



APPLICATION FOR APPEAL

RECEIVED

JUL 11 2011

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 517021)
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:

Tuesday, July 26, 2011

Time 11:00 a.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 402 Minnehaha Ave City: St. Paul State: MIN Zip: 55108

Appellant/Applicant: Ken Ostlie Email kostlie@q.com

Phone Numbers: Business _____ Residence _____ Cell 613-750-0993

Signature: Kenneth R. Ostlie Date: July 11, 2011

Name of Owner (if other than Appellant): Norma Ostlie - co-owner

Address (if not Appellant's): 465 Old Farm Rd, Shoreview MN 55126

Phone Numbers: Business _____ Residence _____ Cell 651-370-2682

What Is Being Appealed and Why?

Attachments Are Acceptable

(Will bring to hearing)

- 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

* Work in progress or scheduled - timeline too short to accomplish (complete)

* Exaggerations on inspection report

* Tenants have disabilities affecting cleanliness

* Concerns about inspector bias - previous ~~tip stars~~ tenants had negative interaction w/ inspector when she was property inspector - code enforcement



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

July 6, 2011

KENNETH R OSTLIE
NORMA OSTLIE
465 OLD FARM ROAD
SHOREVIEW MN 55126-2055

NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE

RE: 402 MINNEHAHA AVE W

Dear Property Representative:

Your building was inspected on July 6, 2011.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

A re-inspection will be made on July 18, 2011 at 11:30 am.

CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF OCCUPANCY.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. Basement - 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 requires a permit(s). Call DSI at (651) 266-8989.-Both dryer vents need to be replaced under permit as they are white plastic and not vented.

2. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.
3. Exterior - SPLC 34.14 (2) f - Provide and maintain a minimum of 1 foot candle at the grade level of exterior exits and entryways for security. This work may require a permit(s). Call DSI at (651) 266-9090.
4. 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.
5. Exterior - SPLC 34.08 (9) - Provide and maintain an average of 1 foot candle at the pavement of garages and parking areas. This work may require a permit(s). Call DSI at (651) 266-9090.
6. 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.
7. Exterior - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-Permit required.
8. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door frame.
9. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.
10. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frames throughout.-Repair or replace all rotted window frames throughout.
11. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace the broken front window.
12. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash cords throughout.
13. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the windows in good condition.-The majority of the windows are in poor condition. Repair or replace windows. Permit may be required.
14. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens throughout.
15. Exterior - 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, or remove the dangerous garage that is leaning and the front of the garage is pushed in and fence was not installed or connected properly. Permit may be required.

16. Exterior - SPLC 45.03 (6) - Cut and maintain the grass/weeds less than 8 inches tall.
17. Exterior - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work requires a permit(s). Call DSI at (651) 266-9090.
18. Exterior - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged handrail in an approved manner. This work requires a permit(s). Call DSI at (651) 266-9090.
19. Exterior - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work requires a permit(s). Call DSI at (651) 266-9090.-Repair or replace the front porch and the rear deck that is not structurally sound. Current work has no permits. Permit required.
20. Exterior - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.-Remove the boat from the tall grass and weeds.
21. Interior - SPLC 34.19 - Provide access to the inspector to all areas of the building.
22. Interior - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.
23. Interior - SPLC 34.16 (2) - Properly dispose all of your garbage in the owner-provided containers.
24. Interior - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
25. Interior - 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 requires permit(s). Call DSI at (651)- 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-The egress windows measure 22H x 27W double hung and are in poor condition. Some windows in unit 1 have been replaced without permits.
26. Interior - 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. Interior - 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
28. Interior - MFGC 402 - Provide proper sizing of the pipe to the fuel burning equipment in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.

29. Interior - MFGC 304 - Provide approved combustion make up air in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.
30. Interior - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.-Hire a licensed contractor to install the bathroom ventilation fans to meet code. Permit required.
31. Interior - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.
32. Interior-Basement - SPLC 34.10 (3) 34.33(2) - Provide an approved guardrail. Intermediate ballustrade must not be more than 4 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
33. Interior-Basement - 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.
34. Interior-Basement - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner. Permit required.-Improper rise and run on basement steps. Current work no permit.
35. Interior-Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
36. Interior-Throughout - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 4715.0200.C - Provide an approved number and type of plumbing fixtures.-Hire a licensed plumber to repair all plumbing leaks throughout the building and repair all plumbing fixtures to meet code. Current work no permits.
37. Interior-Throughout - SPLC 34.11 (5), 34.34 (2) - Contact a licensed contractor to repair or replace the water heater. This work requires a permit(s). Call DSI at (651) 266-9090.- Hire a licensed contractor to repair the water heaters to meet code. Current work no permits.
38. Interior-Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
39. Interior-Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
40. Interior-Throughout - SPLC 34.14 (2) c - Provide or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work requires a permit(s). Call DSI at (651) 266-9090.-Current work done without permits.
41. Interior-Throughout - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work requires a permit(s). Call DSI at (651)

- 266-9090.-Hire a licensed electrician to replace all exposed damaged wires and fixtures throughout.
42. Interior-Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work requires a permit(s). Call DSI at (651) 266-9090.-Current work no permits.
 43. Interior-Throughout - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
 44. Interior-Throughout - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work require a permit(s), call DSI at (651) 266-9090.-Hire a licensed electrician to certify that the electric panel and wiring throughout meets code. Current work no permits.
 45. Interior-Throughout - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.
 46. Interior-Throughout - MSFC 703.1 - Repair and maintain the required fire resistive construction with approved materials and methods. This work requires a permit(s). Call DSI at (651) 266-9090.-Current work no permits for renovations including removal of walls.
 47. Interior-Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
 48. Interior-Throughout - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-The occupancy of this building is condemned due to multiple fire hazards including exposed frayed electrical wires, plumbing, mechanical issues and interior gross unsanitary conditions.
 49. Interior-Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Clean and sanitize unit 1 and the basement and remove dog feces throughout.
 50. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.
 51. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Hire a licensed contractor to repair all damaged ceilings under permit.
 52. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair the soiled damaged floors in unit 1, and replace all missing flooring in unit 2.
 53. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Hire a licensed contractor to replace missing walls, walls that have been removed, and sheetrock to meet code. Current work no permits. Permit required.

54. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.
55. Interior-Unit 2 - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
56. Vent Piping - MFGC 501.2 - Provide, repair or replace the fuel equipment vent or vent liner to develop a positive flow adequate to convey all products of combustion to the outside. This work requires a permit(s). Call DSI at (651) 266-9090.-Hire a licensed contractor to inspect the vent piping to the water heater and furnace to meet code.
57. 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.
58. 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 the original orders.

If you have any questions, email me at: lisa.martin@ci.stpaul.mn.us or call me at 651-266-8988 between 6:30 - 8:30 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin
Fire Inspector

cc: Housing Resource Center
Force Unit