



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 19 2016
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 Fax
- for abatement orders only: Email OR Fax

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>May 24</u> Time <u>11:30</u> Location of Hearing: Room 330 City Hall/Courthouse
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Address Being Appealed:

Number & Street: 1222 Westminster City: St. Paul State: MN Zip: 55130

Appellant/Applicant: Anthony Shirley, tenant in #301 Email c/o colleen.walbran@smrls.org

Phone Numbers: Business _____ Residence _____ Cell 651-432-7839

Signature: _____ Date: May 19, 2016

Name of Owner (if other than Appellant): Bao Vang

Mailing Address if Not Appellant's: 1518 Seventh Street, St. Paul, MN 55106

Phone Numbers: Business 651-324-9591 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 (Finance Variance, Code Compliance, etc.)

Mr. Shirley is represented by Southern Minnesota Regional Legal Services. Please waive the filing fee. Please feel free to contact attorney Colleen Walbran at 651-894-6951. Thanks for your time.

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspection Division
Ricardo X. Cervantes, Director



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

April 25, 2016

SHOUA LEE
1513 7TH ST E
ST PAUL MN 55106

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
222 WESTMINSTER ST

Ref. # 11065

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on April 25, 2016. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. A reinspection will be made on May 18, 2016 at 10:30 am.

Failure to comply may result in a criminal citation or the revocation of the Fire Certificate of Occupancy. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. 2nd Floor - MSFC 1010.5 - Provide and maintain an approved emergency lighting system.-Emergency lighting not working.
2. 3rd Floor - Landing - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Repair the broken outlet cover.
3. 3rd Floor - Landing - MSFC 1010.5 - Provide and maintain an approved emergency lighting system.-Emergency lights on the 3rd floor landing are not working.
4. 3rd Floor - Landing - UMC 1002 - Repair, replace or install duct work in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.- Vent cover is missing on the 3rd Floor.

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5. All Units - Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-1/29/16: heat was available throughout building while inspector on-site.
6. Basement - Laundry - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair the holes in the walls where they made access to the pipes, provide an approved cover plate also repair the water damage and holes in the walls.
7. Basement - hallways - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair the holes in the hallway
8. Basement - Hallway - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-The fire extinguisher is missing in the hallway.
9. Exterior - Rear - SPLC 34.09 (1) b,c, 34.33 (1) b, c - 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.-Repair the hole in the wall above the rear door and repaint.
10. Exterior - Throughout - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.-Provide screens for all windows.
11. Hallways - Throughout - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.-Smoking materials put out on the carpeting, holes burnt in the carpeting and letters burnt in the walls.
12. Interior - 3rd Floor - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove the chair from the 3rd floor Hallway.
13. Interior - Furnace Room - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-The door frame for the furnace room is damaged. Also the top and bottom hinge pin are missing. The strike plate is missing.
14. Interior - Interior stairs - 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 doors in the hallway are not secured to their hinges, broken, door knobs not working and a general not able to close all the way, repair all the doors in the main stairwell on all floors.
15. Interior - Laundry - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the water damage to the ceiling in an approved manner.
16. Interior - Laundry - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Pipe in the laundry area north walls appears to be leaking.
17. Interior - Near Furnace Room - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-The cover for the light switch is missing.
18. Interior - Throughout - SPLC 34.11 (6), 34.34 (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.-Provide documentation that the furnace is in working order,
19. Interior - Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The smoke detector in the left bedroom is missing in apartment 103.
The smoke detector in the furnace room is chirping.
The smoke detector in the hallway is chirping. The battery has been replaced and is working fine.
20. Interior - rear Stairwell - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair all holes in the walls in an approved manner and repaint.
21. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-The outlet cover in the living room for Unit 103 is cracked and damaged.
The outlet cover is missing for the light switch near the furnace room.
22. Unit 101 - East Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The phone jack is hanging out of the wall.
23. Unit 101 - East Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-The closet doors are not on their tracks.

24. Unit 101 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Replace the damaged switch cover plate.
25. Unit 101 - Living Room - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the damage to the ceiling in the closet in an approved manner.
26. Unit 102 - Bathroom - 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.
-Make repairs to the tub in an approved manner.
27. Unit 102 - Hallway - EC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.-
28. Unit 102 - Kitchen - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-
29. Unit 102 - bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the damage to the ceiling in an approved manner and repaint.
30. Unit 103 - Bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the water damage to the ceiling tile in an approved manner.
31. Unit 103 - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Clean the exhaust fan.
32. Unit 103 - East Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-repair the holes in the door.
33. Unit 103 - Hallway - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Hardwired smoke detector is missing its battery.
34. Unit 103 - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-There is a piece of baseboard molding that is missing.
35. Unit 103 - Kitchen - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair the holes in the wall under the sink.

36. Unit 103 - Right Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-The glass is missing for the storm window in the right bedroom.
37. Unit 103 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-The wall underneath the kitchen cabinet is discolored and damaged.
The wall paneling near the living room window is coming loose from the wall.
38. Unit 103 - Throughout - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times.-The temperature was 67 degrees Fahrenheit.
39. Unit 103 - Throughout - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Found dead insects and mice droppings, provide documentation from a pest control company of work being done.
40. Unit 103 - West Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-Repair the closet door or remove the tracks.
41. Unit 104 - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Provide cover plate for the outlet.
42. Unit 104 - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair the hole behind the front door in an approved manner.
43. Unit 104 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-
44. Unit 104 - 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.-
45. Unit 201 - Bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-The flooring is lifting up, repair it in an approved manner.
46. Unit 201 - Bathroom - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-The toilet continues to run.
47. Unit 201 - Hallway - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The hallway smoke is not working.

48. Unit 201 - bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the water damage to the ceiling in an approved manner.
49. Unit 202 - Bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair the hole in the wall in an approved manner and repaint.
50. Unit 202 - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Service the exhaust fan in the bathroom it is running slowly.
51. Unit 202 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Provide a cover an undamaged cover for all outlets.
52. Unit 202 - Living Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Repair the damaged 220 outlet for the A/C unit.
53. Unit 203 - Hallway - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.-
54. Unit 203 - Living Room - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the damage above the patio door in an approved manner,
55. Unit 204 - Bathroom - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Re-caulk the tub at the tub floor joint.
56. Unit 204 - Front Door - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Repair or replace the front door because of a large crack in it.
57. Unit 204 - Hallway - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.-
58. Unit 204 - Hallway - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-Repair the damage door trim on the bedroom door.

59. Unit 204 - Southeast Bedroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the water damage to the ceiling in an approved manner.
60. Unit 204 - Southeast Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The smoke detector unit in the bedroom not working.
61. Unit 301 - Bedrooms - 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 smoke detectors in the bedroom are missing.
62. Unit 301 - Hallway - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.-
63. Unit 301 - Hallway - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The combination detector is not working, smoke and co.
64. Unit 301 - Kitchen - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-
65. Unit 302 - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Repair the exhaust fan in the bathroom.
66. Unit 302 - Bathroom - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.- The piping from the sink to the wall is missing and repair the tank cover that is broken.
67. Unit 302 - Bathroom - 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. -Re-caulk around the tub because of the deteriorating caulk.
68. Unit 302 - Bathroom - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-There is urine in the toilet.

69. Unit 302 - Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-The closet doors are missing, provide doors or remove the track for them.
70. Unit 302 - Hallway - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-Replace or repair the damage to the carpeting in the hallway.
71. Unit 302 - Hallway - 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.-
72. Unit 302 - Hallway - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.-
73. Unit 302 - Kitchen - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-
74. Unit 302 - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair the cabinet fronts that is missing.
75. Unit 302 - Living Room - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Repair the water damage to the ceiling and repaint.
76. Unit 302 - Living Room - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-Repair the front door frame it is pushed away from the wall.
77. Unit 302 - West Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The smoke detector inside the bedroom is missing.
78. Unit 303 - Hallway - NEC 408.4 Circuit Directory - Every electrical circuit shall be legibly identified as to its clear, evident, and specific purpose or use.-
79. Unit 303 - Hallway - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The smoke detector is chirping in the hallway.
80. Unit 303 - Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Replace or repair the drawers.

81. Unit 303 - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Has a lot of debris on the floor and smells like cat feces.
82. Unit 303 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.
-Repair all the holes in the walls in an approved manner.
83. Unit 303 - West Bedroom - 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 smoke detector is missing.
84. Unit 303 - West Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-Provide missing trim around the window.
85. Unit 304 - Hallway - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-The hardwired smoke is missing
86. Unit 304 - Living Room - MSFC 315.2.5 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building.-Remove the charcoal grill from the unit and charcoal.
87. Unit 304 - hallway - MSFC 1028.3 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove objects in the hallway.
88. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
89. SPLC 40 Revocation is due to , but not limited to, non-compliance and increase in code violations. Last certificate of occupancy was completed less than 6 months before this cycle opened early. Compliance or vacate by inspection on May 18, 2016.-

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

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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 brian.schmidt@ci.stpaul.mn.us or call me at 651-266-8981 between 7:30 a.m - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Schmidt
Fire Inspector
Ref. # 11065