



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 2017

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>Sept. 19</u>
Time <u>11:30 a.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 364 Cook Ave City: St. Paul State: MIN Zip: 55130

Appellant/Applicant: Kong Lee Email leeex2247@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-408-4016

Signature: [Signature] Date: 9-11-17

Name of Owner (if other than Appellant): KML ventures LLC

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.)

New owner. willing to bring up to code by inspection on Oct 2nd 2017.



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

August 25, 2017

DAVID T RIERA Or Occupant
364 Cook Ave
St. Paul MN, 55130

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 364 COOK AVE E
Ref. # 124384

Dear Property Representative:

Your building was inspected on August 25, 2017, 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 October 2, 2017 at 3:00pm and the must be 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. Class - SPLC 40.04 (5) - The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Department of Safety and Inspection Landlord 101 course, or other landlord training program approved by the Department of Safety and Inspections. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI. This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009. For more information on Landlord 101, or to receive registration materials, please visit our webpage at: www.stpaul.gov/cofo Or, contact Fire Safety Inspector David Smith by email: david.smith@ci.stpaul.mn.us or phone: (651)266-8995-DSI created a course titled Landlord 101 for information on this see our website at <https://www.stpaul.gov/departments/safety-inspections/fire-inspections/landlord-101>. Owners have a full calendar year to complete either class.
2. Exterior - MSFC 505.1 - Provide address numbers on building.-Provide house numbers on garage.
3. 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.-Scrape and paint chipped and peeling areas of house and garage.

An Equal Opportunity Employer

4. Exterior - SPLC 34.09 (3) 34.33 (2) - Provide an approved guardrail with intermediate balustrade or rails 6 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-8989.- Provide guardrail for rear steps.
5. Exterior - SPLC 34.09 (3) 34.33 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Provide handrail for rear steps.
6. Exterior - 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.- Repair rotted back steps.
7. Exterior - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screens.
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.-Repair awning on front of house.
9. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Repair broken and cracked steps and sidewalks around the entire property.
10. Interior - Basement - NEC 110.26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
11. Interior - Basement - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.- Repair or replace the damaged or missing door.
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 may require a permit(s). Call DSI at (651) 266-8989.-Have a licensed contractor pull a permit and provide a code compliant dryer vent. Immediately stop using unvented dryer.
13. Interior - Basement - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms.-Have a licensed contractor pull a permit and install a vent fan or remove toilet.
14. Interior - Basement - 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.-Have a licensed plumber pull a permit and bring the sink, shower, toilet, Etc in basement up to code.
15. Interior - Entry Doors - MSFC 1008.1.9.3 - The maximum number of locks on unit doors is two. Remove all locks in excess of two.
16. Interior - Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling.
17. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.

18. Interior - Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
19. Interior - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Repair light fixture in living room area.
20. Interior - Basement - MSFC 605.1 -Provide a grounding jumper around the water meter.
21. ORSAT - SPLC 34.11 (6), 34.35 (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.
22. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
23. SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.

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: daniel.klein@ci.stpaul.mn.us or call me at 651-266-8988 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Daniel Klein
Fire Inspector

Ref. # 124384



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 25, 2017

DAVID T RIERA
955 -- 44TH AVE NE
COLUMBIA HEIGHTS MN 55421-3052

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 364 COOK AVE E
Ref. # 124384

Dear Property Representative:

Your building was inspected on July 25, 2017, 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 August 25, 2017 at 2:30pm and the property shall be 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. Class - SPLC 40.04 (5) - The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Department of Safety and Inspection Landlord 101 course, or other landlord training program approved by the Department of Safety and Inspections. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI. This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009. For more information on Landlord 101, or to receive registration materials, please visit our webpage at: www.stpaul.gov/cofo Or, contact Fire Safety Inspector David Smith by email: david.smith@ci.stpaul.mn.us or phone: (651)266-8995-DSI created a course titled Landlord 101 for information on this see our website at <https://www.stpaul.gov/departments/safety-inspections/fire-inspections/landlord-101>. Owners have a full calendar year to complete either class.

2. Exterior - MSFC 505.1 - Provide address numbers on building.-Provide house numbers on garage.
3. 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.-Scrape and paint chipped and peeling areas of house and garage.
4. Exterior - SPLC 34.09 (3) 34.33 (2) - Provide an approved guardrail with intermediate balustrade or rails 6 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-8989.-Provide guardrail for rear steps.
5. Exterior - SPLC 34.09 (3) 34.33 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Provide handrail for rear steps.
6. Exterior - 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.-Repair rotted back steps.
7. Exterior - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screens.
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.-Repair awning on front of house.
9. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Repair broken and cracked steps and sidewalks around the entire property.
10. Interior - 2nd Floor - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Replace missing hardwired smoke detector.
11. Interior - Basement - NEC 110.26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
12. Interior - Basement - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing door.
13. 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 may require a permit(s). Call DSI at (651) 266-8989.-**Have a licensed contractor pull a permit and provide a code compliant dryer vent. Immediately stop using unvented dryer.**

14. Interior - Basement - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms.-Have a licensed contractor pull a permit and install a vent fan or remove toilet.
15. Interior - Basement - 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.-Have a licensed plumber pull a permit and bring the sink, shower, toilet, Etc in basement up to code.
16. Interior - Basement - MSFC 1030.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989.-Immediately stop using basement as a sleeping area. No egress windows.
17. Interior - Entry Doors - MSFC 1008.1.9.3 - The maximum number of locks on unit doors is two. Remove all locks in excess of two.
18. Interior - Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling.
19. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
20. Interior - Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
21. Interior - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Repair light fixture in living room area.
22. Interior - 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 manufacturers instructions.
23. Interior - Basement - MSFC 605.1 -Provide a grounding jumper around the water meter.
24. ORSAT - SPLC 34.11 (6), 34.35 (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.
25. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
26. SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.

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Sincerely,

Daniel Klein
Fire Inspector

Ref. # 124384