

We need the following to process your appeal:

## APPLICATION FOR APPEAL

## Saint Paul City Council - Legislative Hearings

RECEIVED

APR 02 2014

CITY CLERK

What Is Being Appealed and Why?

Vacate Order/Condemnation/

□ Code Enforcement Correction Notice

Vacant Building Registration

□ Other

Revocation of Fire C of O

Summary/Vehicle Abatement

Fire C of O Deficiency List

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

\$25 filing fee payable to the City of Saint Paul (if cash: receipt numberCheck \$590_)  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, 4-8-14  Time 2:30 p.m. Location of Hearing: Room 330 City Hall/Courthouse
	e-mailed 4-2-14
Address Being Appealed:	
Number & Street: 703 Bedford St. City: St	Paul State: MN Zip: <u>55130</u>
Appellant/Applicant: Bonnie Barlage Em	nail bbarlage & E16PM.com
Phone Numbers: Business 612-223-6276 Residence	Cell 412-309-9233
Signature: Maleyo	Date: 3/31/14
Name of Owner (if other than Appellant): Kevin Voung	e .
Mailing Address if Not Appellant's: 2531 Marshall St	M DIC. VIN
Phone Numbers: Rusiness (1) - 223-627 (2) Residence	Call

Revised 5/31/2013

Attachments Are Acceptable

See Attached documents

Department of Safety and Inspections,

We would like to request appeal of the vacant building registration for 703 Bedford St. Since receiving the condemnation letter on March 6, every effort has been made to partner with Brian Tonnancour (Fire Inspector) and comply with the city code. Despite these efforts, it appears that the recommendation to add 703 Bedford to the vacant building program was made just 7 business days after we first received notification of the deficiencies. At the time of this appeal on March 31st, there is only one outstanding deficiency from the letter we received on March 24.

On March 6 EIG Property Management received a notice of condemnation related to over occupancy and no heat for 703 Bedford. The over occupancy was clearly a mistake on our part. We did not realize that some of the bedrooms were only allowed to have one person and that two of the bedrooms didn't qualify. This will not happen again. Immediately upon receiving this letter Brian Tonnancour was contacted. A meeting with Brian occurred at the property on March 3<sup>rd</sup> to show him that the heat was in fact working and there was a belief that no further action was required on that issue. Additionally, there was a belief from this meeting if the over occupancy was corrected with lease terminations, the condemnation would be lifted.

A follow-up inspection occurred at the property on March 17. The lease termination agreements effective March 17 were shown to Brian at this time. Unfortunately due to the short timing on the re-inspection, some of the tenant belongings were still in the unit. It was our belief that the condemnation would be lifted after this inspection. Several attempts were made to contact Brian for any follow-ups during his office hours between 7:30 and 9am from March 18 - 21 with no response.

On March 24 we received a letter reiterating many of the same code deficiencies in the original March 6 letter plus the additional request to exterminate pests. All components of the deficiency list have been addressed including:

- Removal of all left behind tenant belongings
- Pest extermination occurred on 3/26/14 (documentation attached)
- Service / safety test of all four furnaces occurred on 3/28/14 (documentation attached).
   Unfortunately, one furnace did not pass and bids were requested to repair this furnace on March 28. This is the only outstanding deficiency.

This property was purchased on July 12, 2013. It quickly became apparent that the tenants were doing illegal activities and being a general nuisance in the neighborhood. The original tenants were transitioned out last fall, and \$16,000 was been invested in renovating and cleaning up the property. During the transition, a few citations were received related to garbage and garbage overflow at the property. This was partly related to the tenant issues and partly related to mistakes in management. We believe we have put the management mechanisms in place to prevent future issues. Both myself (owner) and EIG Property Management who manages the building are committed to making this a healthy and compliant long-term apartment building.

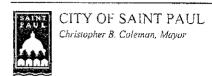
We believe the appeal should be granted given the strong effort to comply with the code, the unusually short time given to comply, the fact that building just passed the certificate of occupancy renewal in Nov 13, and the commitment by both the owner and EIG Property Management.

Thank you for your consideration,

Kevin Younge (Owner) and EIG Property Management

### DEPARTMENT OF SAFETY AND INSPECTIONS

Steve Magner, Manager of Code Enforcement



Nuisance Building Code Enforcement 375 Jackson Street, Suite 220 Saint Paul, MN 55101-1806

651-266-8989 651-266-1919 www.stpaul.gov/dsi

March 26, 2014

Kevin Younge 145 Singer Way Morrisville NC 27560-5552

### VACANT BUILDING REGISTRATION NOTICE

### The premises at 703 BEDFORD ST

has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required to register this building with the Department of Safety and Inspections, Vacant Buildings Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee o \$1,440.00 The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Please return the enclosed registration form along with your payment by April 26, 2014.

### Do not mail cash.

If you wish to pay in person, you may do so from 8:00 a.m. to 4:00 p.m. Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS 375 Jackson Street, Suite 220 Saint Paul, MN 55101-1806

You may file an appeal to this fee or registration requirements by contacting the Office of the City Clerk at (651) 266-8688. Any appeal of this fee must be made within ten (10) days of the date of this notice.

If the registration fee is not received in this office within 45 days of the date of this letter the full amount owed will be assessed to, and collected with, the taxes for this property as permitted by Saint Paul Legislative Code Chapter 43.

The Code Enforcement Officer has notified the Building Inspection And Design Section that this property meets the legal definition of a registered vacant building and in accordance with Legislative Code Chapter 33, no permits (except demolition, wrecking and removal permits) will be issued until the requirements of all applicable ordinances are fulfilled.

All category 2 and category 3 vacant buildings must be winterized with gas and water services shut off or, alternately, an excess flow gas valve must be installed in the dwelling, within sixty (60) days of the date of this Notice.

# WRITTEN PERMISSION FROM THE CITY OF SAINT PAUL IS REQUIRED BEFORE A CATEGORY 2 OR CATEGORY 3 VACANT BUILDING CAN BE OCCUPIED OR SOLD.

- Category 2: Requirements include: 1. register/re-register the building, 2. pay outstanding fee(s), 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, and 6. obtain Zoning approval of the proposed use.
- Category 3: All requirements listed for Category 2 vacant buildings, AND obtain a Certificate of Occupancy OR Certificate of Code Compliance prior to the sale of the building.

If the use of this building meets the definition of a nonconforming use by the Zoning Code then the use will lose its nonconforming status 365 days from the date the building was declared vacant.

You must contact the Enforcement officer, Tom Friel, at 651-266-1906 to find out what must be done before this building can be legally reoccupied.

The Enforcement Officer may declare this building(s) to constitute a Nuisance Building subject to demolition and issue an Order to Abate under authority of Legislative Code Chapter 45. In the event this building is declared a Nuisance Building subject to demolition, the Enforcement Officer will notify all owners and interested parties of the Order to Abate, as provided in the Legislative Code Chapter 45.

If you have questions about this annual registration fee or other vacant building requirements, please contact the Enforcement Officer, Tom Friel, at 651-266-1906.

This registration form and fee is required by law. Your prompt attention to this matter is appreciated.

Thank You,

Steve Magner Vacant Buildings Program Manager Department of Safety and Inspections

Enclosures:

Regulations Requirements Information Vacant Building Registration Form

SM: tf

vb\_registration\_notice 9/2013



CITY OF SAINT PAUL Christopher B. Coleman, Mayor

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

 Telephone:
 631-266-8989

 Facsimile:
 651-266-8951

 Web:
 www.sipaul.gov/dsi

March 17, 2014

EIG PROPERTY MANAGEMENT 253 MARSHALL ST NEMINNEAPOLIS MN 55418

NOTICE OF CONDEMNATION
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE

Sentative:

RE:

703 BEDFORD ST

Ref. # 13438

Dear Property Representative:

Your building was inspected on March 17, 2014.

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.

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. All units All living areas may be used for sleeping of 1 occupant in each of the units.
- 2. All units. MSFC 1028.3 Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-All doors and windows.
- 3. All units. MN Stat. 299F.362 Immediately provide and maintain a smoke detector located outside each sleeping area.

An Equal Opportunity Employer

- 4. All units. MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area.

  Installation shall be in accordance with manufacturers instructions.
- 5. Bldg 703 Unit 1 SPLC 34.13 (3), SPLC 34.17 (2) Reduce and maintain the number of occupants in the sleeping rooms to:-Front Bedroom= 2 persons

  Second Bedroom= 1 person
- 6. Bldg 703 Unit 2 SPLC 34.13 (3), SPLC 34.17 (2) Reduce and maintain the number of occupants in the sleeping rooms to:-Third Floor Front Bedroom= 1 person Third floor back bedroom=0

  Main floor front bedroom=2 people

  Main floor middle=1 person
- 7. Bldg 705 Unit 1 SPLC 34.13 (3), SPLC 34.17 (2) Reduce and maintain the number of occupants in the sleeping rooms to:-Front bedroom= 2

  Middle bedroom= 1

  Back bedroom= 2
- 8. Bldg 705 Unit 2 SPLC 34.13 (3), SPLC 34.17 (2) Reduce and maintain the number of occupants in the sleeping rooms to:-Front bedroom Main Floor=2
  Third Floor Bedroom=2
  Middle bedroom=2
- 9. Throughout SPLC 34.10 (6), 34.33 (5) Exterminate and control insects, rodents or other pests. Provide documentation of extermination.
  -Mouse droppings and cockroaches were observed during inspection.
- 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.-Lack of basic facilities. (Heat)
- 11. SPLC 34.11 (6), 34.34 (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.-All heating units in the property.
- 12. 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: brian.tonnancour@ci.stpaul.mn.us or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Tonnancour Fire Inspector Ref. # 13438

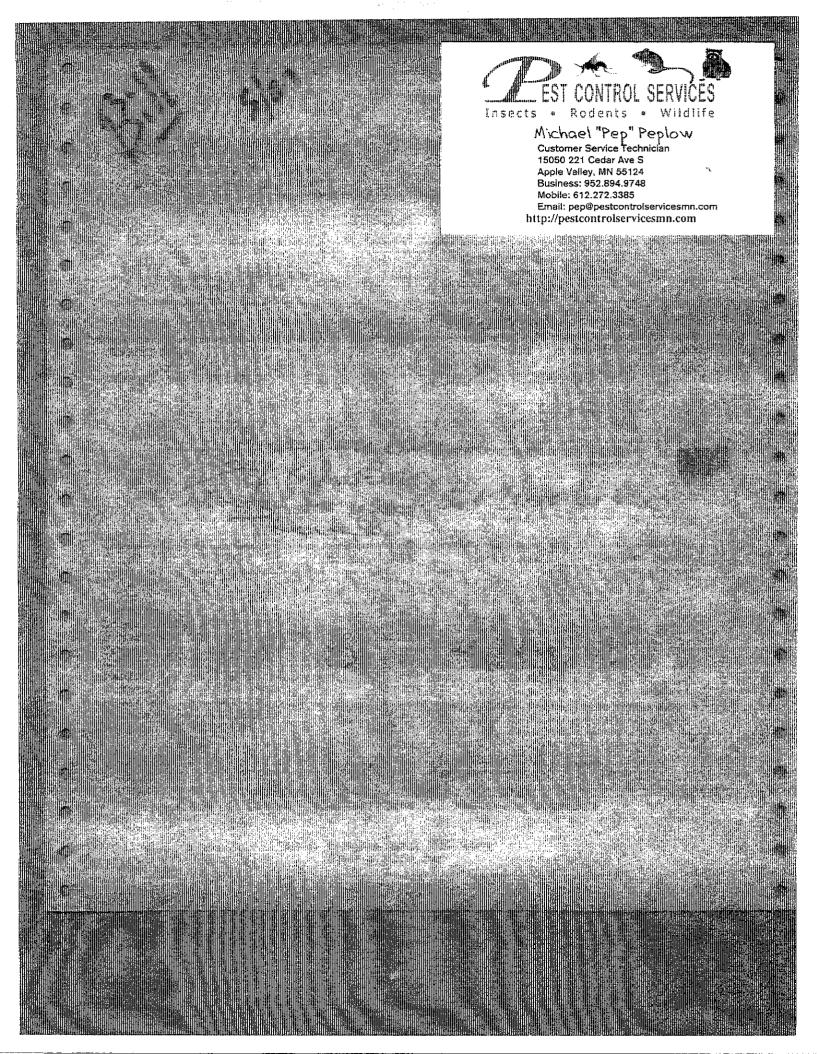
cc:

Housing Resource Center Force Unit

TCE 402270

1209 Tyler St NE Ste 160, Minnea Phone: 763-442-6920 twincities@1800gotjunk.com	Date: 3-28-19 Team: 75/3-59 Route#:				
Name:		Start Time:_			
Company Name: F 10	PIOP NL 191-T	End Time:			
Pickup Address: 70	3 Bedford St.	Moving:	YELLOW COPY CLIENT WHITE COPY OFFICE		
	State/Prov: MN	Zip/Postal:	55		
4	Cell #:		Marie		
Fax #:	Office #:	4			
Email:					
Bill Type Load Size	Description		Price		
V 4611	558 x 4 =		2,232		
45			420		
l ju	ISW APP A CECT				
	CEC Lynn,		1.59 00		
Bill Type V - Volume, B - Bedfoad, S - Sure	harga, SP Standard Item Price	Other			
HOW DID YOU LEARN	AROUT US?	Subtotal			
		Tax			
0-473	-60	Tax	7 and		
		Total	2,9011		
☐ Cash ☐ Debit ☐ Che	ck#	Other			
☐M/C ☐ VISA ☐AMI	EX Name (as it appears on card):				
CC#:					
Signature:		Exp D	ate:		
Name:	Mailing Address:				
City:	State/Prov:	Zip/Postal:			
Job Completion	17est	Date	4 28 14		

TERMS, All accounts are due upon receipt unless credit has been established. Overdue accounts are subject to interest not higher than the maximum allowable interest rate as determined by law. As owner, agent, or tenant of the above location, I hereby agree the work has been satisfactorily completed and understand that I no longer own the items that have been removed.



# #1

# Anna

# EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

(Use separate form for each Appliance)

Department of Safety & Inspections Fire Prevention Division

375 Jackson Street - Suite 220 Saint Paul MN 55101

Fax: 651-266-8951

	LU Bedita	7101 -	S+.			Date: ?~ ]	7-1	J
Owner:	£16					<u> </u>	1	<del>/</del>
Type of Heat:							······································	
Gravity Air	Forced Air		Gravit	y Hot Wa	iter	Forced Hot Wa	iter )	<b>(</b>
Steam						Other	7	<b>7</b> -
Type of Fuel: Gas				Other				
Gas	Design			Convers	sion		<del></del>	
NQ Make	e of Burner			Make				
Para Mod	el	······		Model				
Seria				Max. BT	U Rating		-	
Input				Make of	Furnace	**************************************	_	
Equipment venting t	ype: Atmospheric	L	nduced Fa	an	Other	· · · · · · · · · · · · · · · · · · ·	<del>"to</del>	
Tatel	RTI frant of all we			**************************************				
Type	BTU input of all ve of Chimney: Mason	nton Sar	Class				_	
	of Liner; None	-	- Metal		Clay Tile			
	- bustible Air Supply R			<del>/ \</del>				
					<del></del>	d?: Yes	No_	
Safety & Operating		Yes			dysis/Flue G		<u>Yes</u>	<u>No</u>
	d Operating Properly	<u> X</u>		Vents Pro	perly withou	t Spillage	$\boldsymbol{X}$	
Limit(s) Operating P Operator(s) Operatin		X		Flame Sta	ys Inside/Do	esn't Roll Out	X	
Low Water Cut-Off (	g F10p511y Inerating Properly	Ă.	<del></del>	Burner Li	ghts Smoothl	У	X	
All Controls Operating	ng Properly	V					7	
1 1		<i>A</i>						÷
Stack Temperature	<u>Initial</u>	<u>Final</u>	mar.		I Inspection		Yes	<u>No</u>
Oxygen	F/Net %	472	F/Net %	Fuel P	iping System	- Okay	$\lambda$	
		<i>].</i> La	ю		Systems—Dra nector, Vent (	umooa, Chimney Okay	V	
Carbon Dioxide	<u>"                                    </u>	7.4	%			•	4	
Carbon Monoxide	% / ppm	0	% / ppn	n Heatin	ig Unit – Oka	у	X.	
Carbon Monoxide D	etector (tube type) F	'ositive_	Ne	gative	····		•	
	ng System Before Yo	ou Leave	e:					
1000 0010 Farm	safely and properly?	Ϋ́	es X	No				
wes system operate s			7.		<del>=</del>			
COMMENTS:								

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# EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

(Use separate form for each Appliance)

Department of Safety & Inspections

Fire Prevention Division

375 Jackson Street - Suite 220 Saint Paul MN 55101

Fax: 651-266-8951

Address:	703	Bedfor	0	St.			Date: 3-7	7-11	f
Owner:		E16					- <del> </del>		
Type of Hea	t: ty Air	Forced Air_		Gravit	Hot Wat	er	Forced Hot Wa	ater X	r
Steam	ı <u></u>	Unit Heater		Space i	Heater	<del></del> .	Other		
Type of Fuel	: Gas	Oil_			Other				
	Gas Design		. /		Conversi	ion			
مام		ner Muel	4		Make _		·		
No Dete	Model Serial		<del></del>	<del></del>	Model	U Rating		····	
Plate	Input		•		Make of I	-			
Fauinment ve	enting type: At	mospheric	In	duced Fa		Other		_	
Edarbinem	<b>U</b> 31		_			<del></del>	<del> </del>		
	Total BTU it	•	N .			immey: Other			
		nney: Mason	<del>-/</del>			_	T -	<del></del>	
	Type of Lines				X				
	Combustible	Air Supply Re	equired?			<del></del>	led?: Yes	No_	
Safety & Op	erating Contro	d Tests:	<u>Yes</u>				Gas Analysis:	<u>Yes</u>	<u>No</u>
	afeguard Opera	iting Properly	X				out Spillage Doesn't Roll Out	XX	<del></del>
	ating Properly perating Prope	rlv	*			ghts Smoot		$\frac{A}{Y}$	mayorar day.
	ut-Off Operation	•	4	<del></del>			•	<u> </u>	
All Controls	Operating Prop	erly	X						
	<u>Initia</u>	•	Final			l Inspectio		Yes	<u>No</u>
Stack Temper	rature	F/Net %	423	F/Net %		Piping Syste Systems—I		1	<del></del>
Oxygen	<del>,</del>		5.5		Con	nector, Ver	nt Chimney Oka	ay X	
Carbon Dioxi		_ %	8.6	%	TT in		<b>4.</b>	L	
Carbon Mono	~	_ % / ppm	3			ng Unit – C	кау	1	Page 2 2 1110 2
	oxide Detector				egative_				
	al Heating Systoperate safely a			e: es	No	<del></del>			
COMMENTS:	,					<del></del>			
Person Doing To	est (Print) Kyl	L OWE	<u>n</u>	(signa	ture)	Section 18	AS Phode #	612-87	<u>27-282</u> 5
Comitionin of Co	mnetency Numbe	r from City of St	aint Paul fe	or Appropr	iate Fuel:				

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# EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

(Use separate form for each Appliance)

Department of Safety & Inspections Fire Prevention Division

375 Jackson Street - Suite 220 Saint Paul MN 55101 Fax: 651-266-8951

/ Address: つりて	Rectification	d	Date: 3-27-14
Owner:	DEC. (C)		5-dJ-1-1
Type of Heat:			
Gravity Air	Forced Air	Gravity Hot Water	Forced Hot Water
Steam	Jnit Heater		Other
Type of Fuel: Gas	Oil	Other	<del></del>
Gas Design		Conversion	
Make of Burner	Mueller	Make	
Model	17-KWC.	-9 Model	
Serial	1/1/1/	Max. BTU Rating	
Input	105,000	Make of Furnace	
Equipment venting type: Atmo	7	duced Fan Other	
Total BTU inpu	t of all vented gas (	appliances per chimney:	
Type of Chimne	y: Masonry X	Class B Other	
Type of Liner:	None	Metal X Clay Tile	
Combustible Air	Supply Required?:	Yes No Installe	d?: Yes No
Safety & Operating Control T	ests: Yes	No Fuel Analysis/Flue Ga	Amalunia XI. N
Pilot/Flame Safeguard Operating		Vents Properly without	
Limit(s) Operating Properly	<b>7</b>	Flame Stays Inside/Do	
Operator(s) Operating Properly		Burner Lights Smooth!	
Low Water Cut-Off Operating P	roperly		×
All Controls Operating Properly	<b>X</b>	<del></del>	
<u>Initial</u>	<u>Final</u>	Visual Inspection	Yes No
Stack Temperature F/Oxygen 976		F/Net Fuel Piping System	- Okay
	59 801	Went Systems—Dra Connector, Vent Connector	dthood,
Carbon Dioxide %	8.4	%	Ammey Okay
Carbon Monoxide %	/ ppm	% / ppm Heating Unit - Oka	y <b>X</b> .
Carbon Monoxide Detector (tu	be type) Positive	Negative	4 -
Look At Total Heating System  Does system operate safely and p	Before You Leave: roperly? Yes	- /	
COMMENTS:	roperty: 165	X_ No	
	<del></del>		
Name of	ka D.U.	La part of the	
Licensed Contractor: Burns Math.	ONPA	Address 2725 Garfaeld A	2) Phone # 612-827-2825
Person Doing Test (Print)	V VV VI	(signature) Lyle Out	ww
Certificate of Competency Number from	City of Saint Paul for A	Appropriate Fuel:	•



# EXISTING FUEL BURNING EQUIPMENT SAFETY TEST REPORT

(Use separate form for each Appliance)

### Department of Safety & Inspections Fire Prevention Division

375 Jackson Street - Suite 220 Saint Paul MN 55101 Fax: 651-266-8951

Address: 703 Bud ford St. Owner:	Date: 3-27-14
Type of Heat:	
Gravity Air Forced Air Gravity Hot	Water Forced Hot Water
Steam Unit Heater Space Heate	
Type of Fuel: Gas Oil Othe	
Con	rversion
Make of Burner Willa MS Make	•
Model Model	
Serial Max.	BTU Rating
Input Make	of Furnace
Equipment venting type: Atmospheric Induced Fan	Other
Total RTH imput of all months I	
Total BTU input of all vented gas appliances per Type of Chimney: Masonry Class B	
Type of Liner: None Metal	Other Clay Tile
Combustible Air Supply Required?: Yes No	7
	210
Pilot/Flame Safeguard Operating Properly Vents Limit(s) Operating Properly Flame	Analysis/Flue Gas Analysis: Yes No Properly without Spillage Stays Inside/Doesn't Roll Out r Lights Smoothly
<u>Initial</u> <u>Final</u> <u>Vis</u>	sual Inspection Yes No
	el Piping System – Okay
70 70	nt Systems—Drafthood, Connector, Vent Chimney Okay
arbon Dioxide % %	
	ating Unit – Okay
arbon Monoxide Detector (tube type) Positive Negative	
30k At Total Heating System Before You Leave:	
Des system operate safety and property?  Yes  No	The ans
	7 100 900
one of Contractor Burno Hat - Momey - R. He Address 2925	626.1125
rson Doing Test (Print) Ky/L OWW (signature)	The Jums rhone # 616 821.68
,	7