



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: RLH VO 18-4

File ID: RLH VO 18-4	Type: Resolution LH Vacate Order	Status: Passed
Version: 2	Contact Number: 6-8560	In Control: City Council
File Name: 1272 Edgerton Street	File Created: 02/01/2018	Final Action: 02/21/2018

Title: Appeal of Heather Meyers, SMRLS, o/b/o Tywana Price to a Condemnation as Unfit For Human Habitation and Order to Vacate at 1272 EDGERTON STREET.

Notes:

Agenda Date: 02/21/2018

Agenda Number: 26

Sponsors: Bostrom

Enactment Date:

Attachments: 1272 Edgerton Street.appeal.02-01-18, 1272 Edgerton St.photos.01-26-18, 1272 Edgerton St.photos.01-31-18, 1272 Edgerton St.Text Messages-Contractor-Owner-Inspector.1-24-18, 1272 Edgerton St.Receipts.1-15-18, 1272 Edgerton St.Kaluzny Ltr.2-8-18.doc, 1272 Edgerton St.Sr Plmg Insp Jacobs Insp.2-8-18, 1272 Edgerton St.Meyers Ltr.2-16-18.doc, 1272 Edgerton St.Meyers Ltr.2-21-18.doc, 1272 Edgerton St.Sr Plmg Insp Jacobs Permit Final.2-21-18

Financials Included?:

Contact Name: Mai Vang

Hearing Date:

Entered by: kathryn.burger@ci.stpaul.mn.us

Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	02/06/2018	Laid Over	Legislative Hearings	02/13/2018		
	Action Text:	Laid Over to the Legislative Hearings due back on 2/13/2018					
	Notes:	Gerald Kaluzny, Southern Minnesota Regional Legal Services, appeared along with Tywana Price, Appellant.					
		<i>Ms. Moermond: this is an appeal of a Condemnation/Unfit for Human Habitation/Order to Vacate (no heat)</i>					
		<i>Fire Supervisor Leanna Shaff: this is a Condemnation of a Fire Certificate of Occupancy; it started as a referral for inadequate heat; (using space heaters to keep warm) water pipes burst causing flooding in the basement; water shut off to fix pipes; Inspector Wheeler responded to the complaint; heat was 60 degrees; some frozen pipes</i>					

-I provided you with some email & text correspondence between the property owner & their handyman & the appellant

-according to the email dated 2-6-18 to Insp Wheeler from the owner: here are the invoices & receipts for work that's been done thus far at 1272 Edgerton; the boiler is now working fine.... the circulation pump went out; see update from LaBrash Plumbing.....

-the pipes broke; multiple leaks; seeing in the receipt from Do It All Maintenance: they've fixed the leaks, replaced pipe runs & valves, etc, since this all started; I see no Permits & this work is required to be done under permit; don't know what Do It All Maintenance handy person's qualifications are; plumbing & mechanical permits are needed; it scares me when we have unlicensed people working on a boiler; there's supposed to be a plumber there today

Ms. Moermond: could you summarize the text messages here that you've provided? It looks like the contractor's wife died - they had to stop work

-the invoices start Jan 15; this is not a new problem; the inspector was out there on Jan 31 on a referral

-these Orders are from Jan 31 & require a re-inspection on Feb 1 at which point all problems must be corrected or the bldg vacated --- but, it's still on-going

Mr. Kaluzny: I wasn't aware that there were no permits pulled; I talked to Scott Zack, Covenant Capital; he said that you could call him; what I understand is this was supposed to be completed last week; I understand that the boiler person's wife died; so Scott Zack, who was acting on behalf of the owner, was trying to make arrangements but because of the cold snap, that wasn't a very easy thing to do; he was able to make arrangements with LaBrash Plumbing; they are there now; I heard them on speaker phone; he hopes to have the heat re-instated today; he is a licensed plumber; I'm surprised there is no permit

Ms. Moermond: sometimes contractors like to do the work & then apply for the permit; this might be such a case

Ms. Shaff: I have concerns about the boiler not having been worked on for quite some time or was worked on by someone who wasn't licensed to do that work

Mr. Kaluzny: LaBrash is licensed in plumbing & heating; they hope to have the heat restored today & if there's anything else that needs to be done, they will do it on Thu; I just found out from Mr. LaBrash that he will be taking his wife to the Mayo Clinic tomorrow; she has just been diagnosed with cancer

Ms. Price: I'm using 3 space heaters upstairs & some downstairs, too;
-my children's ages: 21, 18, 16, 14

Ms. Shaff: space heaters draw a lot of juice; when they're on the same circuit, they sometimes pop the breaker

Ms. Moermond: I want to know about LaBrash getting a permit pulled today; that would be comforting to me - knowing that the work was going to be inspected

Ms. Price is calling LaBrash Plumbing right now.... Ms. Moermond is talking with Mr. LaBrash on Ms. Price's phone via speaker

Ms. Moermond: When were you going to pull the permit to do the work?

Mr. LaBrash: I was called just to fix some leaks so the tenant could have some heat; so, I wasn't intending to pull one. A lot more work needs to be done to bring this up to standards.

Ms. Moermond: I'd like to have one of our plumbing inspectors go out & take a look

Mr. LaBrash: It would be smart to have a plumbing inspector go out

Ms. Moermond: I will contact Rick Jacobs; we see if we can get him or one of his guys to go out &

write up what needs to be done to get this addressed in more than a temporary fashion; we'd write Orders with a deadline & copy you by email, ed@edsplumbing.net; we'll have Mr. Jacobs draft something & send it to Scott Zack & copy you; thanks for taking the time to talk with me about this; it helped to clear things up

Ms. Shaff: I just forwarded this to Mr. Jacob & all receipts & bids

Ms. Moermond: hopefully, Covenant Capital will be willing to pay for this to be fixed properly; we'll be looking to amend those Orders to take into account what a proper repair would be
-I'm going to be temporarily satisfied with you being able to continue to live there while this gets sorted out; we'll have a much better idea about this next Tue; we should have a report from the plumbing inspector; we should have some info from Scott Zack
-I need to put this in front of the City Council sooner rather than later; realistically on Feb 21, 2018
-let's talk about this next Tue, Feb 13, LH
-warning: don't overload the circuit; plug space heaters into separate circuits

Mr. Kaluzny: I think that's fair; I think we have a responsible plumber; we'll try to get a plan together

1 Legislative Hearings 02/13/2018 Referred City Council 02/21/2018

Action Text: Referred to the City Council due back on 2/21/2018

Notes: Heather Meyers, SMRLS, and Tywana Price, Occupant, appeared.

Ms. Moermond: this is a situation where there was no heat reported in the bldg; an inspection took place that documented that there was no heat; it was operating with spaces heaters; questions about the capacity of the electrical service to manage the number of space heaters; there were questionable repairs happening (handy man coming in doing work that should have been done by a licensed contractor); we had a licensed plumber on the phone during the hearing who said that this was 'lipstick on a pig;' based on what he was seeing, he determined that the right thing to do would be to get the Sr. Plumbing Insp in to evaluate the situation; the city's Sr. Plumbing insp went out & responded to my question saying, "I can look at the plumbing piece of this problem but I'm not a mechanical insp & the boiler issue is largely a mechanical issue; I can deal with the plumbing pipes...;" looking at the plumbing, he was very concerned about the system; there are significant safety problems with the plumbing; his original Order said that the work needed to be taken care of immediately or the house Vacated; there was a conversation involving Insp Shaff where it was pushed out over the weekend to give a few days to respond to the Order

Supervisor Leanna Shaff: as far as we know, nothing's changed; there hasn't been a licensed plumber out to perform the necessary repairs

Ms. Moermond: were those issues articulated in an Order or a letter that went to the owner of record?

Ms. Shaff: I don't know

Ms. Moermond: were they or will they be incorporated into the Fire C of O Orders?

Ms. Shaff: at this point, no; we still have a Condemnation that basically says that the system's a problem; there was not a mechanical permit pulled that would deal with the boiler; as far as we know, it has not been addressed in the required way; the boiler was shut down & red tagged (I may be incorrect in that - I was in training all day yesterday) so that there was no heat in the house

Ms. Moermond: I called SMRLS on Fri to share the results of the Fri afternoon inspection & you tried to contact the owner; how has that been progressing?

Ms. Meyers: I have a couple of updates: Gerry Kaluzny & I had a conversation with Mr. Scott Zack, property mgr for Covenant Capital LLC, on Fri; we emailed the plumbing inspector's report to him; I told him that, based on conversations with you, the deadline to address the boiler was pushed to today; other than that, there wasn't much productive conversation
-my office represents the tenant, Ms. Price & the 5 other members of her household so, our biggest concern is that they are living in a unit that's habitable & he should be putting them up in a hotel; Mr.

Zach's offer was to have the family pay for the hotel, which would be credit on their rent; we were butting heads on that because now that the house has been Condemned, there's a strong argument that rent is not owed; yesterday, I sent Mr. Zack an email - a 24-hour Notice of intent to file an ETRA: fix the boiler or prepay a hotel for the family; shortly thereafter, I got a call from Curtis Berg, who is now representing Mr. Zack; Mr. Berg informed me that Mr. Zack is going to cooperate with paying for a hotel; so, I don't think we have to file an ETRA; I'm supposed to call Mr. Berg after this hearing to let him know how it went; and I was informed that the most recent contractor, LaBrash, has just pulled out of this deal

Ms. Moermond: the phone book is full of licensed plumbers; Mr. Zack needs a new contractor to deal with the entire system (significant repairs or replacement)

Ms. Meyers: we did relay that to Mr. Zack on Fri; he said that he just needs more time; hopefully, now that he has retained counsel, he can be advised on what he needs to do & the legal consequences of delaying

-sounds like we're going to work out the hotel for the family

-we would be grateful, however, if we could move the vacate day to tomorrow so that they'd have some time to pack up

Ms. Shaff: I have no faith that the repairs will be done whatsoever; & I'm uncomfortable with running all the space heaters; I think that it's a way better deal to have the family in a hotel starting tonight so that we don't prolong a bad situation

Ms. Moermond: and you are aware that Ramsey County also will provide assistance for families facing imminent homeless or who are already homeless

Ms. Meyers: I have been told that but again, the legal obligation is on the landlord to provide that

Ms. Price: I have 3 children in school & they use the bus; the 4th child is in college

Ms. Moermond: there's a staff person with the St. Paul School District who works with families to make sure that when they are displaced, the kids can continue to go to their school

-you will stay at a hotel tonight but you'll have access to the house from 8 am - 8 pm

-we will send this to the Vacant Building Program; however, it's not in the VB Program until Council has decided; this will go to City Council next Wed, Feb 21, 2018 at 3:30 pm

-there's a chance that the owner will pull those permits today & have the work done before it goes to public hearing next Wed, Feb 21, in which case it could be re-occupied

Ms. Meyers: I have to call Mr. Berg after this hearing to set up the hotel, so, I will let him know everything that happened here today

Ms. Moermond: if Mr. Zack gets the entire system repaired/replaced before Feb 21 City Council Public Hearing, the City Council could say, "We're going to grant your appeal & allow you to re-occupy;" if he doesn't, it's extremely unlikely that Council would allow re-occupation of this house & it would go into the VB Program at that point

Deny and grant to February 13, 2018 to vacate the property.

- | | | | |
|---|---------------------|------------|--|
| 2 | City Council | 02/21/2018 | Adopted As Amended |
| | Action Text: | | Adopted as amended (appeal granted on occupancy; extensions granted for repairs) |
| 2 | Mayor's Office | 02/27/2018 | Signed |
| | Action Text: | | Signed |
-

Text of Legislative File RLH VO 18-4

Appeal of Heather Meyers, SMRLS, o/b/o Tywana Price to a Condemnation as Unfit For Human Habitation and Order to Vacate at 1272 EDGERTON STREET.

AMENDED 2/21/18

WHEREAS, in the matter of the Appeal of Heather Meyers, SMRLS, o/b/o Tywana Price to a Condemnation as Unfit For Human Habitation and Order to Vacate at 1272 EDGERTON STREET the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council ~~deny the appeal and grant to February 13, 2018 to vacate the property~~ 1) grant the appeal and allow re-occupancy, as the heating has been restored and the systems repaired under permit by February 19, 2018 and 2) require that the other repairs, outlined in plumbing orders from Senior Plumbing Inspector Rick Jacobs be completed and permit finalized by February 28, 2018; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.



APPLICATION FOR APPEAL

RECEIVED
FEB 01 2018
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 _____) Legal Aid representing
- Copy of the City-issued orders or letter which are being appealed
- Attachments you may wish to include ETRA Notice
- This appeal form completed
- Walk-In OR Mail-In

YOUR HEARING Date and Time:
 Tuesday, February 6
 Time 11:30 a.m.
 Location of Hearing:
 Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1272 Edgerton St. City: St Paul State: MN Zip: 55130

Appellant/Applicant: Tywana Price, Heather Meyers, Attorney for Ms. Price Email: heather.meyers@smrls.org

Phone Numbers: Business 651-894-10919 Residence _____ Cell _____

Signature: Heather Meyers Date: 2/1/18

Name of Owner (if other than Appellant): Covenant Capital LLC

Address (if not Appellant's): 2300 Gervais Hills Dr, Little Canada, MN 55117

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
- Other

The family is low-income with children and nowhere else to go. Today, SMRLS served the landlord with a 24-hour notice of intent to file an ETRA.



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

January 31, 2018

Covenant Capital Llc
2300 Gervais Hills Dr
Little Canada MN 55117-6039

NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE

RE: 1272 EDGERTON ST
Ref. # 118077

Dear Property Representative:

Your building was reinspected on January 31, 2018.

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.

A reinspection will be made on February 1, 2018 at 3:00pm.

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. 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. -Dwelling is condemned for lack of basic facilities (NO HEAT).

2. SPLC 34.11 (6), 34.35 (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. -Boiler is not working. Service the unit, restore to an operative condition, and provide a fuel burning safety test report to this office, or replace the boiler under permit.

3. SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times. -Unit is only 60 degrees with space heaters in use. Radiators are cold to the touch.

4. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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: Jacob.wheeler@ci.stpaul.mn.us or call me at 651-266-8993 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Jacob Wheeler
Fire Inspector
Ref. # 118077

cc: Housing Resource Center
Force Unit



Southern Minnesota Regional Legal Services
Saint Paul Central Office
166 East 4th Street, Suite 200
St. Paul, MN 55101
Tel: (651) 222-5863 • Fax: (651) 297-6457
Website: www.smrls.org • Email: central@smrls.org

February 1, 2018

Property Representative
2300 Gervais Hills Dr.
Little Canada, MN 55117

By U.S. Mail

Re: **1272 Edgerton St.**

Dear Property Representative:

Southern Minnesota Regional Legal Services (SMRLS) represents Tywana Price and her household, tenants at the above referenced address. As you know, on January 31, 2018, the City of Saint Paul condemned this unit because of inadequate heat – the order states that the unit is only 60 degrees with space heaters in use.

My understanding is that you and Ms. Price have a lease agreement under Minn. Stat. §504B. You are therefore obligated to perform under the “covenants of habitability” as set forth in Minn. Stat. 504B.161 *et seq.* Under Minnesota law, the covenants of habitability obligate a landlord to keep a unit “fit for the use intended” and compliant with all applicable health and safety codes, amongst other things. In addition, Chapter 34 of Title VI of the St. Paul Legislative Code requires landlords to ensure that all habitable rooms are at minimum 68 degrees Fahrenheit.

This letter is an attempt to avoid litigation. It is also notice of our intent to file an Emergency Tenant Remedies Action (ETRA) in no less than 24 hours, pursuant to Minn. Stat. §504B.381 *et seq.*, if agreement cannot be reached in these matters.

Please take the following remedial actions:

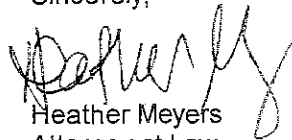
- 1. Ensure that all habitable rooms are at minimum 68 degrees Fahrenheit without use of space heaters. The radiators should not be cold to the touch.**
- 2. In the alternative, prepay for a hotel for the family until the heat is adequately restored.**

If you fail to take this action, SMRLS will file an ETRA with the Ramsey County District Court Civil Signing Judge at 10:00a.m. on February 2, 2018. You can find the Civil Signing Judge by checking into Room 70 in the basement level of the Ramsey County Courthouse at 15 West Kellogg Blvd., St. Paul, MN 55102. You can also go online to www.mncourts.gov.

Be aware that under this type of action the Court is authorized to temporarily take the property away from you and place it in administratorship. The administrator’s costs may become a special tax assessment against your property.

I am hopeful that litigation can be avoided in this matter. If you have any questions I can be reached at (651) 222-5863. Thank you in advance for your cooperation.

Sincerely,


Heather Meyers
Attorney at Law
cc: Tywana Price

Date: January 26, 2018
File #: 18 - 022495
Folder Name: 1272 EDGERTON ST
PIN: 202922430031



Fire Inspection Report

City of Saint Paul

Department of Safety and Inspections
 375 Jackson Street - Suite 220
 Saint Paul MN 55101-1806

Owner Name <u>Comcast Capital LLC</u>	License _____
Owner Address <u>2300 Jarvis Hills Drive</u>	Complaint _____
City State Zip <u>Little Canada</u>	C of O _____
Owner Phone <u>(763) 442-2541 Scott</u>	Date _____

Building Address: 1272 Edgerton St, St Paul

You are hereby notified to remedy the conditions stated below immediately. A reinspection will be made after the reinspection date stated below. If you consider any of these code requirements to be unreasonable, you may appeal to the Legislative Hearing Officer. Applications for appeals may be obtained at the City Clerks Office, 170 City Hall 651-266-8989 within 10 days of the date of the original orders.

Code	Conditions to be Corrected
<u>MS299F.32</u>	<u>Maintain working smoke detectors</u>
<u>24.11(a)</u>	<u>Maintain adequate heat (68°F) in all habitable rooms</u>

Owner or Representative Signature _____

Occupancy Type R-3 Inspector Signature [Signature]
 CED Key _____ Reinspection Date 1/26/18

Date: January 26, 2018
File #: 18 - 022495
Folder Name: 1272 EDGERTON ST
PIN: 202922430031



Date: January 26, 2018
File #: 18 - 022495
Folder Name: 1272 EDGERTON ST
PIN: 202922430031



Date: January 31, 2018
File #: 14 - 188899
Folder Name: 1272 EDGERTON ST
PIN: 202922430031



By Order of the
City of Saint Paul
Department of Safety & Inspections
Fire Inspection Division
651-266-8989



This Building Is

CONDEMNED

This Structure is Declared Unsafe or Unfit
for Human Occupancy or Use.

It is Unlawful for Any Person to Use, Occupy
or Permit the Occupancy of This Building

After 3:00 PM 2/1/18

Address: 1272 Edgerton St Fire Inspector: _____

Date: 1/31/18 Code: SPLC Art: 34.11 Sect. 6

Under Penalty of Law, this notice shall not be removed without authorization from the
Department of Safety & Inspections

Any person affected by this order to Vacate may file an appeal at the Office of the City Clerk, Room 310 City Hall, 15 Kellogg Blvd. West, within 10 days of the date of the original notice. The cost to appeal is \$25 and must include a copy of the letter of Condemnation. This letter is available at the Department of Safety & Inspections, Fire Inspection Division, 375 Jackson Street Suite 220, Saint Paul, MN 55101

Date: January 31, 2018
File #: 14 - 188899
Folder Name: 1272 EDGERTON ST
PIN: 202922430031



By Order of the
City of Saint Paul
Department of Safety & Inspections
Fire Inspection Division
651-266-8989



This Building Is

CONDEMNED

This Structure is Declared Unsafe or Unfit
for Human Occupancy or Use.

It is Unlawful for Any Person to Use, Occupy
or Permit the Occupancy of This Building

After 3:00 PM 2/1/18

Address: 1272 Edgerton St Fire Inspector: J. Wheeler

Date: 1/31/18 Code: SPLC Art: 34.11 Sect. 6

Under Penalty of Law, this notice shall not be removed without authorization from the
Department of Safety & Inspections

Any person affected by this order to Vacate may file an appeal at the Office of the City Clerk, Room 310 City Hall, 15 Kellogg Blvd. West, within 10 days of the date of the original notice. The cost to appeal is \$25 and must include a copy of the letter of Condemnation. This letter is available at the Department of Safety & Inspections, Fire Inspection Division, 375 Jackson Street Suite 220, Saint Paul, MN 55101



INVOICE

Do It All Maintenance
651-347-0138



BILL TO

Scott Zack
1272 Edgerton

INVOICE

10187

INVOICE DATE

01/15/2018

DESCRIPTION

AMOUNT

1/15/18 TOTAL DUE FROM PREVIOUS INVOICE \$195

75.00

1/15/18

I was able to get the system running today. The boiler is running well and the upstairs bedroom and bathroom are heating. I bi-passed the broken back-flow preventer. The new part is close to \$100. I would like payment for the part up front. I had to thaw the pipes near the boiler to get the system to fill. The water supply was frozen. The lines to the first floor and the upstairs back bedroom are still froze up somewhere along the way. I put a space heater in the basement to hopefully thaw them out. The lines should thaw themselves out with the heat from the boiler and the space heater. I put in the basement.

2.5 hours labor today will be discounted as stated in the previous invoice.

Labor = \$75

Fittings = \$10

Today's total = \$85

previous balance \$195

TOTAL DUE \$280

On 1/20 I was back at the house to check on the boiler. Some of the lines on the southwest corner of the house had thawed out and started leaking where the lines had burst. There are visible leaks in three places along that line. I also found a leak on the register that runs along the west wall on the right side of the front door. That leak has been repaired.

TOTAL DUE WAS \$280

1/20 parts \$45, labor \$50

That would bring the total to \$375 as of 1/20

\$300 PAID ON 1/21

TOTAL BALANCE DUE \$75

The work continues. The residents have been keeping warm. I'm working with Jon to schedule times to enter.

TOTAL

\$75.00

INVOICE

Do It All Maintenance
651-347-0138



BILL TO

Scott Zack
1272 Edgerton

INVOICE

10156

INVOICE DATE

01/05/2018

DESCRIPTION

AMOUNT

375.00

The plumbing has several frozen lines throughout. I have thawed and repaired for 6 hours+. The boiler had a faulty pressure/temp gauge and the pressure relief valve would not open/close properly. I replaced the pressure gauge and tested the pressure relief valve until it worked normally. The boiler circulation pump has been replaced the boiler seems to be functioning properly at this point. I still have a leak on the kitchen register to repair. The system will need to be bleed and then in a couple days be bleed again.

-main water line leaks, meter was replaced as well.

-circulation pump replacement

-pressure temp gauge replace and test

-boiler heat lines repaired and thawed

I have spent numerous hours on this project, well over 6 hours. I'm billing for six hours labor to date. I have used more fittings and shutoffs than expected and spent way more time than I would have liked. It has become a nightmare. any additional fittings I've used will be included in the original \$500 payment.

pressure temp gauge \$75

6 hours labor \$300

\$375 owed to date

TOTAL

\$375.00

INVOICE



Do It All Maintenance
651-347-0138

BILL TO
Scott Zack
1272 Edgerton

INVOICE #
INVOICE DATE

10157
01/06/2018

DESCRIPTION

AMOUNT

\$175 due from previous invoice

325.00

Today 1/6 I thawed more pipes and soldered two joints. I found one frozen pipe on the east wall of the kitchen by the back door. The line by the door is isolated now and it will need to be thawed and soldered. The boiler is heating well. Some of the registers will need more bleeding. Some of the registers might be frozen still, but the house is heating and the registers might all thaw and start heating better.

labor on 1/6 \$150
unpaid from invoice 10156 \$175
Total due to date \$325

TOTAL **\$325.00**



ESTIMATE



Do It All Maintenance
651-347-0138

BILL TO
Scott Zack
1272 Edgerton

ESTIMATE #
ESTIMATE DATE

101
01/03/2018

DESCRIPTION

AMOUNT

536.12

Broken MAIN water line
I found the main water line broken/frozen before the water meter. The shutoff valve before the leak had frozen and is now faulty. The resident attempted to shut off the water input but the shutoff valve was broken.
- I will need to replace the shutoff valve and sections of the water line. I will not know if there are any other leaks until the city turns the water back on.

Heat not working properly
The boiler itself is running properly, however, the circulation pump is not. The pump was making a very loud noise. I found that the pump will need to be replaced. The resident stated that the heat has never really been all that warm in some areas of the home. The registers will need to be bled.

CIRCULATION PUMP \$347.12
PLUMBING SUPPLIES \$100.00
TRIP CHARGE \$89.00
SUB TOTAL DUE NOW \$536.12
ESTIMATED LABOR TO COMPLETE \$150.00

TOTAL **\$536.12**



TERMS & CONDITIONS

\$536.12 is the total in parts and trip charge only.
The estimated labor to complete the repairs is \$150.00. The total estimate for the repair is \$686.12

Thank you

INVOICE



Do It All Maintenance
651-347-0138

BILL TO
Scott Zack
1272 Edgerton

INVOICE #
INVOICE DATE

10159
01/10/2018

INVOICE



Do It All Maintenance
651-347-0138

BILL TO
Scott Zack
1272 Edgerton

INVOICE #
INVOICE DATE

10172
01/13/2018

QTY	DESCRIPTION	UNIT PRICE	AMOUNT
1	TOTAL DUE FROM PREVIOUS INVOICE	\$325	\$325.00

I soldered the burst line at the register. I started filling the system and I found another leak. A leak coming from somewhere in the rear entry closet was pouring water into the basement crawl space. The tenants had a LARGE amount of belongings piled into that space. I wasn't going to stay around and wait for them to empty the area. The house was pretty warm and the tenants were happy to be allowed more time to clear it out. I'm going to replace that whole section with pex. I'm only going to charge \$50 per trip from here on out unless the repair time exceeds two hours. I've been crawling through dirt in a small crawl space to find and repair leaks in two areas.

TOTAL \$325.00

DESCRIPTION	AMOUNT
Today, 1/12, the Resident was finally ready for me to come access the closet that the leak was coming from. I had to cut out the fin tube and install pex to get the system running. when I went to fill the system I found the backflow preventer coupler frozen and broken from the line. I'll have to replace the crpz valve. I'll text you a picture of today's issues. The cost of the valve varies from 35-120. I think that particular one can be purchased for around \$50. I spent about an hour and a half on the job today. I returned the two loaner heaters today. I had taken my heaters on 1/9 because the house was warm at that point. I planned to return the following day. 1/10. I couldn't get in touch with the tenant. I have texts between myself and the tenant saved. He has had poor communication and he has said that he is ok for now. I would have liked this to be completed by now but the complex issues, (one leak after the next), and the tenant communication, has been an issue. As stated in the previous invoice, I will only be charging \$50/visit for labor unless the time on site exceeds 2 hrs. The previous invoice was for past due but not including that day's labor. The previous labor, trip, and fittings will be discounted due to the complex situation. let's just call that interesting adventure a \$100 crawl through the mud.	\$195.00

-Previous adventure = \$100
-Total due = \$195
-Parts needed roughly \$75-\$100
-Labor estimated for next visit \$50

TOTAL \$195.00

INVOICE



Do it All Maintenance
651-347-0138

BILL TO

Scott Zack
1272 Edgerton

INVOICE #
INVOICE DATE

10174
01/15/2018

DESCRIPTION	AMOUNT
TOTAL DUE FROM PREVIOUS INVOICE \$195	250.00

1/15/18
I was able to get the system running today. The boiler is running well and the upstairs bedroom and bathroom are heating. I bi-passed the broken back-flow preventer. The new part is close to \$100, I would like payment for the part up front. I had to thaw the pipes near the boiler to get the system to fill. The water supply was frozen. The lines to the first floor and the upstairs back bedroom are still froze up somewhere along the way. I put a space heater in the basement to hopefully thaw them out. The lines should thaw themselves out with the heat from the boiler and the space heater I put in the basement.

2.5 hours labor today will be discounted as stated in the previous invoice.
Labor = \$75
fillings = \$10
Today's total = \$85
previous balance \$195
TOTAL DUE \$280

The back-flow preventer is 75-100 list price
The labor to install the part \$50
The lines will need to be bled and possibly defrosted more.
\$195 owed \$100 part = \$380
PLEASE MAKE PAYMENT OF \$250 TODAY. THE BALANCE OF \$130 WILL BE FORWARDED.

TOTAL \$250.00

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Subject: Receipt from Handy Friends
 From: Handy Friends via Square <receipts@messaging.squareup.com>
 Date: Wed, Dec 20, 2017 5:10 pm
 To: scott@covenantcapitalfund.com

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Handy Friends

How was your experience?



\$200.00

Custom Amount \$200.00
 Total \$200.00



Handy Friends
 137 N MAPLE ST
 ELLSWORTH, WI 54011-9033

MasterCard 0850
(Keyed)

Dec 20 2017 at 6:03 PM

#Ng8M

Auth code: 080333

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From: Handy Friends via Square <receipts@messaging.squareup.com>
Date: Wed, Jan 03, 2018 7:53 pm
To: scott@covenantcapitalfund.com

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Handy Friends

How was your experience?



\$500.00

Custom Amount \$500.00
Total \$500.00



Handy Friends
137 N MAPLE ST
ELLSWORTH, WI 54011-9033

MasterCard 0850 (Keyed) Jan 3 2018 at 8:53 PM
#VKXJ
Auth code: 005256

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From: Handy Friends via Square <receipts@messaging.squareup.com>
Date: Sat, Jan 06, 2018 7:06 am
To: scott@covenantcapitalfund.com

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Handy Friends

How was your experience?



\$200.00

Custom Amount \$200.00
Total \$200.00



Handy Friends
137 N MAPLE ST
ELLSWORTH, WI 54011-9033

MasterCard 0850 (Keyed) Jan 6 2018 at 8:05 AM
#yNeN
Auth code: 080613

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From: Handy Friends via Square <receipts@messaging.squareup.com>
Date: Thu, Jan 11, 2018 7:57 am
To: scott@covenantcapitalfund.com

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Handy Friends

How was your experience?



\$325.00

Custom Amount \$325.00
Total \$325.00



Handy Friends
137 N MAPLE ST
ELLSWORTH, WI 54011-9033

MasterCard 0850
(Keyed)
Jan 11 2018 at 8:57 AM
#LSby

Auth code: 085731

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From: Handy Friends via Square <receipts@messaging.squareup.com>
Date: Sun, Jan 21, 2018 4:16 pm
To: scott@covenantcapitalfund.com

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Handy Friends

How was your experience?



\$300.00

Custom Amount \$300.00
Total \$300.00



Handy Friends
137 N MAPLE ST
ELLSWORTH, WI 54011-9033
651-347-0138

MasterCard 0850
(Keyed)

Jan 21 2018 at 5:10 PM

#5vqC

Auth code: 071012

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CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

February 8, 2018

Gerry Kaluzny
SMRLS
o/b/o Tywana Price
55 East 5th Street
St Paul MN 55101

VIA EMAIL: gerry.kaluzny@smrls.org

Re: Appeal for Property at 1272 Edgerton Street

Dear Mr. Kaluzny:

This is to confirm that on February 6, 2018 at the Legislative Hearing, Marcia Moermond recommended continuing the above-referenced matter to **Tuesday, February 13, 2018 at 11:30 a.m. in Room 330 City Hall** for further discussion. In the meantime, one of the City's plumbing inspector will inspect the boiler and we will get an update at the February 13 hearing. Also, Labrash Plumbing needs to pull a plumbing permit.

Any questions, you may contact me at 651-266-8563.

Sincerely,

/s/

Mai Vang
Legislative Hearing Coordinator

cc: Fire Supervisors
Jacob Wheeler
Tywana Price, 1272 Edgerton St, St Paul MN 55130
Convenant Capital LLC, scott@convenantcapitalfund.com
Labrash Plumbing, ed@edsplumbing.net





CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

February 16, 2018

Heather Meyers
SMRLS
o/b/o Tywana Price
55 East 5th Street
St Paul MN 55101

VIA EMAIL: heather.meyers@smrls.org

Re: Appeal for Property at 1272 Edgerton Street

Dear Ms. Meyers:

This is to confirm that on February 13, 2018 at the Legislative Hearing, Marcia Moermond recommended that the City Council deny your appeal but will grant an extension to February 13, 2018 to vacate the property. Please note that you can only be at the property from 8 a.m. to 8 p.m. to get personal belongings.

If your client wishes to appeal further, the City Council Public Hearing is on Wednesday, February 21, 2018 at 3:30 p.m. in Room 300 City Hall, Third Floor.

Any questions, you may contact me at 651-266-8563.

Sincerely,

/s/

Mai Vang
Legislative Hearing Coordinator

cc: Fire Supervisors
Jacob Wheeler
Tywana Price, 1272 Edgerton St, St Paul MN 55130
Convenant Capital LLC, scott@convenantcapitalfund.com





CITY OF SAINT PAUL
OFFICE OF THE CITY COUNCIL
310 CITY HALL
15 WEST KELLOGG BOULEVARD
SAINT PAUL, MN 55102-1615
Marcia Moermond, Legislative Hearing Officer
EMAIL: legislativehearings@ci.stpaul.mn.us
PHONE: (651) 266-8585 FAX: (651) 266-8574

February 21, 2018

Heather Meyers
SMRLS
o/b/o Tywana Price
55 East 5th Street
St Paul MN 55101

VIA EMAIL: heather.meyers@smrls.org

Re: Appeal for Property at 1272 Edgerton Street

Dear Ms. Meyers:

This is to inform you that Marcia Moermond will amend her recommendation at the City Council Public Hearing today at 3:30 p.m. in Room 300 City Hall to grant re-occupation of the property, as the mechanical permits are finalized. There is currently a permit pulled for the plumbing repairs not related to the heating system. Ms. Moermond has put a deadline for February 28, 2018 to finalize this permit.

If you wish to appeal further on behalf of your client, please attend the hearing today at 3:30 p.m.

Any questions, you may contact me at 651-266-8563.

Sincerely,

/s/

Mai Vang
Legislative Hearing Coordinator

cc: Fire Supervisors
Jacob Wheeler
Covenant Capital LLC, scott@covenantcapitalfund.com



On February 9, 2018 at 1:00 pm, DSI Senior Plumbing Inspector Rick Jacobs visited the property at 1272 Edgerton, St. Paul, MN at the request of Marcia Moermond. Here are my findings:

At the time of the inspection I was met by John who indicated that he was the tenant.

I witnessed space heaters on as the only source of heat for the entire residence, approximately 4-5, and asked John if the heat was on. John indicated that he shut the heat off (boiler) as there were "loud noises coming from the boiler and a strong burning smell". He stated that he shut it off as he was concerned the smell would make his family sick.

I proceeded to perform an inspection of the premises.

Plumbing:

1. The kitchen sink faucet is broken and requires repair or replacement.
2. The second floor bathroom tub faucet fill spout is below the spill line of the fixture.
3. The water closet (toilet) was running the whole time I was upstairs and appears to need service.
4. The backflow preventer for the fill line boiler in the basement was removed, and a "splice piece" installed where the backflow preventer was and must be installed.
5. Much maintenance on the potable water lines appears to have been performed over the years. The connections are not code compliant and the piping has inadequate support. The water piping to and from the water heater is not to code.

The plumbing repairs must be completed within 14 days with all repairs per the 2015 Minnesota Plumbing Code 4714.

1. Replace the first floor kitchen sink faucet and repair the kitchen sink or countertop if required to adequately support the faucet so it will function properly. SPLC 34.11(1) MPC 301.1
2. Service the second floor water closet. Repair so it shuts off properly once full. SPLC 34.11(1) MPC 301.1
3. Replace the incorrect material and connections on the hot and cold water lines at the water heater and the exposed water lines in the basement and support to code. SPLC 34.11(5) MPC 501 MPC Chapter 6.

Heating:

1. The boiler was not on at the time of the inspection to verify functionality, sound, or smell.
2. The boiler was coated with dust, dirt, and needs cleaning. (Could be the smell?)
3. Boiler piping has many repairs with different materials and unapproved connections.
4. The boiler temperature and pressure relief appeared to be in the open position and proper function was suspect.

The boiler should be repaired or replaced immediately, today 2/9/18 with all repairs per the 2015 Minnesota Mechanical Code and Minnesota Fuel Gas Code and per the manufacturers installation instructions.

1. Replace temperature and pressure relief valve on the boiler.
2. Repair and replace all materials and connections to code compliant materials and connections.
3. Repair any leaky heating pipes or connections.
4. Clean the boiler burner and all parts and verify proper functionality.

Moermond, Marcia (CI-StPaul)

From: Ubl, Stephen (CI-StPaul)
Sent: Wednesday, February 21, 2018 2:16 PM
To: Moermond, Marcia (CI-StPaul)
Subject: FW: 1272 Edgerton St.
Attachments: 1272 Edgerton 02.09.18 R.J. visit.docx

From: Jacobs, Rick (CI-StPaul)
Sent: Wednesday, February 21, 2018 1:57 PM
To: Ubl, Stephen (CI-StPaul); Shaff, Leanna (CI-StPaul)
Subject: 1272 Edgerton St.

All plumbing corrections indicated at the site visit on 2/9/18 for 1272 Edgerton St. by Senior Plumbing Inspector Rick Jacobs have been made.

Plumbing permits were received, inspections performed, and permits finalized.

In addition:

It appears all additional required corrections for the boiler have been made, all required permits received, inspections performed, and permits finalized.



Rick Jacobs

Senior Plumbing Inspector

Department of Safety and Inspections

375 Jackson Street, Suite 220

Saint Paul, MN 55102

P: 651-266-9051

F: 651-266-9124

rick.jacobs@ci.stpaul.mn.us

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Making Saint Paul the Most Livable City in America

“DSI’s Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all”

I
It's easier for you, maybe I could communicate with the inspector. Just a thought

7:00 PM

Might be a good idea. Will bring you in on the communication thread.

7:03 PM

Wednesday, January 31, 2018

T
Well let just push for the AM and yes I talked to Scott but he wasn't talking about the right shit or cooperation so I haven't been talking to him but tomorrow early could work

2:31 PM

Message from Jon, the tenant on edgerton.

Thursday, February 1, 2018

T
My girlfriend passed away last night. I'll be busy helping with arrangements today. Life must go on as they say, so I have to keep things rolling for the family. I'll still be doing some work when the initial plans are complete. I'm more than willing to do whatever I can to help the repair process a

T
Hey Jon

1/24 second attempt. 10:03 AM

T
Ya lam home it not the greatest day but I guess we need this done come on

1/24 my first text was sent at 8:17am. This is his reply at 1:05pm 10:07 AM

T
Maybe tomorrow afternoon then? 1/24 My reply 10:10 AM

T
It goes on like that. Saturday he said he would be home from church at 2 on Sunday. He texted at 2:05 Sunday and said he would be home tomorrow. I texted him three times this morning, starting at 6am, saying that I NEED to get in there today. He just texted back saying he'll be home. I'm heading ove

VIEW ALL

10:28 AM

How did it go today? Fire InInspector is looking for update.

4:27 PM

I'll wait until I text him three times that I texted and he responded. I've texted him three times this morning as well. I'm making this priority but it's getting hard to keep my schedule flexible for him. In short, no I wasn't there as planned. I'll keep you posted.

9:26 AM

Thank you for sending.

9:39 AM

Hey John can you be home?

Jan 20

9:55 AM

Is there anybody at the house right now?

Jan 20th no response

9:57 AM

Can I come by tomorrow morning?

1/22 no response

9:58 AM

Good morning, can I come this morning? I didn't hear back yesterday.

1/24 no response

10:00 AM