

RLH VBR 15-92



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

OCT 12 2015

CITY CLERK

**We need the following to process your appeal:**

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

<b>HEARING DATE &amp; TIME</b> (provided by Legislative Hearing Office) Tuesday, <u>Oct. 20, 2015</u>
Time <u>2:30 p.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

## Address Being Appealed:

Number & Street: 159 Wyoming St City: St. Paul State: MN Zip: 55107

Appellant/Applicant: Mervyn Hough Email Mervyn.hough@qaloo.com

Phone Numbers: Business 651-558-7432 Residence \_\_\_\_\_ Cell Same

Signature: Mervyn Hough Date: 10-8-15

Name of Owner (if other than Appellant): GABRIEL & SARAH CARDONA

Mailing Address if Not Appellant's: 2.5 km from Villavieja, Casasele, San Antonio de San Jose

Phone Numbers: Business \_\_\_\_\_ Residence 011-506-2203-1902 Cell 011-506-8385

## What Is Being Appealed and Why? Attachments Are Acceptable

- Vacate Order/Condemnation/
- Revocation of Fire C of O (See attachments)
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration \* Appellant's mailing address: 26 10th St. W, Unit 1811 St. Paul, MN 55102
- Other (Fence Variance, Code Compliance, etc.)



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

October 08, 2015

Gabriel J Cardona/Sarah S Cardona  
159 Wyoming St E  
St Paul MN 55107-3244

## VACANT BUILDING REGISTRATION NOTICE

The premises at **159 WYOMING ST E** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,025.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

**Please return the enclosed registration form along with your payment by November 08, 2015.**

### Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806

You may file an appeal to this fee or registration requirements by contacting the City Clerk's Office by calling (651)266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

**If the registration fee is not received in this office within 45 days of the date of this letter, the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.**

The Code Enforcement Officer has notified the Building Inspection and Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this notice.

**WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.**

**Category 2:** Requirements include: 1. register/re- register the building, 2. pay outstanding fee(s), 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use.

**Category 3:** All requirements listed for Category 2 vacant buildings, AND obtain a **Certificate of Occupancy OR Certificate of Code Compliance** prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code, then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

**You must contact the Enforcement officer , Dennis Senty, at 651- 266- 1930 to find out what must be done before this building can be legally reoccupied.**

The Enforcement Officer may declare this building to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building, subject to demolition, the Enforcement Office will notify all owners and interested parties of the Order to Abate as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the District Inspector, Dennis Senty, at 651- 266- 1930.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Steve Magner  
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information  
Vacant Building Registration Form

SM: ds  
vb\_registration\_notice 11/14



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

352.0

October 06, 2015

Gabriel J Cardona  
Sarah S Cardona  
159 Wyoming St E  
St Paul MN 55107-3244

Marlou Hough  
26 10<sup>th</sup> St W Unit 1811  
St Paul MN 55012

Dear Sir or Madam:

**159 WYOMING ST E** is a Registered Vacant Building that requires a Code Compliance Inspection per the Vacant Building Statute (Chapter 43). This inspection can be obtained by calling Building and Inspections and Design at (651) 266-9016. **This dwelling cannot be occupied without a Certificate of Code Compliance.** Call (651) 266-9016 for a permit sign-off.

**THE VACANT BUILDING REGISTRATION FORM AND REGISTRATION FEE MUST BE RECEIVED BY THE VACANT BUILDING PROGRAM BEFORE DSI MAY ISSUE PERMITS.**

Violation of the Vacant Building Statute (Chapter 43) will result in the issuance of a criminal citation.

**Written permission from the City of Saint Paul is required before a Category 2 or Category 3 Vacant Building can be sold.** Requirements that must be met for Category 2 vacant buildings include: 1. register/re-register the building, 2. Pay outstanding fees, 3. obtain a code compliance report, 4. submit for approval a rehab cost estimate from a licensed contractor and a schedule for completion of all code compliance work, 5. submit proof of financial responsibility acceptable to the City, and 6. obtain Zoning approval of the proposed use. In addition to meeting all 6(six) of these requirements a Category 3 vacant building must obtain a Certificate of Occupancy or a Certificate of Code Compliance prior to the sale of the building.

If you have any questions you can call me at the number below.

**PROPERTIES THAT ARE SUSPECTED TO BE ILLEGALLY OCCUPIED ARE SUBJECT TO INSPECTIONS AT ANY HOUR OF THE DAY OR NIGHT.**

Sincerely,

**Dennis Senty**

651-266-1930

Vacant Buildings Code Enforcement Officer

ncc60120

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) 266-8585. You must submit a copy of this Order with your appeal application.

10/12/15

Dear Sir,

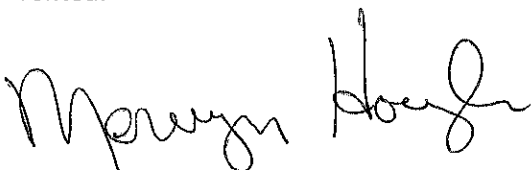
I am appealing the categorizing of 159 Wyoming St. E as a "Registered Vacant Building".

The basis for this appeal is our belief that the short list of violations and the building permits issued in 2011 mean that the repairs needed are mostly cosmetic and the result of a negligent tenant. The tenant had lived at 159 Wyoming since the fall of 2011. During that time she was expected to maintain the house in a clean and orderly manner. Until the inspector arrived in late winter of 2015 we were not aware of the terrible state of house keeping . She and her family ruined the new carpeting on the stairs, removed and tampered with light fixtures, removed or broke kitchen cabinet doors, caused deep scratches in the plaster, left windows open during rain and snow, causing water damage and backed a truck into the house gutter and downspout causing water damage. On the last day of her residency we discovered the bathroom vanity was broken.

In the spring of 2105 when it became clear that major changes had to be made in the housekeeping at 159 Wyoming and that workman would need to gain access to make necessary repairs we tried to make arrangements with her. However, she refused to give us a key and she kept a dog (a pit bull) that required a cage while workman were present. This plus the fact that she returned very few phone calls made it virtually impossible to do the necessary repairs.

Yes, we were slow to tackle the legitimate issues on the compliance list, but we knew she would be moving soon. We knew she had little or no money for a new security deposit at a new address (she had been unemployed for several months (she owned a small business so she wasn't eligible for unemployment benefits)). As frustrated as we were my wife and I took pity on her and felt she should just move so the work could be completed. Once she found a job in June of 2015 we knew her finances would improve and she would be moving. It took longer than we wanted but we believe we did the right thing. At this time we believe her prospects are much improved. She vacated the house on September 21, 2015, the day of the last inspection.

At this time we are asking for a 60 day period to finish the enclosed list of projects. We are sure the work can easily be done in that time frame. After the work is done the house will be sold and not rented.

A handwritten signature in black ink that reads "Mervyn Hough". The signature is written in a cursive, flowing style.

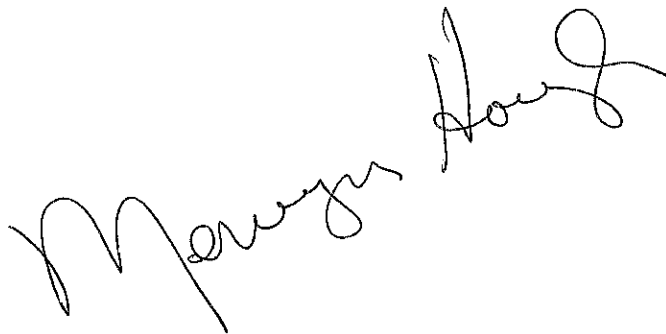
Mervyn Hough

10/12/15

This is a list of projects needed to bring 159 Wyoming into compliance.

1. Finish cleaning the interior space.
2. Paint the entire interior of the house.
3. Replace carpeting on the stairs to the basement.  
Replace vinyl floor on the 3 season porch  
Replace ceramic floor in bathroom.
4. Replace 2 missing light fixtures
5. Repair 1 door on kitchen cabinets.
6. Replace bathroom vanity.
7. Repair gutters on the exterior of the house.

This house had building permits issued during 2011. The work was inspected that same year. This included inspections for plumbing, ventilation, electrical and framing. I believe this explains why the code violations generally involve what would normally be called cleaning and general maintenance.

A handwritten signature in black ink, reading "Mary Ann Hough". The signature is written in a cursive style and is positioned diagonally across the lower half of the page.