

RLH VO 18-61



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

DEC 06 2018

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 #2621)
 - 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>DEC-11, 2018</u>
Time <u>11:30</u>
Location of Hearing: <u>Room 330 City Hall/Courthouse</u>

Address Being Appealed:

Number & Street: 602 Bush Ave City: St Paul State: MN Zip: 55130

Appellant/Applicant: Roberto Rodriguez Email: rbrtrod@earthlink.net

Phone Numbers: Business _____ Residence 763-757-2933 Cell 763-245-9790

Signature: *Rodriguez* Date: 12/4/2018

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.)

Comments:

On November 18, 2018 I emailed City Inspector George Niemeyer informing him that all repairs for his order No. 112067 had been completed and asking him to schedule a re-inspection at his convenience, but that the tenant wanted to have the re-inspection after Thanksgiving and suggested November 26-30 (copy attached). Inspector was on vacation (automatic reply attached). Inspector never responded to my request because he had scheduled the inspection on the order for November 30, 2018, which I neglected to see because all previous inspections with the City of Saint Paul had to be arranged directly with the inspector and were not scheduled one month in advance. When the inspector did not respond to my request to schedule the inspection and clarified that the inspection was already scheduled, my confusion was not cleared up and I did not show for the November 30, 2018 inspection and he issued the revocation.

6. Main Floor - Living Room - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Missing light globe on light fixture.
7. Main Floor - North Bedroom - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path..-Furniture partially blocking egress window.
8. Throughout - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen.
9. Upstairs - Bathroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Missing light globe.
10. Upstairs - Hallway - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Missing light globe.
11. Upstairs - North bedroom - SPLC 34.33 (3) - Repair and maintain the door in good condition.- Bedroom door split.
12. Upstairs - North bedroom - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Hole in wall.
13. Upstairs - South Bedroom - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Hole in wall.
14. Upstairs - North bedroom - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.-Missing window hardware.
15. Upstairs - South Bedroom - SPLC 34.33 (3) - Repair and maintain the door in good condition.- Door was in hallway unattached to frame.
16. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
17. SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.-Chirping smoke alarms in upstairs north bedroom, basement and provide smoke alarm in living room.

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. # 112067

On Sun, Nov 18, 2018 at 8:02 PM Roberto Rodriguez <rmrodriguez123@gmail.com> wrote:

Hi George,

The repairs at 602 Bush Avenue are done, but the tenant would like to see if we can have the reinspection not on this Thanksgiving week but the next any day from Nov 26 to Nov 30.

Are you available any of these dates for the reinspection anytime in the morning preferably?

Best regards,

Automatic reply: Inspection for 602 Bush Avenue, Saint Paul MN
1 message

Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us>
To: Roberto Rodriguez <rmrodriguez123@gmail.com>

Sun, Nov 18, 2018 at 8:02 PM

I will be out of the office until November 26, 2018.

From: Roberto Rodriguez [mailto:rmrodriguez123@gmail.com]
Sent: Monday, December 3, 2018 12:00 PM
To: Niemeyer, George (CI-StPaul) <george.niemeyer@ci.stpaul.mn.us>
Subject: Re: Inspection for 602 Bush Avenue, Saint Paul MN

Hi George - The repairs at 602 Bush Avenue are done.

You may schedule the re-inspection anytime that you have a chance.

Best regards,

Roberto M. Rodriguez

To: Roberto Rodriguez <rmrodriguez123@gmail.com>

Roberto,

The inspection was scheduled for November 30, 2018 @ 11:30 am. That inspection was scheduled on October 29, 2018. I attempted to conduct the inspection, and no one was there to allow me access. I conducted an exterior inspection, and the exterior repairs were not made. Due to the length of time, and the fact that I have not been allowed access to conduct the re-inspection, I was forced to take enforcement action. The Certificate of Occupancy was revoked on the building with a comply or vacate date of December 28, 2018 @ 11:30 am. A letter was mailed to you. I have also attached a copy to this email. Please let me know if you have any questions.



George Niemeyer

Fire Inspector II

Department of Safety and Inspections

375 Jackson Street, Suite 220

Saint Paul, MN 55101

P: 1-651-266-8991

F: 651-266-8951

george.niemeyer@ci.stpaul.mn.us

Roberto <rmrodriguez123@gmail.com>

Mon, Dec 3, 2018 at 3:19 PM

To: "Niemeyer, George (CI-StPaul)" <george.niemeyer@ci.stpaul.mn.us>

Hi George I never received that letter. I'm having my attorney file an immediate appeal and explaining the situation. I emailed you before but you never responded. The nov 30 inspection was not scheduled with anybody. The letter said an inspection would take place on or after that date. Of course nobody was at home. So if you want to reinspect the repairs are done. Otherwise we will go through the legal process. If appeal is not approved we will go directly to the courts. Please let me know if you want to reinspect or not. Roberto m Rodriguez.

Sent from my iPhone