor	1	V	×	1 CU DE LEC LOU
3. Chase Construction Brick/Wood/Stone	1			<u> </u>
4. Chimney Crown/Wash	NZ			
5. Flue/Liner	$\sim$			CUSTOMER VERIFICATION
6. Flue/Liner Connections/Mortar Joints	1X			(we) have read this form and now understand
7. Chimney Flashing	×			which areas of my chimney system appear to be
8. Moisture Resistance	17			satisfactory, and which areas are not
9. Draft	No.			satisfactory.
FIREPLACES SMOKE				Signed Doucal Date 5 /5
11. Firebox	-			
12. Grate DAMPER	V			I (we) have inspected after completion of chimney cleaning or repair, there is no evidence of creosote,
13. Ash Cleanout		7	Ŋ.	dust, or dirt, that was not present prior to described/
14. Damper	X			work being completed.
15. Smoke Chamber	ĺ	12		Signed Dunch Date /5/
16. Smoke Shelf		46	1	oignou
17. Fresh Air Intake ASH DUMP	1			Card TypeName
18. Spark Screen/Fireplace Doors			1000	Card #
19. Hearth Protection	17	No.		ExpCSC Code
Weodstovieor/freelacenseric				Billing Address
21. Stove Pipe Condition (Woodstove)	187	100		Billing Zip Code
22. NFPA Approved Flue Connections			See a see	Amout Signature
23. Door Seals			X	RECEIPT / INVOICE No. 648562
24. Installation/Clearances/Thimble				AMOUNT DESCRIPTION PRICE
owher safety/gonsiderations				AWOUNT DECOME TON
26: Fire Ext./CO Alarm/Smoke Alarms	K			TO THE CLANS WALLEY S
27. Furnace Chimney		X		
28. Furnace Chimney Flue/Liner	X	ľ		1 1 - 3 30 01 - 14
Note: This report is the result of a visual inspection done at the time of cleaning	ng. Itis	intend	ed as	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
a convenience to our customer, not a certification of fire worthiness or safety. use, and hidden construction defects, are beyond our control, we make no wa				CEANALNS 1157 -
use, and niquen construction detects, are beyond our control, we make no wa function of any appliance and none is to be implied	arcusty.t	ii Mi <u>ci</u> gi	atoty O	
The NFPA standard states that fireplaces and chim	nevs	sho	uld	SUBTOTAL COST
be inspected once per year for any structural faults			<del></del>	

#### "A Tradition of Quality for Over 80 Years"



#### HEATING . COOLING . ELECTRICAL

1400 Concordia Avenue · St. Paul, MN 55104 · 651-646-7381

8/5/2014

A1 Mike D 99240

Duncen, Amber 1457 Albeny Ave Seint Peul, MN 55108 (651) 283-2748 Amber

651-644-1651 Georgia (Amber's mom)

Product Suderus	Model   Buderus Boiler	Server Print AF		A STATE OF THE PARTY OF THE PAR		
in the bad in the	A DEPOSIT OF THE PROPERTY OF THE PARTY OF TH	12001-200-10	2530-205-100630-6304			-Note No.
	- Note that the C	= Cleaned R = Replace		CFC HANDLII	vg report	
PILOT [ ] SENSOR [ ] IGNITER [ ] GAS VALVE [ ] PRIMARY CONTROL [ ] TRANSFORMER [ ] RELAY [ ] MANIFOLD PRES [ ] GAS INPUT [ ] WATER PRES [ ] BLOWER AMP [  OMMENTS:	BURNERS [ ] COMB. BLOWER [ ] LIMIT CONTROL [ ] VENT AND DRAFT [ ] THERMOSTAT [ ]	FILTER COND. FAN-MOTOR CONDENSER COIL EVAP. COIL HUMIDIFIER COMPRESSOR EAC I SUC LINE PRES I SA TEMP/AC I RA TEMP/AC I COND. FAN AMP	FAN-MOTOR FAN-MOTOR ENSER COIL COIL IFIER SYST LEAK IC LINE PRES TEMP/AC TEMP/AC		EIGERANT RECOVERED YE  LBS R22  EM EVACUATED YE CHECK YE RIGERANT ADDED YE  LBS R22	
RECOMMENDATIONS:	I acknowledge that the above work was done as describe	PART  PLEASE VERIFY VISA TIME OF ARRIVAL	DC MC	PART#	AMOUNT	<u>00</u>

CUSTOMER'S SIGNATURE