



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.
Saint Paul, Minnesota 55102
Telephone: (651) 266-8585

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

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>FEB 15th</u> Time <u>1:30 pm - 3:30 pm</u> Location of Hearing: <u>Room 330 City Hall/Courthouse</u> <u>Remote hearing</u>
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Address Being Appealed:

Number & Street: 933, 5th Street E City: Saint Paul State: MN Zip: 55106

Appellant/Applicant: Zaw Wai Email zawhtunwai1944@gmail.com

Phone Numbers: Business _____ Residence _____ Cell 763-777-2556

Signature: Zaw Wai Date: Feb 10, 2022

Name of Owner (if other than Appellant): Zaw Wai

Mailing Address if Not Appellant's: _____

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/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:

I want to request to judge to give me a chance to fix the property.



Mon Mon <monmonzawhtun@gmail.com>

Fwd: Fire Certificate of Occupancy Revocation for 933 5th Street East

1 message

Zaw Wai <gonewiththewind777@gmail.com>

Mon, Jan 31, 2022 at 5:08 PM

To: Zaw Wai <zawhtunwai1944@gmail.com>, monmonzawhtun@gmail.com

----- Forwarded message -----

From: **Huseby, Laura (CI-StPaul)** <laura.huseby@ci.stpaul.mn.us>

Date: Mon, Jan 31, 2022 at 10:56 AM

Subject: Fire Certificate of Occupancy Revocation for 933 5th Street East

To: Zaw Wai <gonewiththewind777@gmail.com>

Cc: clausstacy@gmail.com <clausstacy@gmail.com>

Dear Mr. Zaw Wai:

Attached is the latest inspection report for the above-referenced property. Due to long-term, non-compliance with the requirements of St. Paul Legislative Code and MN State Fire Code, the certificate of occupancy has been revoked. A final review of the property is scheduled for 12:00 PM on January 31, 2022. No one may occupy the property after this time. If you have any questions, please contact me at the information in the report.

Sincerely,

Laura Huseby

St. Paul Fire Inspections

 **Revocation of 933 5th Street East Fire Certificate of Occupancy.pdf**

21K



CITY OF SAINT PAUL

January 31, 2022

Mon Mon and Zaw Htun
442 Brainerd Ave
St Paul MN 55130-3510

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 933 5TH ST E
Ref. # 112152

Dear Property Representative:

Your building was inspected on January 28, 2022, for the renewal of the Certificate of Occupancy. Due to the failed attempts to comply with the applicable requirements, it has become necessary to revoke the Certificate of Occupancy in accordance with Section 40.06 of the Saint Paul Legislative Code.

A reinspection will be made on January 31, 2022 at 12:00 PM or the property vacated.

The Saint Paul Legislative Code further provides that no building shall be occupied without a Certificate of Occupancy. Failure to immediately complete the following deficiency list or the building vacated may result in a criminal citation.

DEFICIENCY LIST

1. Interior - SPLC 40. Grounds for Pending Revocation. The fire code official may issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code if it is found upon inspection by the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations. The residential occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the residential occupancy, or portion thereof, is in compliance with applicable safety codes. The suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of this issuance.

SPLC 40.05(2)(e). Revocations of fire certificates of occupancy, condemnations and orders to vacate. Where the fire certificate of occupancy has been revoked or suspended because of code violations associated with a condemnation and order to vacate, the certificate shall be scheduled for renewal in one (1) year(continued on next page).

The Fire Certificate of Occupancy is revoked and the building and property may not be occupied until re-inspected by this office. Contact the Fire Safety Inspections when the deficiencies in this report have been corrected.

2. Interior - Basement - MMC 603.9, 604 - Repair, maintain or install proper insulation and duct sealant in compliance with the mechanical code. This work requires a licensed contractor to obtain a permit(s) and contact city inspection staff for review of the work and finalizing of the permit. Call DSI at (651) 266-8989.
High efficiency furnace PVC plastic ductwork has multiple penetrations from clothes hangers screwed into the PVC duct. Replace the duct or repair under permit.
3. Interior - Basement - MSFC 313.1 - 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.
Multiple gas-powered chainsaws, generator, backpack blower all in basement at time of inspection.
4. Interior - Basement Water Heater - SPLC 34.11 (5), 34.35 (2) - Contact a licensed contractor to repair or replace the water heater. This work requires a licensed contractor to obtain a permit for the work. Call DSI at (651) 266-8989.
Plumbing inspection during certificate of occupancy inspection, plumbing inspector has corrections on the water heater. Permit indicated new water heater, this is existing water heater.
Water heater is improperly plumbed and leaking. Hire gas-plumbing contractor to repair or install water heater.
5. Interior - Front Door Entry - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path..
Front door does not open/close properly, hanging up at bottom, obstructing entry/exiting.
6. Interior - Gas Clothes Dryer Duct - MMC 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 and installed in accordance with the mechanical code. This work requires a licensed contractor to obtain a permit for the replacement of the clothes dryer duct.
Double fee on permit for installation of non-compliant clothes dryer duct.
Improperly installed clothes dryer ductwork.
7. Interior - Main Floor Sleeping Room- West - SPLC 34.33 (3) - Repair and maintain the door in good condition.
No handle.
8. Interior - See Comments - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.
Basement: Excessive accumulation of personal property in piles, on floor throughout basement.

9. Interior - West Side Sleeping Room - MSFC 315.3 - Provide and maintain orderly storage of materials.

Access of one sleeping room on main floor. Provide orderly storage in the sleeping room, visibility to electrical outlets and floor-wall intersections.

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 this order.

If you have any questions, email me at: Laura.Huseby@ci.stpaul.mn.us or call me at 651-266-8998 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Laura Huseby
Fire Safety Inspector

Ref. # 112152



Mon Mon <monmonzawhtun@gmail.com>

A technician from 1-800-Plumber +Air of Plymouth is on the way!

1 message

1-800-Plumber +Air of Plymouth <noreply+406707@servicetitan.com>
Reply-To: 1-800-Plumber +Air of Plymouth <plymouth@1800plumber.com>
To: monmonzawhtun@gmail.com

Mon, Oct 18, 2021 at 12:16 PM

1-800-Plumber +Air of Plymouth

Thank You for Choosing

1-800-Plumber +Air of Plymouth

Hi MON MON ZAW HTUN,

We wanted to let you know that Tyler S is on the way to 933 5th Street East, Saint Paul, MN 55106 USA.

You may contact the office at (763) 210-5997 if you have any questions.

Thank you.

THIS MESSAGE WAS SENT BY SERVICETITAN

801 N. Brand Blvd. 7th Floor
Glendale, CA 91203

I gave my personal check for gas droyes plumbing services.

Member Statement



Page: 1
 *****9744
 Statement Period:
 01OCT21 to 31OCT21



OZ 01 RETURN SERVICE REQUESTED
 *ps
 ZAW H WAI
 442 BRAINERD AVE
 SAINT PAUL MN 55130-3510

As of 10/31/2021
 Your MyPlus Rewards Points balance: 5109



DEBITS(-)	CREDITS(+)	BALANCE
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Share 0001 - MEMBERSHIP SAVINGS

OCT01	Previous Balance		\$10.25
OCT31	Closing Date...New Balance		\$10.25

SUMMARY

Previous Balance as of 01 OCT 21.....	10.25
Ending Balance as of 31 OCT 21.....	10.25

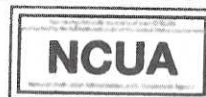
DEBITS(-)	CREDITS(+)	BALANCE
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Share 0200 - BETTER THAN FREE CKING

OCT01	Previous Balance		\$4,399.40
OCT01	Deposit ACH SSA TREAS 310	896.00	5,295.40
	TYPE: XXSOC SEC ID: 9031736039		
	CO: SSA TREAS 310		
	Entry Class Code: PPD		
	ACH Trace Number: 031736032116423		
OCT19	Check 2275 Tracer 796300000000298	-275.00	5,020.40
OCT21	Check 2276 Tracer 091409714122077	-188.58	4,831.82
	Processed Check - CITICARD PAYMENT		
	TYPE: CHECK PYMT ID: CITICHCKTC		
	Entry Class Code: ARC		
	ACH Trace Number: 091409714122077		
OCT22	Check 2280 Tracer 021000029253360	-573.64	4,258.18
	Processed Check - DISCOVER ARC		
	TYPE: PAYMENTS ID: 0510020270		

Continued on page 2

* Loans are open end credit. The balance used to compute the finance charge is the actual outstanding unpaid principal balance each day after credits are subtracted and new balances or other charges are added. The (daily) periodic rate and the actual percentage rate (APR) used to calculate the finance charge is printed under the last transaction related to that loan. ** All loans, except share draft/checking accounts, are not transferable as defined in Regulation D. Send inquiries to: 175 West Lafayette Frontage Road, St. Paul, MN 55107. Grace Period: If a payment is not received within 15 days of the due date a \$15.00 late fee will apply.



(651) 291-3700
 (800) 322-7228
 www.affinityplus.org

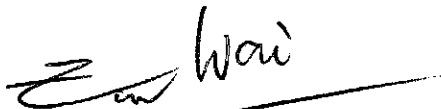
Date: February 10, 2022

Dear Your Honor,

I want to appeal on (Fire Certificate of Occupancy Revocation) the decision made by fire inspector Laura Huseby. Because the reason inspector claimed "Due to long term, noncompliance with the requirement of the city of Saint Paul Legislative Code and MN State Fire Code." is not true.

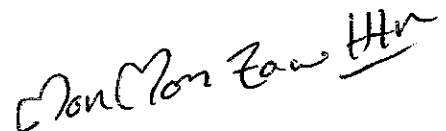
1. The home owner has followed inspector deficiency list and made repairs with license contractor and permit from the city of Saint Paul.
2. Inspector failure to provide what and how exactly she wanted the contractor to repair gas supply pipes to water heater and clothes dryer made multiple reinspection visits to the property.
3. Inspector changed the reinspection date from October 28,2021 to November 16,2021. And Inspector failure to show up without notice for reinspection appointment on November 16, 2021 made a big delay in the reinspection process. Home owner was waiting for inspector on Nov 16,2021 reinspection appointment, but the inspector didn't show up and didn't sent email or phone call. Inspector didn't contact home owner for about 3 months after she missed reinspection appointment. On January 28,2022, She put the notice of Fire Certificate of Occupancy Revocation on front door and back door.
4. The home owner have done fixing inspection definitely list since October 2021.
5. Former tenants property including multiple gas power equipments have been removed from the house.

In conclusion, I want to say that home owner did the right things in reinspection process but inspector had rejected home owner efforts and cooperation. I want to request to the judge to give me a chance. I am willing to follow inspector new deficiency and requirements list according to how she wants me to fix the property.



Zaw Wai

(Home Owner)



Mon Mon Zaw htun

(Home Owner)



Mon Mon <monmonzawhtun@gmail.com>

Your Invoice from Genz-Ryan

1 message

Genz-Ryan <noreply+201343@servicetitan.com>
Reply-To: Genz-Ryan <customerservice@genzryan.com>
To: monmonzawhtun@gmail.com

Mon, Sep 27, 2021 at 1:32 PM

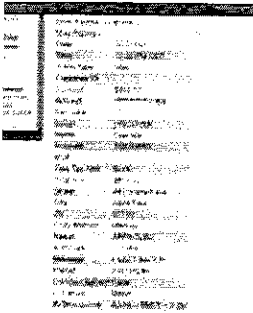
Welcome to the Genz-Ryan family! We are happy you have chosen us and look forward to being your partner in a lifetime of comfort.

For your convenience your invoice is attached. If you have any questions about this invoice, or would like to book another service, please call us at 1-833-688-8258

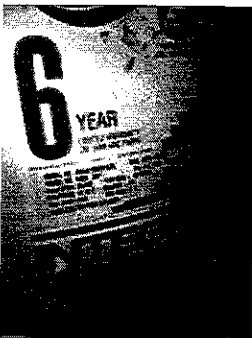
We appreciate you as a customer, and know that you will appreciate our Team Members' commitment to your Plumbing, Heating, Air Conditioning, and Electrical needs!

Sincerely,
Your Genz-Ryan Team

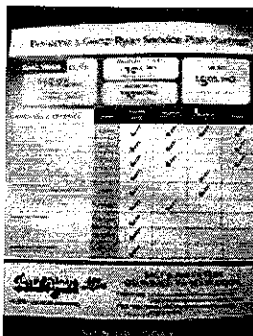
13 attachments



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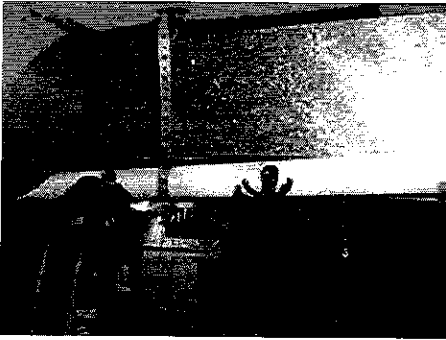


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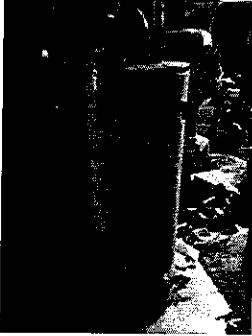


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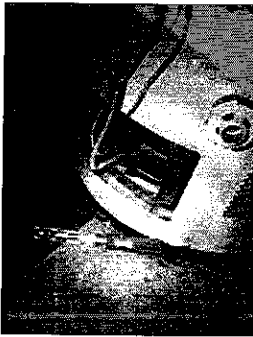
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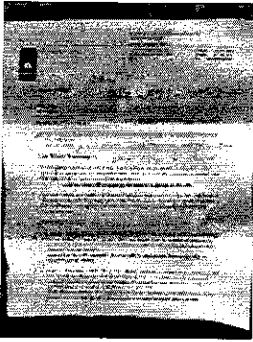


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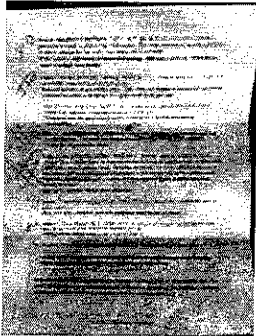


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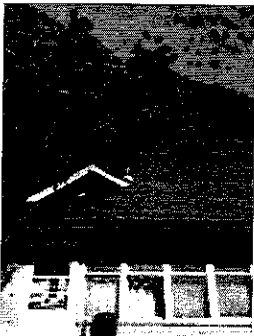
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 **Invoice #192059983.pdf**
92K



2200 West Highway 13, Burnsville, MN, 55337

Heating • Cooling • Plumbing • Electrical

BILL TO

Monmon Htun
933 5th Street East #933
Saint Paul, MN 55106 USA

INVOICE
192059983

INVOICE DATE
Sep 27, 2021

JOB ADDRESS

Monmon Htun
933 5th Street East #933
Saint Paul, MN 55106 USA

Completed Date:

DESCRIPTION OF WORK

PLUMBING SERVICE CALL
FAULTS FOUND TODAY
- INSTALLATION FAULT IN HOT WATER CONTAINMENT SYSTEM
- FRACTURE FAULT IN FURNACE EXHAUST REMOVAL SYSTEM
- DESIGN FAULT IN APPLIANCES FUEL DELIVERY SYSTEM
WORK COMPLETED TODAY
- TEMPORARY FIX NO WARRANTY (DRIP TEE ON WATER HEATER)
- TEMPORARY FIX NO WARRANTY (PIPE FOR T&P)
ALL RENOVATIONS COMPLETED TODAY WITH NO WARRANTY

TASK	DESCRIPTION	QTY
Temporary Fix No Warranty	Temporary Fix No Warranty	1.00
Temporary Fix No Warranty	Temporary Fix No Warranty	1.00
No Warranty	No Warranty	1.00

PAID ON	TYPE	MEMO	AMOUNT
9/27/2021	Discover		\$455.52

POTENTIAL SAVINGS	\$45.55
SUB-TOTAL	\$455.52
TAX	\$0.00
TOTAL DUE	\$455.52
PAYMENT	\$455.52
BALANCE DUE	\$0.00

Thank you for choosing us!

CUSTOMER AUTHORIZATION

I, the undersigned, represent that I am the owner/authorized representative/tenant/agent of the premise at which the work above will be done. I hereby authorize you to perform the work as recommended in the above solutions for \$455.52 and to use any labor and/or materials you deem necessary. Unless prior-authorization for billing is documented on this page, I understand that payment for all work done is due upon completion (C.O.D.). An office billing charge and/or finance charge of 1.75% per month (21% per anum) will be added on any credit card payment after 10 days past due. I agree to pay reasonable attorney fees, any court costs, and all collection fees in the event that legal action is necessary. I understand that I have entered into a contract with Genz-Ryan Plumbing & Heating for any/all labor and/or materials on the property listed above. This is notice is being given as required by Minnesota Law, Minn. Stat 514.011 (1996) and serves to inform you of your respective rights with regard to a Mechanic's Lien. You are therefore notified that any person or company supplying labor or materials for these improvements to your property may file a lien against your property if that person or company is not paid for the contributions.

I have read this contract, including the terms and conditions on the following page hereof, and I agree to be bound to all the terms contained herein. ALL SALES FINAL.



Sign here

Date 9/27/2021

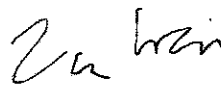
CUSTOMER ACKNOWLEDGEMENT

I, the undersigned, represent that I am the owner/authorized representative/tenant/agent of the premise listed above. My signature below serves as acknowledgement that the work has been completed to scope and I hereby authorize Genz Ryan to collect payment in full. I understand that an office billing charge and/or finance charge of 1.75% per month (21% per anum) will be added to any credit card payment after 10 days past due. I acknowledge that I entered into a contract with Genz-Ryan Plumbing & Heating and that I am responsible for timely payment on any/all labor and/or materials for the work completed on the property listed above. In the event that I default on this agreement, I further acknowledge that I will pay reasonable attorney fees, any court costs, and all collection fees in the event that legal action is required.

Sign here

Date 9/27/2021

I authorize Genz-Ryan to charge the agreed amount to my credit card provided herein. I agree that I will pay for this purchase in accordance with the issuing bank cardholder agreement.



Sign here

Date 9/27/2021



CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

January 31, 2022

MON MON ZAW HTUN
442 BRAINERD AVE
ST PAUL MN 55130-3510

Permit #: 22 022987 PLB
Address: 933 5th St E

To Whom It May Concern:

The above-referenced installation has been found not in compliance and cannot be accepted for the following reasons:

The gas piping for the water heater must be of a ridged pipe material.

Please correct the above conditions and notify me within 30 days the job is ready for re-inspection.

Sincerely,

Paul Zellmer
Plumbing Inspector
Direct Line: 651-266-9048
E-mail: paul.zellmer@ci.stpaul.mn.us