



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
MAR 10 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>3/22/16</u> Time <u>2:30 p.m.</u> Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 955 Bradley St. City: St. Paul State: MN
Zip: 55130

Appellant/Applicant: Osaka Homes MN First LLC Email: nikkishomeshop@gmail.com

Phone Numbers: Business 952-960-0930 Residence _____ Cell _____

Signature: [Signature] Phil Beaumia Date: 3/4/16

Name of Owner (if other than Appellant): Osaka Homes MN First LLC

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why?

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.)

Attachments Are

Vacant building registration as tenants lived in property until 3/3/16.
We failed multiple inspections. Most items on the repair list were tenant caused, nonetheless we would make the repairs as best we could, but by the time inspection happened again, the tenant caused them again. Main issue was boiler inoperable.
We had hired a boiler repair company to replace, but tenants would not give access... This went on many times, so I then personally went and escorted boiler repair people through. The boiler is replaced, and we have subsequently evicted the tenants (3/3/16) Now we need a couple of weeks to make repairs.

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CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

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

Telephone: 651- 266- 8989

Facsimile: 651- 266- 1919

www.stpaul.gov/dsi

March 09, 2016

Osaka Homes Mn First Llc
1350 Lagoon Ave Ste 830
Minneapolis MN 55408- 2331

**VACANT BUILDING REGISTRATION FEE
WARNING LETTER**

The Saint Paul City Council has adopted legislation which requires owners of vacant buildings to pay an annual fee and submit a registration plan on the form(s) enclosed with this letter. The annual fee is **\$2,085.00**. The purpose of this fee is to partially reimburse the City for administrative costs for registering and processing the Vacant Building Owner Registration forms and for the cost of monitoring these properties for compliance with Saint Paul Legislative Codes.

The fee for the vacant building located at 955 BRADLEY ST is now past due. You have fifteen (15) days from the date of this letter to pay this bill before this fee is sent to assessment, to be collected with your property taxes.

DO NOT MAIL CASH

Saint Paul Legislative Code, Chapter 43, requires this fee be paid no later than thirty (30) days after the building becomes vacant, and if not paid, the owner shall be subject to collections and prosecution as prescribed in the Legislative Code. Also, if at any time the registration fee is unpaid and owing, building permits will be denied for this building.

The full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The owner(s) still will be subject to a criminal Summons and Complaint for failure to pay this vacant building registration fee. This citation will necessitate a court appearance in Ramsey County District Court and the owner(s) will be subject to penalties provided for by law. The enclosed registration form must accompany the fee payment.

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

If you have questions about this registration fee or other vacant building requirements, please contact the Enforcement Officer, Tom Friel, at 651- 266- 1906.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266- 8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: tf
vb_warning_letter 2/15



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

December 14, 2015

EXECUTIVE REALTY
3800 AMERICAN BLVD W UNIT 1500
BLOOMINGTON MN 55431

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 955 BRADLEY ST
Ref. # 116332

Dear Property Representative: PERMITS AND INSTALLATION FOR NEW FURNACE OR BOILER BY 12NOON ON DECEMBER 18,2015

Your building was inspected on December 14, 2015, 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 December 18, 2015 at 12noon. 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. Basement door - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-
2. Downstairs - 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.-Repair or replace and maintain an approved private toilet. Secure toilet to floor
3. House - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. -Repair or replace the damaged or deteriorated wall coverings. Paint the wall. Patch the holes and/or cracks in the walls.

4. House - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-Replace the carpeting.
5. Throughout house - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-
6. Various locations. - MSFC 605.4 - Discontinue use of all multi-plug adapters.-
7. Various locations - MSFC 605.4 - Discontinue use of all multi-plug adapters.-
8. Various locations - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-
9. 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.-
10. MSFC 603.7 - Immediately cease using the stove or oven for heating.-
11. MN Rules 1300.0180 - Immediately discontinue use of unsafe heating appliance until repaired or replaced by a licensed contractor. This work may require a permit(s). Call DSI at (651) 266-9090. Red tags may not be removed except by fire department inspector.-
12. MSFC 315.2.3 - Remove combustible storage from the fuel burning equipment rooms.-
13. UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.-
14. SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times. Supply some safe temporary heat source for the occupants until the furnace / boiler is either repaired or replaced.-

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 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 Inspector

Ref. # 116332

State of Minnesota

District Court

County RAMSEY

Judicial District:	SECOND
Court File Number:	
Case Type:	Housing

Osaka Homes MN First LLC
9695 Buckingham Drive
Eden Prairie, MN 55347
Address

vs.

Eviction Action Complaint
(Minn. Stat. § 504B.321)

Chris Manker, dob 11/11/89 and Ronda Haire, dob 7/10/81
955 Bradley Street
Saint Paul, MN 55130
Address

I, Gregory Miller state upon oath/affirmation:
(name of person signing complaint)

- Landlord leased or rented to tenant(s) on 11/1/14 by a WRITTEN agreement the premises at: 955 Bradley Street and garage (NO), in the city of Saint Paul, the state of Minnesota, zip code 55130, in the county of Ramsey. The agreement was from month to month. The current rent due and payable under this agreement each month is \$1,282.00 due on the first day of the month.
- The landlord of the premises described above is Osaka Homes MN First LLC.
- Landlord having present right of possession of said property, has complied with Minn. Stat. §504B.181 by:
 - a. disclosing to the tenant either in the rental agreement or otherwise in writing prior to beginning of the tenancy the name and address of:
 - i. the person authorized to manage the property AND
 - ii. a landlord or agent authorized by the landlord to accept service of process and receive and give receipt for notices and demands, AND
 - b. posting in a conspicuous place on the property a printed or typewritten notice containing the above information: Common Area, OR Where Posted
 - c. the above information was known by the tenant not less than 30 days before the filing of this action because: Notified Upon Move In.
- Landlord seeks to have the tenant evicted for the following reasons:
 - a. The tenant is still in possession of above premises and has failed to pay rent for the month(s) of partial September and all of October thru January in the amount of \$6,001.00 plus late fees \$77.60, filing fee \$327.00, convenience fee \$5.00 and process service fee \$100.00 for a total due of \$6,510.60.
 - b. The tenant has failed to vacate property after tenant was given gave written notice to do so. This notice was served on Tenant Landlord on _____ and tenant Was Told Gave notice to vacate the property by _____.
 - c. The tenant has broken the terms of the rental agreement with property landlord by: (be specific) _____
- The landlord seeks judgment against the above tenant(s) for restitution of said premises plus costs and disbursements herein.

Verification and Affidavit of Non Military Status

I, Gregory Miller, being sworn/affirmed, state that I am the attorney in this action, that I have read the complaint and that it is true to the best of my knowledge; that tenant(s) is/are not now in the military service of the United States, to the best of my information and belief.

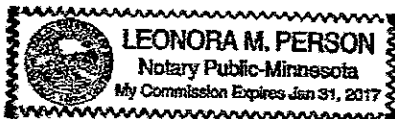
Dated: 1/29/16

[Signature]
Signature (sign only in front of notary public or court administrator.)

Sworn/affirmed before me this 29 day of January 2016
Leonora M. Person

Name: Gregory Miller, Attorney ID, #249932
 Address: 100 Washington Avenue South, Suite 1300
 City/State/Zip: Minneapolis, MN 55401
 Telephone: (612) 337-6100

Notary Public \ Deputy Court Administrator



State of Minnesota
Ramsey County

District Court
Second Judicial District

File Number: 62-HG-CV-16-233

Osaka Homes MN LLC vs Chris Manker, Ronda
Haire

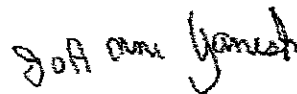
ORDER

**Deposit of Rent
Notice of Trial
Release of Rent/Receipt**

IT IS HEREBY ORDERED that the defendant(s) deposit with the Court the sum of \$ 1104 on or before 2/17/2016 by 3PM. IT IS FURTHER ORDERED that the sum of \$ be deposited with the Court on or before the day of each month until final disposition. IF THE ABOVE DEPOSITS ARE NOT MADE, A WRIT OF RESTITUTION SHALL ISSUE ON ; AND A JUDGMENT SHALL BE ENTERED AGAINST YOU.

The above-entitled action is set for Court Trial on February 25, 2016, in Room No. 170 (TBA), at 1:30 pm. IF YOU FAIL TO APPEAR, JUDGMENT MAY BE ENTERED AGAINST YOU.

Dated: 2/9/2016



Anne M. Yanish, Referee

Dated: _____

Judge of District Court

**Rent Deposits to be made in Room 170 Cash, Money Order or
Cashier's Check only Payable to Court Administrator.**

**If the full amount is not posted as ordered this will result in a
default. The hearing will be canceled and judgment shall be
entered against you. All funds already deposited with the
court will be released to the plaintiff.**

**MATT BOSTROM
RAMSEY COUNTY SHERIFF**



CIVIL DIVISION

25 W. 4th St, Suite 150
Saint Paul, Minnesota 55102
Telephone: (651) 266-9330
Fax: (651) 266-9328

NOTICE

ATTN: All Law Enforcement Agencies Responding to Requests for Assistance by Landlord/Caretakers/Tenants at This Address.

On 3-3-2016, The Ramsey County Sheriff's Office Civil Division lawfully evicted the former tenant(s)/occupant(s) from this address 955 BRADLEY ST and a related **TRESPASS WARNING NOTICE** was posted on the door of said premises. Unlawful nonconsensual entry onto the premises by former tenant(s)/occupant(s) is criminal trespass. (MN Stat. 609.605, subd. 1.)

Your cooperation in assisting the landlord/caretaker in removing anyone trespassing at the above-mentioned address is appreciated. For further verification, you may call **(651) 266-9330**, Monday thru Friday between the hours of 8:00am to 4:30pm.

Dated: 3-3-16

T. H. O. #168
Deputy Sheriff