



# 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

SEP 10 2015

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 794051)
  - 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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>Sept. 22, 2015</u>  Time <u>1:30 p.m.</u>  <b>Location of Hearing:</b> Room 330 City Hall/Courthouse
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## Address Being Appealed:

Number & Street: 964 Tulehart City: St. Paul State: MN Zip: 65104

Appellant/Applicant: Anura Si-Asar Email SirriusA@msn.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-481-6417

Signature: [Signature] Date: 9-7-2015

Name of Owner (if other than Appellant): Anura Si-Asar & Ethel Thomas-Cites

Mailing Address if Not Appellant's: 7409 Edgewood Ave, N

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 612-481-6417

## 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.)

Unreasonable orders to carry out by date of reinspection due to financial hardship.  
(Please see attachment to understand context of appeal.)

Revised 8/11/2014

Attachments

1) memo to St. Paul City Council  
 2) Deficiency List  
 3) Xcel chimney tag

9.7.15

To whom it may concern,

I am **Anura Si-Asar**, one of the owners of **964 Iglehart Avenue**. I am contesting and appealing the Fire Inspection Correction Notice dated August 26, 2015, **Reference number 123301**. The other owner is **Ethel Thomas-Giles**, my mother.

Many of the items on this list are from general deterioration and can and will be remedied as soon as possible and definitely within a year. These same items do not make the house uninhabitable and are cosmetic and have nothing to do with safety/health. Although, the house is currently vacant, it is being cleaned up to be occupied by the owner. Ethel Thomas-Giles, owner, who plans to move back in October 2015. The plan for this property is to sell it to a family member as soon as possible with the intention that she/he will obtain a rehab loan, which would allow them to repair and update the house including many items from the **Fire Inspection list (Attached)**.

The **primary reason** that most of the cosmetic and non-safety/health items on the list can't be done at this time is because we can't afford it all at this time. However, we can slowly take care of these items as we prepare the house to be sold to a family member within a year. In other words, if these all the items on the Fire Inspection list are to be done by September 28<sup>th</sup>, which they will not be done and the City makes the house inhabitable and the owner can not move in to pay the mortgages, we will most likely lose the house. That means that we would have to sell it to a non-family members or the house could be foreclosed on.

A family member up until August 31st, 2015 rented this house for 10 years. This family member was expected to buy it. The family member/tenant was to conduct upkeep, maintenance and make repairs and improvements to the house. This was not done. The last two months of rent was not paid by the tenant putting the owners in serious financial trouble. When the owners told the tenant that she had to buy the house or the house would be sold to another family member is when the retaliation occurred (not paying rent, left the house full of trash and junk and called the Fire Inspector). The rent for the family member/tenant covered mortgage, taxes and insurance. No deposit was collected. This was done to help the family member repair their credit, make repairs/maintenance to the house and save money to buy the house. Unfortunately, this agreement was not met.

This house has been in the family since before 1960. My mother would like to live her last days out in her childhood home with one of her children who plans to buy it. My mother or I cannot afford two mortgages at this time and one of us has to move back in the house immediately in order to save the house.

We are asking for just the safety related items be due by the end of the month and the rest being done within a year. The breakdown of the items is below:

**Items from the Deficiency List not safety/health related:** (We need up to a year to complete all of it)

#1 - #4, #7 - #17, #19 - #21

**Items from the Deficiency List:** (These items have been done or will be done by September 28<sup>th</sup> with qualification)

**#5 – Grass/weeds – Done**

**#6 & #18 – Exterminate pests**

Done (However, there were no signs of any pests, but we treated the house anyways)

**#22 – Regarding Interior Ceiling**

Hallway room ceiling is sagging some and will be replaced. The inspector is calling the Hallway room, the living room. The living room ceiling is fine.

**#23 – Regarding Kitchen Cabinets.**

One of the kitchen cabinets is loose and will be secured.

**#24 – Regarding the chimney flue. (See attachment)**

Last October 2014, Xcel conducted a tune-up of the boiler. In his inspection of the chimney he could only see a part of the liner and not the whole liner due to darkness. He used a small mirror with no light to look through a 4” vent hole. He stated due to the shape of the chimney hole at the top, which was rectangle, he could not determine if the lining went all the way to the top. Thus, he made a false conclusion that the chimney may have vent issues. The Xcel repairperson found no CO anywhere near the appliances or anywhere in the basement. Thus, to make a statement like that is inaccurate, and misleading.

The only accurate statement he should have made was that he does not know if the chimney liner reaches the top and from his monitoring and inspection, the chimney is venting properly. I am getting a chimney inspection to verify if there is a liner all the way to the top. The chimney experts stated that the only way to verify if there is a lining is 1) **paperwork** or 2) **video camera** with light that is lowered down the shoot.

1) **Paperwork** stating that when the boiler was replaced that the installers put in the liner is not available. I have no paperwork since the furnace was put in the early 1980s by my grandmother. The Xcel repairperson stated that they should have put in a whole liner. The Xcel repairperson assumed the people that installed the furnace didn't do their job. Why? The Xcel repairperson stated that he should see a round hole up top of the chimney not a rectangle one. The chimney inspectors that are coming out to do a chimney inspection stated that the Xcel repairperson's statement is false and it could be lined without a round opening. The chimney inspectors stated that a round hole at the top of the chimney is one way to confirm that it does have a liner, but that doesn't make the opposite true. So for the Xcel repairperson to assume some other professional did not do their job is unprofessional and unethical considering the context of this information.

2) **Video camera inspection:** This is what the chimney inspectors are coming out to do to 964 Iglehart for \$150.00. This is an unwarranted cost to the owners. However, if the chimney is not fully lined then the chimney experts stated it could cost from \$1500.00 - \$2000.00 to install a liner. If a chimney liner is needed, then I will need more time to install the liner.

**#26 – Regarding Carbon monoxide test**

I will have Xcel come out again to tune-up the furnace, which includes a carbon monoxide test.

**#27 – Smoke Detectors**

The tenants took down most of the smoke detectors and never replaced the batteries that were in them. I have replaced and/or reinstalled all the detectors in the house.

Last, but not least the City's actions will either help us keep this home with the gradual improvement of the property or you will aid in the gentrification process of the Rondo neighborhood. I am asking that you give us the time to follow our plan through. We must be able to move in so that we can continue to pay the mortgages and make the repairs to and renovation of the property. Also this will give us time to sell it to another family member within a year. I look forward to speaking with you. Thank you for your time and consideration.

Anura Si-Asar  
(612) 481-6417



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](http://www.stpaul.gov/dsi)

August 26, 2015

ANURA SI ASAR  
ETHEL A THOMAS GILES  
7409 EDGEWOOD AVE N  
MINNEAPOLIS MN 55428-1439

### FIRE INSPECTION CORRECTION NOTICE

RE: 964 IGLEHART AVE  
Ref. #123301  
Residential Class: C

Dear Property Representative:

Your building was inspected on August 26, 2015 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 28, 2015 at 10:30am.**



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 - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-
2. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.-

3. Exterior - 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.-
4. Exterior - 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.-Repair and repaint all exterior walls and wooden surfaces in an approved manner.
5. Exterior - SPLC 45.03 (6) - Cut and maintain the grass/weeds less than 8 inches tall.-
6. Exterior - SPLC 34.08 (4), 34.31 (2) - Exterminate and control insects, rodents or other pests on all exterior areas and in accessory structures.-Signs for rodents and squirrel entering the building repair damage and eliminate all entry locations exterminate throughout.
7. Exterior - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair or replace the front and rear exterior stairs in an approved manner.
8. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-
9. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-
10. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.-
11. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.-
12. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-
13. Exterior - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.-
14. Exterior - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged guardrail in an approved manner.-
15. Exterior - SPLC 34.10 (3), 34.33(2) - Repair or replace the damaged handrail in an approved manner.-

16. Interior - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.- Replace the missing ballustrade in an approved manner.
17. Interior - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged handrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.- Provide an approved handrail to kitchen from second floor.
18. Interior - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Contact a licensed exterminator to exterminate throughout.
19. Interior - 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.  
-Refrigerator / Freezer that is icing up and leaking
20. Interior - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Provide an approved handrail to kitchen from second floor.
21. Interior - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. Throughout as needed
22. Interior - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-Living room and throughout as needed.
23. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner. Provide kitchen cabinets that are in good repair. Repair or replace.
-  24. Interior - MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work will require a permit(s). Call DSI at (651) 266-9090. Red tags may not be removed except by fire department inspector.-Contact a licensed contractor to repair the heating system to code all work must be approved under permit
-  25. interior - MSMC 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 and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-Contact a licensed contractor to install a dryer vent to code all work must be approved under permit
26. 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.

27. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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.

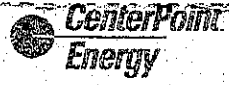
If you have any questions, email me at: [mike.urmann@ci.stpaul.mn.us](mailto:mike.urmann@ci.stpaul.mn.us) or call me at 651-266-8990 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Michael Urmann  
Fire Inspector

Reference Number 123301





NOTIFICATION TAG  
TARJETA DE NOTIFICACIÓN

NAME: <i>SI-ASAR, Aurora</i>		CALL CENTER NUMBERS: SERVICIO AL CLIENTE: ARKANSAS 1-800-992-7552 BEAUMONT 1-800-376-9663 EAST TEXAS 1-800-259-5544 SOUTH TEXAS 1-800-427-7142 HOUSTON 1-800-752-8036 NORTH LOUISIANA 1-866-275-5252 SOUTH LOUISIANA 1-800-477-0177 MINNESOTA 1-800-657-3255 MISSISSIPPI 1-800-371-5417 OKLAHOMA 1-866-275-5265
ADDRESS: <i>964 I. Gilbert Ave</i>		
CITY/STATE: <i>St Paul MN</i>	PHONE: <i>612-481-6417</i>	
CUIDAD/ESTADO:	TELÉFONO:	
<input checked="" type="checkbox"/> OWNER: PROPIETARIO <input type="checkbox"/> TENANT: INQUILINO <input type="checkbox"/> OTHER: OTRO <input type="checkbox"/> REFUSED TO SIGN: REHUSARON FIRMAR <input type="checkbox"/> PROPERTY MANAGER: ADMINISTRADOR DE LA PROPIEDAD		
EMPLOYEE: <i>[Signature]</i>	CUSTOMER: <i>[Signature]</i>	
EMPLEADO:	CLIENTE:	

DATE CONDITION WAS FOUND (FECHA EN QUE SE ENCONTRÓ LA CONDICIÓN)  
*29 Oct 2014*

**WARNING:** YOU ARE CAUTIONED NOT TO USE THE APPLIANCE UNTIL PROPER CORRECTIVE ACTION HAS BEEN TAKEN.

**ATENCIÓN:** TEN CUIDADO DE NO USAR EL APARATO HASTA QUE SE HAYAN TOMADO LAS MEDIDAS APROPIADAS.

APPLIANCE (APARATO)

<input type="checkbox"/> SPACE HEATER (CALEFACTOR DE AMBIENTE)	<input type="checkbox"/> GAS LOGS (TRONCOS DE GAS)
<input checked="" type="checkbox"/> WATER HEATER (CALENTADOR DE AGUA)	<input type="checkbox"/> GAS GRILL (PARRILLA DE GAS)
<input checked="" type="checkbox"/> HEATING UNIT (UNIDAD CALEFACTORA)	<input type="checkbox"/> GAS LIGHT (LÁMPARA DE GAS)
<input checked="" type="checkbox"/> RANGE (ESTUFA)	<input type="checkbox"/> _____
<input type="checkbox"/> GENERATOR (GENERADOR)	<input type="checkbox"/> _____
<input type="checkbox"/> POOL HEATER (CALEFACTOR DE PISCINA/ALBERCA)	<input type="checkbox"/> _____
<input type="checkbox"/> AIR CONDITIONER (ACONDICIONADOR DE AIRE)	

CONDITION FOUND (CONDICIÓN ENCONTRADA):

- NOT VENTED PROPERLY (VENTILACIÓN INAPROPIADA)
- BURNER NOT ELEVATED 18" FROM FLOOR (QUEMADOR A MENOS DE 18 PULGADAS DE ELEVACIÓN DEL SUELO)
- NOT BURNING PROPERLY (NO PRENDE APROPIADAMENTE)
- NEEDS CLEANING (LIMPIEZA REQUERIDA)
- WATER LEAK (FUGA DE AGUA)
- NO WATER TO WATER HEATER (NO HAY ABASTECIMIENTO DE AGUA AL CALENTADOR DE GAS)
- NO RELIEF VALVE (NO HAY VÁLVULA DE ESCAPE)
- DEFECTIVE APPLIANCE CONNECTOR (CONECTOR DEFECTUOSO EN APARATO DOMÉSTICO)
- ELECTRICITY NOT TURNED ON (ELECTRICIDAD NO CONECTADA)
- SOURCE OF CARBON MONOXIDE (FUENTE DE MONÓXIDO DE CARBONO)
- DEFECTIVE HEAT EXCHANGER (INTERCAMBIADOR DE CALOR DEFECTUOSO)
- LEAKING THROUGH BURNER VALVE (FUGA POR VÁLVULA DEL QUEMADOR)
- DEFECTIVE CONTROL (CONTROL DEFECTUOSO)
- NO ACCESS TO EQUIPMENT (NO HAY ACCESO AL EQUIPO)
- DID NOT LIGHT CUSTOMER REQUEST (NO SE ENCENDIÓ PEDIDO DEL CLIENTE)
- DID NOT LIGHT NEW OR UNTESTED EQUIPMENT (NO SE ENCENDIÓ EQUIPO NUEVO O NO PROBADO)
- \_\_\_\_\_
- \_\_\_\_\_

REMARKS (NOTAS):  
*found chimney line only goes up  
 four feet. must have new line  
 installed to clear the masonry chimney*