

July 23, 2023

Stamate Skliris
733 Fairview Ave. N.
Saint Paul, MN 55104
(651) 366-1488
Skliris@gmail.com

Attn: Marcia Moermond, Legislative Hearing Officer
City of Saint Paul
310 City Hall
15 West Kellogg Boulevard
Saint Paul, Mn 55102-1615
Phone: (651) 266-8585 Fax: (651) 266-8574
legislativehearings@ci.stpaul.mn.us

Dear Ms. Moermond,

I want to thank you in advance for your time. Additionally, I sincerely hope this writing finds you well in the progression of recovery after your recent medical procedure.

I am writing to respectfully request that the Department of Safety and Inspections (DSI) grant me the certificate of occupancy to my 733 Fairview Ave. N., Saint Paul Home for the reasons I will illustrate.

Inspector's Paradoxical Directives

Below, the yellow highlighted comments from the 2015 and the 2021 Code Compliance Reports of my Home with the accompanying photos at the time these inspections occurred, contrasted against the recent June 6, 2023 Inspectors' comments, illustrates an overt paradox. Opposing or inconsistent requests in the code compliance reports from varying and even the very same inspector 8 years later, finding new items that had already been inspected previously, but perhaps forgotten that they were already inspected previously, but now, 8 years later, requesting the opening of walls and ceilings is troublesome and logically, only keeps prolonging completion of the Home.

The Plumbing Inspector(s) inspected the Water Heater PVC venting pipes in 2015-2016 and again in 2021. The Warm Air Inspector(s) inspected the ductwork in 2015-2016 and again in 2021. As the photos illustrate, the venting pipes and ductwork were entirely visible to the human eye during that time period. Both the venting gas pipes and ductwork were visible because the ceilings and walls were entirely open/exposed (AKA no sheetrock). So, contrary to what was documented most recently, in the new June 2023 inspection by two inspectors in their comments, the ceilings and walls were not covered up as alleged during the first two inspections, nor was the work during that time period ever done without a permit as the DSI leger will show, and appropriately this work was subsequently inspected.

Accordingly, the Plumbing Inspector's June 2023 directive that:

“The walls/ceilings will need to be opened up to inspect the water heater venting...” and,

the Warm Air Inspector’s directive that:

“Ducts were installed and covered up without permit or inspection. Must either open up walls that now have drywall on them so inspections may be done or will need to have ductwork aereosealed from the inside” is not accurate.

Not only are the 2023 inspector positions contradictory form the 2015 and 2021 inspector’s comments, but the demands illustrate that DSI is plainly ‘moving the goal posts back’ on me by requiring redundant work and repeated inspections. I relied on these various inspectors to my detriment. A homeowner should be entitled to rely on the conclusions and assurances of inspectors and have peace of mind and continue forward with the work on the home with those findings. That is reasonable. However, when a variety of different inspectors come in and out of the home over the years, inspect, some retire, some render new opinions, others misplace their findings, and then inspectors return to the home and render different opinions or conflicting findings from the previous inspectors and inspections (from the 2015 and the 2021 inspections), the findings should be construed in favor of the homeowner and not against him.

To mistake the facts and to require the homeowner now to “open up walls/ceilings/drywall would not only be unduly costly and burdensome to me homeowner, but superfluous, and an arbitrary and capricious request from DSI. There is no reasonable basis to destroy finished home walls and ceilings given that this work was completed nearly 7-8 years ago and the inspectors **have already seen these venting pipes and the ductwork firsthand** as soon as the work was completed 7-8 years ago, and fortunately, **as is evident from the photos and the inspectors’ very own comments in their code compliance reports.**

What the inspectors state in the code compliance report is just as important with what they *do not state*. If there were no issues found during the 2015 and 2021 inspections with the gas pipe venting and the duct work inside the home’s walls and ceilings then it is plausible that that work was acceptable then, and that work remains acceptable (up to code) still today.

Category II Downgraded to Category III

As you are aware, my home remains categorized as vacant property since I acquired the home in 2015-16. Despite my investment of hundreds of thousands of dollars of capital, time, labor and costly improvements, the category status of vacancy of my home did not improve, but inexplicably was downgraded in 2020 from a Category II to a Category III vacant property home. The reclassification was unwarranted and in fact is an unduly burdensome to the homeowner because unlike the Category II classification, a **Category III** classification I discovered, **prevents the homeowner from working on his own home** which is not consistent with the terms of the agreement at the time, I, the homeowner, purchased this home. Once again, this act further “moved the goal posts back” and raised the completion costs and thus prolonged my date of completion capabilities.

Crippling ~\$6,000 Annual Tax Burden

It should also be noted that ever since I acquired my home in 2015-16, I have been required to pay an annual vacant property fee coupled with a costly non-homestead property tax totaling approximately \$6,000 each year. Given that I am not allowed to homestead my home *until* I am granted the certificate of occupancy from the “City”, my yearly property tax is at a significantly higher tax rate than most other Saint Paul homeowners. To put this in perspective, we are currently in the year 2023. 2023 minus 2015-16 is 8 years. In the aggregate, I have been required to pay approximately \$6,000 per year, multiplied by 8 years, totaling almost \$48,000 in mere property tax on the 733 Fairview Home, coupled with the onerous vacant property fees on my home. “My home”, which I am still not officially allowed to live in despite a thorough renovation and costly upgrades.

Moreover, despite the payment of registration, permits, fees, practically satisfying every single one of the requirements in the 2015 and the 2021 Code Compliance Report, and providing cost estimates of the repairs, a schedule timeframe for completion of the repairs, providing proof of financial capability to complete all repairs to DSI on multiple occasions, and regularly taking leave from my job to drive at least 150 miles to attend in-person legislative hearings in downtown Saint Paul – despite these actions and my good faith commitment to making every effort to complete the request within the various code compliance reports – I have still not been granted the Certificate of Occupancy to my Home.

To any reasonable person who hears this and sees the before/after overhaul to my home, it beckons one to ask, “How is this being allowed to happen in Saint Paul?” Indeed, it is alarming.

At the home’s current ripe stage and advance progress, it is not only reasonable but also the right thing to do that the “City” should now grant me the Certificate of Occupancy to the 733 Fairview Ave. North Home.

Through the eyes of a Saint Paul homeowner, my experience with DSI misplacing and losing inspection documents because previous inspectors retired, DSI making, new ever-changing inspection demands where DSI inspectors are requesting to see things they have already inspected previously is exhaustive, crippling, and counterproductive. Through the eyes of an aspiring resident of Saint Paul, DSI’s mode of practice is unprofessional. Herb, an 80-year-old seasoned contractor and a close friend, who is very familiar with this Home since even before I purchased it, calls the DSI’s practice with misplacing my permits and new inspection demands id me – “very sad and sloppy”. And, through the eyes of my legal colleagues, DSI’s practice seems unjust, wrong and unconscionable. I now understand the proverbial rumor that buzzes in Ramsey County when I am asked from various people and businesses familiar with the plight of my 733 Home for an update. Their response: *I heard some of those Saint Paul inspectors are tyrannical. They are on a power trip. The culture in that office has a reputation very being very difficult.*

I invite you to closely look at the photos taken at the time of the inspections, the work done at that time, and the comments of the varied Plumbing Inspectors and Warm Air Inspectors from 2015, 2021 and now 2023.

To illustrate: in 2015, the plumbing inspector, Jim Kaufer observed the tankless water heater mounted on the wall, but not yet connected with water or electricity. He also observed/inspected the (white) PVC venting pipes mounted and leading to the Water Heater and leading straight

through the east outer wall of the home outside but without (turning) elbows attached outside yet at that time. His only two comments about the water heater *at that time* as reflected in his 2015 code compliance report were: 4. Basement -Water Heater – (MPC 2180) The water heater must be fired [up] and in service. 5. Basement – Water Heater - (MPC 2280) Support the water meter to code. (referring to the missing outside elbows (turns). See #4 and #5 highlighted infra.

Department of Safety & Inspection
Ricardo X. Cervantes, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806

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

Code Compliance Report

September 17, 2015

** This Report must be Posted
on the Job Site **

GARTH JOHNSON - REALTY HOUSE
5810 78TH ST W 200
MINNEAPOLIS MN 55423

Re: 733 Fairview Ave N
File#: 14 325587 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on August 17, 2015.

PLUMBING Inspector: Jim Kaufer

Phone: 651-266-9054

1. Basement - Water heater shows that tank was frozen and burst. Water heater needs to be replaced.
2. Basement - Soil and Waste Piping - (MPC 1000) Install a clean out at the base of all stacks.
3. Basement - Soil and Waste Piping - (MPC 1000) Install a front sewer clean out.
4. Basement - Water Heater - (MPC 2180) The water heater must be fired and in service.
5. Basement - Water Meter - (MPC 2280) Support the water meter to code.

Fast forward to June 2023, the very same Plumbing Inspector, Jim Kaufer now says, "The walls/ceiling will need to be opened up to inspect the water heater venting."

What?!

The aforementioned is duplicitous because the following photo of the (white) PVC water heater gas vent piping is precisely what the Plumbing Inspector, Jim Kaufer observed in 2015. As such, there is no need to destroy and open a finished ceiling and walls so you can see the piping again. There were no issues with these gas venting pipes at that time, and accordingly, there should not be any new issues today.

In 2021, however, the Plumbing Inspector, Paul Zellmer noted that the elbows (turns) of the gas venting pipes were missing outside of the home. They purposely were left off per the contractor's suggestion, so that new siding pieces could be easily installed (snapped in) around the water heater venting outside without hindrance with the siding repairs/installation. This collateral issue was corrected, as noted in the photos below, after the loose and missing siding pieces were properly installed and snapped in. Accordingly, the water heater venting pipes have been inspected and are without any issues then or now, as noted from the lack of comments in the various code compliance reports from 2015.



2015



2015-2016



2015-2016

Fast forward to 2021, a different Plumbing Inspector, Paul Zellmer made the following comments about the Water Heater after his inspection: #5, #6, #7.

5. Basement – Water Heater – (MPC 507.5) Correct the pressure and temperature relief valve discharge.

6. Basement – Water Heater –(MFGC 503) Install the water heater gas venting to code.

7. Basement – Water Heater – (MPC 501) Install the water piping for the water heater to code.



Water Heater Mounted to wall



2015-2021

Comment #6 about the venting, addresses the above photo where the outside venting did not have elbows (turns) attached. Again, they were purposefully left off because at the time we were in the process of repairing siding on the outside of the home and it was counterproductive to attach (glue) the elbows and then cut them to remove them prior to attaching new long siding pieces. It is precisely why the inspector made this comment: **“Install the water heater gas venting to code.”**



March 2023

The aforementioned was corrected and the elbows were secured, but that does not warrant a new directive in 2023 for the Plumbing Inspector, Jim Kaufer, who has already seen and inspected the PVC gas venting pipes in 2015 – to require the homeowner to open up the sheetrock of an already finished basement for the inspector to re-inspect what he already himself inspected and passed in 2015-2016. It should be noted, still, into the first half of 2021, the basement ceilings remained open (not sheetrocked) and the gas venting was still exposed and visible. Thus, for the homeowner to now be required as of June 2023 for **“The walls/ceiling will need to be opened**

up to inspect the water heater venting” is unreasonable, counterproductive, onerous, but also arbitrary and capricious.



2023



CITY OF SAINT PAUL

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Code Compliance Report

July 02, 2021

**** This Report must be Posted
on the Job Site ****

Stamate Skliris
1556 Englewood Ave Apt 5
St Paul MN 55104-1280

Re: 733 Fairview Ave N
File#: 14 325587 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on March 25, 2021.

Re: 733 Fairview Ave N
July 02, 2021
Page 3

PLUMBING Inspector: Paul Zellmer

Phone: 651-266-9048

1. Basement -Lavatory -(MPC 301.1) Repair/replace the fixture that is missing, broken or has parts missing.
2. Basement -Plumbing - General -(MPC .0101 Subp. 6) Remove all unused waste, vent, water and gas piping to the main and cap or plug to code.
3. Basement -Soil and Waste Piping -(MPC .0100 L & M & 708.1) Plug all open piping and properly pitch all piping.
4. Basement -Toilet Facilities -(MPC 301.1) Repair/replace the fixture that is missing, broken or has parts missing.
5. Basement -Water Heater -(MPC 507.5) Correct the pressure and temperature relief valve discharge.
6. Basement -Water Heater -(MFGC 503) Install the water heater gas venting to code.
7. Basement -Water Heater -(MPC 501)Install the water piping for the water heater to code.
8. Basement -Water Meter -(MPC 609.11) Support the water meter to code.

To this end, just like the white PVC gas venting piping in the walls and ceiling, the AC/HVAC Venting ductwork is also visible in these photos and appropriately, was also inspected – **but by a different** Heating Inspector, Erik Witt, **and not the June 2023 inspector**. The only comment about the new ductwork in 2021 is mentioned in #5: “Clean all supply and return ducts.” Accordingly, it is unnecessary that in 2023, the Warm Air Inspector, Chris Wiskur (a

different inspector than even the previous two inspectors), alleges that the “ducts were installed and covered up without permit or inspection”. This is patently untrue, sloppy, and if he had reviewed the previous two reports, possibly requested in bad faith. Irrespective, the demand would be extremely onerous to the homeowner, is unwarranted and redundant. The work was done years earlier as is visible in the photos, with a permit and the work inspected years earlier, soon after the work was completed.





Heating Inspector: Erik Witt

Phone: 651-266-9045

1. Clean and Orsat test furnace/boiler burner. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe.
2. Replace furnace/boiler flue venting to code.
3. Vent clothes dryer to code.
4. Provide support for gas lines to code.
5. Clean all supply and return ducts for warm air heating system.
6. Mechanical permits are required for the above work.

Immediately, below, are two problematic comments from the recent June 2023 inspections. The June 2023 inspectors are either entirely different inspectors than the previous inspectors to the home or appear to have amnesia as they are requesting that I destroy parts of my home so they can inspect what they have already inspected earlier. i.e. Jim Kaufer, the 2015 Plumbing Inspector.



CITY OF SAINT PAUL

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June 9, 2023

Stamate Skliris
733 Fairview Ave N
St Paul Mn 55104-1011

Job Address: 733 FAIRVIEW AVE N
Permit Number: Permit Number : 22 095993

To Whom It May Concern:

A team inspection of this property was done on Tuesday 6-6-23 to get an understanding of what items from the 2015 vacant building code compliance report had/had not been inspected as well as the items from the 2021 vacant building code compliance report. There was concern that work had been covered up over the years that required inspection.

There were five department inspectors from DSI construction services performing these inspections.

These were the findings:

2) Warm Air inspector - Chris Wiskur:

- Ducts were installed and covered up without permit or inspection. Must either open up walls that now have drywall on them so inspections may be done **or** will need to have ductwork arosealed from the inside. If arosealed method is used the ducts will need to be professionally cleaned beforehand. Will also need to pull some parts to show the inspector that the dryer vents and bath fans have been properly insulated. The furnace boot that was installed is undersized and will need to be replaced which will result in a gas manifold to be replaced as well due to its proximity. There are UV lights in the furnace that will need to be removed **or** moved to a location proper distance from the components that are negatively affected by UV rays. Other miscellaneous items may require inspection and or correction, however, these were the main items that were discussed

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due to them being covered up.

5) Plumbing inspector - Jim Kaufer:

- The walls/ceilings will need to be opened up to inspect the water heater venting and to properly install the shower stalls. Jim contacted the plumbing contractor who claimed he had not been to the site since rough-in inspections were done. The installations of the showers was done without permit.

Clearly, two of the inspectors are not working with this homeowner, but are working against him. Over the years, as I have made progress on the home, nevertheless, DSI clearly seems to be carelessly or intentionally moving the goal posts backwards and making me jump insurmountable costly hoops causing prolonged delay, on top of the recent three years of the pandemic delays I have suffered through, Ms. Moermond.

To retell and illustrate the extremely unreasonable request of one of these inspectors is the following that comes to mind that I have previously shared with you at the last Legislative Hearing in May. You, yourself, acknowledged, Ms. Moermond, and in fact, agreed with me, concerning the whimsicality and precarious nature this inspector's request as you and your husband as you had shared, had recently had mold resistant sheetrock installed in the basement of your own home without the issues I am experiencing from an inspector. See comment #8 from the 2021 Code Compliance Report, Building Inspector Nathan Bruhn required me to: **#8. Remove all mold resistant gypsum (greenboard) from basement walls and ceilings.** As Mr. John

Hinton from the Building Materials Department at the Saint Paul Midway Menards told me after confirming with 20 different Contractors at his store, “Never in their lifetime Stamate, have any one of these 20 inspectors I asked heard of an inspector prohibit the installation or require that a homeowner remove new mold resistant gypsum (greenboard) sheetrock from the basement walls and ceilings of one’s home to have it replaced with non-mold resistant gypsum (sheetrock). In fact, the green or purple sheetrock is superior sheet rock than the normal white kind. That’s why it is more expensive. Because it has a special wax coating over the paper that makes it semi-impermeable to moisture...”



Code Compliance Report

July 02, 2021

**** This Report must be Posted
on the Job Site ****

Stamate Skliris
1556 Englewood Ave Apt 5
St Paul MN 55104-1280



Re: 733 Fairview Ave N
File#: 14 325587 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on March 25, 2021.

Please be advised that this report is accurate and correct as of the date July 02, 2021. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from July 02, 2021. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected. A Legislative Code exemption (Chapter 33.03(f)) allows a Category 2 Vacant Building to be sold "as is" providing the buyer, prior to closing, completes an approval process. For further information, call Reid Soley at 651-266-9120.

ZONING

1. This property is in a(n) RM2 zoning district.
2. This property was inspected as a Single Family Dwelling.

BUILDING Inspector: Nathan Bruhn

Phone: 651-266-9033

1. Dry out basement and eliminate source of moisture. SPLC 34.10 (10)
2. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible. MNRC Ch 1309 Sect 313.2.1
3. Replace or repair landing and stairway per code. SPLC 34.09 (2)
4. Repair siding, soffit, fascia, trim, etc. as necessary. SPLC 34.09 (1)

5. Install downspouts and a complete gutter system. SPLC 34.33 (1d)
6. Install rain leaders to direct drainage away from foundation. SPLC 34.33 (1d)
7. Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil. MNRC Ch 1309-Sect. 404.1.6
8. Remove all mold resistant gypsum (greenboard) from basement walls and ceilings.

As evinced from the reports and photos herein, especially when comparing the 2015 and 2021 inspectors' comments to the recent June 2023 inspectors' comments, in large part, the culture of Saint Paul's DSI, has proven to be contradictory, unreasonable, onerous and extremely costly to me. Many of these factors have contributed to undue delay and have prevented me from the timely use and enjoyment of my 733 Fairview Ave. N. Saint Paul Home which I have invested so much time, so many long miles back and forth to complete, lots of resources and labor over the years. The investment from my life is frankly incalculable. Albeit, even more grave is that metaphorically speaking, I own this home but I still do not possess the key to live in it. That is, I still do not have permission to reside therein and homestead it.

A colleague of mine and former U.S. Attorney, Mr. Christopher Solis, rhetorically asks: "Is the home livable, Stamate? [Since it is,] then you should be able to live in it!"

For all of the above reasons, Ms. Moermond, it is evident, the time is ripe for me to be able occupy, live in and homestead my Home. Accordingly, I respectfully request that I be granted the Certificate of Occupancy to the 733 Fairview Ave. N. Saint Paul home. Thank you.

Respectfully submitted,

Stamate P. Skliris

P.S. #1 The funds exist to be able to finalize the installation of the backdoor landing and any other collateral issues that remain.

WELLS FARGO | Sign Off | Welcome, STAMATE

Accounts | Brokerage | Transfer & Pay | Plan & Learn | Security & Support

Account Summary

CHECKING ...2073 | Available balance: **\$15,927.90**

SAFE DEPOSIT BOX * ...0093

My Wells Fargo Deals

- Tripadvisor**: 5% cash back, Expires 05/15/23, + Activate
- HUNGRYROOT**: 10% cash back, Expires 05/13/23, + Activate
- Hotel Tonight**: 5% cash back, Expires 05/04/23, + Activate

*Account Disclosures: The contents of a safe deposit box are not insured by the FDIC or by Wells Fargo Bank, N.A. To insure the contents of your box, purchase an appropriate policy from the insurance company of your choice.

Get a personal loan. One set monthly payment, and so many ways to use it. Secure. Fast. Easy.

P.S. #2 The grounds (lawn and home)

As of this writing, July 23, 2023, all tall grass, weeds and rank plant growth from the yard, boulevard and even my neighbors' boulevard and alley areas have been cut.





