



APPLICATION FOR APPEAL

RECEIVED

JUL 19 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 _____)
- 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,	<u>8-2-11</u>
Time	<u>1:30</u>
Location of Hearing:	
<u>Room 330 City Hall/Courthouse</u>	

Address Being Appealed:

Number & Street: 151 Page Street W. City: St. Paul State: MN Zip: 55107

Appellant/Applicant: ^(SPOUSE) Thuy Sylvie Phan Email sylviephan@yahoo.com

Phone Numbers: Business 651-340-8098 Residence _____ Cell 612-799-1366

Signature: [Signature] Date: 7/19/2011

Name of Owner (if other than Appellant): Dao D. Phan

Address (if not Appellant's): - same -

Phone Numbers: Business 651-581-3538 Residence 651-340-8098 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
- Fire C of O: Only Egress Windows
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other

see attached notice and explanation



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220 Telephone: 651-266-8989
Saint Paul, MN 55101-1806 Fax: 651-266-8951

Received 7/13/11

July 11, 2011

Dao D Phan
893 New Century Blvd S
Maplewood MN 55119-5988

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 151 PAGE ST W

Dear Property Representative:

A re-inspection was made on your building on June 23, 2011, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date. **A re-inspection will be made on August 4, 2011 at 1:15 pm.**

Failure to comply may result in a criminal citation or the revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

DEFICIENCY LIST

1. Exterior - Foundation - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Install and maintain window seals around north and west foundation windows. Sump pump still removing previous water issue in crawl space during inspection.
2. Interior - Panel Board Access - NEC 240.24(B) Occupancy.-Remove wall blocking access to tenants panel board box in electrical room located in unit 153 main floor east entry.

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>

If you have any questions, email me at sean.westenhofer@ci.stpaul.mn.us or call me at 651-266-8982 between 7:30 a.m. - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Sean Westenhofer
Fire Inspector

We, Dao Phan and Thuy Sylvie Phan, husband and wife, purchased this rental in December 2008. We had an independent inspector checked through the property before final purchase. There was a Certificate of Occupancy in place so we were confident everything is proper. The layout has always been the same since we bought it.

In October 2010, Fire Inspector Sean Westenhofer inspected the property for renewal of the Certificate of Occupancy and it was given a grade A. I felt this reflects how proud I am of my rental – beautifully updated space, safe, and fit for fine living.

Section 8 inspectors also came through and cleared it for move in on 6/6/2011 for 151 Page St. W.

I have complied with all required safety rules since I bought this property as I know it. I might be one of the few owners/landlords that believe if my rental is not safe and fine for me to live in then it won't fit for my tenants. I have rented this duplex since February of 2009 and have never received an email regarding circuit breaker concerns so I was surprised to see it being an issue now.

The second item on the deficiency list asked us to open access for 151 tenant to access the circuit breaker box. Since both circuit breaker boxes have been in the utility room located in 153, I have offered 151 tenant to call me and I have someone blocks away to give her access within minutes or myself, 10-20 minutes away. The other option would be to knock on the door of 153. This would be the most logical, least expensive and practical route since it is something that you access once in a long, very long time. For us, it has been 2 times in the last 16 years of homeownership.

This duplex is built in 1967. Prior to our purchase until now, there has always been a Certificate of Occupancy. It is undue hardship for us to spend several thousands of dollars to make this modification.

The first item on the deficiency list has to do with securing the foundation windows. This duplex has always had as I am aware two access windows to the crawl space below the duplex. It does not have a traditional livable basement or unfinished basement that houses the mechanicals that we see today. The two things that are down there are the sump pump and the fan for air circulation. The access openings have screened frames to prevent bugs and whatever else from going in. *Water do not drain through these access points.* The duplex is situated below street level. Water will seep in the ground and drain towards the lowest point where the sump pump basket pools. The sump pump does not pump all day long. It runs maybe 6-10 seconds at a time and only when it detects a certain level of water in the basket.

I have discussed with the Fire Inspector on both of these items on Thursday, 6/23 when we visited the duplex. He left leaving me with the understanding that these are fine the way they are.

I ask that you hear me out and agree with me to use the work around to for 151 tenant to access the circuit breaker box when necessary and make the foundation windows a non-issue as they should be. I also appreciate any other suggestions besides spending money that I don't have.