



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 03 2015

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 check 1886)
- 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

<p>HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>June 9, 2015</u></p> <p>Time <u>11:30 AM</u></p> <p>Location of Hearing: Room 330 City Hall/Courthouse</p>
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Address Being Appealed:

Number & Street: 201 4th St E City: St Paul State: MN Zip: 55101

Appellant/Applicant: Syndic Group LLC Email: APETERSON@THEMONEYMATRIX.COM

Phone Numbers: Business 651 487 0133 Residence _____ Cell 651 248 9976

Signature: [Signature] Date: 6/2/15

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 1955 University Ave W #200 St Paul
55104

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.)

Insufficient time to complete financing of the work orders as well as the work.

Building will have major renovations within months.



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

May 27, 2015

JASON BROWN
PCF GROUP/J&A PROPERTIES
1951 UNIVERSITY AVE E
ST PAUL MN 55104

NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE

RE: 201 4TH ST E
Ref. # 10961

Dear Property Representative:

Your building was inspected on May 22, 2015.

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. Condemnation Placards have been posted on the building.

The following deficiencies were to be corrected and documentation submitted to this office by the May 22, 2015 inspection. The following deficiencies were not addressed as required, therefore it has become necessary to take enforcement action:

- 1. Suppression system: Number 19, 37, and 38. The system must be tested and fully functional reflective of the current codes.**
- 2. Structural soundness: Number 20**
- 3. Roofing system: Number 33**

The following deficiency list must be completed or the building vacated by the re-inspection date.

A re-inspection will be made on June 8, 2015 at 11:30am.

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. #21 - Ceiling - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-
2. #21 - Ceiling - MSFC 901.6 - The fire sprinkler system must be maintained in a operative condition at all times, replace or repair where defective. All work must be done by a licensed contractor under a permit.-There was a hanger for the sprinkler system that was not attached to the ceiling.
3. #21 - Ceiling - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090.
4. #24 - Bathroom - SPC 4715.0200 (D) - Provide plumbing fixtures made of a smooth durable, non-absorbent, corrosion resistive material and must be free of porous surfaces.-Remove flex pipe from under sink.
5. #25 - Ceiling covering - MSFC 805.2 - Provide documentation that decorative materials have been treated and maintained with an approved flame retardant or remove decorative materials that do not meet the flame retardant requirements.-Provide documentation of the flame spread of the ceiling covering throughout the space.
6. #28 - NFPA 13 2-6.1.7 - Remove all objects, equipment or storage hanging from the fire sprinkler piping and/or fire sprinkler heads.-Remove items hanging from the sprinkler system.
7. #30 - Bathroom - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-5/22/15 they are in the process of replacing the bathroom floor. It was bare plywood at time of inspection.
8. #30 - Bathroom - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-The toilet was loose to the floor. 5/22/15 they are in the process of installing a new floor, and the toilet was missing. There is also no permit for any of the work being performed.
9. #30 - Bathroom - Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-5/22/15 door has started to delaminate since last inspection.
10. #30 - Bathroom sink - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-The faucet in the bathroom was leaking.

11. #30 - Entry door - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be:-Provide a normal handle and latch assembly and a closer so that the door closes and latches on its own. 5/22/15 handle mechanism has been installed, but not the closer.

12. #30 - Linen closet - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There was a damaged light fixture in the linen closet by the bathroom. 5/22/15 fixture was replaced without permit.

13. #32 - Storage too close to sprinklers - MSFC 315.2.1 - Provide and maintain a minimum of 18 inches clearance between the top of the storage and the sprinkler heads throughout the space.-

14. #38 - Dryer vent - MSMC 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 may require a permit(s). Call DSI at (651) 266-8989.-The dryer vent tips down as it goes over the wall. Have a licensed contractor install per code.

15. #38 - Kitchen - SPC 4715.0200 (D) - Provide plumbing fixtures made of a smooth durable, non-absorbent, corrosion resistive material and must be free of porous surfaces.- Remove the flex pipe from under the kitchen sink. 5/22/15 flex pipe has been removed, but there is no permit for the work.

16. #38 - Loft areas - MSBC -Section 105.1 - Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Work being done requires a permit. -The lofts in this area and the stairs to access them were not installed with permit. Have a licensed contractor pull permits and install the work per the building code.

17. #38 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.

18. #38 - Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner.-

19. Aged sprinkler heads - Testing - MSFC 901.6 - The sprinklers in service for more than 50 years for standard response heads or more than 20 years for quick response heads shall be replaced or samples sent to an approved laboratory for testing. Provide documentation to this office as proof of compliance. All sprinkler work must be done by a licensed contractor under permit.-

20. Basement - Inspection report - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Per CBO Steve Ubl investigate and confirm, by a registered designer of the state of Minnesota, the basement steel/masonry/clay tile ceiling and rear foundation.
21. Basement - Water - SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.-There was water running into the basement from the alley side.
22. Boiler system - Maintenance - UMC 2103 - All equipment, appurtenances, devices, and piping must be installed in a workmanlike manner.-Per CBO Steve Ubl have a licensed mechanical contractor investigate the wiring for the boiler and the chimney, and provide a report to this office. The wiring for the boiler is hanging out of the box, and the chimney appears to be to short.
23. Exterior - Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-
24. Exterior - Throughout - SPLC 34.09 (1) b, c, 34.33 (1) b, c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair the exterior of the building, including tuck pointing, holes in exterior walls, missing or rotten boards, cracked bricks, and deteriorating stone window ledges.
25. Exterior repairs - HPC permits - On March 22, 1984, the Historic Lower town Heritage Preservation District was established under Ordinance No. 17120, § 2. The Heritage Preservation Commission shall protect the architectural character of heritage preservation sites through review and approval or denial of applications for city permits for exterior work within designated heritage preservation sites §73.04.(4).-An HPC permit is required for all exterior repairs.
26. Fire extinguishers - Throughout - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.-Service all fire extinguishers in common hallways and in all of the units.
27. Interior - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Remove all extension cords throughout the building.
28. Interior - Throughout - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be:-5/22/15 there is OSB (Oriented Strand Board) covering holes in the ceiling, and painted to match, in multiple locations throughout the building. This does not provide appropriate fire separation.

29. **Interior - Throughout - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-The building has been condemned due to non-compliance of items 27,47,48,29, and 41 of the previous correction letter pertaining to the sprinkler system, structural integrity of the roof, and structural integrity of the basement/ foundation. Due to the deletion and addition of deficiencies on the May 22, 2015 inspection these numbers have changed to 19,37,38,20, and 33.**

30. Key box - Keys - MSFC 506.2 - Call Fire Department communication center at (651) 266-7702 to make arrangements to have the keybox opened when you have the correct keys on site.-The fire department was out and noted that the keys in the key box for the bar were not good as they were not able to make entry. Update the keys and contact the fire department to the keys in the box.

31. Key box - Repair - MSFC 107.1 - Repair broken keybox. If you need keybox opened, call the Fire Department communication center at (651) 266-7702 to make arrangements. If you need parts for the keybox, contact the Knox Company at 1-800-552-5669.-Per conversation with owner the door does not appear to be damaged from prying, but it has been found removed and on the ground several times. The keybox needs to be repaired or replaced and updated keys installed.

32. Plumbing - Throughout - SPLC 34.11, MSBC 2902.1, SPLC 34.17, MSPC 415.0220 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-Per CBO Steve Ubl the plumbing system, including the public and private bathrooms on the second and third floors, were not installed correctly. Have a licensed contractor pull permits and install the plumbing to code, and have the work inspected and approved.

33. Roof - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects.-

34. Second and third floor - Exit doors - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Both of the exit doors are falling apart.

35. Second floor - Between units 25 and 26 - MSFC 1010.3 - Provide and maintain approved external or internal lighting of the exit sign.-The light was burnt out.

36. Second floor - Common bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner.

37. Sprinkler system - Spare heads - NFPA 13 2-2.8 - Contact a fire sprinkler contractor to provide a sprinkler head box including spare sprinkler heads and/or a wrench. The box must be located and maintained at the main riser.-There were no spare heads in the box, and no wrench.

38. Sprinkler system - Testing - MSFC 901.6 - Provide required annual inspection and testing of the fire sprinkler system by a licensed fire sprinkler contractor and provide written documentation to this office as proof of compliance. Tags must be maintained on the riser showing the latest date of inspection and testing.-

39. Third floor - By elevator lobby - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls and ceiling in an approved manner. -Walls and ceiling are discolored from the roof leaking.
40. Third floor - Elevator lobby - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-
41. Third floor - Exit light by elevator - MSFC 1010.3 - Provide and maintain approved external or internal lighting of the exit sign.-Repair the exit sign. At time of inspection it was missing bulbs, backup power, and the face of the sign. 5/22/15 the lighted exit sign has been removed and emergency lighting put in its place. There is no permit on this work. Pull a permit and reinstall lighted exit sign
42. 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.
43. 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: george.niemeyer@ci.stpaul.mn.us or call me at 651-266-8991 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

George Niemeyer
Fire Inspector
Ref. # 10961