

RLH FCO 19-53



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAY 09 2019

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal: **CITY CLERK**

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul (if cash: receipt number # 5091)
 - 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, <u>MAY 14, 2019</u> Time <u>1:30</u> Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 705 Summit Ave City: St. Paul State: MN Zip: 55105

Appellant/Applicant: Daniel J. Sullivan OR Kenneth A Ekblad Email: dans@umn.edu

Phone Numbers: Business _____ Residence _____ Cell (612) 298-6820

Signature: [Handwritten Signature] Date: _____

Name of Owner (if other than Appellant): Kenneth Owen Doyle, Jr.

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 Extension - nature of ^{some} work is time consuming
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-8951
Web: www.stpaul.gov/dsi

April 30, 2019

KEN DOYLE
705 SUMMIT AVE
ST PAUL MN 55105

FIRE INSPECTION CORRECTION NOTICE

RE: 705 SUMMIT AVE
Ref. #10987
Residential Class: D

Dear Property Representative:

Your building was inspected on April 25, 2019 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

A re-inspection will be made on June 10, 2019 at 9:30 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 shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. Exterior - Back Entry-Way - SPLC 34.33 (3) - Repair and maintain the door in good condition. -For the back-entry way to Unit s 2-6, provide a storm door or remove all the hardware.
2. Exterior - Fence - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. -At the North and North-East section of the yard, there is a section of the fence that is loose, unsecured and has broken fence boards.

3. Exterior - Foundation Wall - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points. -There are large cracks and openings along the foundation walls, including the walls in the window wells.
4. Exterior - Gas Meter - SPLC 45.03 (7) - Cut and maintain the grass/weeds less than 8 inches tall. -Remove all the vegetation that is growing around the gas meter.
5. Exterior - House and Window Wells - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. The openings for the railing are not wide enough. Remove the obstructions around this opening or enlarge the opening, they are blocked with foliage and growth. Remove the vines that are blocking the bedroom windows.
6. Exterior - Near Unit 7 - MPC 418.2 - Provide a removable strainer and a clean out plug or cap for the floor drain.
7. Exterior - Stairs & Steps - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs. The front stairs have very large cracks and openings. The back stairs have a large crack on the bottom steps.
8. Exterior - Throughout - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-8989.-Exterior landscaping on west side of house is unfinished and missing rock.
9. Exterior - Walls - SPLC 34.09 (1)(2), 34.33 (1) - 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. There are large cracks and openings on the exterior wall. The mortar on the walls has deteriorated and is failing. This also includes the walls inside the window wells. The caulking around the windows and stone wall is failing and there are openings.
10. Exterior - Window Wells - MSFC 1029.5.2 Ladders or steps. Window wells with a vertical depth of more than 44 inches (1118 mm) shall be equipped with an approved permanently affixed ladder or steps. Ladders or rungs shall have an inside width of at least 12 inches (305 mm), shall project at least 3 inches (76 mm) from the wall and shall be spaced not more than 18 inches (457 mm) on center (o.c.) vertically for the full height of the window well. The ladder or steps shall not encroach into the required dimensions of the window well by more than 6 inches (152 mm). The ladder or steps shall not be obstructed by the emergency escape and rescue opening. Ladders or steps required by this section are exempt from the stairway requirements of Section 1009.-Emergency escape ladders are required to be installed the window wells. The height of the window wells are 48-49 inches.

11. UNIT 02 - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
12. Unit 02 - Bathroom - SPLC 34.14 (2) c - Repair or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-8989.-The GFCI outlet in the bathroom does not work. It did not trip when tested.
13. Unit 02 - Bathroom - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms. -Provide a bathroom fan or fix the window for the downstairs bathroom.
14. Unit 02 - Bathroom - SPLC 34.11(4), 34.35(1), MPC 601.1 - Provide an adequate water supply to all water closets, sinks, showers and tubs. -The water pressure for the hot water line in the upstairs bathroom is very low.
15. Unit 02 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The interior doors and the entry doors have loose and unsecured door knobs.
16. Unit 02 - Downstairs - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -The downstairs sink has the incorrect plumbing fixtures installed.
17. Unit 02 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The downstairs hard-wired smoke alarm is expired and has been wired incorrectly.
18. Unit 02 - Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There are several outlets that have been painted over.
19. Unit 04 - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -The toilet is loose.
20. Unit 04 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition. The left bedroom door does not fit properly within it frame and the right bedroom door is damaged at the site of the latch. The bathroom door does not latch.
21. Unit 04 - Floor - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -There is a broken kitchen floor tile.
22. Unit 04 - French Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition. -There is broken glass on the French doors.

23. Unit 04 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There is an outlet missing the cover.
24. Unit 04 - Kitchen - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. -The seal for the tiled counter behind the stove is worn and there are now openings. Properly seal the opening.
25. Unit 04 - Light Fixtures - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. -The ceiling fan is missing the globes.
26. Unit 04 - Living Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There is an outlet in the corner of the living room that is sticking out of the wall and has not been properly seal around.
27. Unit 04 - Molding - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner. -There is a broken piece of the baseboard molding near the radiator.
28. Unit 04 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The smoke alarm is chirping.
29. Unit 04 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There is a very large and deep crack on the wall between the kitchen and living room.
30. Unit 04 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The windows in the left bedroom are hard to open & close and have crank cases that are loose (missing screws).
There is a window in the right bedroom that is binding and is hard to open and close. The mechanism for the window is damaged.
The left window in the living room is unable to stay open and slams down. Has broken sash cords.
The bathroom window is missing a glass pane and the storm window is damaged.
31. Unit 05 - Bathroom - MSFC 1008.1.9.3 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. -There are unapproved latches on the bathroom doors.
32. Unit 05 - Bathroom - SPLC 34.14 (3), MPC 4714.01 (T) - Provide and maintain a window or approved ventilation system in all bathrooms. -There is no fan in the bathroom. Provide a fan or fix the window to provide ventilation.

33. Unit 05 - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -The toilet is loose.
34. Unit 05 - Outlets - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There are outlets that are missing the covers.
35. Unit 05 - Outlets - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There is an outlet in the kitchen that is burned and damaged. There are outlets that have been painted over.
36. Unit 05 - Small Bedroom - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the building's needs. This work may require a permit(s), call DSI at (651) 266-8989.-In the small bedroom, there is an outlet near the bed that has a 2 to 3 prong adapter in it.
37. Unit 05 - Small Bedroom & Kitchen - MSFC 605.4 - Discontinue use of all multi-plug adapters.
38. Unit 05 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
39. Unit 05 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
There are several windows in the both bedroom that are very hard to open and close, are unable to stay open, have cracked glass and have damaged and missing sash cords. The window in the dining room area is being held open by a box.
40. Unit 06 - Access - SPLC 34.19 - Provide access to the inspector to all areas of the building. -Provide access to the South-East and Northernmost bedrooms.
41. Unit 06 - Bathroom - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -There are very large cracks and damages to the ceiling including the bathroom.
42. Unit 06 - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -The toilet is loose.
43. Unit 06 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition.
The door knob is missing the for the small bathroom door.
The bedroom door is missing the door knob.
The door stop for the storage room door is broken.
44. Unit 06 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. The entry door does not self-close.

45. Unit 06 - Floors - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -There are floor boards that are no separated.
46. Unit 06 - Kitchen - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. -There is an extension cord connected to the dishwasher.
47. Unit 06 - Kitchen - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-The receptacle under the kitchen sink does not work.
48. Unit 06 - Living Room Area - MSFC 605.4 - Relocatable power taps shall be of the polarized or grounded type, equipped with overcurrent protection, and shall be listed in accordance with UL 1363. Relocatable power taps shall be directly connected to a permanently installed receptacle. -The fish tank motor is plugged into a multi-plug adapter.
49. Unit 06 - Right Bedroom - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -There is a window in the right bedroom that is being held up by a box.
50. Unit 06 - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The battery powered smoke alarm in the storage room is missing and properly secure the hard-wired smoke alarm in the living room. It is loose.
51. Unit 06 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There are walls throughout the apartment that have large cracks, holes and damages including the bathroom shower wall.
52. Unit 07 - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition.
The toilet is leaking water underneath. The toilet must be properly repaired by a licensed plumber.
The bath tub faucet is leaking and the seal around the control handle is worn and has opening around it.
The grout on the bathroom shower wall has worn and has openings.
53. Unit 07 - Bedroom Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The bedroom door is missing the strike plate.
54. Unit 07 - Front Entry Door - SPLC 34.09 (4) i - Repair and maintain an approved one-inch throw single cylinder deadbolt lock. -Unit 07

55. Unit 07 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
56. Unit 07 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The hard-wired smoke alarm in the living room area is not working.
57. Unit 07 - Walls - SPLC 34.09 (1)(2), 34.33 (1) - 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.
The stone wall inside the large storage room has very large cracks and openings. The mortar has deteriorated and has sections that is failing.
The bottom section of the brick wall in the North-West bedroom is in disrepair as well.
58. Unit 07 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The windows in the South bedroom are missing the cranks handles, are hard to open and close and one of the windows is missing the cranking mechanism.
The West bedroom window is difficult to open and close.
The North-West bedroom window crank case is loose (missing screws) and unsecured.
The South-East bedroom window crank arm has disconnected and is not working.
59. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
60. MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit.
Building Permit # 2018-120171 is still open. HPC - replace missing tiles, reseal seams on flat rubber roof, repair flashing round two (2) chimney.
Building Permit # 2018-122361 is still open. HPC - Add drainage pipes and ponds and re-seal sidewalk.
Contact the Building Inspector T. Sutter at 651-266-9024 when the work is complete to have the permit inspected and final.

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: Efrayn.Franquiz@ci.stpaul.mn.us or call me at 651-266-8955 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,

Efrayn Franquiz
Fire Safety Inspector

Reference Number 10987