

City of Saint Paul

City Hall and Court House 15 West Kellogg Boulevard Phone: 651-266-8560

Master

File Number: RLH VO 17-8

File ID: RLH VO 17-8 Type: Resolution LH Vacate Order Status: Passed

Version: 2 Contact 6-8560 In Control: City Council

Number:

File Created: 04/03/2017

File Name: 1818 Nevada Avenue E. Final Action: 06/21/2017

Title: Appeal of Gary D. Schultz to a Fire Certificate of Occupancy Revocation and

Order to Vacate at 1818 NEVADA AVENUE EAST.

Notes:

Agenda Date: 06/21/2017

Agenda Number: 84

Sponsors: Bostrom Enactment Date:

Attachments: 1818 Nevada Ave E.appeal.04-03-17, 1818 Nevada Financials Included?:

Ave E.Photos.3-24-17, 1818 Nevada Ave E.Photos.12-7-16, 1818 Nevada Ave E.Schultz Ltr.4-20-17.doc, 1818 Nevada Ave E.Schultz

Ltr.5-31-17.doc

Contact Name: Mai Vang

Hearing Date:

Entered by: kathryn.burger@ci.stpaul.mn.us Ord Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	04/18/2017	Laid Over	Legislative Hearings	05/23/2017		

Action Text: Laid Over to the Legislative Hearings due back on 5/23/2017 @ 3:30 P.M.

Notes: Gary D. Schultz, owner, and his wife, Cynthia Schultz, appeared.

Fire Supervisor Leanna Shaff:

-photos

-this is the first Fire C of O insp for this house

-appointment letter sent Nov 3, 2016; initial inspection Dec 6, 2016 followed by inspections on Jan 4,

Feb 3 and Mar 24, 3017

-basically, no work has been done so, the C of O was Revoked for long term noncompliance

Ms. Schultz:

-it's not a rental property; it's a 2nd home; the house is in my husband's name; it originally belonged to his parents; he grew up in the house; his dad passed away in 1977; his mom passed away in 2000; so, we have had the house since then

-it's not been rented out; 3 of our combined children have been homeless at different times & lived there; our youngest daughter lives there now with her 2 children (2 & 4 yrs old); she doesn't pay rent,

utilities, taxes or assessments:

-we've tried to get a home equity loan thru Wells Fargo & we were denied because we have too much debt to income ratio; I used to be a teacher in St. Paul; in 2012, I had a breakdown & had to retire in 2014; we went without an income for about 1 1/2 years, which ate up any money that we had to repair this house; we've tried many times to get some sort of loan to pay for repairs; we have smoke/CO detectors; the tub area needs to be fixed; it's not useable; Home Depot looked at the bathroom & tried to get us financing but we were turned down

-my husband is retired; he's 71; I work at Target & earn \$11.52/hr; we can't hardly pay our bills because we had to use credit cards for 1 1/2 years to survive; the last thing on our list is buying groceries

- -our daughter uses our/other's bath tub & shower
- -we did clean the carpet
- -we didn't know anything about having a 2nd railing going downstairs; until this process, we had no clue about some of these things
- -I was not going to have my 2 grandchildren living in a car or on the street or in a shelter -we've scraped the paint from the kitchen ceiling & we'd be happy to rip down the wall paper, too

Mr. Schultz:

-we tried to get a loan from Home Depot; they were working on a deal where we'd just pay for the loan money & they would attach the interest at the end; and that was just a scam; the loan was \$8000 & the balloon was between \$5000 & \$6000

Ms. Moermond:

-do you have Social Security income, as well?

Ms. Schultz

-he worked for the Railroad, so he has RR retirement income

Ms. Moermond:

-I'm hearing that you really want to fix this place up; you're having trouble with the means to do that

Mr. Schultz:

-there are few people who want to work in St. Paul; we've talked to people who we thought we could afford & as soon as you tell them that it's in St. Paul, they don't want to deal with all of the permits; that's another real big problem, especially when every penny..... we only eat once a day

Ms. Moermond:

-have you got connections with food shelves & things like that?

Ms. Schultz:

-yes, except they changed my hours at work and they are very insistent; I go Mon - Fri, 8-4, which eliminates all the food shelves

-my husband can't go; he's grounded because he had pneumonia & fluid around his heart; my daughter can't go to the food shelf because her possible day off rotates; it's not consistent enough so that she could go even once a month and that's all that our food shelf allows

-we don't qualify for welfare; we don't qualify for food stamps; we don't qualify for heat assistance; he doesn't qualify for NAPS because his income is just over & my income, if I'm lucky, is \$1000/month; Target doesn't hire many 40/hr people; my average is 37.5 hrs/week but I've been ill & not always able to make it

-we are looking for resources

Ms. Moermond:

-I have a couple of thoughts here.....
-what do you want to do long term?

Mr. Schultz:

-we want ti sell it; if it wouldn't be for the grandkids, it would have sold it long ago -l used to babysit the grandkids but I can't any more

Ms. Schultz:

-our daughter doesn't get any other help; her income is just a little too high; she works at Fleet Farm in Lakeville but it's not even enough for her to pay for the car, car payments, car insurance, a phone, etc; she can't even afford day care

Ms. Moermond:

-I can think of 2 resources right now that might be able to help: 1) the city has a loan program for emergency repairs, PED, Michelle Vojacek, 266-6599; and 2) The House Calls Program, Ramsey County, Lauren Lightner, 266-1285

-we have some work that needs to be done but none of these are hazardous safety issues; we have time on our hands

-I will give you a month to check out these resources; we will hold off on the vacate; I'm more worried about your getting less to eat than getting the ceiling painted; we'll focus on the really important stuff -I will call Lauren about a food shelf

-the house has both you & your mom's name on it, so, you probably want to probate it - get that started

-we will talk again at 3:30 pm on Tue, May 23, 2017

1 Legislative Hearings 05/23/2017 Referred City Council 06/21/2017

Action Text: Referred to the City Council due back on 6/21/2017

Notes: Gary D. Schultz, owner, and his wife, Cynthia Schultz, appeared.

Ms. Moermond:

-getting caught up with 1818 Nevada Avenue East & some of the corrections that need to happen there - basic maintenance items; however, the problem with getting these corrections made has been financial

-none of the items are hazardous

Ms. Schultz:

-the carpet's been cleaned; CO alarms have been installed where needed; the smoke detectors were there

Mr. Schultz:

-there's a cupboard built around the electrical box & a couple contractors told us that was not illegal; that's been held against us; would it be acceptable to take the door off? (basement near dryer area)

Ms. Moermond:

- -I don't have anything in the Orders that speaks to that
- -the only electrical Orders are: repair light fixture in upstairs hallway; all light fixtures need protective globes
- -you had mentioned that you wanted to sell the house but it needs to be probated; have you had a chance to talk with Southern Minnesota Regional Legal Services (SMRLS), 651/222-5863, because they might be able to hook you up with a pro bono elder attorney; if you can get it probated, you can sell it and your daughter will need to find some place to live but if we put a deadline way out for you to complete this set of Orders, and between now & then you hook up with an attorney & start the probate process, then, you can sell it & not even have to worry about taking care of the Orders; it will be off your plate
- -you need to get your deceased mother's name off the property so that you can sell it
- -l'd like to extend this set of Orders out to Jan 1, 2018, which should be enough time to get this through probate; if it isn't, we can visit it again later; you need to get on that because probate takes a little bit of time
- -I don't know if you can file the paperwork on your own or not
- -there's a Probate Office in the basement of this bldg; the directory is on main floor

Ms. Schultz:

- -what do we do with our daughter & grandchildren?
- -my daughter received a letter from Dakota County, which says, "Dear Caroline: You are currently active on a waiting list for the Scattered Sight Public Housing Program. Due to a long wait time, the

CDA will be closing all of the rental housing waiting list effective 4 pm Thu Jun 1, 2017. The CDA anticipates the waiting list remain closed for at least a year. As a current applicant, you will not removed from the waiting list because of the closure."

-so, now we have at least a year minimum

-she does not qualify for the waiting list in Ramsey County; it's a 3-year list; Dakota County moved her down because she's working full time

-she could pay rent or they could have food or car payment or her insurance; she pays medical insurance out of her wages

Ms. Moermond:

-you have to focus on your stuff & your going to sell the property, which will give you some money; you can choose to use some of that money to assist your daughter, to buy a new house in which you all can live, sell both houses, etc.; I don't know the answer

-this situation isn't going to work in the long term for the reasons that we've discussed

-this is a doable process

-focus on getting this house sold

Mr. Schultz:

-we are

Ms. Moermond:

-good realtors can provide you with some good advice about what you need to do; you can consult, not hire, with the North East Neighborhoods Development Corp (NENDC), White Bear Ave & Ivy; they are a nonprofit but they own a realty company called Capital Brokerage; there are 2 people there: Chuck Repke & Beau Ku Vang; 651/771-6955

Pass

-you can tell Chuck that I recommended that you talk to him

Grant an extension to January 1, 2018.

2 City Council 06/21/2017 Adopted

Action Text: Adopted

2 Mayor's Office 06/26/2017 Signed

Action Text: Signed

Text of Legislative File RLH VO 17-8

Appeal of Gary D. Schultz to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1818 NEVADA AVENUE EAST.

WHEREAS, in the matter of the Appeal of Gary D. Schultz to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1818 NEVADA AVENUE EAST, the Legislative Hearing Officer has reviewed the appeal and considered the testimony of City staff and the appellant; and

WHEREAS, the Legislative Hearing Officer recommends that the City Council grant an extension on the repiars to January 1, 2018; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby accepts and adopts the Legislative Hearing Officer's recommendation in this matter.



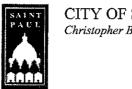
APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings RECEIVED 310 City Hall, 15 W. Kellogg Blvd.

APR 03 2047

Saint Paul, Minnesota 55102

1854 1854	01-	2017	Telephone: (651) 266-8585)
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We need the following to process your appeal:				E17-22-855
\$25 filing fee (non-refundable) (payable to the City o	of Saint Paul)	HEARING DA	TE & TIME	NATURE STATES
(if cash: receipt number)		(provided by Le	egislative Hearing Office)	200
Copy of the City-issued orders/letter being appe	ealea	Tuesday,	7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	TO STATE OF
☐ Attachments you may wish to include ★ This appeal form completed		Time 11:30) a.m.	- Established
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Appellant/Applicant: <u>Bary D. Schultz</u> Phone Numbers: Business <u>Refired</u> Resid	dence 657-71	72-1570 CE	657-247-2547	7
Signature: Mary D Schult		Date:		
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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: <u>www</u>.stpaul.gov/dsi

March 24, 2017

GARY D SCHULTZ ANNA A SCHULTZ 1665 ARLINGTON AVE E ST PAUL MN 55106-1506

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE:

1818 NEVADA AVE E

Ref. # 123284

Dear Property Representative:

Your building was inspected on March 24, 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 reinspection will be made on April 24, 2017 at 2:30pm 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. Class - SPLC 40.04 (5) - The owner of a building used for residential occupancy who is applying for their FIRST Fire Certificate of Occupancy, must complete the Department of Safety and Inspection Landlord 101 course, or other landlord training program approved by the Department of Safety and Inspections. The training must have occurred within the last two years and the owner must submit a certificate of attendance or provide verification of enrollment in the next scheduled class to the Fire Inspection Division-DSI. This requirement shall not apply to an owner who has held a Fire Certificate of Occupancy on another residential property in Saint Paul prior to April 30, 2009. For more information on Landlord 101, or to receive registration materials, please visit our webpage at: www.stpaul.gov/cofo -DSI created a course titles Landlord 101 for information on this see our website at https://www.stpaul.gov/departments/safety-inspections/fire-inspections/landlord-101. Owners have a full calendar year to complete either class.

- 2. Exterior Side Storm Door SPLC 34.09 (4), 34.32 (3) Repair and maintain the door latch.-Repair latch.
- 3. 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.-Scrape and paint shed.
- 4. Interior 2nd Floor MSFC 605.1 Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-Repair light fixture in upstairs hallway.
- 5. Interior Basement Stairs SPLC 34.10 (3) 34.34(2) Provide an approved guardrail. Intermediate balustrade must not be more than 6 inches apart. Intermediate rails must be provided if the height of the platform is more than 30 inches.
- 6. Interior Bathroom SPLC 34.10 (7), 34.17 (5) Repair and maintain the walls in an approved manner.-Repair tile wall.
- 7. Interior Kitchen SPLC 34.10 (7), 34.17 (5) Repair and maintain the ceiling in an approved manner.-Repair ceilings and walls.
- 8. Interior MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.

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.

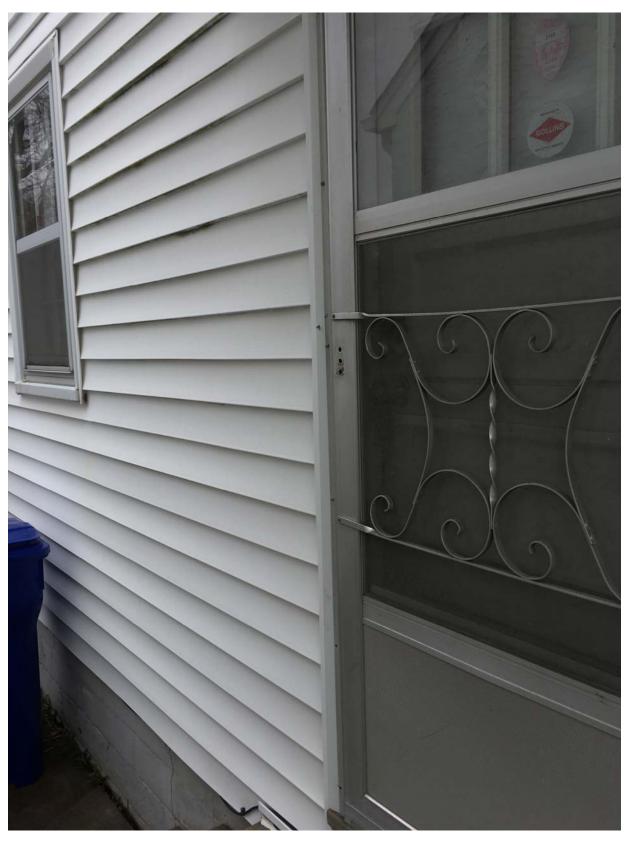
If you have any questions, email me at: daniel.klein@ci.stpaul.mn.us or call me at 651-266-8988 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Daniel Klein Fire Inspector

Ref. # 123284

Folder Name: 1818 NEVADA AVE E



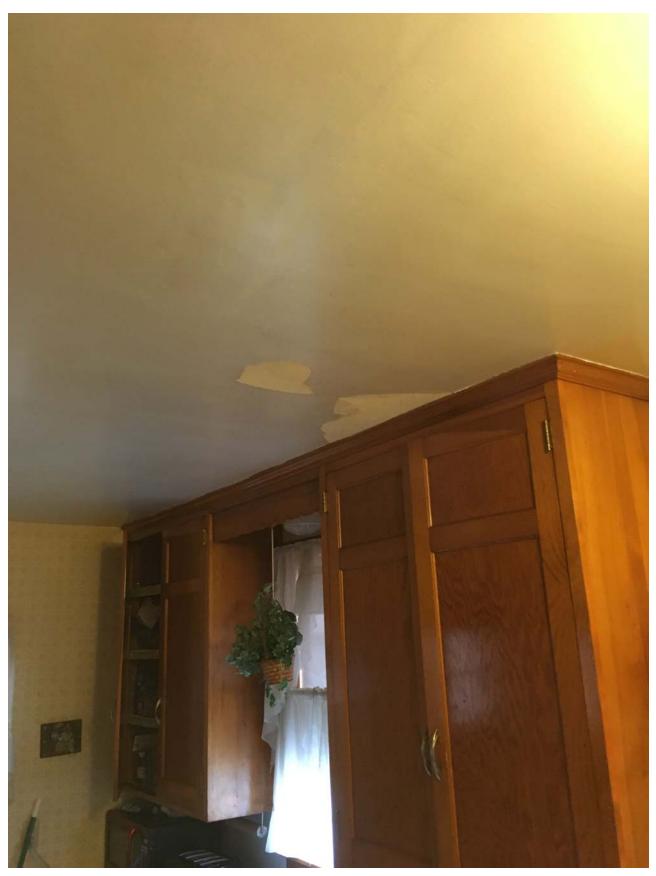
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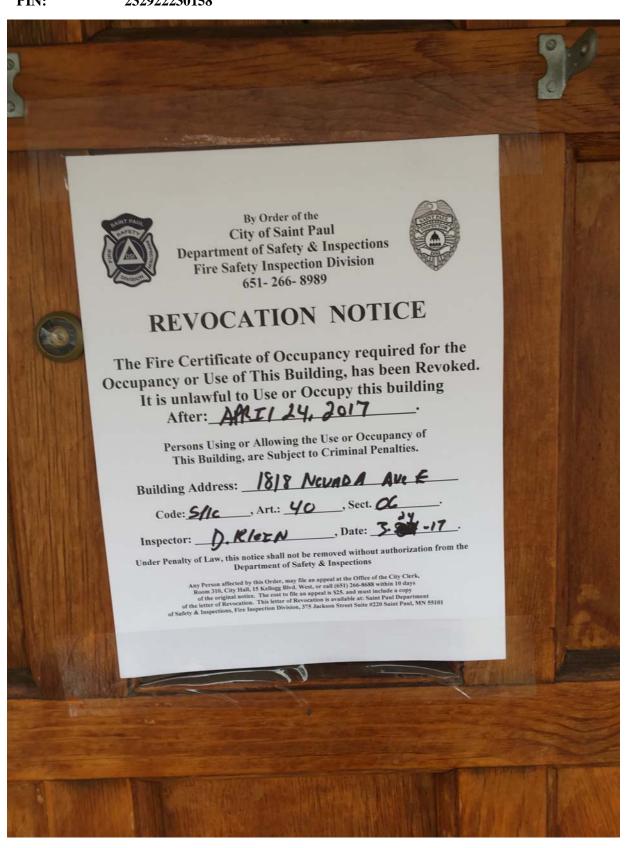
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December 07, 2016 15 - 152228 Date:

File #:

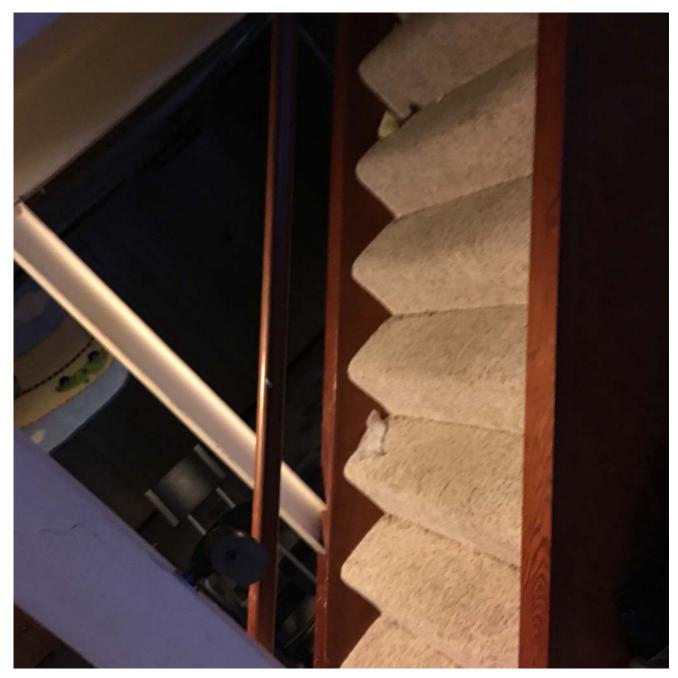
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December 07, 2016 15 - 152228 Date:

File #:

Folder Name: 1818 NEVADA AVE E





CITY OF SAINT PAUL

OFFICE OF THE CITY COUNCIL 310 CITY HALL 15 WEST KELLOGG BOULEVARD SAINT PAUL, MN 55102-1615

Marcia Moermond, Legislative Hearing Officer EMAIL: <u>legislativehearings@ci.stpaul.mn.us</u> PHONE: (651) 266-8585 FAX: (651) 266-8574

April 20, 2017

Gary Schultz & Cynthia Schultz 1665 Arlington Ave East St Paul MN 55106

VIA EMAIL: gdschultz@hotmail.com

Re: Appeal for Property at 1818 Nevada Avenue East

Dear Mr. & Ms. Schultz:

This is to confirm that at the April 18th Legislative Hearing, Marcia Moermond, the Legislative Hearing Officer recommended continuing the above-referenced matter to **Tuesday**, **May 23**, **2017 at 3:30 p.m. in Room 330 City Hall**.

If you have any questions, please contact me at 651-266-8563.

Sincerely,

/s/

Mai Vang City Council Offices

c: Fire Supervisors
Daniel Klein



CITY OF SAINT PAUL

OFFICE OF THE CITY COUNCIL 310 CITY HALL 15 WEST KELLOGG BOULEVARD SAINT PAUL, MN 55102-1615

Marcia Moermond, Legislative Hearing Officer EMAIL: <u>legislativehearings@ci.stpaul.mn.us</u> PHONE: (651) 266-8585 FAX: (651) 266-8574

May 31, 2017

Gary Schultz & Cynthia Schultz 1665 Arlington Ave East St Paul MN 55106

VIA EMAIL: gdschultz@hotmail.com

Re: Appeal for Property at 1818 Nevada Avenue East

Dear Mr. & Ms. Schultz:

This is to confirm that at the May 23rd Legislative Hearing, Marcia Moermond, the Legislative Hearing Officer recommended that the City Council grant until January 1, 2018 for compliance of the March 24, 2017 Revocation and Order to Vacate deficiency list or go through probate court and get the house on the market.

If you wish to contest to this recommendation, you may attend the City Council Public Hearing on Wednesday, June 21, 2017 at 5:30 p.m. in Room 300 Council Chambers.

If you have any questions, please contact me at 651-266-8563.

Sincerely, /s/

Mai Vang City Council Offices

c: Fire Supervisors
Daniel Klein