



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 Edgerston 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 Genvais 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:

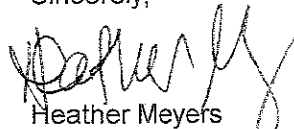
- 1. Ensure that all habitable rooms are at minimum 68 degrees Fahrenheit without use of space heaters. The radiators should not be cold to the touch.**
- 2. In the alternative, prepay for a hotel for the family until the heat is adequately restored.**

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