



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JAN 09 2015

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 794129)
- ☒ 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, Jan. 20, 2015

Time 11:30 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1300 4th St E City: St Paul State: MN Zip: 55106

Appellant/Applicant: Kay M Smith Email: kay.kay.smith@state.mn.

Phone Numbers: Business 651.290.9402 Residence _____ Cell 612.209.5555 U.S.

Signature: [Signature] Date: 1/2/15

Name of Owner (if other than Appellant): Val Cain on deed / QCD showing Kay M. Smith

Mailing Address if Not Appellant's: Val - 1624 Payne Ave St Paul, MN 55130
Kay - same as prop.

Phone Numbers: Business _____ Residence _____ Cell 612.889.9995

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.)

take me off this list. It is not a rental. I pay the mortgage & have a quitclaim deed & proof of paying Wells Fargo directly.

(See letter)

January 2, 2015

City of St. Paul
Department of Safety and Inspections
375 Jackson Street
Suite 220
Saint Paul, MN 55101

RE: 1306 4th St E
REF #118589

To Whom It May Concern:

I have been being contact by George Niemeyer for several months now regarding a fire inspection he wants to perform. I was also told that I could appeal this but no one explained that it had to happen within 10 days. I purchased this house in January of 2013 with my mother's help. My credit did not qualify so she purchased it in her name. I paid the down payment and have made every single house payment. She has never received a dime in compensation or rent.

When this whole issue started I had her sign a quit claim deed to me so that I would have proof of ownership. I have consulted a real estate attorney and also I have a paralegal degree and there is absolutely no statute that says I have to record the deed. The deed is effective the date it is signed and notarized. I do understand that if it was a contract for deed I would need to record it within 4 months. I'm not sure what other proof I can provide other than an affidavit from her that states she has never received any compensation. I pay to fix the home, I have paid to replace the roof and I pay all the utility and other bills associated. The homeowners insurance and everything is in my name. The property is also family homesteaded to me. I have the quit claim deed attached as well as bank statements and am hoping we can clear up this issue.

The last thing which I would prefer not to share is that I have a very abusive husband that I am separated from that I would prefer to not have public access to my residence. Once I file the deed he will be able to find me which can and probably will be hazardous to my life. He has multiple felonies, most involving violent crimes and possession of firearms.

Thanks for your consideration of this matter and I look forward to the hearing in case there is any other info that you need from me.

Sincerely,



Kay M. Smith



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

December 31, 2014

Val Cain
1624 Payne Ave
Saint Paul MN 55130-3153

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1306 4TH ST E
Ref. # 118589

Dear Property Representative:

Your building was inspected on December 31, 2014, 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 January 16, 2015 at 11:00am 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. Interior - Throughout - SPLC 34.19 - Provide access to the inspector to all areas of the building.-Allow access to the building for a certificate of occupancy inspection. Failure to comply may result in enforcement action.
2. 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.
3. 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: george.niemeyer@ci.stpaul.mn.us or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

George Niemeyer
Fire Inspector

Ref. # 118589

Quit Claim Deed - An Unrecorded Quit Claim Deed Can Still Be Valid

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An unrecorded quit claim deed is still valid. While there is no time limit on recording a deed or recording required for a quit claim deed to be valid, a deed should be recorded as promptly after the transaction as possible. Failure to record a deed could render transfer or mortgaging of the property impossible and create numerous legal difficulties.

[Download Quitclaim Deed Forms](#)

NOTE* If you have a question about this information start a new topic in your area forum.

The purpose of the recording a quit claim deed is to give notice to the world that there has been a change in ownership or that there has been an encumbrance made against the real estate. Many jurisdictions require that a real estate deed be recorded in order for the deed to be binding on third parties. In the event of conflicting claims to a property, the first grantee to record his/her deed usually wins the race to the courthouse. However, there are exceptions, such as when the recorded deed was a gift and the prior unrecorded deed was paid for with consideration and/or the grantee with an unrecorded deed occupied the property, thus giving constructive notice.

MN Does not



Although recording a deed offers important safeguards to a buyer, it need not be recorded to be binding on the parties to the transaction and to their heirs. On the other hand, a deed must be recorded to be effective against a creditor or a subsequent purchaser for valuable consideration without notice.

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QUIT CLAIM DEED
Individual(s) to Individual(s)

Minnesota Uniform Conveyancing Blanks
Form 10.3.1 (2013)

eCRV number: _____

DEED TAX DUE: \$ 1.70 _____

DATE: May 16, 2014
(month/day/year)

FOR VALUABLE CONSIDERATION, Val M. Cain, a single person
(insert name and marital status of each Grantor) ("Grantor"),

hereby conveys and quitclaims to Kay M. Smith
(insert name of each Grantee) ("Grantee"), real property

In Ramsey County, Minnesota, legally described as follows:
See attached Exhibit A

Total consideration for this transaction is \$500 or less.

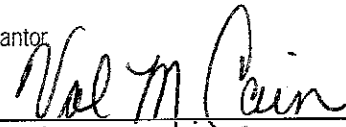
Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto.

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: _____)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Grantor

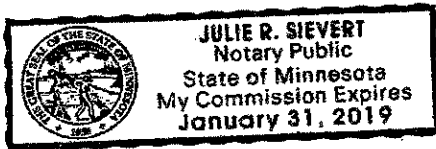

(signature) Val M. Cain

(signature)

State of Minnesota, County of RamseyThis instrument was acknowledged before me on May 16, 2014, by Val M. Cain, a single person
(month/day/year)

(insert name and marital status of each Grantor)

(Stamp)

Julie R. Sievert
(signature of notarial officer) Notary PublicTitle (and Rank): NotaryMy commission expires: 1/31/17
(month/day/year)THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)Val M. Cain
1624 Payne Ave.
St. Paul, MN 55130TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS
INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address of Grantee)

Kay M. Smith
1306 4th St. E
St. Paul, MN 55106

Exhibit A

Lot 11, Block 6, Chas A B Weide's Subdivision No. 5, according to the plat thereof, Ramsey County, Minnesota.

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Tax & Property Look Up Information - Property Info

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[2014 Value Notice](#)
[2014 Property Tax Statement](#)
[2014 Payment Stubs](#)
[2013 Value Notice](#)
[2013 Property Tax Statement](#)
[2012 Value Notice](#)
[2012 Property Tax Statement](#)
[2011 Value Notice](#)
Property Identification Number (PIN) 34.29.22.23.0090

Property Address 1306 4th St E

Municipality St. Paul

Watershed Metro Watershed

School District Number 625

Property Recorded As Abstract

The Plat or Section / Township / Range and Legal Description listed below may be an abbreviated legal description - Do not use to prepare legal documents

Section / Township / Range 34-29-22

Plat Chas A B Weide's Sub No 5 Add

Legal Description Lot 11 Blk 6

To determine whether your property is Abstract or Torrens, call (651) 266-2050

Roll Type Real Estate

Parcel Size .1100 Acres

Parcel Width 39.0000 Feet

Parcel Depth 124.0000 Feet

Assessment Date 01-02-2013 01-02-2014

Tax Payable Year 2014 2015

Property Class Description Res Non-Hstd Res Hstd

Property Address Mailing Information

Property Address 1306 4th St E
Mail Stop St Paul, MN 55106-5312

Family Homestead Status