

RLH VBR 19.67



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 26 2019

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 8663)
 - 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>OCT. 1, 2019</u>
Time <u>2:30 p.m.</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 1798 Nebraska Ave E City: St. Paul State: MN Zip: 55119

Appellant/Applicant: Renters Warehouse Email mdonnelly@renterswarehouse.com

Phone Numbers: Business 952-224-1007 Residence _____ Cell _____

Signature: miranda donnelly Date: 9-23-1989

Name of Owner (if other than Appellant): MNSF T2 SPE, LLC

Mailing Address if Not Appellant's: 6836 Morrison Blvd #320 Charlotte NC 28211

Phone Numbers: Business 252-316-2365 Residence _____ Cell _____
ext 141

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:

- see attached notices to tenant, initial corrections order, and timeline.

- tenant was not willing to comply with the city or Renters Warehouse.

- additionally we have filed an emergency eviction on the current tenants.



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

September 23, 2019

Mnsf T2 Spe Llc
6836 Morrison Blvd Ste 320
Charlotte NC 28211-2612

Customer #:1522274

Bill #: 1463259

VACANT BUILDING REGISTRATION NOTICE

The premises at **1798 NEBRASKA AVE E** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,127.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Payment must be received by October 23, 2019 .

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

You must contact the Enforcement officer , Tom Friel, at 651 -266- 1906 to find out what must be done before this building can be legally reoccupied.

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, Tom Friel, at 651 -266-1906.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: tf
vb_registration_notice 11/14



355

CITY OF SAINT PAUL
 DEPARTMENT OF SAFETY AND INSPECTIONS
 DIVISION OF CODE ENFORCEMENT
 375 Jackson Street, Suite 220
 Saint Paul, MN 55101-1806
SUMMARY ABATEMENT ORDER

September 20, 2019

19 - 085616

Yog hais tias koj hais tsis to taub tsab ntauv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb xwb. Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

OCCUPANT
1798 NEBRASKA AVE E
ST PAUL MN 55119-4223

As owner or person(s) responsible for : 1798 NEBRASKA AVE E you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

1. Remove improperly stored or accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, boulevard, alley, and driveway. CHAIR, MATTRESS, WOOD DEBRIS, BAGS OF RUBBISH/YARD WASTE ETC. IN BACK YARD. THANK YOU. Comply before September 26, 2019
2. IMMEDIATELY secure all buildings which are open to unauthorized entry. SECURE AND OPEN WINDOWS OR DOORS ON THE HOUSE/GARAGE/SHED OF THIS REGISTERED VACANT BUILDING. Comply before September 26, 2019

If you do not correct the nuisance or file an appeal before September 26, 2019, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.

Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipments, etc. The rate will be approximately \$260 per hour plus expensed for abatement.

**You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times
FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION**

**Issued by: Tom Friel Badge: 355 Phone Number: 651-266-1906
If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.**

Also Sent To:

Mnsf T2 Spe Llc 6836 Morrison Blvd Ste 320 Charlotte NC 28211-2612

Todd Wermager 13200 Pioneer Trl #100 Eden Prairie MN 55347-4121

APPEALS: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, which ever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266-8688. You must submit a copy of this Summary Abatement Notice with your appeal application.

*WARNING Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers of the city. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within said 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.



CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

August 22, 2019
TODD WERMAGER
RENTERS WAREHOUSE
13200 PIONEER TRL #100
EDEN PRAIRIE MN 55347-4121

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1798 NEBRASKA AVE E
Ref. # 122060

Dear Property Representative:

Your building was inspected on August 21, 2019, 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 16, 2019 at 11:00 AM 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. 1st & 2nd Floor - Stairways - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged handrail in an approved manner.-Handrail is loose, broken from tuck point.
2. Basement - Hallway - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Electrical light globe is missing.
3. Exterior - Multiple Locations - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen.-Window screen is ripped off and torn.
4. Garage - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.-Fire extinguisher has no service label.

5. Interior - Basement Area - SPLC 34.19 - Provide access to the inspector to all areas of the building.

6. SPLC Sec. 40.06. 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. If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party.-**Property has been revoked due to failure to provide access and failure to comply with orders over the extended period of time by the property owner or responsible party.**

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: keshav.bhootda@ci.stpaul.mn.us or call me at 651-266-8990 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Keshav Bhootda
Fire Safety Inspector

Ref. # 122060