



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED
DEC 14 2016
CITY CLERK

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, <u>December 20</u>
Time <u>11:30 a.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 925 Cook Ave E City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Khadija Green Email lisa.hollingsworth@smrlls.org

Phone Numbers: Business 651-894-6922 Residence _____ Cell _____

Signature: [Signature] Date: 12/13/16

Name of Owner (if other than Appellant): Mark Underdahl

Mailing Address if Not Appellant's: 8560 N. Fawn Lake Road NE Stacy MN 55079

Phone Numbers: Business _____ Residence _____ Cell 612-860-2677

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.)

The C of O has been revoked due to owner non-compliance. Ms. Green and her family would like to move but will have a difficult time finding a place until after their expungement hearing. The landlord filed an eviction eight days after the family filed a rent escrow action.



ADMINISTRATIVE OFFICE
55 E. Fifth Street Suite 1000
St. Paul, MN 55101
Phone: (651) 228-9823
Website: www.smrls.org

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Board President

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Charles Thomas, Esq.
Director of Litigation and Advocacy

Lisa Hollingsworth, Esq.
Litigation Support Counsel

Kathie Battle Sayles, Esq.
Director, Campaign for Legal Aid

ST. PAUL CENTRAL OFFICE*
55 East Fifth Street, Suite 400
St. Paul, MN 55101
(651) 222-5863

EASTSIDE & AMERICAN INDIAN OFFICE
579 Wells Street, Suite 100
St. Paul, MN 55130
(651) 222-5863

EAST METRO SUBURBAN OFFICE
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Shakopee, MN 55379
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S.E. AREA OFFICE
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Rochester, MN 55902
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S.E. AREA OFFICE*
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Winona, MN 55987-3466
(507) 454-6660

S.W. AREA OFFICE*
12 Civic Center Plaza, Suite 3000
Mankato, MN 56001
(507) 387-5588

S.W. AREA OFFICE*
1567 N. McMillan, Suite 6
Worthington, MN 56187
(507) 372-7368

EDUCATION LAW ADVOCACY PROJECT
450 N. Syndicate Street, Suite 285
St. Paul, MN 55104
(651) 291-2837

REFUGEE, IMMIGRANT, and
FARMWORKER SERVICES

450 North Syndicate Street, Suite 285
St. Paul, MN 55104
(651) 291-2837

1015 7th Ave. N.
Moorhead, MN 56561
(701) 232-8872

903 West Center Street, Suite 230
Rochester, MN 55902
(507) 292-0080

*Office has a special Legal Advocacy for Older
Americans Project and a Volunteer Attorney Project
Program

Affirmative Action, Equal Opportunity Employer

Partially funded by:

LEGAL SERVICES CORPORATION



December 13, 2016


Saint Paul City Counsel
Legislative Hearings
310 City Hall
15 W. Kellogg Boulevard
St. Paul MN 55102

RE: Application for Appeal
925 Cooke Ave. E.

Dear Sir or Madam:

Enclosed please find an Application for Appeal that I have prepared on behalf of my clients, Khadijia Green and Diane Joiner. I would ask your office to waive the \$25 filing fee because my clients are represented by our office, which screens clients for indigency.

Sincerely,


Lisa Hollingsworth
Attorney at Law



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

November 28, 2016

Mark Underdahl
8560 Fawn Lake Rd Ne
Stacy MN 55079-9499

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 925 COOK AVE E
Ref. # 102617

Dear Property Representative:

Your building was inspected on November 28, 2016, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code. A reinspection will be made on January 3, 2017 at 3:00 p.m or the property vacated.

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. 2nd floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. -Sheetrock broken at corner.
2. Basement - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Remove non-listed, home made extension cord to the wash machine.
3. Basement - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Water leak
4. Main floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Textured ceiling is peeling off.

5. Rear porch - SPLC 34.09 (1) b,c, 34.33 (1) b, c - 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.-Piece of siding is missing. Rain leaks in at roof/wall line.
6. Refuse service - SPLC Ch. 34.11 (7) Mixed municipal solid waste storage and removal. Every residential building shall be supplied with approved containers which are of sufficient quantity and capacity to store all the mixed municipal solid waste from the unit and which are equipped with tight-fitting covers for storage of mixed municipal solid waste. Mixed municipal solid waste shall be collected at least weekly by a licensed refuse hauler. In all residence buildings, it shall be the responsibility of the owner to provide the containers and contract with a licensed hauler for collection of the mixed municipal solid waste, in accordance with section 357.05(g)(1). (8) Refuse and garbage storage. The owner of every residential building shall supply sufficient approved containers with covers impervious to weather for storage of refuse and garbage.
7. SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Basement toilet is slow to drain. Second floor toilet runs continuously. Main floor handheld shower hose is broken.
8. SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.-Carpet is wet and a mildew-like substance is on it.
9. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.-Both garages are being used for commercial usage, not as accessory to the rental house.
10. SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Discontinue: Commercial use.-Both garages are rented to other parties that are not renting the house. The west garage is used by scrappers and the east garage is use for car repairs including painting.
11. **Revocation of the Fire Certificate of Occupancy is due to long-term noncompliance.**

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: leanna.shaff@ci.stpaul.mn.us or call me at 651-266-8980 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Leanna Shaff
Fire Inspector

Ref. # 102617



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

October 24, 2016

Mark Underdahl
8560 Fawn Lake Rd Ne
Stacy MN 55079-9499

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
925 COOK AVE E

Ref. # 102617

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on October 24, 2016. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. **A reinspection will be made on November 28, 2016 at 2:00 p.m.**

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. 2nd floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. -Sheetrock broken at corner.
2. Basement - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.- Remove non-listed, home made extension cord to the wash machine.
3. Basement - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Water leak
4. Main floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Textured ceiling is peeling off.

5. Rear porch - SPLC 34.09 (1) b,c, 34.33 (1) b, c - 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.-Piece of siding is missing. Rain leaks in at roof/wall line.

6. Refuse service - SPLC Ch. 34.11 (7) Mixed municipal solid waste storage and removal. Every residential building shall be supplied with approved containers which are of sufficient quantity and capacity to store all the mixed municipal solid waste from the unit and which are equipped with tight-fitting covers for storage of mixed municipal solid waste. Mixed municipal solid waste shall be collected at least weekly by a licensed refuse hauler. In all residence buildings, it shall be the responsibility of the owner to provide the containers and contract with a licensed hauler for collection of the mixed municipal solid waste, in accordance with section 357.05(g)(1).

(8) Refuse and garbage storage. The owner of every residential building shall supply sufficient approved containers with covers impervious to weather for storage of refuse and garbage.

-

7. Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters.-

8. Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-

9. SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-

Basement toilet is slow to drain.

Second floor toilet runs continuously.

Main floor handheld shower hose is broken.

10. SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.-Carpet is wet and a mildew-like substance is on it.

11. SBC 3405.1, SBC 110.2 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy or use, or contact the Building Official at 651-266-9021 for a code analysis and to comply with requirements for approved occupancy.-Both garages are being used for commercial usage, not as accessory to the rental house.

12. SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Discontinue: Commercial use.-Both garages are rented to other parties that are not renting the house. The west garage is used by scrappers and the east garage is use for car repairs including painting.

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If you have any questions, email me at leanna.shaff@ci.stpaul.mn.us or call me at 651-266-8980 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,

Leanna Shaff
Fire Inspector
Ref. # 102617



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

September 22, 2016

Mark Underdahl
8560 Fawn Lake Rd Ne
Stacy MN 55079-9499

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
925 COOK AVE E

Ref. # 102617

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on September 22, 2016. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately. **A reinspection will be made on October 24, 2016 at 2:00 p.m.**

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. 2nd floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. - Sheetrock broken at corner.
2. Basement - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Remove non-listed, home made extension cord to the wash machine.
3. Basement - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.- Water leak
4. Main floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.- Textured ceiling is peeling off.
5. Rear porch - SPLC 34.09 (1) b,c, 34.33 (1) b, c - 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.-Piece of siding is missing. Rain leaks in at roof/wall line.

An Equal Opportunity Employer

6. Refuse service - SPLC Ch. 34.11 (7) Mixed municipal solid waste storage and removal. Every residential building shall be supplied with approved containers which are of sufficient quantity and capacity to store all the mixed municipal solid waste from the unit and which are equipped with tight-fitting covers for storage of mixed municipal solid waste. Mixed municipal solid waste shall be collected at least weekly by a licensed refuse hauler. In all residence buildings, it shall be the responsibility of the owner to provide the containers and contract with a licensed hauler for collection of the mixed municipal solid waste, in accordance with section 357.05(g)(1).

(8) Refuse and garbage storage. The owner of every residential building shall supply sufficient approved containers with covers impervious to weather for storage of refuse and garbage.

-

7. Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters.-

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If you have any questions, email me at leanna.shaff@ci.stpaul.mn.us or call me at 651-266-8980 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,

Leanna Shaff
Fire Inspector
Ref. # 102617



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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

August 19, 2016

MARK UNDERDAHL
8560 Fawn Lake Rd Ne
Stacy MN 55079-9499

FIRE INSPECTION CORRECTION NOTICE

RE: 925 COOK AVE E
Ref. #102617
Residential Class: C

Dear Property Representative:

Your building was inspected on August 18, 2016 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 September 22, 2016 at 1:00 p.m.**

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. Basement - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Remove non-listed, homemade extension cord to the wash machine.
2. Basement - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.-

3. Basement - MSFC 315.2 - Provide and maintain orderly storage of materials.-
4. Basement - MSFC 1026.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989.-Both sleeping room escape windows are blocked with storage and large furniture.
5. Furnace and water heater - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.-
6. Main floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Textured ceiling is peeling off.
7. Rear porch - SPLC 34.09 (1) b,c, 34.33 (1) b, c - 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.-Piece of siding is missing. Rain leaks in at roof/wall line.
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Sincerely,

Leanna Shaff
Fire Inspector

Reference Number 102617