

Niemeyer, George (CI-StPaul)

From: James Yacoub <jamesyacoub@wrnorthstar.com>
Sent: Friday, August 19, 2016 3:29 PM
To: Niemeyer, George (CI-StPaul)
Cc: Owens, Phil (CI-StPaul); Shaff, Leanna (CI-StPaul)
Subject: Re: Retaining wall repairs

I will be appealing this on Monday. Thanks and have a nice weekend..

Thanks,
James Yacoub, Broker
Northstar Real Estate Associates
[651-398-7653](tel:651-398-7653) - Cell
[651-451-2850](tel:651-451-2850) - Office
[651-451-2899](tel:651-451-2899) - Fax
750 South Plaza Dr #221
Mendota Heights, MN 55120

On Fri, Aug 19, 2016 at 3:26 PM, Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us> wrote:

James,

Here is the correction notice from today's inspection.



George Niemeyer

Fire Inspector II

Department of Safety and Inspections

375 Jackson Street, Suite 220

Saint Paul, MN 55101

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george.niemeyer@ci.stpaul.mn.us



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From: James Yacoub [mailto:jamesyacoub@wrnorthstar.com]

Sent: Friday, August 19, 2016 3:13 PM

To: Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us>

Cc: Owens, Phil (CI-StPaul) <phil.owens@ci.stpaul.mn.us>; Shaff, Leanna (CI-StPaul) <leanna.shaff@ci.stpaul.mn.us>

Subject: Re: Retaining wall repairs

I talked to appeals dept. and they told me I had to wait for you to issue me a new letter and then I could appeal. I was under the impression you were issuing me a new letter so I could appeal it. I did tell you that things would be repaired, but then I had professionals out that told me the wall was fine and yes it had moved but it hasn't moved for over 10 years.

Thanks,

James Yacoub, Broker

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On Fri, Aug 19, 2016 at 2:59 PM, Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us> wrote:

James,

The Certificate of Occupancy was revoked for long term non-compliance. You had told me in an email that the wall repair was going to be started in mid June and be completed by the end of July. You emailed me on Wednesday and

said that you were going to provide me with documentation from a contractor saying that the wall will be fine for 2-3 years. I let you know at that time that if you needed that kind of time you would need to file an appeal as we were getting to the point where I was going to be forced to take enforcement action. I even provided you a copy of the orders so you would have the information.

If you disagree with the enforcement action taken against your certificate you have the right to file an appeal. I explained of the initial inspection that the reason the wall was called is because it is leaning out towards the sidewalk and has several large cracks. If you disagree with my assessment and feel that the wall is in good enough repair for now you will need to file an appeal. I have attached a couple of pictures of your wall that I took today during my inspection that you failed to be present for. I also noticed that above the 638 side front door the soffit has rotted out and fallen due to a roof leak on the porch. These things will also be added to the orders. I am working on the orders as we speak and will email you a copy of them when I have them done.



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From: James Yacoub [mailto:jamesyacoub@wrnorthstar.com]

Sent: Friday, August 19, 2016 2:40 PM

To: Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us>; Owens, Phil (CI-StPaul) <phil.owens@ci.stpaul.mn.us>

Cc: Shaff, Leanna (CI-StPaul) <leanna.shaff@ci.stpaul.mn.us>

Subject: Re: Retaining wall repairs

George, why would you revoke the Cert of Occ. for a retaining wall that doesn't need to be repaired and is in sound condition. How does doing that do any good for anyone in this situation? We had been discussing it the last few days and why you chose to take this route does not make sense. I would love to meet you and your supervisors at the house and have you guys explain to me why you think there is a problem with the wall.

Thanks,

James Yacoub, Broker

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On Thu, Aug 18, 2016 at 12:19 PM, Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us> wrote:

James,

I cannot speak to what the previous inspector did or did not see. I can only go off of what I am presented the day of the inspection, and my assessment is that the retaining wall is in need of being repaired. If you are not looking for years, what is your timeframe for completing the repairs. In an earlier email you said it would be done by the end of July. I have asked for a timeline on repairing the retaining wall several times, and it is actually in the orders as well. If you feel that the wall is not in need of repair at this time, or that you need an extended period of time for the repairs I would urge you to file an appeal. Once the appeal is filed all of my orders are on hold pending the outcome of the appeal.



George Niemeyer

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From: James Yacoub [mailto:jamesyacoub@wrnorthstar.com]

Sent: Thursday, August 18, 2016 11:32 AM

To: Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us>

Cc: Shaff, Leanna (CI-StPaul) <leanna.shaff@ci.stpaul.mn.us>

Subject: Re: Retaining wall repairs

I am not looking for years, I am only relaying info that a landscaping professional gave me. The wall has been in the same position and has not moved since I have owned the building. I just don't understand why after 10 years the city of St Paul says there is a problem with it.

Thanks,

James Yacoub, Broker

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On Wed, Aug 17, 2016 at 2:52 PM, Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us> wrote:

James,

I am sorry to hear that you are having trouble finding a plumbing contractor for the water heater. I do not have any suggestions other than to keep calling contractors. As far as the wall I am not willing or able to give you years on repairing it. If that is the kind of time you are looking for then you will need to file an appeal. I have attached a copy of the letter for you. It has the information on appeals in the second to the last paragraph. Normally you only have ten days from the date of the letter to file an appeal. I would suggest that you contact the Legislative Hearing Officers office and see if they will hear your appeal since they re-inspection is tomorrow and the work is not done. We are at the point where we will be forced to take enforcement action if the repairs are not done. Once you file an appeal my orders are on hold until the outcome of the hearing.



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From: James Yacoub [mailto:jamesyacoub@wrnorthstar.com]
Sent: Wednesday, August 17, 2016 10:20 AM
To: Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us>
Subject: Re: Retaining wall repairs

George,

I am not having any luck finding a plumbing company that will pull a permit for me. any suggestions? also I had a guy from Bachman's out and he told me that the wall would be fine for another couple years. I am having him put something in writing for me and I will send it to you. Thanks

Thanks,

James Yacoub, Broker

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On Tue, Jun 21, 2016 at 3:52 PM, Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us> wrote:

James,

I was out and did the inspection today and everything looked good. The wall repairs have not been started yet. What is the time frame on the repairs? I would like to work with you on more time, but your last email said that the repairs would be started by mid June and completed by end of July. Please let me know as soon as possible.



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