



APPLICATION FOR APPEAL

RECEIVED

OCT 15 2010

CITY CLERK

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. 26, 2010

Time 1:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 288 BIRMINGHAM St. City: ST. PAUL State: MN Zip: 55101

Appellant/Applicant: ABBY BARBER Email ABBY@EIBPM.COM
(U12) 859-0889

Phone Numbers: Business _____ Residence SAME Cell SAME

Signature: [Handwritten Signature] Date: 10/15/10

Name of Owner (if other than Appellant): EIB FUND LLC (ALEX EATON)

Address (if not Appellant's): 333 WASHINGTON AVE. N, #413 Mpls 55401
(U12) 095-8852

Phone Numbers: Business _____ Residence SAME Cell SAME

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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other
- Other
- Other

ITEM #'S, 9, 11, 15, 30, 37

CIRCUIT BREAKERS DO NOT HAVE PAINT ON ANY INTERNAL PARTS. THEY FUNCTION AS DESIGNED WITH NO EXCEPTION.



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 14, 2010

ALEX J EATON
EIG FUND LLC
PO BOX 6781
MINNEAPOLIS MN 55406

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
288 BIRMINGHAM ST

Ref. # 100147

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on October 6, 2010. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

A re-inspection will be made on November 15, 2010 at 1:30pm.

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 re-inspection fees.

DEFICIENCY LIST

1. 288 - 3rd Floor - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Seal around the roof access penetration and light fixture on 3rd floor. Repair and maintain the fire rating on the ceiling.
2. 288 - Basement - MSFC 703 - The fire door must not be obstructed or impaired from its proper operation at any time.-The basement fire doors are not closing/latching. Fire doors must not be blocked in the open position.
3. 288 - Basement Stairway - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Remove the improperly installed light fixture in the basement stairwell and install according to electrical code.

4. 288 - Entire Building - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Upon re-inspection there were bed bugs seen in Unit 288-1. Exterminate entire 288 building for bed bugs and provide documentation to the inspector.
5. 288 - Laundry Room - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair the water damaged ceiling. Seal all openings and penetrations. Provide and maintain a 1-hour fire rating.
6. 288 and 290 - East Entrances. - SPLC 34.14 (2) f - Provide and maintain an minimum of 1 foot candle at the grade level of exterior exits and entryways for security. This work will require a permit(s). Call DSI at (651) 266-9090.-Provide the required illumination at the east entrances.
7. 288-1 - Bedroom - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
8. 288-1 - Bedroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.
9. 288-1 - Circuit Breakers - NEC 110.12 - Mechanical Execution of Work - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaner, abrasives, or corrosive residues.-Replace all circuit breakers covered with paint. This work will require a permit. Contact DSI at 651-266-8989.
10. 288-1 - 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.
11. 288-2 - Circuit Breakers - NEC 110.12 - Mechanical Execution of Work - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaner, abrasives, or corrosive residues.-Replace all circuit breakers that are covered with paint. This work will require a permit. Contact DSI at 651-266-8989.
12. 288-4 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair the deteriorated wall around the window. Repair the ceiling.
13. 288-4 - Kitchen - SPC 4715.1800 (g) - Provide stop to water closet water supply.-Replace the missing handles to the water shut-off valves on the kitchen sink.
14. 288-4 - 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.

15. 288-5 - Circuit Breakers - NEC 110.12 - Mechanical Execution of Work - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaner, abrasives, or corrosive residues.-Replace all circuit breakers covered with paint. This work will require a permit. Contact DSI at 651-266-8989.
16. 288-5 - Living Room - MSFC 605.5 - Discontinue use of extension cords and multi-plug adapters used in lieu of permanent wiring.
17. 288-5 - Living Room - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-A/C unit must be plugged directly into a permanent, grounded outlet.
18. 288-6 - Bathroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair/replace the window that is not staying in the open position.
19. 288-6 - Living Room - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Replace the broken window pane.
20. 288-6 - 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.
21. 290 - North Exterior - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.-Provide and maintain suitable ground cover on all exterior areas to control erosion.
22. 290 - West Exterior - SPLC 34.09 (1) b,c, 34.32 (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.-Repair/replace the loose fascia.
23. 290-1 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls and ceiling in an approved manner.
24. 290-2 - Kitchen - SPC 4715.1800 (g) - Provide stop to water closet water supply.-Replace the missing handles to the water shut-off valves on the sink.
25. 290-2 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Repair/replace the chirping smoke detector.
26. 290-2 - 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.

27. 290-3 - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair/replace the missing/inoperable sink stopper. Repair/replace the damaged bathtub.
28. 290-3 - Kitchen - SPC 4715.1800 (g) - Provide stop to water closet water supply.-Replace the missing handles to the water shut off valves on the sink.
29. 290-3 - 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.
30. 290-4 - Circuit Breakers - NEC 110.12 - Mechanical Execution of Work - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaner, abrasives, or corrosive residues.-Replace all circuit breakers that are covered with paint. This work will require a permit. Contact DSI at 651-266-8989.
31. 290-4 - Hallway - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
32. 290-4 - 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.
33. 290-5 - Bathroom - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace the broken mirror.
34. 290-5 - Bathroom - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.
35. 290-5 - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Secure the sink that is falling off the wall. Replace the missing drain control mechanism.
36. 290-5 - Bathroom - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair the bathroom tub plumbing that is causing a back-up of water when the tenant next door uses their tub.
37. 290-5 - Circuit Breakers - NEC 110.12 - Mechanical Execution of Work - Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign material such as paint, plaster, cleaner, abrasives, or corrosive residues.-Replace all circuit breakers that are covered with paint. This work will require a permit. Contact DSI at 651-266-8989.
38. 290-5 - Dog License - SPLC 200.02 (a) No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989

39. 290-5 - Entry Door - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove the material blocking the entry door.
40. 290-5 - Hallway - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
41. 290-5 - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Clean the floor, walls, ceiling.
42. 290-5 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Repair/replace the chirping smoke detector.
43. 290-5 - 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.
44. 290-6 - Bathroom - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair/replace the missing/inoperable sink stopper.
45. 290-6 - Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
46. 290-6 - 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.
47. Basement - Laundry Room - 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 may require a permit(s). Call DSI at (651) 266-8989.-Provide a code compliant exhaust duct for all dryers. The existing dryers are ducted through combustible material without the appropriate sleeve/clearance.
48. Basement - Laundry Room - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.
49. Basement - Laundry Room - MSFC 703 - The fire door must not be obstructed or impaired from its proper operation at any time.-Remove the lock on the laundry room fire door.
50. Boiler Room - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1-hour.-Seal all holes and penetrations in the boiler room walls and ceiling with approved material that will provide a 1-hour fire rating.
51. Exterior - Entrance Overhangs - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.