



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

SEP 06 2016

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 950223)
- ☒ 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, Sept. 13, 2016

Time 2:30 p.m.

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1069 Ryde City: St. Paul State: MN Zip: 55103

Appellant/Applicant: Linda Johnson Email: johns304@umn.edu

Phone Numbers: Business _____ Residence _____ Cell 612 407 3877

Signature: Linda Johnson Date: Sept. 6, 2016

Name of Owner (if other than Appellant): _____

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.)

work complete home was not vacant when inspected
work is complete

home is fit for occupancy



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-1919
www.stpaul.gov/dsi

September 01, 2016

Linda K Johnson
1069 Ryde St
St Paul MN 55103-1370

VACANT BUILDING REGISTRATION NOTICE

The premises at **1069 RYDE 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 by law to register this building with the Department of Safety and Inspections, Vacant Building 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 of **\$2,085.00**. 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 October 01, 2016.

Do Not Mail Cash

If you wish to pay in person, you may do so from 8:00am to 4:00pm 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 City Clerk's Office by calling (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 , Mike Kalis, at 651- 266- 1929 to find out what must be done before this building can be legally reoccupied.

The Enforcement Officer may declare this building 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 Office 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 District Inspector, Mike Kalis, at 651- 266- 1929.

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

Steve Magner
Vacant Buildings Program Manager

Enclosures: Regulations Requirements Information
Vacant Building Registration Form

SM: mk
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CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS
DIVISION OF CODE ENFORCEMENT
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
SUMMARY ABATEMENT ORDER

August 31, 2016

16 - 074472

Yog hais tias koj hais tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266- 8989. Nws yog pab dawb zwb. Si necessita un traductor, por favor llamanos al (651)266- 8989. No costo.

LINDA K JOHNSON
1069 RYDE ST
ST PAUL MN 55103-1370

As owner or person(s) responsible for : 1069 RYDE ST you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.

1. Remove improperly stored or accumulated refuse including: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from yard areas. Comply before September 6, 2016
2. Cut and remove tall grass, weeds and rank plant growth from yard, blvd, and alley areas. Comply before September 6, 2016
3. **IMMEDIATELY** secure all buildings which are open to unauthorized entry. Comply before September 6, 2016

If you do not correct the nuisance or file an appeal **before September 06, 2016**, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.

Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipments, etc. The rate will be approximately \$260 per hour plus expensed for abatement.

**You must maintain the premises in a clean condition and
provide proper and adequate refuse storage at all times
FAILURE TO COMPLY MAY RESULT IN A CRIMINAL CITATION**

Issued by: Mike Kalis Badge: 362 Phone Number: 651- 266- 1929
If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.

Also Sent To:
Occupant

APPEALS: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, which ever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266- 8688. You must submit a copy of this Summary Abatement Notice with your appeal application.

***WARNING** Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers of the city. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within said 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.

sa.rpt 9/15



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

335.0

August 31, 2016

NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION AND ORDER TO VACATE

Linda K Johnson
1069 Ryde St
St Paul MN 55103-1370

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1069 RYDE ST** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **August 30, 2016** and ordered vacated no later than **August 30, 2016**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, "Vacation of Structure or Unit":

"Any residential structure or residential unit which has been condemned or placarded as unfit for human habitation shall be vacated within the time set forth in the placard and/or order. It shall be unlawful for any person to let to any person for human habitation any structure or unit so condemned or placarded, and no person shall occupy the structure or unit after the date set forth in the placard and/or notice."

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION
UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL;
DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE
ENFORCEMENT**

Principle Violations: These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. **CONDEMNATION:** The interior of the house constitutes material endangerment. The interior of home has gross unsanitary conditions with many code violations. Inspector found the home unsecure and open, counters cluttered, rotting food, no working bathroom.
2. **SMOKE DETECTORS:** Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.
3. **CARBON MONOXIDE ALARM.** 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 manufacturer's instructions.

Other Violations: These deficiencies must be corrected in order to bring this property into compliance with the Saint Paul Legislative Code.

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8688. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

If you have any questions concerning this matter, please contact the Inspector, Lisa Martin, at 651-266-1940. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.

Sincerely,

Lisa Martin
Enforcement Officer

lm

c: Posted to ENS

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The homeowner, Linda Johnson, had a temporary job through Labor Day that prevented her from being present for the originally scheduled inspection on August 10. She and her husband, Stefan, have one shared cell phone with poor voice call access and do not have a computer at home, making communication challenging. Stefan usually has the phone due to his work schedule and speaks English as a second language, also creating communication challenges. A neighbor helped place calls to the city on their behalf. Attempts to reach the inspector (John Peter Ross) to reschedule were unsuccessful as he was on vacation.

At the time that inspection was made on August 30, both residents were away from the home for work. While the doors are typically locked, it may have been left unlocked by one of the residents who has diabetes that can affect memory.

The homeowner has made a good faith effort to comply with the summary abatement items and address issues inside and outside the house. The order to vacate and subsequent request for vacant building registry are a significant financial burden for the household and could render them homeless.

The homeowner and her husband have support from a neighborhood church they've attended, Mission Church, and church members are providing volunteer help and direction to assist them in repairing and organizing their home. They are also in the progress of applying for assistance with local nonprofits for larger repairs to the home – NeighborWorks Home Partners, NEC, and Minnesota Housing Finance Agency.

Appeal of Summary Abatement: The homeowner has addressed all items listed in the abatement order prior to the deadline: grass has been mowed, weeds removed, hedges trimmed, refuse removed. Pictures show progress on yard work:





Appeal of Order to Vacate:

At the time the inspector visited and entered the property, the residents were still living there but were gone for the day at their jobs. While they typically lock the doors, one or more were left open that day.

The homeowner was in the process of repairing a rotting subfloor, replacing the wax seal, and reinstalling the toilet in the same location with the same water supply in their bathroom. Work on the subfloor was partially completed when the inspector viewed the house.

The code violations inside the property have been addressed: the house has been thoroughly cleaned and clutter has been removed. The refrigerator has been replaced with a better working model. New smoke detectors and a carbon monoxide detector have been installed outside sleeping rooms. The bathroom floor has been finished and the toilet reinstalled. Photos attached show that the house has been cleaned and the bathroom floor repaired.





Appeal of Vacant Building Registration:

Because the building has been restored quickly to habitable condition, and properly secured, the appellant requests that the building not be placed on the vacant building registry. The substantial cost would be a financial hardship and the building has not been vacant for a significant period of time.

The timeline of vacant building notices was also confusing: On September 1, the homeowner received a letter dated August 31 stating that the building would be posted by August 30. A letter requesting vacant building status was dated September 1, sent before they had received the notice of the order to vacate.