



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

AUG 14 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 950363)
 - 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


<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>August 22, 2017</u></p> <p>Time <u>11:30 a.m.</u></p> <p>Location of Hearing: Room 330 City Hall/Courthouse</p>
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Address Being Appealed:

Number & Street: 1881 Arlington Ave City: St Paul State: Mn Zip: 55119

Appellant/Applicant: James Ngene Email Ucheconstruction@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 612-501-9284

Signature:  Date: 08/14/17

Name of Owner (if other than Appellant): Martin Oun

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell 612-822-1148

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.)

I have a signed contract with Martin Oun whose name is on the title. The contract stated that I should stay in the property if I can invest in the property, which I did. I invested a lot of money in the property but now Martin is trying to throw me out so he can have it all. He tried eviction court which ruled in my favor, now he's try to use the fire inspection office to do his dirty work. Everything stated in the fire correction report is done but the department refuse to do the inspection rather issue the revocation notice because martin told them so.

Revised 8/11/2014



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 7, 2017

MARTIN L ONUH or Occupant
1881 Arlington Ave E
St. Paul MN, 55119

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1881 ARLINGTON AVE E
Ref. # 123821

Dear Property Representative:

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 31, 2017 at 3:00pm 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. 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 Leanna Shaff by email: leanna.shaff@ci.stpaul.mn.us or phone: (651) 266-8980-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 house and garage.

3. 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 HVAC contractor pull a permit and repair the dryer vent and bring it up to code.**
4. Interior - Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters.
5. Interior - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
6. 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.
7. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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. # 123821

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
HOUSING COURT DIVISION

Martin Onuf

PLAINTIFF
(Landlord)

James Ngene

Vs.
Defendant(s)
(Tenant)

DECISION AND ORDER
CASE NUMBER

62-HG-CV- 17.942

This (residential/commercial) case was heard by the undersigned Referee of District Court on 5-11-17

PLAINTIFF:

- appeared in person
- represented by (counsel/Agent)

DEFENDANT(S):

- did not appear and is in default.
- James Ngene appeared with counsel

THE COURT FINDS AND ORDERS THAT:

- the allegations of the complaint are true/ untrue
- the tenant has breached lease as follows: _____
- the parties have reached a settlement OR the statutory covenants of habitability have been breached OR
- Upon compliance and filing of Affidavit this case may be expunged.
- Dismissed for non-appearance / by motion / for payment.
- other: This is a civil matter where the matters and rights of each party should be addressed in civil court. There is no re-entry clause entitling plaintiff to an immediate writ of recovery.
- Plaintiff is entitled to recovery of the property plus filing fees and service costs paid for this court action.
- it is ordered that the rent now on deposit shall be released as follows:
 \$ _____ to Plaintiff \$ _____ to Defendant

THE WRIT OF RECOVERY SHALL:

- issue immediately issue after _____
- children/other hardship
- issue if any of the above settlement conditions are not met

Let Judgment Be Entered Accordingly

RECOMMENDED BY:

[Signature] 5/11/17
Referee

BY THE COURT:

Judge of District Court

I hereby Certify that the above Order Constitutes entry of Judgment of the court.

Date

Lynae K. E. Olson
Court Administrator

Deputy

You are notified that Judgment was entered on _____