



APPLICATION FOR APPEAL

RECEIVED
FEB 16 2016
CITY CLERK

Saint Paul City Council – Legislative Hearings
OFFICE OF 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 005147)
- ☒ Copy of the City-issued orders/letter being appealed
- ☒ Attachments you may wish to include
- ☒ This appeal form completed
- ☒ Walk-In OR ☐ Mail-In DELIVERED
for abatement orders only: ☐ Email OR ☐ Fax

HEARING DATE & TIME
(provided by Legislative Hearing Office)
Tuesday, March 1, 2016
Time 1:30 **2:30 p.m.**
Location of Hearing:
Room 330 City Hall/Courthouse

*date ok'd by Chris Asher
via email 2/16*

Address Being Appealed:

Number & Street: 576 White Bear Ave City: St Paul State: MN Zip: 55106

Appellant/Applicant: SMR Real Estate LLC Email: synergysrentals^{mn}@gmail.com

Phone Numbers: Business 651-387-0112 Residence _____ Cell 612 670 0321

Signature: [Signature] Date: 2/15/16

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 900 N Third Street Mpls MN 55401

Phone Numbers: Business 651-387-0112 Residence _____ Cell 612 670 0321

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.)

SEE ATTACHED LETTER



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 12, 2016

Smr Real Estate Llc
900 N Third St
Minneapolis MN 55401-1017

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 576 WHITE BEAR AVE N
Ref. # 100782

Dear Property Representative:

Your building was inspected on January 11, 2016, for the renewal of the Certificate of Occupancy. Since you have failed 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 29, 2016 at 9:00am 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. Exterior - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition.-Both front and rear screen doors off. Latches and closers remain.
2. Exterior - 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.-Scrape and paint in chipped and peeling areas. of both dwelling and garage.
3. Exterior - SPLC 34.09 (3), 34.33 (3) -Provide or repair and maintain the window screen.- Repair holes in windows screens
4. Exterior - 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 roof line on side of dwelling.

5. Exterior - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Repair retaining wall along driveway.
6. Exterior - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Clean up rubbish on side of garage.
7. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Repair broken windows.
8. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.-Repair sidewalk on side of dwelling.
9. Interior - Bathroom - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. -Repair bathroom wall
10. Interior - Upstairs - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code.-Replace bedroom door.
11. Interior - Upstairs - 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.
12. Interior - SPLC 34.10 (6), 34.33 (5) - Exterminate and control insects, rodents or other pests. Provide documentation of extermination.
13. Interior - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner.-Repair tiles in rear porch.
14. Interior - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.
15. 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.
16. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
17. SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Deep clean dwelling of rodent feces and other unsanitary items.

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: daniel.klein@ci.stpaul.mn.us or call me at 651-266-8988 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Daniel Klein
Fire Inspector
Ref. # 100782



February 15, 2016

City of Saint Paul
Department of Safety & Inspections
Fire Inspection Division
375 Jackson Street
Suite #220
Saint Paul MN 55101

Office of the City Clerk
City Hall
Room 310
15 Kellogg Blvd. West
Saint Paul, MN 55101

Re: **576 White Bear Avenue, MN Saint Paul MN**

To whom it may concern:

On January 29, 2016 we met fire inspector, Dan Klein, at the above-mentioned property to review the inspection of the property. Mr. Klein immediately notified us that the inspection failed.

On Monday, February 1, 2016 we contacted City of St. Paul fire inspection division department to find out next steps. We were told that a letter would be sent out notifying us that the building was going to be marked as "Vacant Building". In addition, upon receipt of this letter, we would have the right to file an appeal within 10 days. **We have not received any such notification letter as of the date of this letter.**

In addition, on Thursday February 4th, an email was sent to Leanna Shaff and Daniel Klein noting that we have not received any notification letter yet from the City Fire Dept.


This past weekend, February 13, we were informed by the property tenant that a notification had been posted on the door. This "Revocation Notice" is dated January 11, 2016. This date is prior to the last inspection date!

We hereby notify you that we intend to formally appeal this action by the City of St. Paul Fire Inspection Division. Please respond with the date of the appeal hearing.

We have not received timely, formal or proper notification of this action being taken by the City.

Sincerely,

SMR Real Estate, LLC


Sam Kiesgraf
Chief Manager

Encl. Revocation Notice picture, Notice "Keep Out" picture

900 North 3rd Street
Minneapolis, MN 55401
Phone: 612.305.7090 Fax: 612.359.5858

Sunday 2/14/15

To City of St Paul, Whom it may concern

Re: 576 White Bear Ave

On behalf of tenants occupying dwelling

We are the tenants of 576 White Bear Ave. Upon seeing your posting we reached out to the Property Management & owner. We are quite upset because our understanding of the posting is that we have only a few weeks to move.

Moving would create a tremendous hardship for us. We are a working family with children and limited financial resources. We cannot move. There is no way fiscally or physically we could move anytime in the near future much less with such short notice.

We are incredibly concerned and fearful that we will end up homeless if we are truly forced to move by the end of the month.

If it would help us remain in the home we would like to speak to anyone who has the authority to help us stay in the rental property.

Jennifer and Julio Gonzales

651-786-9245

City of Saint Paul
Department of Safety & Inspections
Fire Inspection Division
651-266-8989

REVOCATION NOTICE

The Fire Certificate of Occupancy required for
Occupancy or Use of This Building, has been Revoked.
It is unlawful to Use or Occupy this building

After: FEBRUARY 29, 2016

Persons Using or Allowing the Use or Occupancy of
This Building, are Subject to Criminal Penalties.

Building Address: 576 WHITEN BEAR AVE

Code: SPLC, Art.: 40, Sect. 06

Inspector: D. KLEIN

Date: 1-11-16

Under Penalty of Law, this notice shall not be removed without authorization from
Department of Safety & Inspections

Any Person affected by this Order, may file an appeal at the Office of the City Clerk,
Room 310, City Hall, 15 Kellogg Blvd. West, or call (651) 266-8688 within 10 days
of the original notice. The cost to file an appeal is \$25, and must include a copy
of the letter of Revocation. This letter of Revocation is available at: Saint Paul Department
of Safety & Inspections, Fire Inspection Division, 375 Jackson Street Suite #220 Saint Paul, MN 55101

NOTICE

THEFT OR DESTRUCTION OF THIS PROPERTY IS A CRIME PUNISHABLE BY IMPRISONMENT FOR UP TO FIVE YEARS OR A FINE OF \$10,000 OR BOTH, IN ACCORDANCE WITH MINNESOTA STATE STATUTE 60B.52.

ALL AUTHORIZED PERSONS ARE HEREBY NOTIFIED TO

KEEP OUT

576 WHITE BEAR AVE N

CITY OF SAINT PAUL
POLICE DEPARTMENT
JACKSON STREET SUITE 220
SAINT PAUL, MN 55101-1804
PHONE (651) 266-3049

THIS NOTICE SHALL NOT BE REMOVED
WITHOUT AUTHORIZATION FROM THE DIVISION
OF CODE ENFORCEMENT

266-1945

Rich Singsen

Office Phone (651)

ENFORCEMENT OFFICER

DATE POSTED

Very best of luck to all who wish to take their property and keep it safe. Used to be a property to be sure and keep it safe.