

Vang, Mai (CI-StPaul)

From: Vang, Mai (CI-StPaul)
Sent: Wednesday, December 02, 2015 9:36 AM
To: Moermond, Marcia (CI-StPaul)
Subject: FW: 1820 Stillwater Avenue
Attachments: Driveway Weather.pdf; Meter Installation Confirmation.pdf; Meter Installation Not Needed.pdf; City Approval.jpg

From: Gary Blair [mailto:gary.carpetcourt@gmail.com]
Sent: Tuesday, December 01, 2015 9:24 AM
To: *CI-StPaul_LegislativeHearings
Cc: Owens, Phil (CI-StPaul); Shaff, Leanna (CI-StPaul); Franquiz, Efrayn (CI-StPaul); Vang, Mai (CI-StPaul); Singerhouse, Rich (CI-StPaul)
Subject: Re: 1820 Stillwater Avenue

Marcia,

Thank you for taking the time to respond to my request. I too would come to the same conclusion after reading the report you had to work with. It appears that someone did not enter the proper information into the computer system as you will see with this detailed outline. I hope that I can clear up some of the misconceptions of that report. After your decision at the Hearing on 6/2/15, the shed was removed immediately, and most of the other things needed were also taken care of at the same time. The only other concerns were the driveway, and the impact protection for outdoor gas meter.

I called several places to have the driveway work done, all were running behind, because of the wet summer we had. I did made arrangements with one company who later said that the job was to small and they backed out. After more calls I did contract with a firm that eventually did class 5, at a cost of \$2,000.00.

As you will see below the inspector Efrayn Franquiz was mistaken about the deficiency on his 9/15/15 report, appearing that I was not doing my part. When brought to his attention, he said that he had made a mistake. . The reason the house has been empty, is because I was told that it could not be occupied until the Certification of Occupancy was received, which was given and and paid for, then taken away? Please take the time to review the events below.

4/20/15 Existing Fuel Burning Equipment Safety Test Report and Smoke Detector Affidavit Report were done.

4/29/15 Inspection Appointment 11:00am by Efrayn Franquiz. (REPORTS WERE GIVEN TO INSPECTOR AT TIME OF FIRST INSPECTION not later as indicated)

5/4/15 Received Inspection Correction Notice. Deficiency listed were.

1. Impact protection for outdoor gas meter. Done 8/21/15
2. Fix or tear down shed. DONE 6/20/15
3. Repaired driveway and move boat. Done 9/14/15
4. Fuel equipment vent. DONE 6/20/15

5. Ground fault in bath not working. DONE 6/20/15
(Note that no reports are listed – they already had them).

5/11/15 Filed Application for appeal.

6/2/15 Hearing for Shed, Driveway, Boat

6/4/15 Extension until 9/1/15 to bring into compliance. (Class 5 neat and clean boundaries to prevent class from getting into yard and removal of shed.)

7/14/15 Called inspector Efrayn Franquiz to inform him that after speaking to Jeff 651-229-2381 at Xcel Energy, that their findings after going out was that impact protection for outdoor gas meter was not needed. I also faxed a copy of their findings to inspector Efrayn Franquiz who said that he thought it was needed. (Attached)

7/28/15 Re-Inspection made at 9:30am. Only thing left was the, Impact protection for outdoor gas meter, that I was trying to convince Xcel to do it, and the drive way.

7/30/15 Received: Fire Certificate of Occupancy Approval with Corrections.

8/21/15 Received: before dead line Vacant Building Registration Notice for \$1,440.00?

8/25/15 Called inspector Efrayn Franquiz and discussed the delay and asked the reason for Vacant Building Registration Notice? when the approval was given for use.

8/26/15 Received: Billing Fee for Fire Certificate of Occupancy. \$196.00 was paid by ck#5975

9/4/15 Called inspector Efrayn Franquiz about driveway delay and fax him the E-mail I got from the contractors to the reason for their delay. (Attached).

9/4/15 Called your office and spoke to Mai Vang, you were out of town. I explained to her about the situation regarding the driveway and that it was going to be done soon, however I needed a little more time, she said that she would relay the information to you..

9/15/15 Received: Revocation of Fire Certificate of Occupancy and Order to Vacate with the deficiency list. I was under the impression from inspector Efrayn Franquiz that we were OK with the inside, and that the others were not a safety issue, so the Certificate of Occupancy with Corrections would be done, which it was, but now it was being revoked ? The list again was wrong, Xcel had taken care of the Impact protection for outdoor gas meter weeks earlier 8/22/15. Also the missing reports were incorrect, Inspector Efrayn Franquiz had received them on first trip.

9/18/15 Called inspector Efrayn Franquiz to remind him that he had already received the reports, (check date on reports) on FIRST inspection, and were not listed on previous report, also that Xcel had been out and taken care of the post, a month ago. He asked if I wanted him to send out a revised report and I said yes.

9/29/15 Received: Up date with correction on list of deficiency however Xcel was still on it.

9/30/15 Received: Vacant Building Registration Notice, now went from \$1,440.00 to \$2,025.00?

I call inspector Efrayn Franquiz about the edge on the completed driveway, which needed his approval, he said that he could not make that decision and he was going to send pictures to you for your decision.

After not hearing anything for a month, I called Mr Phil Owns who was out of town. I left a message to call me, but time was running out on the Vacant Building Registration Notice. So I call the Vacant Building management dept and spoke to Mr, Steve Magnen. He suggested I check back with you. That is when I E-mail you on 11/14/15 the pictures and asked for your help.

What is disappointing is that the Department of Safety and Inspections was set up to make sure that housing would be safe to renters, and that the property would be kept up. (Because many properties are owned by out of town or management firms.) This property is kept up and is a turnkey, as you said. I have cooperated with this department fully. I feel as a life long resident of St Paul (73years) that some things have been taken too far, we are not talking about the safety of renters in this case. As far as my property goes (possession over 30 years) it has been taken care of better than most in my neighborhood. I feel that the Certification Occupancy should be granted because everything requested was done in a timely fashion as the weather would allow. Ask the inspector Efrayn Franquiz if he does not agree, that the inside shows that I do care about my property? I only wish others did the same.

In this litigious society, one would think that we would be able to come up with a agreeable solution at this time. What I would like to propose is: Whoever has the authority to approve the work that has been completed, to approve it and reinstates the Certification of Occupancy, all the work was done.

Gary Blair

On Wed, Nov 25, 2015 at 4:50 PM, *CI-StPaul_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us> wrote:
Mr. Blair,

I have reviewed you photos, the inspectors photos, the orders on the property and the Council resolution. These are my findings:

- 1) the work was not done by the deadline of September 1, 2015 which was the deadline established by the City Council;
- 2) on September 4, 2015 you called Inspector Franzquiz indicating you needed more time;
- 3) on September 15, 2015 a letter was issued by Inspector Franquiz indicating he found the house empty, and these items still needed to be addressed: gas meter protection; boat removal; driveway surfacing; fuel burning equipment test; and smoke detector affidavit; and
- 4) on September 29, 2015 another letter was sent by Inspector Franquiz indicating the boat still needed to be moved and the gas meter still needed protection, it's not clear to me if he was or was not satisfied with the work on the driveway. He also re-state he would be forwarding you property to the vacant building program;
- 5) nothing seems to have happened in October, unless that is when your contractor was doing the work;
- 6) on November 14, 2015 you emailed me asking me to review your photos of the driveway.

What I get from all of this is that the work was not done by the deadline of September 1, 2015. At this juncture, it is Council's expectation that enforcement action will be taken. The inspector did send a letter on September 15, 2015 outlining his findings on September 4, 2015. Your certificate was revoked as a result of this non-compliance and it was noted your building appeared empty and not occupied. A second letter stating largely the same thing was sent on September 29, 2015. Two and a half months after your deadline, you sent me photos asking about whether edging was needed on the sides of the driveway. Honestly, this is a determination the inspector needs to make, as the Council already decided your appeal on the April 29, 2015 orders. In looking at the photos you sent, it's not clear to me the type of surface which you had installed. This is also a question for the inspector. A vacant building file for your property was opened September 29, 2015.

At this time, your property has been classified as a Category 1 Registered Vacant Building. There are a couple of implications for you. First, there is an annual vacant building registration fee. Second, since this is a Category 1, it is considered a "turn-key" property and may be re-occupied immediately by an owner-occupant. However, you may not re-rent the property without a Fire Certificate of Occupancy. From looking at the notes in the file, it appears there has been a temporary and short waiver of the vacant building fee to allow you to get the Fire Certificate of Occupancy re-instated. It would be wise to take advantage of this.

Finally, I understand from the front desk in my office that you were awaiting a response from me. Unfortunately, you did not request one and it for that reason I did not follow-up with you.

I wish you the best in getting this property ready for rental and a Happy Thanksgiving.

Sincerely, Marcia Moermond

-----Original Message-----

From: Gary Blair [mailto:gary.carpetcourt@gmail.com]

Sent: Saturday, November 14, 2015 4:58 PM

To: *CI-StPaul_LegislativeHearings

Subject: 1820 Stillwater Avenue

Marcia,

At my hearing you mentioned you wanted edging to prevent any class five from mixing with the grass. As you can see from the pictures that was not necessary the driveway was graded lower than the yard 3 to 5 inches. I hope that is acceptable, the inspector was supposed to speak with you regarding your approval. Would you please notify Phil Owens whether this would be OK. All other request have been met.

Thank you, Gary Blair