

RLH VO 18-37



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUL 27 2018

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 820539)
 - 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>AUG. 7, 2018</u> Time <u>11:30</u> Location of Hearing: <u>Room 330 City Hall/Courthouse</u></p>
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Address Being Appealed:

Number & Street: 134 Elizabeth St E City: St. Paul State: MN Zip: 55107

Appellant/Applicant: Charnell Hudson Email: Charnelle mays@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 651-347-7895

Signature: Charnell Hudson Date: 7/27/18

Name of Owner (if other than Appellant): Charnell Hudson

Mailing Address if Not Appellant's: P.O. Box 173 20 St. Paul, MN 55117

Phone Numbers: Business _____ Residence _____ Cell 651-347-7895

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/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

July 26, 2018

Charnell Hudson
P.O. Box 17320
St. Paul Minn. 55117

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 134 ELIZABETH ST E
Ref. # 123130

Dear Property Representative:

An inspection was made of your building on July 25, 2018 in response to a referral. You are hereby notified that the following deficiency list must be corrected immediately.

A re-inspection will be made on July 26, 2018 at 11:30 am.

Failure to comply may result in a criminal citation or 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 reinspection fees.

DEFICIENCY LIST

1. 2nd Floor - Bathroom - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. Have a licensed plumber repair the sink and the toilet, this work may require a permit.
2. 2nd Floor - Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
3. 2nd Floor - Throughout - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. Repair all the holes to the walls in an approved manner.
4. 2nd Floor - Throughout - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner. Repair or replace all damaged bedroom and bathroom doors.

5. 2nd Floor - Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. Provide a smoke detectors outside the sleeping areas, all hardwired smoke detectors must be maintained.
6. 2nd Floor - Bathroom - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. Repair or replace the bathroom cabinet in an approved manner.
7. Exterior - Front - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. Repair the fence that has missing boards and broken gate.
8. Exterior - House - SPLC 34.09 (1)(2), 34.33 (1) - 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 the damage to the siding in an approved manner.
9. Exterior - Throughout - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points. Remove the spray foam that has been sprayed into cracks in the foundation and repair in an approved manner.
10. Exterior - Throughout - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. Repair all windows to a working condition this includes replacement of broken glass, screens and the repair of the frame in an approved manner. If the window is replaced a permit will be required.
11. Interior - Throughout - SPLC 34.10 (6), 34.34 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination. There were a lot of black flies in the unit,
12. Interior - Throughout - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. Clean all surfaces, remove garbage.
13. Interior - Throughout - 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.
14. ***Interior - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office. This Building is being condemned because of multiple code violations but not limited to, gross sanitation conditions and a lack of a current Fire Certificate of Occupancy. This unit needs to be vacated by July 26th at 11:30 am.***
15. Interior - SPLC 40.04 (5) - The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Department of Safety and Inspection Landlord 101 course, or other landlord training program approved by the Department of Safety and Inspections. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI. This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009. For more information on Landlord 101, or to receive registration materials, please visit our webpage at: www.stpaul.gov/cofo Or, contact Fire Safety Inspector David Smith by email: david.smith@ci.stpaul.mn.us or phone: (651)266-8995-

16. Main Level - Bathroom - MPC 707.4. - Repair the clogged drain line. The sink has stagnant water in it, have a licensed plumber repair the drain in an approved manner.
17. Main Level - Bedroom - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. Both bedroom windows are blocked, all bedrooms need one emergency exit window, remove objects in front or in one of the windows that is causing an obstruction.
18. Main Level - Bedroom - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner. Replace the bedroom door that is partially connected and has a heavy amount of damage.
19. Main Level - Dining Room - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
20. Main Level - Kitchen - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. Replace the damaged kitchen cabinets in an approved manner.
21. Main Level - Living Room - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. Repair all the holes in the walls in an approved manner.
22. Main Level - Living Room - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. Finish making repairs to the ceiling outside of the bathroom door in an approved manner.
23. Main Level - Bathroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
24. Main Level Bathroom - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. Repair the water damage to the walls including the area around the tub in an approved manner.
25. Throughout - SPLC 34.11 (7), 34.34 (4) - Provide additional approved containers or additional pick-ups to meet tenant trash demands. Provide trash service for the unit.
26. main Level - Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. Repair all holes in the walls including the water damage under the sink.
27. Sec. 40.01. - Fire certificate of occupancy requirement. (a) All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the department of safety and inspections. The fire certificate of occupancy shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building's occupants and the general public.
(b) Provisional fire certificate of occupancy. When an owner-occupied dwelling changes to a rental dwelling unit, the owner of the dwelling must submit a completed application for a provisional certificate of occupancy, a completed owner's self-evaluation affidavit and pay the fee for a provisional certificate of occupancy within thirty (30) days of the change in use.
Sec. 40.06. - Suspension, revocation and denial.
(a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor:

(1) Whenever the certificate was issued in error, or on the basis of incorrect information supplied; (2) When the owner(s) has submitted a false, incomplete or inaccurate statement as a part of the application for certificate; (3) If it is found upon inspection of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations; (4) If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party; (5) If the nonresidential building becomes unoccupied or a vacant building as defined in section 43.02 of the Saint Paul Legislative Code; (6) If a residential building becomes unoccupied or is a vacant building as defined in section 43.02 of the Saint Paul Legislative Code; (7) Evidence of nuisance activity which shall follow the procedures stated in subsection (b)(2) below; or (8) If a tenant, leaseholder, or third party payer files a written request for revocation following an owner's violation of Saint Paul Legislative Code chapter 53 which requires that owners notify tenants of pending mortgage foreclosure or cancellation of contract for deed involving the property.

(b) Notice of suspension, revocation or denial. (1) When the fire code official revokes, suspends or denies a fire certificate of occupancy for safety code violations, the notice shall state: a. The specific reason(s) for the city's suspension, revocation or denial of the fire certificate of occupancy; b. The effective date of the revocation, suspension or denial of the fire certificate of occupancy; c. A statement indicating that the commercial building or residential occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the commercial building or residential occupancy, or portion thereof, is in compliance with applicable safety codes; and d. A statement indicating that the suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of issuance.

(2) When the fire code official determines in consultation with the city attorney that he or she has evidence of nuisance activity as described in Minnesota Statutes § 617.81, subdivision 2, or other violations of nuisance provisions of the Saint Paul Legislative Code are maintained or permitted in the jurisdiction he or she serves, the fire code official shall provide the written notice as described in paragraph a), by personal service or certified mail, return receipt requested. Provide an application for the certificate of occupancy and also a change of responsible party and owner information form.

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 the original orders.

If you have any questions, email me at: brian.schmidt@ci.stpaul.mn.us or call me at 651-266-8981 between 7:30 a.m. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Schmidt
Fire Inspector

Ref. # 123130