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OCT 07 2010

CITY CLERK

FAX COVER SHEET

October 5, 2010

To: St Paul City Clerk
Fax (651) 266-8574
Phone (651) 266-8560

From: Xai and Yer Xiong
(651) 808-4089

RE: Application for Appeal
Address: 2030 4th Street East
St. Paul, MN 55119

(5 pages - including cover)

To Whom It May Concern:

We are writing to appeal several items on a recent inspection for a Certificate of Occupancy. We are faxing the application in order to expedite the process. The \$25 fee will arrive by mail.

Here are the items we wish to appeal on the correction notice:

- #1 and #2: Regarding the basement bathroom – This was an existing bathroom when we bought the house. No one uses this bathroom currently. Is it still necessary to provide a ventilation system and repair the window?
- #7: Regarding the upper floor bedroom – it is cited as not having an egress window. This was also pre-existing when we bought the house. We assumed that when the previous owner did renovations that he pulled permits to ensure that the work was done up to code and regulations. We never had the impression the current windows were not egress. In fact when we had a Truth in Sale of Housing done in April 2008 before trying to sell the property, there was no mention of this issue in that report.



APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

The City Clerk needs the following to process your appeal:

- ☒ \$25 filing fee payable to the City of Saint Paul
(if cash: receipt number _____)
- ☒ Copy of the City-issued orders or letter which
are being appealed
- ☒ Attachments you may wish to include
- ☒ This appeal form completed

YOUR HEARING Date and Time:

Tuesday, Oct. 19

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 2030 4th Street E City: St Paul State: MN Zip: 55119

Appellant/Applicant: Xai and Yer Xiong Email yer.m.xiong@gmail.com

Phone Numbers: Business (414) 385-7213 Residence (414) 312-7588 Cell (651) 808-4089 (Yer)
(651) 497-1029 (Xai)

Signature: [Signature] Date: 10/5/10

Name of Owner (if other than Appellant): _____

Address (if not Appellant's): 5151 N Lake Dr #B, Milwaukee, WI 53217

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 #1 & #2 > Existing bathroom when we bought the house.
It is never used.
- ☒ Fire C of O: Only Egress Windows > #7 > Existing when we bought the
house. Previous owner did renovations →
Wasn't a permit pulled to ensure
egress requirement? We had Truth in Sale
of Housing done in 2008 and there
was no mention of this
in that report.
- ☐ Code Enforcement Correction Notice
- ☐ Vacant Building Registration
- ☐ Other
- ☐ Other
- ☐ Other



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 24, 2010

XAI XIONG
YER XIONG
5151 N LAKE DRIVE #B
WHITEFISH BAY WI 53217-5765

FIRE INSPECTION CORRECTION NOTICE

RE: 2030 4TH ST E
Ref. #112085
Residential Class: C

Dear Property Representative:

Your building was inspected on September 24, 2010 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 October 28, 2010 at 1:45pm.

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 - Bathroom - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.
2. Basement - Bathroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace the broken window pane.

3. Basement - Dryer Vent - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work will require a permit. Call DSI at (651) 266-8989.
4. Basement - Stairway - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate balustrades must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
5. Basement - Stairway - SPLC 34.10 (3), 34.33(2) - Repair or replace the handrail in an approved manner.-Existing handrail height, measured above stair tread nosing, shall be uniform, not less than 30 inches and not more than 42 inches. The existing handrail height is between 22 and 24 inches in height. Provide a handrail at the approved height.
6. Basement - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
7. Egress Window - Upper Floor Bedroom - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) - 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.

Upper Floor Bedroom (Swing-out)

16w x 40h - Openable

19w x 37h - Glazed

Second Window (Crank-out)

13w x 54h - Openable

23w x 53h - Glazed

8. Exterior - Fence - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Repair/replace the deteriorated privacy fence. Secure the loose post on the split-rail fence. Maintain all fences in a good state of repairs.
9. Exterior - Front and Rear Deck - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Protect the surfaces of the decks for the elements of the weather. Secure the loose Newell posts on the decks.
10. Exterior - Roof - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Replace the deteriorated roof. All work must be done by licensed contractor under permit.

11. Main Floor - Bedrooms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. **-A re-inspection will be made on 9-27-2010 to verify code compliance. Failure to comply will result in enforcement action.**
12. Main Floor - Living Room - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
13. Main Floor and Upper Floor - Bedrooms - MN State Statute 299F.50 - Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturers instructions.
14. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
15. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

For an explanation or information on some of the violations contained in this report, please visit our web page at: <http://www.ci.stpaul.mn.us/index.aspx?NID=211>

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: (651-266-8688) and must be filed within 10 days of the date of this order.

If you have any questions, email me at: wayne.spiering@ci.stpaul.mn.us or call me at 651-266-8993 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,

Wayne Spiering
Fire Inspector

Reference Number 112085