

RLH VBR 19-71



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

OCT 09 2019

CITY CLERK

VBR  
Council Oct 16

We need the following to process your appeal:

- ☒ \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number \_\_\_\_\_)
  - ☒ 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, October 15, 2019

Time 2:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 1235 Margaret City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Laura Jelinek for Tomeka Miller Email: laura.jelinek@smrls.org

Phone Numbers: Business 651/222-5863 Residence \_\_\_\_\_ Cell \_\_\_\_\_

Signature: [Signature] Date: \_\_\_\_\_

Name of Owner (if other than Appellant): Travis Senenfelder

Mailing Address if Not Appellant's: P.O. Box 694 Wayzata, MN 55391

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.)

### Comments:

This appeal is on behalf of the tenant at the property. Ms. Miller has a Rent Escrow Case 62-HG-CV-19-1755. That court has issued an order dated September 23, 2019.



CITY OF SAINT PAUL

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

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

September 3, 2019

OIP 1235 MARGARET STREET LLC  
PO BOX 694  
WAYZATA MN 55391-0694

## **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 1235 MARGARET ST  
Ref. # 117012

Dear Property Representative:

Your building was determined to be a registered vacant building on July 8, 2019. Since certificates are for the occupancy of buildings, it has become necessary to revoke the Certificate of Occupancy. A REINPECTION WILL BE MADE ON OCTOBER 1, 2019 AT 10:00A.M.

Saint Paul Legislative Code provides that no building shall be occupied without a Certificate of Occupancy. In order to re-occupy the building, the following deficiencies (if applicable) must be corrected and a complete Certificate of Occupancy inspection will be required.

### **DEFICIENCY LIST**

1. 1st Front entry door - is not installed correctly - SPLC 34.33 (3) - Repair and maintain the door in good condition. You can see out side on the lock side of the door.-
2. Kitchen sink cabinet - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged framing.  
The floor of this cabinet has to be replaced.
3. MAIN FLOOR - Kitchen - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom floor impervious to water.-
4. Main floor - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner.-Repair or replace the floor tile.
5. Pay close attention to the east side of house - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points.-

6. Steps on the East side and - south side of house - SPLC EXTERIOR STANDARDS -  
c. Stairs steps deemed hazardous by the enforcement officer shall be corrected in accordance with the building code or be maintained in accordance with building code spec which it was originally constructed.-
7. MAIN FLOOR - 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.- Repair or replace and maintain an approved private toilet. This work may require a permit(s). Call LIEP at (651) 266-9090.
8. NEC 410-8 (b) (1) Provide for the incandescent fixtures in closets to have a completely enclosed lamp.-
9. 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.-
10. SPLC 34.09 (2), 34.33 (1) - Provide and maintained the roof weather tight and free from defects.-There are a lot of holes in the eaves all around the house
11. MFGC 503 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work SHALL require a permit(s). Call DSI at (651) 266-8989.-COULD NOT FIND UL LISTED STICKER ON DRYER DUUCT.
12. SPLC 34.09 (4) i - Provide an approved means of locking the patio door. If locking mechanism cannot be repaired, provide a device to prevent the door from being lifted from the track.-
13. SPLC 34.19 - Provide access to the inspector to all areas of the building.-

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: [james.thomas@ci.stpaul.mn.us](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

James Thomas  
Fire Safety Inspector

Ref. # 117012



## CITY OF SAINT PAUL

### OFFICE OF THE CITY COUNCIL

310 CITY HALL

15 WEST KELLOGG BOULEVARD

SAINT PAUL, MN 55102-1615

Marcia Moermond, Legislative Hearing Officer

EMAIL: [legislativehearings@ci.stpaul.mn.us](mailto:legislativehearings@ci.stpaul.mn.us)

PHONE: (651) 266-8585 FAX: (651) 266-8574

August 21, 2019

Tomeka Miller  
1235 Margaret Street  
St. Paul, MN 55106

VIA MAIL

Laura Jelinek  
SMRLS  
55 East 5<sup>th</sup> Street  
Suite 1000  
St. Paul, MN 55101

VIA EMAIL: [laura.jelinek@smrls.org](mailto:laura.jelinek@smrls.org)

Re: Appeal for property at 1235 Margaret Street.

Dear Ms. Miller & Ms. Jelinek:

This is to confirm that on August 20, 2019 at the Legislative Hearing, Marcia Moermond, Legislative Hearing Officer, recommended granting an extension to October 1, 2019 for the property corrections to be completed and Certificate of Occupancy reinstated, or the property must be vacated.

If you wish to appeal further, you may attend the City Council Public Hearing on September 4, 2019 at 3:30 p.m. in Room 300 City Hall.

If you have any questions, you may contact me at 651-266-8585.

Sincerely,

Joanna Zimny  
Executive Assistant

cc: Fire Supervisors  
Matt Dornfeld  
Rich Singerhouse  
Mike Kalis  
James Thomas  
OIP 1235 Margaret Street, LLC PO Box 694 Wayzata, MN 55391





SOUTHERN MINNESOTA  
REGIONAL LEGAL SERVICES

SAINT PAUL CENTRAL OFFICE

55 East Fifth Street, Suite 400  
Saint Paul, MN 55101

Phone: (651) 222-5863 • Fax: (651) 297-6457  
Website: [www.smrls.org](http://www.smrls.org) • Email: [central@smrls.org](mailto:central@smrls.org)

October 9, 2019

City of St. Paul Legislative Hearings  
310 City Hall  
15 West Kellogg  
St. Paul, MN 55102

Dear Legislative Hearing Staff:

I represent the tenant the property located at 1235 Margaret Street. Please find attached appeal. This is a request to waive the \$25 filing fee. The tenant, Tomeka Miller, is represented by SMRLS. Thank you for considering this request.

Sincerely,

Laura Jelinek  
Attorney



## CITY OF SAINT PAUL

### OFFICE OF THE CITY COUNCIL

310 CITY HALL

15 WEST KELLOGG BOULEVARD

SAINT PAUL, MN 55102-1615

Marcia Moermond, Legislative Hearing Officer

EMAIL: [legislativehearings@ci.stpaul.mn.us](mailto:legislativehearings@ci.stpaul.mn.us)

PHONE: (651) 266-8585 FAX: (651) 266-8574

August 21, 2019

Tomeka Miller  
1235 Margaret Street  
St. Paul, MN 55106

VIA MAIL

Laura Jelinek  
SMRLS  
55 East 5<sup>th</sup> Street  
Suite 1000  
St. Paul, MN 55101

VIA EMAIL: [laura.jelinek@smrls.org](mailto:laura.jelinek@smrls.org)

Re: Appeal for property at 1235 Margaret Street.

Dear Ms. Miller & Ms. Jelinek:

This is to confirm that on August 20, 2019 at the Legislative Hearing, Marcia Moermond, Legislative Hearing Officer, recommended granting an extension to October 1, 2019 for the property corrections to be completed and Certificate of Occupancy reinstated, or the property must be vacated.

If you wish to appeal further, you may attend the City Council Public Hearing on September 4, 2019 at 3:30 p.m. in Room 300 City Hall.

If you have any questions, you may contact me at 651-266-8585.

Sincerely,

Joanna Zimny  
Executive Assistant

cc: Fire Supervisors  
Matt Dornfeld  
Rich Singerhouse  
Mike Kalis  
James Thomas  
OIP 1235 Margaret Street, LLC PO Box 694 Wayzata, MN 55391



An Affirmative Action Equal Opportunity Employer