



# APPLICATION FOR APPEAL

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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, 11/16/10

Time 11:00

Location of Hearing:

Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 520 Rice Street City: St. Paul State: Mn. Zip: 55103

Appellant/Applicant: Jeffrey T. DeLisle Email: jdelisle@delisle company.com

Phone Numbers: Business 651-488-5463 Residence \_\_\_\_\_ Cell 612-210-8880

Signature: [Signature] Date: 11/8/10

Name of Owner (if other than Appellant): DeL Co LIMITED PARTNERSHIP

Address (if not Appellant's): P.O. Box 17122, St. Paul, Mn. 55117

Phone Numbers: Business 651-488-5463 Residence \_\_\_\_\_ Cell 612-210=8880

## 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
- Other
- Other

Items #6 & #7-we believe the 3rd floor ceiling is one hour rate

Item #18-- Even though the interior handrail in the hallways was acceptable for decades. Why all of a sudden do you want this changed? This item will be corrected. The inspectors approved it.

Item # 67-again, these rooms have been accepted for years.

Item # 92-There are not that many people living in the unit.

Item # 96-Same as item 67. This was grandfathered in for decades. They have been approved by inspectors.

Item #102-This has been completed and faxed to you.

Item #103-this is done

Revised 8/20/2010

Item #40 #53 #63#80 and #84-They have all been painted. We want the right to paint as needed, or the option to wash walls if needed instead of painted. They have all been painted in the last couple years



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](http://www.stpaul.gov/dsi)

October 29, 2010

Del Co Limited Partnership  
Po Box 17122  
St Paul MN 55117-0075

**NOTICE OF CONDEMNATION  
UNFIT FOR HUMAN HABITATION  
ORDER TO VACATE**

RE: 520 RICE ST  
Ref. # 85278

Dear Property Representative:

Your building was inspected on October 29, 2010.

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.

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. Rear of Building - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work WILL require a permit(s). Call DSI at (651) 266-9090.
2. Rear of Building Alley Side - SPLC 71.01 - Provide address numbers on building per HN-1 .
3. 2nd floor Hallway - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour-This ceiling has holes that have to be repaired with fire rated materials to maintain the required 1 hour separation .
4. 2nd floor storage room - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour-This storage room has holes that have to be repaired with fire rated materials to maintain the necessary 1 hour separation.

5. 2nd floor storage room - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour-The walls have holes that have to be repaired with fire rated materials to maintain the necessary 1 hour separation.
6. 3rd Floor - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour
7. 3rd Floor - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour
8. All Laundry Rooms with Dryer Service - 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 WILL require a permit(s). Call DSI at (651) 266-8989.
9. All Units - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.
10. All Units - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.-There is more than one window affected that is not properly secured into the window frames of all apartments .Check all window frames and make sure they are weather tight .
11. All Units - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window sash.-Some of the windows have broken sash cords and others have none . Provide all windows sashes to be code compliant.
12. All Units - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.-All Windows require locks. Some of the apartments windows have part of the lock system other have no locks. Make sure all apartments windows have operating locks that are code compliant.
13. Basement - MSFC 605.6 - Provide all openings in junction boxes to be sealed.
14. Basement - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work WILL require a permit(s). Call DSI at (651) 266-9090.
15. Basement - NEC 300-11 Provide for all raceways, boxes, cabinets, and fittings to be securely fastened in place.-520 Rice has romex wiring hanging freely from the ceiling.
16. Building - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
17. In front of the entry door 520 Rice - SPLC 34.08 (10) - Call Public Works at (651) 266-6120 to report the damaged or deteriorated sidewalks, walkways or stairs.
18. Interior Handrail height for all Stairways - 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.-Interior stairway height on all stairways does not meet code. Handrails have been measured at 23inches south side and 27inches north side. The front entry stairway handrail was measured at 31inches. These measurements are for the height of all handrails.
19. Rear of Building - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.

20. Rear of building - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
21. Store 520 Rice - NEC - 110,12 - Correct hazardous wiring at service, Wiring on the floor at the base of the shelves at the end of the meat show case.
22. Store 520 Rice - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where broken and or missing.
23. Store 520 Rice - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.
24. Store 520 Rice - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-All freezers must be plugged directly in to the receptacle.
25. Store 520 Rice - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Multiple locations
26. Store 520 Rice - MSFC 1010.1, 1004.3.1 - Provide and maintain a minimum of 44 inch aisles where storage or fixtures are on two sides of the aisle.
27. Store 520 Rice - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Portion of the store that has a meat counter. Remove all cords from all pathways
28. Store 520 Rice - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.-Have a licensed exterminator exterminate for all insects and rodents.
29. Store 520 Rice - MSFC 705.1 - Provide a required occupancy separation with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour-The commercial space must provide a 1 hour separation from the apartments required by code.
30. Store 520 Rice - SPLC 34.10 (7), 34.33 (6) --Repair or replace the damaged framing of the cabinets behind the store register.
31. Store 520 Rice - SPLC 34.10 (7), 34.33 (6) - Replace all rotten wood floor surfaces and maintain the woodwork in an approved manner.
32. Store 520 Rice Basement - 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.-There are structural members in the basement that have rotted wood . That makes the store floor not structurally sound.
33. Store 520 Rice basement - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Remove all discarded trash and paper and wood from stairway leading to basement and other materials that would harbor rodents.

34. The entire floor of the Store 520 Rice - SPLC 34.10 (7), 34.33 (6) - The floor tile in the store has torn and broken, and missing floor tile, tile has to be replaced after the rotten wood floor surface has been replaced.
35. Unit 8 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.- Repair or replace the floor tile. Kitchen floor has torn tile or tile missing .
36. Unit 8 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
37. Unit 8 - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. All windows use for emergency escape must open. This window at time of inspection did not open.-Bedroom North east side
38. Unit 8 - SPLC 34.09 (3), 34.32 (3) - Bedroom door hinges are not attached to the door.
39. Unit 8 - MSFC 605.4 - Discontinue use of all multi-plug adapters.-Cannot piggy back power taps.
40. Unit 8 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.- Repair or replace the damaged or deteriorated wall coverings. Paint the entire apartment.
41. Unit 1 - MSFC 703 --Repair and maintain the door closer.
42. Unit 1 - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour-Bathroom ceiling has upon inspection a drop or suspended ceiling that is not a fire rated assembly. Needed a 1hour separation. Inspection of the ceiling panels do not show they are fire rated. There are penetration in the ceiling above. Code requires a 1 hour separation between floors.
43. Unit 1 - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 Hour-Bathroom walls have holes that require fire rated materials repair.
44. Unit 1 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
45. Unit 1 - MSFC 605.4 - Discontinue use of all multi-plug adapters.
46. Unit 1 - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.- Multiple locations
47. Unit 1 - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace and maintain an approved private toilet. Secure toilet to floor.
48. Unit 1 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-After securing toilet to floor caulk the base of the toilet.
49. Unit 1 - NFPA 58. 8.3.5 Storage Within residential building . Storage of cylinders within a residential building including the basement or any storage area in a common basement storage area in multiple family buildings and attached garages shall be limited to cylinders each with a

maximum water capacity of 27lb (1.2kg) and shall not exceed 5.4lb (2.4 kg) aggregate water capacity for smaller cylinders per each living space unit.

50. Unit 10 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
51. Unit 10 - MSFC 703 --Repair and maintain the door closer.
52. Unit 10 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
53. Unit 10 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.- Repair or replace the damaged or deteriorated wall coverings.  
Paint the entire apartment.
54. Unit 11 - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where broken or missing.
55. Unit 11 - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance incents or object on any surface or article where it can cause an unwanted fire.-Your tenant cannot punch holes in the wall to use for incense burning.
56. Unit 11 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Caulk the base of the toilet
57. Unit 12 - MSFC 703 --Repair and maintain the door closer.
58. Unit 12 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
59. Unit 12 - NEC 250.50 Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code.
60. Unit 12 - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. Remove dresser and or bed that block the escape window.
61. Unit 12 - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace and maintain an approved private toilet. Secure toilet to floor
62. Unit 12 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Caulk the base of the toilet
63. Unit 12 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace the damaged or deteriorated wall coverings.  
Paint the entire apartment.
64. Unit 12 - NEC -406.3 - Check all outlets for proper polarity and verify ground on 3-prong outlets.
65. Unit 2 - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. Remove dresser from exit way.

66. Unit 2 - 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.
67. Unit 2 - SPLC- Required Space in Sleeping Units .- In every dwelling unit every room occupied for sleeping purposes by one (1) occupant shall a minimum gross floor area of at least seventy (70) square feet .-Room measured at 66.5 feet 9.5 by 7feet. This does not meet the code required 70 square feet for sleeping purposes . Room East side.
68. Unit 2 - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1HOUR-Bathroom ceiling upon inspection has a drop or suspended ceiling assembly that is not fire rated materials. Provide the ceiling with a 1 hour fire rated assembly required by code.
69. Unit 3 - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-Repair or replace and maintain an approved private toilet. Secure toilet to floor
70. Unit 3 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Caulk the base of toilet
71. Unit 3 - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove dresser from exit way
72. Unit 4 - NEC - 406.3. Check all outlets for proper polarity and verify ground on 3-prong outlets
73. Unit 4 - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
74. Unit 4 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.- Repair or replace the floor tile. Kitchen floor tile has tile missing and torn.
75. Unit 4 - NEC- 250 .50 Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code.
76. Unit 5 - 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.
77. Unit 5 - SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
78. Unit 5 - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustibile materials.-Reduce by 75%
79. Unit 6 - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 1Hour-Repair and maintain the door frame with approved fire rated materials.
80. Unit 6 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.- Repair or replace the damaged or deteriorated wall coverings. Paint the entire apartment .

81. Unit 6 - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-Bathroom ceiling upon inspection has a suspended or drop ceiling that is not fire rated. The code requires a 1 hour separation with fire rated materials.
82. Unit 6 - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-Caulk the base of the toilet.
83. Unit 7 - NEC - 406.3 Check all outlets for proper polarity and verify ground 3-prong outlets
84. Unit 7 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.- Repair or replace the damaged or deteriorated wall coverings.  
Paint the entire apartment.
85. Unit 7 - MSFC 603.7 - Immediately cease using the stove or oven for heating.
86. Unit 7 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.- Repair or replace the floor tile. Kitchen floor tiles are missing and or torn.
87. Unit 8 - MSFC 315.2.5 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Remove grill from kitchen
88. Unit 8 - SPLC. - SEC 198.02 - (f) Maximum number of cats. No person shall keep or maintain more than three (3) cats of over the age of three months within any individual dwelling within the city without a permit. At time of inspection there were four (4) cats of age.
89. Unit 8 Bedroom North West Side - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. Move dresser and or bed that block the emergency escape through the escape window.
90. Unit 9 - MSFC 703 --Repair and maintain the door closer.
91. Unit 9 - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass. Bathroom
92. Unit 9 - SPLC 34.13 (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the sleeping rooms to as follows :-This living room is being used for a bedroom that is measured at approximately 154 square feet. This will sleep 3. The bedroom is 88 square feet, this will sleep 1.
93. Unit 8 - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the floor tile. Kitchen has torn and or missing floor tile.
94. Unit 8 - MSFC 703 --Repair and maintain the door closer.
95. Unit 8 - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
96. Unit 8 - SPLC - SEC 34.13 - Required space in sleeping rooms. In every dwelling unit every room occupied for sleeping purposes by one (1) occupant shall have a minimum of at least seventy (70) square feet.-Room measured at 63.5 square feet does not meet the required 70 square feet for sleeping purposes and cannot be used for sleeping purposes. Room North East side



97. Unit 8 - SPLC 34.13 (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the sleeping rooms to as follows:-The bedroom is measured at approximately 116 square feet will sleep two (2). The living room is approximately 90 square feet, will sleep 1.
98. Vacant Part of 520 Rice - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.
99. Vacant Part of 520 Rice - NEC - BULLETIN 80-1. n. ALL Hazardous improper and/or illegal wiring shall be removed or rewired to the present Electrical code.-There has been wiring done without a permit. ALL ELECTRICAL WORK WILL REQUIRE A PERMIT.
100. MSFC 603.6.1 MASONRY CHIMNEYS. Chimneys that upon inspection are found to discharged into a building or which are cracked as to be dangerous shall be repaired or relined with listed chimney liner system installed in accordance with the manufactures installation instructions or flue lining system installed in accordance with the requirements of the International Building Code and appropriate for the intended class of chimney service.
101. 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. \*
102. 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.
103. 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: [james.thomas@ci.stpaul.mn.us](mailto:james.thomas@ci.stpaul.mn.us) or call me at 651-266-8983 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

James Thomas  
Fire Inspector  
Ref. # 85278