



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

MAY 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 820095)
- 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>May 22, 2018</u>
Time <u>1:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1142 Marion Street City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Patrick Hogan Email: actualhomesolutions@hotmail.com

Phone Numbers: Business 612-423-3447 Residence _____ Cell _____

Signature: Date: 5/11/18

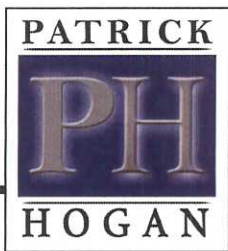
Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 1043 Grand Avenue, #554, St. Paul, MN 55117

Phone Numbers: Business 612-423-3447 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/Correction
 - Code Enforcement Correction Notice
 - Vacant Building Registration
 - Other (Fence Variance, Code Compliance, etc.)
- Comments:**
Please see attached letter of explanation and request



1043 Grand Ave, #554 : St. Paul : MN : 55105 : 612-423-3447 : Fax 651-203-3508

Date: 5/11/18

To the appeals board of the City of St. Paul:

I am requesting an appeal of the Correction Notice-Complaint Inspection, Ref # 110159, dated May 1, 2018.

I am requesting this correction notice because the underlying reason that it was generated was a result of a tenant dispute with another tenant in this building, and not the result of maintenance or building neglect.

This property is a 2-unit duplex that has been maintained and regularly inspected by the City of St. Paul and Public Housing authorities and has always been found to be in compliance. The last St. Paul certificate of occupancy rental inspection took place in September 2013 and passed with an "A" rating at that time indicating that it is properly maintained. In addition, because this property has been rented by tenants that are on the Section 8 program with Public Housing for the past 10+ years, annual inspections take place to ensure the safety and proper maintenance of the property. While I understand that the evaluation requirements of Public Housing do not match exactly with the requirements for St. Paul standards, I believe it is a fair assessment that it indicates the property is considered safe and adequately maintained by a neutral 3rd party source.

The current occupants of each unit in the building have been involved in a dispute with each other for the past few months, and it is my understanding that the reason that the city was contacted for the complaint about this property was that one of the tenants (the lower unit) reported that the other tenant (the upper unit) had an "overcrowding" issue in their unit which was causing a disturbance. Upon the city of St. Paul inspector Efrayn Franquiz's evaluation of the unit, he clearly concluded that there was not an overcrowding issue in the upper unit, and that the unit has been properly maintained inside.

My request for this appeal is that the correction orders would be removed, and that the city would allow me to complete the normal maintenance and repairs on this property as I have always done on my own. The next certificate of occupancy inspection is scheduled for September 2019, so the property will be reinspected at this point by the city, and Section 8 will conduct 2 inspections in the meanwhile in Summer of 2018 and Summer of 2019 ensuring that the property is safe and well-maintained.

p. 1 of 2

I have always tried to do my best to ensure that the property is maintained, not just to protect my investment, but to ensure the safety of the occupants, and enhance the value and enjoyment of my neighbors' properties as well. The items listed on the report are items that have been the result of tenant damages to the property (which we are taking responsibility to fix) and the harsh winter conditions that affect this 114-year old property.

All we are asking is that we can complete these repairs on the timeline that we have budgeted for within the normal inspection periods of St. Paul and Public Housing, as opposed to having to abruptly complete these repairs as a result of a tenant dispute that we are not a part of and have gotten caught in the cross-fire of.

I would greatly appreciate your consideration in this appeal.

Sincerely,



Patrick Hogan



May 1, 2018

PATRICK M HOGAN
1043 GRAND AVE #554
ST PAUL MN 55105-3002

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 1142 MARION ST
Ref. # 110159

Dear Property Representative:

An inspection was made of your building on May 1, 2018 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

A reinspection will be made on June 4, 2018 at 11:30 AM.

Failure to comply may result in a criminal citation or 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. Exterior - Chimney - MSFC 603.6 - 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. -The chimney is in disrepair with worn, chipped and deteriorated bricks and missing mortar.
2. Exterior - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition
Unit 1142 - The latch for the entry door is not properly installed and is loose and the door knob is unsecure.
Unit 1142 - The door closers for the entry screen doors are missing, the frames are damaged, there is a hole at the bottom of the trim and the upper level screen door does not fit properly within its frame.
Unit 1142 - The lower entry door is missing the trim around the frame and there are openings around the frame.
Unit 1144 - The door closers for the entry screen doors are missing and the frames are damaged.
Unit 1144 - The bottom of the screen door on the North side of the house is cracked and damaged.

3. Exterior - Roof Vent Liner - MFGC 503 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work may require a permit(s). Call DSI at (651) 266-8989.-Provide documentation stating that the vent liner for the upper unit furnace is properly secure and working.
4. Exterior - Stairs & Steps - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.
Unit 1142 - There is a stair tread that is cracked and broken. Replace the stair tread.
Unit 1144 - The concrete steps on the North side of the house is in disrepair and broken.
5. Exterior - Throughout - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points. -Along the foundation line of the property there are very large cracks, openings, broken pieces and parts that have failed and broken off.
6. Exterior - Throughout - 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.
There is a section in the fascia that is missing the fascia board, has a mesh covering over it and the opening is unprotected from the elements. The same spot is missing a section of the gutter that has broken off.
There are different spots on the stucco walls that has very large cracks and sections that have broken away. There are holes and openings in the walls.
7. Exterior - Top Deck - SPLC 34.09 (3), 34.33(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989.-At the top deck, there is a section in the corner of the railings that is coming loose and there are nails sticking out of it. Repair and remove all nails.

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: Efrayn.Franquiz@ci.stpaul.mn.us or call me at 651-266-8955 between 7:30 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz
Fire Inspector

Ref. # 110159