



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

RECEIVED

JUL 11 2017

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 950345)
- 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

<b>HEARING DATE &amp; TIME</b>
(provided by Legislative Hearing Office)
Tuesday, <u>July 18, 2017</u>
Time <del><u>1:30 p.m.</u></del> <span style="border: 1px solid red; padding: 2px;"><u>11:30 a.m.</u></span>
<b>Location of Hearing:</b>
<u>Room 330 City Hall/Courthouse</u>

## Address Being Appealed:

Number & Street: 671 Hawthorne Av City St. Paul State MN Zip: 55106

Appellant/Applicant: Richard M Gruber<sup>E</sup> Email \_\_\_\_\_

Phone Numbers: Business \_\_\_\_\_ Residence 651 771-4812 Cell \_\_\_\_\_

Signature: Richard M Gruber Date: 7/11/17

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.) \_\_\_\_\_



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](http://www.stpaul.gov/dsi)

July 12, 2017

BETTY GRUBER  
RICHARD GRUBER  
1576 GRIGGS ST N  
ST PAUL MN 55108-2224

### **Revocation of Fire Certificate of Occupancy and Order to Vacate**

RE: 671 HAWTHORNE AVE E  
Ref. # 124029

Dear Property Representative:

Your building was inspected on July 11, 2017, 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 re-inspection will be made on July 13, 2017 at 10:30 am 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. Bathrooms - SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition.-There was standing water in the bathrooms in each unit on the floor, make repairs to the system and these repairs may require permits.
2. Exterior - Throughout - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen.-Repair all damaged screens and provide screens were missing.
3. Exterior - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window frame.-Repair and repaint the deteriorating window frame on the southwest side of the building.

4. Interior - All Units - SPLC 40.6(3)(4) ***This certificate of occupancy is being revoked due to multiple safety codes, long term non-compliance, overcrowding and illegal sleeping rooms.-Occupants in both units need to be out by the next inspection date.***
5. Unit 2 - Front Entry - SPLC 34.09 (4) i - Repair and maintain an approved one-inch throw single cylinder deadbolt lock.-The front door is missing the dead bolt for the door.
6. Unit 2 - North Room - MSFC 807.2 - 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.-A cloth is going from the door and is attached to the ceiling light globe, remove the cloth from the globe.
7. Unit 2 - South Bedroom - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.-The bedroom door for the south bedroom door has a hole for a dead bolt and is not covered and you can see through the hole, repair the hole.
8. Unit 2 - South Bedroom - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Provide cover plates for the outlets in the room.
9. Unit 2 - South bedroom - SPLC 34.13 (3), SPLC 34.17 (2) - The sleeping room(s) are overcrowded. Reduce and maintain the number of occupants in the sleeping rooms to:-In the south bedroom closet a person came out and a mattress was made with other sleeping materials in the closet.
10. Unit 2 - Throughout - 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.-This unit has been condemned because continual overcrowding and illegal sleeping rooms.
11. Unit 2 - Throughout - 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.-Provide an approved door knob and assemble for all the doors in the unit.
12. Upper Unit - Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Repair and repaint the walls in an approved manner, the paint is bubbling.
13. Upper Unit - Entry - SPLC 34.33 (3) - Repair and maintain the door in good condition.- Provide a seal around the entry door and the front door sticks.

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: [brian.schmidt@ci.stpaul.mn.us](mailto:brian.schmidt@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Brian Schmidt  
Fire Inspector

Ref. # 124029



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989  
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July 10, 2017

BETTY GRUBER  
RICHARD GRUBER  
1576 GRIGGS ST N  
ST PAUL MN 55108-2224

## **CORRECTION NOTICE - RE-INSPECTION COMPLAINT**

RE: 671 HAWTHORNE AVE E  
Ref. # 124029

Dear Property Representative:

A re-inspection was made on your building on July 10, 2017, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date.

*A re-inspection will be made on July 11, 2017 at 9:00 am.*

Failure to comply may result in a criminal citation or the revocation of the Certificate of Occupancy. The Saint Paul Legislative Code requires that no building shall be occupied without a Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

### DEFICIENCY LIST

1. Unit 2 - All exit doors - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.-The emergency exit windows in the bedroom are blocked, the objects in front of them needs to be removed, the objects behind the doors to the bedroom need to have the objects behind them be removed to allow the doors to open to there full swing, also all exit doors.
2. Unit 2 - Front Entry - SPLC 34.09 (4) i - Repair and maintain an approved one-inch throw single cylinder deadbolt lock.-The front door is missing the dead bolt for the door.
3. Unit 2 - North Room - MSFC 807.2 - 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.-A cloth is going from the door and is attached to the ceiling light globe, remove the cloth from the globe.

4. Unit 2 - North Room - SPLC 34.13 (3), SPLC 34.17 (2) - The sleeping room(s) are overcrowded. Reduce and maintain the number of occupants in the sleeping rooms to:- The north room doesn't have an emergency exit from it and is being used as a sleeping room, discontinue using as a sleeping room by the next inspection.
5. Unit 2 - South Bedroom - MSFC 605.4 - Discontinue use of all multi-plug adapters.- Power strips are being plugged into each other with major appliances being plugged into them. All power strips need to be plugged directly into an outlet.
6. Unit 2 - South Bedroom - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.-The bedroom door for the south bedroom door has a hole for a dead bolt and is not covered and you can see through the hole, repair the hole.
7. Unit 2 - South room - NEC 440.13 - For cord-connected equipment such as: room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptacle shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.-The A/C unit and the refrigerators; freezer needs to be plugged directly into an outlet and not a power strip or an extension cord.
8. Unit 2 - Throughout - 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.-The smoke detectors are not working or missing in the hallway and the bedrooms. All emergency exits from the bedroom are blocked and doors are unable to open to its full swing. The north room doesn't have an emergency exit from it and is being used as a sleeping room. These Items need to be corrected by the next inspection or the unit will be condemned.
9. Unit 2 - Throughout - 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.-Provide an approved door knob and assemble for all the doors in the unit.
10. Unit 2 - Throughout - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Provide a working smoke detector where needed under the code.

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An Equal Opportunity Employer

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.schmidt@ci.stpaul.mn.us](mailto:brian.schmidt@ci.stpaul.mn.us) or call me at 651-266-8981 between 7:30 a.m - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Brian Schmidt  
Fire Inspector

Ref. # 124029