



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

SEP 23 2014

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 465296)
- ☒ 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, Sept. 30, 2014

Time 11:30 AM

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 795 Watson Avenue City: St Paul State: MN Zip: 55102-3917

Appellant/Applicant: Barry M. Silver/Julie Silver Email juliesilver40@hotmail.com

Phone Numbers: Business _____ Residence 612-213-9544 Cell _____

Signature: Julie Silver Date: 9/23/2014

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ 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 (Fence Variance, Code Compliance, etc.)

Lack of Natural Gas Service - will bring proofs to appeal hearing.

Appeal Letter to the City of Saint Paul
~~I'm~~ appealing the vacated order of 9/15/2014 for the following reasons:

As of this writing, our Xcel gas and electric bill is \$6520.58. We have been dealing with Xcel since April 2014. In 2005, we filed for bankruptcy protection on an old Xcel bill totaling \$4308.00. Since that time, we have been fortunate enough to keep our electric on with the help of various social service agencies like Heatshare and Energy Assistance. In the spring of 2012, our daughter volunteered to put her name on the Xcel bill. She has since moved out of our home in March 2014. At that time, Xcel found out that we had our dismissed bankruptcy amount and probably promptly put that amount on our bill from May 2012. They also credited my bill with \$279.00 in February 2014. If Xcel wanted to collect the money that we owed them why didn't they contact us after the dismissal of the bankruptcy proceedings? We have been in contact with the Attorney General's office, regarding this.

We have been to Ramsey County's Emergency Assistance on two separate occasions. We also have been referred to HouseCalls (whom we already owe money to) and to Heatshare (who do not have a lot of money to give to people as well). The reason that our electric is partially restricted is because of my medical (asthma) problem that is only restricted by a nebulizer. But I have been unable to utilize my equipment because of no hot water. (Also, hot water also heats my home).

I've been trying to talk to Xcel about a payment arrangement with them but the only thing that they can guarantee me at this time is a down payment of \$869.64 and with my current bill added to that would make it almost \$9500 a month - which is obviously more than 80% of my income of \$1200 a month - net. My husband is on a fixed income and I'm working part-time 10-15 hrs a week.

my Xcel Bill is

~~6520.88~~
4075.02

as of this writing
Bankruptcy amount

~~2435.56~~
279.00

Energy Assistance 2/22/14

18166.56

1800.00

Grant from Emergency ASST.

366.56

\$366.56 payment plan for 12 months

31.54 payment per month $\div$ 12
months

average bill 255.00
\$286.54



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

320.0

September 19, 2014

NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION AND ORDER TO VACATE

Barry M Silver/Julie A Silver
795 Watson Ave
St Paul MN 55102-3917

Occupant
795 Watson Ave
St Paul MN 55102-3917

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **795 WATSON AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **September 23, 2014**, and ordered vacated no later than **September 25, 2014**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, "Vacation of Structure or Unit":

"Any residential structure or residential unit which has been condemned or placarded as unfit for human habitation shall be vacated within the time set forth in the placard and/or order. It shall be unlawful for any person to let to any person for human habitation any structure or unit so condemned or placarded, and no person shall occupy the structure or unit after the date set forth in the placard and/or notice."

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION
UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL;
DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE
ENFORCEMENT**

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. Lack of Natural Gas Service. Immediately restore natural gas service.

The above violation represents material endangerment.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8688. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, John Peter Ross, at 651-266-1914. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

John Peter Ross
Enforcement Officer

jr

c: Posted to ENS

uhh60103 4/11



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

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

320

September 15, 2014

Barry M Silver/Julie A Silver
795 Watson Ave
St Paul MN 55102-3917

Occupant
795 Watson Ave
St Paul MN 55102-3917

CORRECTION NOTICE

RE: 795 WATSON AVE
File #: 14-327036

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **September 15, 2014** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. Lack of Natural Gas Service. Immediately restore natural gas service. Failure to provide natural gas service will result in these premises being declared Unfit for Human Habitation and ordered vacated for lack of this basic facility.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **September 19, 2014**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

You may file an appeal to this notice by contacting the City Clerk at 651-266-8585. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal, and pay a filing fee.)

If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-266-1914.

Sincerely,

John Peter Ross
Badge # 320

CODE ENFORCEMENT OFFICER

Footnotes:

- ¹ To see the Legislative Code go to www.stpaul.gov on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- ² Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

jr

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 such 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.