



APPLICATION FOR APPEAL

Saint Paul City Clerk

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8560

RECEIVED

AUG 23 2012

CITY CLERK

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
- Walk-In OR Mail-In

<p><i>YOUR HEARING Date and Time:</i></p> <p>Tuesday, <u>Sept. 4</u></p> <p>Time <u>2:30 P.M.</u></p> <p><i>Location of Hearing:</i></p> <p>Room 330 City Hall/Courthouse</p>

Address Being Appealed:

Number & Street: 857 6th St. E City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Barry Tanner Email barry.tanner@edina Realty.com

Phone Numbers: Business 952-927-1172 Residence 612-916-0223 Cell 612-916-0223

Signature: [Signature] Date: 5-24-12

Name of Owner (if other than Appellant): OneWest Bank of Barry Tanner - Edina Realty

Address (if not Appellant's): 6800 France Ave S #230 Edina MN 55435

Phone Numbers: Business 952-927-1172 Residence 612-916-0223 Cell 612-916-0223

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 Home should be Category 1
- Other

5-24-12

To Whom it may concern,

The property at 857 6th Street E. should be classified as a Category 1 vacant home not a Category 2 vacant home.

My client, OneWest Bank took over the home via foreclosure and scheduled eviction directly from the previous home owners on April 23rd, 2012.

The home has been secure with all utilities (gas/electric/water) at all times and is not in disrepair. (There is some minor chipping/peeling paint.)

The home and yard are being maintained by a professional company while we have the home on the market to sell.

Because the home has been taken care of, never had the utilities shut off and was always under the care of the previous owner and now OneWest Bank, it should be categorized as a Category 1 vacant home.

Barry Tanner
Edina Realty
612-916-0223

STAMP - Activity Detail

[New Search](#)

[Help using this report](#)

[E-mail Service Desk](#)

857 6th St E

Click [here](#) to access other applications using this address - GISmo, MapIT, and Ramsey County Info

Run Date:	08/23/12 12:00 PM	In Date:	05/09/12	Status:	Under Review
Folder ID#:	12 054592	Entered By:	Friel, Tom	Closed:	
Type:	CS - CSO Complaint - Vacant Building Monitoring - Complaint				

Description:

VACANT BUILDING CAT II REFERRED BY PAULA SEELEY OF CODE ENF.
08/02/2012 SPRWS Shut Off List
08/13/2012 SPRWS Shut Off List

Associated Folders:

[12-054629](#) VB - Vacant Building - Category 2 - Single Family Residential
[12-054630](#) VF - Vacant Building Fee - Category 2 - Single Family Residential

Comment:

05/16/2012 : 05/16/2012 Garbage Rubbish WO created: PA 12-057111
Remove all refuse,rubbish,household items,wood debris and junk in all yard areas.Also remove downed treelimb in front yard.
05/16/2012 : 05/16/2012 Tall Grass WO created: PA 12-057112
Cut tall grass and weeds in all yard areas
05/18/2012 : PA EC Printed: 05/18/2012

Document:

[Batch PDF: PA EC letter Document](#) - Generated: 05/18/2012 - Sent: 05/18/2012
[Batch PDF: ParkWO Document](#) - Generated: 05/16/2012 - Sent: 05/16/2012
[Batch PDF: ParkWO Document](#) - Generated: 05/16/2012 - Sent: 05/16/2012
[CE Photo Document](#) - Generated: 05/09/2012 - Sent: 05/09/2012
[CE Summary Abatement Order](#) - Generated: 05/09/2012 - Sent: 05/09/2012

* Note: Clicking on above document links may not reflect the exact formatting of the original document.

People:

Owner:
Deutsche Bank National Trust Company
888 E Walnut St
Pasadena CA 91101-1802

Info Value:

Behavior Complaint: No
Possible Student Housing?: No

Ward: 7
District Council: 4
VB/VF Created?: Yes
VB Category: Category 2
Usage: Single Family Residential
Field Find?: No
Code Compliant: No

Fee:

Excessive Consumption \$50 Fee: \$50.00 - Paid in Full: Cancel - Comment: Fee insert from PA 3396767

DSI CS Complaint Admin

Assigned To: CSO Complaint Analyst Pool 651-266-8989

08/14/2012: Resend to Depts
08/14/2012: Email Sent - To: Friel, Tom
08/06/2012: Email Sent - To: Friel, Tom
08/06/2012: Resend to Depts

DSI Vacant Building Response

Assigned To: Friel, Tom 651-266-1906

05/08/2012: *Recheck - This is a 1 1/2 story woodframe, single family house that is vacant, East side door to enclosed porch is open. House has rotted soffit/fascia, some peeling paint, cracks in foundation, missing handrail, etc. Retaining wall in back is in disrepair. Large tree limb down in front yard, refuse in side porch, and yard. Also old windows, boxes, household items, rubbish etc in back yard. There is a detached two car garage that is secure. Tall grass and weeds. Open Cat II Vb file, Sa.

Garbage/Rubbish (Summary Abatement)
Grass/Weeds (Summary Abatement)
Vacant Building Monitoring (Recheck)
Boarding/Securing (Summary Abatement)

DSI Vacant Building Reinspection

05/15/2012: *Recheck - Buildings are vacant and secure. Porch door still open, tall grass, debris and tree limb remain. Work orders.

Garbage/Rubbish (Work Order)
Grass/Weeds (Work Order)
Vacant Building Monitoring (Recheck)
Boarding/Securing (Work Order)

05/31/2012: *Recheck - Buildings are vacant and secure. Yard is ok. Credit Res Pro with 2 clips from 5-16-12. Realtor for owner called and requested change to Cat I. I told him I thought Cat II was warranted and that he could appeal.

Garbage/Rubbish (In Compliance-No Action)
Grass/Weeds (In Compliance-No Action)
Vacant Building Monitoring (Recheck)
Boarding/Securing (In Compliance-No Action)

07/17/2012: *Recheck - Buildings are vacant and secure. Yard is ok. Gas meter is off but not locked.

Vacant Building Monitoring (Recheck)
Next Schedule Date: 08/07/12

39. Smoke detector Information:

Smoke detector(s) Y
Properly located Y
*Hard-Wired *Y

*if N or H see note on p. 3, item 39

Disclosure Report
St. Paul Truth-In-Sale of Housing
(Carefully read this entire report)

Office Use, ONLY:
Date Received
Payment Ref:

Address 857 6TH ST E

THIS REPORT IS NOT A WARRANTY, BY THE CITY OF ST. PAUL OR EVALUATOR OF THE FUTURE USEFUL LIFE, OR THE FUTURE CONDITION OF ANY BUILDING COMPONENT OR FIXTURE.

Notice: A copy of this Report must be publicly displayed at the premises when the house is shown to prospective buyers, and a copy of this Report must be provided to the buyer prior to the time of signing a Purchase Agreement.

Address of Evaluated Dwelling: 857 6th St E
Addresses without the correct street type and/or direction may be returned and may incur a late fee.

Owner's Name: One West Bank, FSB

Owner's Address: 2900 Esperanza Crossing, Austin, TX 78758

Current Usage of this dwelling: [X] Single Family [] Townhouse [] Condo* [] Duplex [] Other
Usage may not be legal. See below.
*For condominium units, this evaluation includes only those items located within the residential units and does not include the common use area, or other residential areas of the structure.

Comments:

PROPERTY LOCATION AND POSSIBLE USE RESTRICTION INFORMATION

If a box is not checked then the information does not apply to this dwelling. This information is not guaranteed by the evaluator nor by the City of St. Paul.

According to information provided to Truth-In-Sale of Housing Evaluators by the City of St. Paul this property:

* [X] IS A Registered Vacant Building. The conditions applicable to a sale are different by Category:
Even if this box is not now marked this dwelling may become a vacant building before the 1 year expiration date of this report.
Cat 1: New owners must re-register the building and pay all outstanding fees and obtain permission for occupancy.
Written permission from the City of Saint Paul is required before a Cat 2 or Cat 3 VB can be sold.
Cat 2 X: Requirements 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.
Cat 3: All above requirements AND obtain a Certificate of Occupancy or Certificate of Code Compliance before sale.
* NOTICE: A VB status and/or category can change at any time. You must contact the City's Vacant Buildings division at 651-266-1900 to be sure you are fully informed of all the conditions and requirements that may affect the sale of this property.

- [] IS located within a St. Paul Heritage Preservation District or is individually designated as a Saint Paul Heritage Preservation Site. Review and approval of exterior work (excluding painting), modifications, additions and demolition is required by the Heritage Preservation Commission and city staff. For questions regarding Heritage Preservation call the City's information line at 651-266-8989.
[] HAS Open permits. Go to the DSI website (see below), click on "Look Up Property Information" to view information. Completion and/or occupancy restrictions or requirements may apply. Call 651-266-9090 for permit information.
[] IS a Verified Legal Duplex. If this dwelling is in use as a duplex and this box is not checked, contact DSI Zoning at 651-266-9008 for the most recent information. Reseach into a property's history may incur a fee.

You may obtain a printout of all this information by visiting the DSI website, then enter the property address as directed: www.stpaul.gov > Government > Department of Safety & Inspections, then click on "Look Up Property Information"

This Report:

- 1. is intended to provide basic information to the home buyer and seller prior to the time of sale. This report WILL NOT be used to enforce the requirements of the Legislative Code; however, this evaluation form will be used by the Fire Department to determine if there is compliance with the requirements for hard-wired smoke detectors.
2. is based on the current Truth-in-Sale of Housing Evaluator Guidelines, and is based upon different standards than the lender, Federal Housing Administration (FHA) or Veterans Administration (VA).
3. is not warranted, by the City of St. Paul, nor by the evaluator for the condition of the building component, nor of the accuracy of this report.
4. covers only the items listed on the form and only those items visible at the time of the evaluation. The Evaluator is not required to operate the heating plant (except during the heating season), use a ladder to observe the condition of the roofing, disassemble items or evaluate inaccessible areas.
5. is valid for one year from the date of issue and only for the owner named on this report.

Questions regarding this report should be directed to the evaluator. Complaints regarding this report should be directed to Department of Safety and Inspections, Truth-in-Sale of Housing Program, Phone No. 651-266-1900.

EVALUATOR: Dan Brausen PHONE: 651-483-8407 DATE: 05/23/2012 Rev 3/2009

Date 05 / 23 / 2012

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Property Address: 857 6th St E

Rating Key: M = Meets minimum B = Below minimum C = See Comment H = Hazardous Y = Yes N = No NV = Not Visible/Viewed NA = Not Applicable

	<u>B</u>
BASEMENT/CELLAR	
1. Stairs and handrails	<u>B</u>
2. Basement/cellar floor	<u>C,B</u>
3. Foundation	<u>C,B</u>
4. Evidence of dampness or staining	<u>Y</u>
5. First floor, floor system	<u>B</u>
6. Beams and columns	<u>B,C</u>

ELECTRICAL SERVICE(S) # of Services .	<u>1</u>
7. Service size:	
Amps: 30 ____ 60 ____ 100 ____ 150 <u>X</u> Other ____	
Volts: 115 ____ 115/220 <u>X</u>	

BASEMENT ONLY:	
8. Electrical service installation/grounding	<u>M</u>
9. Electrical wiring, outlets and fixtures	<u>M</u>

PLUMBING SYSTEM	
10. Floor drain(s) (basement)	<u>M</u>
11. Waste and vent piping (all floors)	<u>H</u>
12. Water piping (all floors)	<u>M</u>
13. Gas piping (all floors)	<u>B</u>
14. Water heater(s), installation	<u>C</u>
15. Water heater(s), venting	<u>C</u>
16. Plumbing fixtures (basement)	<u>B</u>

HEATING SYSTEM(S) # of	<u>1</u>
17. Heating plant(s): Type: <u>Air</u> Fuel: <u>Gas</u>	
a. Installation and visible condition	<u>M</u>
b. Viewed in operation (required in heating season) . . .	<u>N</u>
c. Combustion venting	<u>C</u>

The Evaluator is not required to operate the heating plant(s),
except during heating season, between October 15 and April 15.

18. Additional heating unit(s) Type: ____ Fuel: ____	
a. Installation and visible condition	<u>-</u>
b. Viewed in operation	<u>-</u>
c. Combustion venting	<u>-</u>

19. ADDITIONAL COMMENTS (1 through 18) B

Item # **Comments**
Specify location(s), where necessary

- Areas concealed - finished off. Limited view in crawl space(s), not able to fully evaluate. Item ratings reflect only to what is readily visible.*
1. B Low headroom (less than 6' 8"). Improper rise / run. Narrow stairs (less than 36"). Handrail not continuous through stairway. Door swings over steps.
 2. B Cracks.
 2. C Uneven in areas.
 3. B Cracked/damaged plaster coating in areas. Missing mortar.
 3. C Plaster type coating prevents viewing in areas.
 4. Foundation stains.
 5. B Missing joist hangers in areas.
 6. B Telescopic (2 piece) posts are not approved for structural support. Adjustable posts not disabled (still adjustable).
 6. C Added supports might not be over footings.
 11. H Open waste.
 13. B Improperly supported gas piping.
 14. C Water heater off, can't fully evaluate.
 15. C Water heater off, can't fully evaluate.
 16. B Improperly supported faucet at laundry tub.
 - 17B Not operated-not heating season.
 - 17C C Not viewed in operation.
 19. B No backflow preventers at outside sillcocks.

EVALUATOR: Dan Brausen DATE: 05/23/2012

Property Address: 857 6th St E

Rating Key: **M = Meets minimum B = Below minimum C = See Comment H = Hazardous Y = Yes N = No NV = Not Visible/Viewed NA = Not Applicable**
Where there are multiple rooms to a category, the Evaluator must specify the room to which a Comment is related.

Item # Comments

- KITCHEN**
- 20. Walls and ceiling M
 - 21. Floor condition and ceiling height M
 - 22. Evidence of dampness or staining N
 - 23. Electrical outlets and fixtures M
 - 24. Plumbing fixtures M
 - 25. Water flow M
 - 26. Window size/openable area/mechanical exhaust M
 - 27. Condition of doors/windows/mech. exhaust ... M

- Some floors out of level.*
- 36. *B Headroom less than 6' 8". Narrow stairway(less than 36"). Handrails do not return to wall at ends.*
 - 42. *Stains in tub/shower grout/caulk locations. (2nd)*
 - 59. *Stains by chimney.*
 - 62. *C State law requires CO detectors within 10' of bedroom doors.*

- LIVING AND DINING ROOM(S)**
- 28. Walls and ceiling M
 - 29. Floor condition and ceiling height M
 - 30. Evidence of dampness or staining N
 - 31. Electrical outlets and fixtures M
 - 32. Window size and openable area M
 - 33. Window and door condition M

- HALLWAYS, STAIRS AND ENTRIES**
- 34. Walls, ceilings, floors M
 - 35. Evidence of dampness or staining N
 - 36. Stairs and handrails to upper floors B
 - 37. Electrical outlets and fixtures M
 - 38. Window and door condition M
 - 39. Smoke detector(s) Y
 - Properly located Y
 - * Hard-wired (HWSD) Y

*if N or H in a **single family home** then SPFire Dept requires HWSD installation

- BATHROOM(S)**
- 40. Walls and ceiling M
 - 41. Floor condition and ceiling height M
 - 42. Evidence of dampness or staining Y
 - 43. Electrical outlets and fixtures M
 - 44. Plumbing fixtures M
 - 45. Water flow M
 - 46. Window size/openable area/mechanical exhaust M
 - 47. Condition of windows/doors/mech. exhaust ... M

- SLEEPING ROOM(S)**
- 48. Walls and ceiling M
 - 49. Floor condition, area, and ceiling height M
 - 50. Evidence of dampness or staining N
 - 51. Electrical outlets and fixtures M
 - 52. Window size and openable area M
 - 53. Window and door condition M

- ENCLOSED PORCHES AND OTHER ROOMS**
- 54. Walls, ceiling, and floor, condition M
 - 55. Evidence of dampness or staining N
 - 56. Electrical outlets and fixtures M
 - 57. Window and door condition M

- ATTIC SPACE (Visible Areas)**
- 58. Roof boards and rafters M
 - 59. Evidence of dampness or staining Y
 - 60. Electrical wiring/outlets/fixtures M
 - 61. Ventilation Y
 - 62. **ADDITIONAL COMMENTS (20 through 61)** C

CO Detector information reported here

EVALUATOR: Dan Brausen DATE: 05/23/2012

Property Address: 857 6th St E

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EXTERIOR (Visible Areas)

63. Foundation	<u>B</u>
64. Basement/cellar windows	<u>B</u>
65. Drainage (grade)	<u>B</u>
66. Exterior walls	<u>C</u>
67. Doors (frames/storms/screens)	<u>B</u>
68. Windows (frames/storms/screens)	<u>B</u>
69. Open porches, stairways and decks	<u>B</u>
70. Cornice and trim	<u>B</u>
71. Roof structure and covering	<u>B,C</u>
72. Gutters and downspouts	<u>M</u>
73. Chimneys	<u>M</u>
74. Outlets, fixtures and service entrance	<u>B</u>

GARAGE(S)/ACCESSORY STRUCTURE(S)

75. Roof structure and covering	<u>C</u>
76. Wall structure and covering	<u>B,C</u>
77. Slab condition	<u>B</u>
78. Garage doors(s)	<u>B</u>
79. Garage opener(s) - (see important notice #6)	<u>N</u>
80. Electrical wiring, outlets and fixtures	<u>M</u>
81. ADDITIONAL COMMENTS (62 through 80)	<u>NA</u>

FIREPLACE/WOODSTOVES # of

82. Dampers installed in fireplaces	<u>0</u>
83. Installation	<u>NA</u>
84. Condition	<u>NA</u>



SUPPLEMENTAL INFORMATION No determination is made whether items meet minimum standards (Y/N, NA, NV, only)

INSULATION	Y/N	Type	Inches/Depth
85. Attic Insulation	<u>Y</u>	<u>Loose fill</u>	<u>Varies</u>
86. Foundation Insulation	<u>NV</u>		
87. Kneewall Insulation	<u>NV</u>		
88. Rim Joist Insulation	<u>NV</u>		

89. **ADDITIONAL COMMENTS (81 through 88)** NA

I hereby certify I prepared this report in compliance with the St. Paul Evaluator Guidelines and all other applicable policies and procedures of the Truth-in-Sale of Housing Board. I have utilized reasonable and ordinary care and diligence and I have noted all conditions found that do not conform to the minimum standards of maintenance.

Evaluator Signature

651-483-8407

Phone Number

05/23/2012

Date

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Rev 3/2009

Printed Name: Dan Brausen

IMPORTANT NOTICES

1. Any single family residence in St. Paul must have at least one smoke detector connected to the electrical system (hard-wired). The detector must be located near sleeping rooms. For more information call Fire Prevention, 651-266-9090. (St. Paul Legislative Code, Chapter 58.)
2. Rainleaders connected to the sanitary sewer system must be disconnected. For more information call Public Works, Sewer Utility, (651) 266-6234.
3. A house built before 1978 may have lead paint on/in it. If children ingest lead paint, they can be poisoned. For more information call Ramsey County Public Health, 651-266-1199.
4. Neither the City of St. Paul nor the Evaluator is responsible for the determination of the presence of airborne particles such as asbestos, noxious gases such as radon, or other conditions of air quality that may be present, nor the conditions which may cause the above.
5. If this building is used for any purpose other than a single family dwelling, it may be illegally zoned. To help you determine legal uses under the zoning ordinance, contact the Zoning Administrator at 651-266-9008.
6. An automatic garage door should reverse upon striking an object. If it does not reverse it poses a serious hazard and should be immediately repaired or replaced.