



APPLICATION FOR APPEAL

RECEIVED

SEP 10 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, Sept. 21

Time 11:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 517 Asbury St City: St Paul State: MN Zip: 5

Appellant/Applicant: JARED MURPHY Email: JARED.MURPHY25@Gmail.com

Phone Numbers: Business 651.343.4855 Residence _____ Cell _____

Signature: [Signature] Date: 9-10-10

Name of Owner (if other than Appellant): Asbury Apartments LLC

Address (if not Appellant's): _____

Phone Numbers: Business _____ Residence _____ 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

There is NO safety issue - Building Extinguishers/Alarm System working

Why - 1922 Apartment Building Windows have never been changed
order 27 - already Leased #9#3 Prior to ordered
order 22 - One Tread Loose

Other order 14. I'm not responsible for maintaining other Peoples PETS

Other order 21 - Plumbing Access for

order #8 Vac - Building is Brick, And NOT "Failing"
order #13 Vac order no Application
order 15 Vac - old Building lots of cracks to Vac
order 18 - Have a great water Heater needs NOT to be replaced

Revised 8/20/2010

Over please



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

September 8, 2010

ASBURY APARTMENTS, LLC
1113 26TH AVE NE APT 2
MINNEAPOLIS MN 55418

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 517 ASBURY ST

Dear Property Representative:

Your building was inspected on September 8, 2010, for the renewal of the Certificate of Occupancy. Since you have failed to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 33.05 of the Saint Paul Legislative Code.

A re-inspection will be made on September 30, 2010 @ 1pm or the property vacated.

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. Basement and Unit 2 and 6 of 517 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair the basement floor and replace the torn carpet in unit 2 of 517 and repair or replace the torn vinyl in unit 6 of 517.
2. Basement units throughout - SPLC 34.13 (4) - Provide and maintain a minimum egress window sill height of 48 inches. Refer to provide handout EW-1 for more information.- The basement units sill height measures 50 inches.
3. Basement units throughout – 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 may require permit(s). Call DSI at (651) - 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.

Building 517:

Units 1-3 are basement units with a sill height of 50 inches.

Unit 1: 19H x 24W

Unit 2: 19H x 24W (obstructed by exterior brick wall)

Unit 3: 19H x 24W

Unit 4: 23H x 32W (obstructed by exterior brick wall)

Unit 5: 21H x 30W (obstructed)

Unit 6: No access to bedroom (Pitt Bull)

Unit 7: 24H x 33W (Good)

Unit 8: 22H x 34W

Unit 9: 22H x 30W

Unit 10: No access (sanitation)

Unit 11: 22H x 34W

Building 519:

Unit 1: 21H x 30W

Unit 2: 23H x 32W

Unit 3: 22H x 30W

Unit 4: 23H x 30W

Unit 5: 24H x 30W (Good)

Unit 6: 22H x 33W

4. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace cracked glass pane and all missing glass throughout.
5. 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.
6. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.- Repair or replace all storm doors on the rear deck that have torn screens and are in poor condition.
7. Exterior - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.
8. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
9. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove tires and carpet and debris from the property and alley area.
10. Exterior - SPLC 34.13 (4) - Provide and maintain the egress window well in accordance with the provided EW-1 attachment.-The egress well measured 50H x 20W at the front but narrows to 7W toward the back.
11. Interior - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Have all air conditioners installed in a safe manner and repair or replace leaking wash machine.

12. Interior - 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.-Repair or remove dryer vent.
13. Interior - MSFC 705.1 - Provide a required occupancy separation with approved materials and methods. This work requires a permit(s). Call DSI at (651) 266-9090.- Provide approved materials under the steps or remove all storage.
14. 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-All units with dogs must provide documentation.
15. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch and paint the holes and/or cracks in the walls throughout.
16. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch and paint the holes and/or cracks in the ceilings throughout.
17. Interior - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Provide clear access to all exit areas. Discontinue storage on decks, and stairs.
18. Interior - SPLC 34.11 (5), 34.34 (2) - Contact a licensed contractor to repair or replace the water heater. This work may require a permit(s). Call DSI at (651) 266-9090.
19. Interior throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Unit 2 and 9 of building 517
Unit 1 and 4 of building 519
20. Interior throughout - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Hire a licensed plumber to repair low water pressure to sinks and tubs and repair leaking plumbing throughout, repair or replace the leaking faucets and shower fixtures to meet code. Repair or replace the leaking toilet in unit 5 of 517. All work must be done by a licensed plumber under permit. Provide documentation of code compliant water pressure.
21. Interior throughout. - MSFC 703 - 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.-The majority of the ceilings have drop ceilings and under the tiles is open lath/plaster and wood throughout.
22. Interior-Attic - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner. Permit required.

23. Interior-Attic - 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.
24. Throughout the buildings - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
25. Throughout the buildings - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.-Replace all missing and torn screens.
26. Unit 1 of 517 - 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.-This unit is condemned due to fire damage and is not to be re-occupied until all work has been inspected and approved.
All repair work must be complete under permit. Contact DSI at (651)266-8989.
27. Unit 1& 3 (Both buildings) 4, 9 and all vacant units. - Ceiling - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office. All vacant units must remain vacant until inspected by this office.
28. Unit 10 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
29. Unit 4 of 517 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing doors, drawers in the kitchen of unit 4 of 517.
30. Unit 5 - MSFC 605.1 - Repair or replace damaged electrical wiring and fixtures. This work must be done by a licensed electrician and requires a permit(s). Call DSI at (651) 266-9090.-Multiple outlets in unit are non-functional due to fire damaged wiring.
31. Unit 5 of 517, Unit 6 in both buildings and unit 3 of 519 - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-
Building 517: Unit 5 and 6
Building 519: Unit 3 and 6
32. Unit 5 of 519 - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work requires a permit(s), call DSI at (651) 266-9090.-Remove the temporary light in unit 7 and the boiler room, repair or replace the fixture in unit 9, and provide a grounded outlet for the refrigerator in unit 7 and any other unit that is using an extension cord for appliances. All electrical work must be done by a licensed electrician under permit.
33. Unit 6 and common hallway near unit 4 & 5. - MSFC 605.1 - Repair or replace damaged electrical wiring and fixtures. This work will require a permit(s). Call DSI at (651) 266-9090.-Properly replace fire damaged knob and tube wiring in accordance with all electrical code provisions. All work must be done by a licensed electrician under permit.

34. Unit 6 and the basement ceilings. - Ceiling - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair will require a building permit; call DSI at (651) 266-9090.
35. Unit 6 in both buildings and Unit 10 of 517 - 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.
36. Unit 6 of 519 - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Repair or replace the stove in unit 6 that smells of gas.
37. Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-The majority of the windows are in poor condition, peeling and flaking paint and difficult to open/close.
38. Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window locks throughout.
39. Windows - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash throughout.
40. 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.
41. SPLC 34.19 - Provide access to the inspector to all areas of the building.-Provide access to the building for re-inspection.

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 this order.

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 to make Saint Paul a safer place in which to live and work.

Sincerely,

Lisa Martin
Fire Inspector