



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

SEP 11 2020

Telephone: (651) 266-8585

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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>September 15, 2020</u>
Time <u>1:30 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u> <u>Teleconference</u>

Call between 1:30 p.m. & 3:00 p.m.

## Address Being Appealed:

Number & Street: 609 Sims City: St. Paul State: MN Zip: 55104

Appellant/Applicant: CTW Group Inc. Email \_\_\_\_\_

Phone Numbers: Business 612-644-2757 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] (Alex Delendik) Date: 9/11/2020

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: \_\_\_\_\_

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
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:  
 The First Notice we received after recent purchase. One tenant is out. The rest are in the process, but still in due to COVID-19 eviction restrictions.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.sipaul.gov/dsi](http://www.sipaul.gov/dsi)

August 14, 2020

CTW GROUP INC.  
4820 MINNETONKA BLVD. STE. 303  
SAINT LOUIS PARK MN 55416-5708

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 609 SIMS AVE  
Ref. # 106756

Dear Property Representative:

Your building was inspected on August 14, 2020, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

**A reinspection will be made on September 18, 2020 at 1:45 PM or the property vacated.**

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

#### DEFICIENCY LIST

1. Access - All Units - SPLC 34.19 - Provide access to the inspector to all areas of the building.
2. Exterior - Building #1 - 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.  
On the East side of Building #1, the soffit board has come loose creating an opening in the soffit. There is also another section that has the fascia board coming loose.  
There is chipping and peeling paint on Building #1.
3. Exterior - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition.  
The back-entry door for Building #1 has a cracked glass pane and the storm door is damaged at the bottom.  
Building #2, the area underneath the threshold for the entry door is damaged and there is an opening.

4. Exterior - Sidewalks & Steps - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.  
A section of the sidewalk on the side of Building #1 has very large cracks and pieces broken off.  
The sidewalk next to the stairs for Building #1 is damaged and is covered by weed.  
The wooden steps in front of the building is worn, sinks in and the boards are coming loose.
5. Exterior - Throughout - SPLC 45.03 (7) - Cut and maintain the grass/weeds less than 8 inches tall.
6. Exterior - Window Screens - SPLC 34.09 (4), 34.33 (3) - Provide or repair and maintain the window screen.
7. Exterior - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -There are several windows on both houses that have chipping and peeling paint on the frames and sills.
8. Interior - Basement - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The smoke alarm in the basement does not work.
9. Interior - Walls - MSFC 803.1 - Wall and/or ceiling finishes exceed the code requirements for flame spread ratings. Remove or provide documentation of flame spread compliance. -Remove all the plastic on the basement walls.
10. Interior - All Units - CO Alarms - 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 manufacturer's instructions. -The carbon monoxide alarms are missing in all apartments.
11. Unit 1 - Bathroom - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom floor impervious to water. -There is a soft spot on the bathroom floor and some damaged vinyl tiles.
12. Unit 1 - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -The seal around the bath tub is worn and is peeling off. There is also black substance developing on the shower wall and the wall over the bathroom sink.
13. Unit 1 - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.  
In the bedroom, there are ceiling tiles that are water damaged and are not properly set in their tracks.  
There is some damage on the living room ceiling.  
There is a section of the bathroom ceiling that has a loose board and the section over the bath tub is sagging.

14. Unit 1 - Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The door stop trim for the front bedroom door is broken.
15. Unit 1 - Light Fixtures - 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.- The light fixtures are missing the covers.
16. Unit 2 - Bathroom - SPLC 34.14 (2) c - Repair or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-8989.-The GFCI outlet in the bathroom does not work, the test buttons on the GFCI does not work.
17. Unit 2 - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition.  
The seal around the tub is worn and peeling. Properly replace the seal.  
The toilet is loose.
18. Unit 2 - Bathroom Wall - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -The wall next to the shower head is damaged and has peeling paint.
19. Unit 2 - Light Fixture - 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.- The light fixture in the bedroom is missing the cover.
20. Unit 3 - Basement - MMC 603.9, 604 - Repair, maintain or install proper insulation and duct sealant in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-There is an unused exhaust duct on the chimney wall that is open. Remove the unused pieces and seal up the hole.
21. Unit 3 - Basement Door - MSFC 1008.1.9.3 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. -There is an unapproved lockset on the basement door. Immediately remove this lockset.
22. Unit 3 - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Repair or replace the unsafe stairway in an approved manner. -Near the bottom of the basement stairs, there is a broken stair tread.
23. Unit 3 - Bathroom - MSFC 605.4 - Discontinue use of all multi-plug adapters. -There is a multi-plug adapter being used in the main floor bathroom.
24. Unit 3 - Bathroom - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom wall impervious to water. -The front portion of the shower has improperly installed dry-wall that is failing and has water damaged. Provide approved material for the shower wall.

25. Unit 3 - Bathroom & Kitchen - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition.  
The bathroom faucet is loose, and the shower head is leaking. Both are in the upstairs bathroom.  
The kitchen faucet is loose and unsecured.
26. Unit 3 - Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There is an outlet in the bedroom that has a broken cover plate.
27. Unit 3 - Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The outlet near the bedroom window is broken. Discontinue use until fixed.
28. Unit 3 - Cabinets - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.  
There is a kitchen drawer that is missing and another that is damaged.  
One of the upstairs cabinet doors is off.
29. Unit 3 - Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The top piece for the bedroom door knob is missing.
30. Unit 3 - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The smoke alarms outside the bedroom and in the basement are missing.
31. Unit 3 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. -There are extension cords being used in the living room and bedroom.
32. Unit 3 - Throughout - 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.-There are light fixtures, including in the basement bathroom that is missing the covers.  
The ceiling fan in the bedroom is missing a fan blade.  
There are light fixtures missing the covers.  
The vent cover in the bedroom is bent.  
The filter for the kitchen hood is missing.
33. Unit 3 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There are walls in the upstairs area and over the basement doorway that is cracked, damaged and have holes in it.
34. Unit 3 - Window - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The crank handle for the bathroom window is missing.
35. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

36. MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit. -A permit is required for the installation of the water heaters in both buildings. Both water heaters are labeled (Building #1 January 17, 2019) & (Building #2 November 15, 2019) No permit on file.
37. **SPLC 40.06 Suspension, revocation and denial. (a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor: (3) If it is found upon inspections of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations:**  
**The Fire Certificate of Occupancy has been revoked due to long term non-compliance and failure to provide access.**

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 this order.

If you have any questions, email me at: [Efrayn.Franquiz@ci.stpaul.mn.us](mailto:Efrayn.Franquiz@ci.stpaul.mn.us) or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz  
Fire Safety Inspector

Ref. # 106756