



APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED
JAN 15 2013
CITY CLERK

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, Jan. 22, 2013

Time 11:00 a.m.

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 549 E. Nevada Ave. City: St. Paul State: MN Zip: 55130

Appellant/Applicant: CAROL L. FARR Email CAROLLFARR@AOL.COM

Phone Numbers: Business _____ Residence 218-862-5335 Cell 612-670-4064

Signature: Carol L Farr Date: Jan. 15, 2013

Name of Owner (if other than Appellant): Estate of Nancy Mary Benedum, Carol L. FARR, personal representative

Address (if not Appellant's): 38160 Antler Lane, Battle Lake, MN 56515

Phone Numbers: Business _____ Residence 218-862-5335 Cell 612-670-4064

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 attachments] - Correction Notice 1/9/13

**APPLICATION FOR APPEAL
CORRECTION NOTICE DATED JANUARY 9, 2013
549 E. NEVADA AVENUE, ST. PAUL, MN 55130**

- I was appointed personal representative of the Estate of Nancy Mary Benedum on October 9, 2012. I received copies of my letters on October 10, 2012. The house in question is the largest asset of the estate. I am not an heir only a personal representative.
- I went to the house on October 11, 2012 at 12:00 p.m. after I was informed by friends of the deceased that Richard Woolstencroft had moved into the house when the deceased went into the hospital and subsequently passed away. The deceased did not give Woolstencroft permission to live in the house. She did know him over the past 9 – 10 years. He did her lawn mowing, driveway/sidewalk in the winter and sometimes she let him stay a couple of days as payment. She informed him in January, 2012 not to ever return to the house because she caught him using cocaine in the basement. I have a notarized affidavit from a relative of Nancy Benedum to this fact. The first time I went to the house on October 11, 2012, I could not get past the front entry due to the garbage bags, food, toilet paper and other trash that consumed the living room.
- Woolstencroft never paid rent, taxes or any expenses for the house. He was illegally trespassing without permission from the deceased nor the estate. He has no gainful employment nor do the others of his gang living there and they didn't have permission to live in the house either. This gang steals and sells to pay for their drugs.
- I discovered, however, due to the laws of Ramsey County that I could not remove him without giving him a 30-day notice. I did this on November 1, 2012; he was to be out by November 30, 2012. He was not. I went to the housing court on December 3, 2012 to file for an Unlawful Detainer. The UD hearing was on December 11, 2012. He appeared and the judge gave him 7 days to get out which would have been by December 18, 2012. He did not. I went to the Ramsey County Sheriff's office on December 19, 2012 to have them serve the eviction but the first appointment I could get was January 2, 2013. On January 2, 2012, he ran from the house when he saw 4 Ramsey County Sheriffs with bullet proof vests, 2 St. Paul police officers and 2 members of the swat team approaching to break down the door. They were doing this not only for my safety but theirs as they were aware of the type of persons Woolstencroft and his gang are. On October 12, 2012 around 3:00 p.m., Paula Seeley called me and said she had been to the house the same day I was there on the 11th and she was going to condemn the house. I told her to go ahead that I felt just in the small part I saw in the living room and the trash outside that it should be condemned. She also told me she had reported what she saw to the St. Paul police. Again, I agreed. I also stated it would help me get this illegal trespasser out of the house so I could get it cleaned up immediately, if she would condemn it.
- I tried to contact her over the next few days because I did not receive a condemnation order and she did not return any my calls. I then called her supervisor who informed me "lady, it's not our responsibility to help you get the people out". I do agree with that but it is the responsibility of the DSI to follow-through on their threats to condemn, their

correction notices and their abatement orders and protection of the public, both adults and children.

- The first Summary Abatement Order I received was dated October 12, 2012, Exhibit 1, which called for the removal of all trash, etc. in the yard. This obviously was in place of the condemnation order that she threatened me with. The date for removal was October 17, 2012. She did not follow through on this (Woolstencroft has possession of the property). Refer to Exhibit 2 of photos that I took of the outside of the house on October 25, 2012.
- The first Correction Notice I received was dated October 23, 2012, Exhibit 3, which called for 6 code violations inside the house with a correction date of October 26, 2012. Item No. 4 of this correction notice calls for sealing off the door on the 2nd floor on the West side or steps to be built. The door was sealed off. Item No. 5 called for the removal of extension cords being used instead of correct wiring. This also was completed. Nothing else was done by October 26, 2012 and she did not follow through nor make any reference to the trash in the house and outside that still existed. (Woolstencroft has possession of the property.) See Exhibit 4 – photos taken November 1, 2012
- The second Abatement Order I received was dated November 28, 2012, Exhibit 5, which again called for the same removal of trash, etc. from the outside of the property with a date for completion of December 4, 2012. This was not done. (Woolstencroft has possession of the property.)
- The third Abatement Order I received was dated January 4, 2013, Exhibit 6, that I received on January 5, 2013 which was a Saturday. This order gave me only 3 days to appeal which is under the 10 days required by law. I called Seeley on January 7, 2013 and left a message that could she hold off for a week to 10 days for me to get back to St. Paul since I do not live in the Twin Cities because much of what was outside I believe was stolen goods. I wanted to have the police out again to look at what was in the yard and the garage to check against stolen property records and to bring a drug sniffing dog into the house and luminal to check for blood. Some of the luminal request has to do with the carpeting that was removed by Woolstencroft. We were informed by relatives of the deceased that this carpeting was not that old so complete removal seems suspect. She said no, she had been holding this off too long. She also informed me that the items in the garage I legally need to store for 6 months for Woolstencroft and I should contact an attorney. This is really overstepping her bounds. It would appear that Ms. Seeley has some kind of relationship with Woolstencroft. How does she know the property in the garage belongs to Woolstencroft, an illegal trespasser?
- She did not hold off on any of her abatement orders or correction notices on my account or at my request. I wanted her to go ahead with each one. I couldn't do any of the correction myself because I feared for my safety to have contact with Woolstencroft and the other adult males and females in the house because he had illegal possession during all of this time. I never went to the house without police protection. Please contact the

St. Paul police for verification. The St. Paul police informed me that Woolstencroft and the gang he also had living in the house were “marked” mostly for theft, i.e. breaking into houses and buildings and stealing whatever they could especially the copper pipe, in addition to drug use.

- **The second Correction Notice I received was dated January 9, 2013 which is the one I am appealing today.** Now that I have possession, she is going to be tough which she should have been when there were, and still are, real safety and sanitary issues during the time of Woolstencroft’s illegal possession. She is changing what she originally called for regarding the 2nd floor door; refer to Item 3 (see Exhibit 3). This was done per previous correction notice. Regarding Item 2, in looking at the neighborhood, this house referring to the sashes, etc. is in no more disrepair than many other properties around it. Refer to Item 4. She told me there was a missing piece of ceiling in the living room which apparently Woolstencroft had fixed. Item 1, for what reason does this need replacement? Item No. 4 is not a true statement. Professional manner as far as interior work is concerned is a matter of taste. The city should be concerned with first and foremost with is sanitation and safety issues not interior decorating, professionally or otherwise. What one person may think looks good may not look good to someone else but is in no way something that would harm the residents of the house nor the community.
- On October 11, 2012 when she investigated the filth in that house, she should have also noticed during her inspection the children’s toys and clothes lying around and that there must have been a small child living in that filth who by neighbor’s testimony to me after the fact was not kept clean nor fed. She knows this or should have known this and if she was really concerned with safety issues, this should have been on the top of the list. If she had condemned this house in October that she threatened we with and I told her to go ahead with condemnation, and if she had contacted Child Protective Services as she should have, maybe this child would have been protected. I don’t know who he is or where he is and he has not been seen at the house since early December. I did see Woolstencroft and another man on November 1, 2012 while I was waiting in my car for the police, remove what appeared to me to be a body bag but was only about 4 feet wide. I didn’t know what it was and since it was too small to be an adult bag and I was not aware at that time of a child living in the house, I assumed it was full of drug-making items they were moving to another location.
- Ms. Seeley was also aware that Woolstencroft had a garage sale and sold most of the furniture in the house, air conditioners, etc. which were not his to sell. They belonged to Nancy Benedum when she was alive and now were a part of her estate. He broke the glass on the TV and before I finally got him out, he totally destroyed the kitchen with a sledge hammer and took all cabinets and the stove. He had the washer staged by the back door and lots of other items from the house to take but we surprised him before he could do it. I am filing a criminal damage to property complaint against Woolstencroft. See photos of what the house looked like when I took possession on January 2, 2012, Exhibit 7.

Ms. Seeley has a fiduciary duty to the citizens of Ramsey County. I believe a conflict of interest exists between her and Richard Woolstencroft. It can be no other way since she let each correction notice and abatement order slide when he had possession of the house until I finally got possession over 3 months later and now she is going to follow through. If she had done her job during Woolstencroft's illegal possession time, the house would still be in pretty good repair; the items that were stolen would still be there and a vulnerable 5 year old child would be safe or we would know where he is.

As far as the house is concerned, I am hiring a company to clean out the filth, after the police have seen it; make repairs that are necessary to sell it as soon as I can. Ms. Seeley is fully aware of this. All of her notices that weren't followed through on are neither worth the paper nor her time, which is paid by taxpayers. Now that I finally got possession, she is going to be heavy handed with the yard clean-up she did last week and giving me no time to appeal. She issues a correction notice that involves cosmetic repairs to the inside of the house, not safety nor sanitary issues. Refer to Exhibit 7. She further has no right to tell me what I have to do with property in the garage that is a part of the estate nor tell me I have to contact a lawyer or store it for Woolstencroft. She seems confident that this property is Woolstencroft's, how is that?



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
Web: www.stpaul.gov/dsi

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Yog hais tias koj hais lus Hmoob thiab koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

January 09, 2013

Carol Farr
38160 Antler Ln
Battle Lake MN 56515-9270

CORRECTION NOTICE

RE: **549 NEVADA AVE E**
File #: **12-115057**

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **January 09, 2013** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. The light fixture in the NE bedroom needs replacing.
2. The windows and/or storm windows are in a state of disrepair. Replace all missing or broken window glass. Make all necessary repairs to frames, sashes, hardware and associated trim in a professional manner. Permit may be required.
3. The 2nd floor door on the West side of the house is missing stairs. Obtain a building permit and rebuild the stairs.
4. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **February 28, 2013**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this Notice when you appeal, and pay a filing fee.)

If you have any questions or request additional information, please contact me. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to me at 651-266-1916.

Sincerely,

Paula Seeley
Badge # 364
CODE ENFORCEMENT OFFICER

Footnotes:

- ¹ To see the Legislative Code go to www.stpaul.gov on the internet, click on "Departments", then click on "Department of Safety and Inspections", scroll down the page for the "Codes". Most Correction Notices derive from Chapter 34.
- ² Criminal charges can be brought on the day the violation is observed, but generally we allow time to correct unless this is a repeat violation.

ps

WARNING Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers of the city. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within such 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.

cn60100 6/10

Exhibit 1

October 12, 2012

12 - 115057



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CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS
DIVISION OF CODE ENFORCEMENT
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

SUMMARY ABATEMENT ORDER

Yog hais tias koj hais lus Hmoob thiab koj tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

Occupant
549 Nevada Ave E
St Paul MN 55130-3209

Carol Farr
38160 Antler Lane
Battlelake, MN 56515

As owner or person(s) responsible for: 549 NEVADA AVE E you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

- Remove improperly stored or accumulated refuse including: garbage, rubbish, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. ALL RUBBISH, VEHICLE PARTS, DEBRIS IN DRIVEWAY AND REAR YARD.**
- Cut and remove tall grass, weeds and rank plant growth.**
- Remove and properly dispose of all animal feces from yard areas.**
- IMMEDIATELY secure all buildings which are open to unauthorized entry, including:**
- Other:**

If you do not correct the nuisance or file an appeal before **October 17, 2012**, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes. **Charges:** If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipment, etc. The rate will be approximately \$260.00 per hour plus expenses for abatement.

You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times
FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION

Issued by: Paula Seeley Badge Number 364 Phone Number 651-266-1916

If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8688. You must submit a copy of this Correction Order with your appeal application.

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Exhibit 2



Photo taken 10/25/12 @ 2:31pm



Photo taken 10/25/12 @ 2:31pm



Photo taken 10/25/12 @ 2:31 pm



Photo taken 10/25/12 @ 2:32pm



Photo taken 10/25/12 @ 2:33pm



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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October 23, 2012

Occupants
549 Nevada Ave E
St Paul MN 55130-3209

Carol Farr
38160 Antler Lane
Battle Lake, MN 56516

CORRECTION NOTICE

RE: **549 NEVADA AVE E**
File #: **12-115057**

Dear Sir or Madam:

The City of Saint Paul, Department of Safety and Inspections has inspected the above referenced property on **October 23, 2012** and has determined that the following deficiencies exist in violation of the Saint Paul Legislative Code¹ (see footnote 1, below).

1. The light fixture in the NE upstairs bedroom needs replacing.
2. There is a broken window on the North side of the house. Replace.
3. Remove all clutter in the living room and dining room.
4. The 2nd floor door on the West side of the house needs to be properly sealed off or steps built under permit.
5. Remove all extension cords being used in lue of permanent wiring.
6. The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner.

You are hereby notified to correct these deficiencies in accordance with the appropriate codes. The Enforcement Officer will reinspect these premises on or after **October 26, 2012**, by which date the violations noted must be corrected. **Failure to correct these deficiencies may result in the issuance of criminal charges²** and/or a civil lawsuit, and possible abatement/assessment by the City. All repairs and new installations must be made in accordance with the appropriate codes. Permits may be obtained by calling 651-266-8989.

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Exhibit 4



Photo taken 11/1/12 @ 12:36 p.m. - Upstairs Bedroom



Photo taken 11/1/12 @ 12:36 p.m. - Upstairs Bedroom



Photo taken 11/1/12 @ 12:37 p.m. - Down stairs



Photo taken 11/1/12 @ 12:38 p.m. - Downstairs



Photo taken 11/1/12 @ 12:38 p.m. - Backyard