



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

MAR 12 2018

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 820064)
- ☒ 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, MARCH 27, 2018

Time 1:30

Location of Hearing:

Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1315 Rice St. City: St. Paul State: MN Zip: 55117

Appellant/Applicant: Ivy Rice LLC (Zenaida Reyes) manager Email: reyes9373@gmail.com

Phone Numbers: Business 612-963-5375 Residence _____ Cell 612-963-5375

Signature: [Signature] Date: 3/12/18

Name of Owner (if other than Appellant): Zenaida Reyes

Mailing Address if Not Appellant's: 3739 Drexel Ct., Eagan, MN 55123

Phone Numbers: Business _____ Residence _____ Cell 612-963-5375

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.)

deficiencies are misstatement of fact and inaccurate



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

March 9, 2018

IVY RICE LLC
3739 Drexel Ct
Eagan MN 55123-1026

FIRE INSPECTION CORRECTION NOTICE

RE: 1315 RICE ST
Ref. #82077

Dear Property Representative:

Your building was inspected on February 28, 2018 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date.

A re-inspection will be made on April 18, 2018 at 9:45 AM.

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

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

DEFICIENCY LIST

1. All Stores - Throughout - MSFC 605.5 - Remove electrical cords that extend through walls, ceiling, floors, under doors, or floors coverings, or are subjected to environmental or physical damage.
Store 1315 - The air conditioner cord is running improperly through the ceiling tiles.
Store 1317 - There are wires improperly going through ceiling tiles, wires hanging loosely and unsecured and missing ceiling tiles.
Store 1319 - A wooden stud has been placed through the ceiling tile and there are wires hanging loosely and there is a power strip coming through the ceiling tile.

2. Exterior - Building - SPLC 34.09 (2), 34.33 (3) - Provide and maintain foundation elements to adequately support this building at all points. -There is large cracks and openings along the building's foundation line that is allowing water to enter the basement.
3. Exterior - Concrete Floors - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.
Near the drain line, the sidewalk has become cracked, damaged and uneven.
The garage floor under the garage door has deteriorated and is missing.
4. Exterior - Throughout - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building.
This work may require a permit(s). Call DSI at (651) 266-8989.
5. Exterior/Interior - Light Fixtures - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. -There are light fixtures that is missing the covers.
6. Exterior/Interior - Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.
Exterior - There are exterior light fixtures that are damaged and missing the covers.
Interior - Throughout the entire basement and common areas, there are light fixtures that are damaged and have broken covers. Some of those fixtures are not properly secure to the floor joist. There is a light fixture that has a broken light bulb in it.
In the owner's garage, there are electrical junction boxes with damaged outlets and fixtures.
7. Interior - Basement - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials. -Remove/Dispose of all the damaged items in Storage room #1.
8. Interior - Basement - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
9. Interior - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Provide an approved handrail.
The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair. -The handrail for the basement stairs leading to the mechanical room is missing the handrail.
10. Interior - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Repair or replace the unsafe stairway in an approved manner.
Store 1315 - The new stairs is not constructed properly, is not wobbly, unsecure and there is a kick plate that has been installed improperly at the bottom that is a tripping hazard.
Back Basement Stairs- The stairs leading to the mechanical room is very wobbly and unsecure.

11. Interior - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -There are large holes, cracks and water damage to the ceilings in the basement, garages and common areas. This also includes the garage the owner is using for personal storage.
12. Interior - Doors - MSFC 1008.1.9.3 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.
There are doubled-keyed deadbolt cylinders on exit doors in the basement and in the common area.
The hardware on the residential entry door is loose, unsecure and not well-maintained.
13. Interior - Doors - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be:
One hour. There are several doors in the common areas that have missing hardware and broken and damaged trims and frames.
One hour. One of the fire doors in the residential area does not self-close and the latch is missing.
14. Interior - Fire Extinguishers - 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. -There are fire extinguishers that are expired and are missing the tags in the residential and commercial basement area.
15. Interior - Loading Dock Area - MSFC 703.1, 1106.1 - 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) 266-8989. The minimum rating must be:-One hour. In the loading dock area, there is a hole on the ceiling. There is an apartment above this area.
16. Interior - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. **-Throughout the basement and common area there are missing hard-wired smoke alarms, damaged smoke alarms and smoke alarms that don't work. Any smoke alarm that is expired must be replace.**
17. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There are junction boxes and other electrical fixtures that are missing the covers.
18. Interior - Throughout - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-8989.-Throughout the basement and common areas, there are light fixtures and junction boxes with exposed wirings.

19. Interior - Unmarked Doors - MSFC 1030.5 Non-Exit identification. Where a door is adjacent to, constructed similar to and can be confused with a means of egress door, that door shall be identified with an approved sign that identifies the room name or use of the room. -There are several doors throughout the entire building that are not properly identified and can be confused for an exit door. -There are several doors throughout the entire building that are not properly identified and can be confused for an exit door.
20. Interior - Wall - MSFC 703.1 - Provide and maintain fire rated wall construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-8989. The minimum rating must be:-One hour. There is a hole on the residential hallway wall.
21. Interior - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There are large holes, cracks and water damage and sections that is spalling on the walls in the basement, garages and common areas. This also includes the garage the owner is using for personal storage.
22. Store 1315 - 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. -Store 1315 - There is a vent that is missing the cover. Also place a cover over the opening in the basement floor to avoid people falling into the opening.
23. Store 1315 & 1319 - Emergency Lights - MSFC 1104.5.3, 1006.3 - Provide and maintain an approved emergency lighting system. -Store 1315 & 1319 - The emergency lights did not work when tested and the cover is coming off.
24. Store 1315 & 1319 - Mechanical Area - MSFC 315.3.3 - Remove combustible storage within 36 inches of fuel burning equipment. -Store 1315 & 1319 have stored material that is too close to the mechanical equipment.
25. Store 1315 & 1319 - Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.
26. Store 1315 & 1319 - Throughout - 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.
Store 1315 - The refrigerators/freezers are plugged into an extension cord.
Store 1319 - The freezer near the door is plugged into a power strip.

27. Store 1315 & Basement - Fire Extinguisher - MSFC 906.5 Conspicuous location. Portable fire extinguishers shall be located in conspicuous locations where they will be readily accessible and immediately available for use. These locations shall be along normal paths of travel, unless the fire code official determines that the hazard posed indicates the need for placement away from normal paths of travel.
28. Store 1315 & Basement - Fire Extinguishers - MSFC 906.7 Hangers and Brackets. Hand-held portable fire extinguishers, not housed in cabinets, shall be installed on the hangers and brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions. -Store 1315 - The fire extinguisher is not installed according to code.
29. Store 1317 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -There is a hard-wired smoke alarm in the back room that is missing the cover. Replace the alarm.
30. Store 1319 - Exit Door - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path. -Store 1319 - There are boxes and other items blocking the exit door.
31. Store 1319 - Throughout - MSFC 315.3.1 - Provide and maintain at least 2 feet clearance below the lowest structural member or the ceiling.
32. Unit 2 - Bathroom - 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. -Repair or replace and maintain an approved private toilet. This work may require a permit(s). Call LIEP at (651) 266-9090. The toilet is loose and unsecure.
33. Unit 2 - CO Alarm - 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 manufacturer's instructions.
34. Unit 3 - Bathroom - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom impervious to water. -There are bathroom walls tiles that are coming loose and have openings around them.
35. Unit 3 - CO Alarm - 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 manufacturer's instructions.
36. Unit 3 - Light Fixtures - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. -The covers is missing.
37. Unit 3 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There is some large cracks and damages to the walls.

38. Unit 4 - Bathroom - 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. -Repair or replace and maintain an approved private hand sink. This work may require a permit(s). Call LIEP at (651) 266-9090. The hand sink is leaking water.
39. Unit 4 - CO Alarm - 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 manufacturer's instructions.
40. Unit 4 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. The door stopper on the entry door is loose and unsecure.
41. Unit 4 - GFCI Outlet - SPLC 34.14 (2) c - Repair or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-8989.-The GFCI outlet does not work.
42. Unit 4 - Light Fixtures - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. -The cover is missing.
43. Unit 4 - Outlet - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There is a cracked and damaged outlet.
44. Unit 4 - Outlets - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There are outlets that are missing the covers.
45. Unit 4 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The hard-wired smoke alarm has been removed and covered with a cap. You must provide and maintain a hard-wired smoke alarm with battery back-up.
46. Unit 5 - Bathroom - 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. -Repair or replace and maintain an approved private hand sink. This work may require a permit(s). Call LIEP at (651) 266-9090. The sink is coming loose from the wall.
47. Unit 5 - Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters. -There are three (3) multi-plug adapters in the apartment.
48. Unit 6 - Bathroom - SPLC 34.10 (4), 34.34 (3) - Provide a bathroom impervious to water. The surface to the shower wall is peeling.

49. Unit 6 - Outlets - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There are outlets missing the cover.
50. Unit 6 - Outlets - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There are outlets that are cracked and damaged.
51. Unit 6 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The hard-wired smoke alarm has been removed and covered with a cap. You must provide and maintain a hard-wired smoke alarm with battery back-up.
52. Unit 7 - Light Fixture - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
53. Unit 7 - Outlet - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There is a cracked and damaged outlet.
54. Unit 7 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The hard-wired smoke alarm is missing and the connection is being covered by a battery-powered smoke alarm. You must provide and maintain a hard-wired smoke alarm with battery back-up.
55. Unit 7 - Wall - MSFC 308.1.2 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire. -There are two incense candles sticking out of the wall and is not being properly disposed of.
56. Unit 7 - Wall - 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. -The wall cover for the telephone line has been ripped from the wall. There is now an opening in the wall.
57. Unit 8 - CO Alarm - 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 manufacturer's instructions. -
58. Unit 8 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. The door stopper for the entry door is loose and the door does not close properly. Also, the plate/lintel over the entry door is coming loose from the wall.

59. Unit 8 - GFCI Outlets - SPLC 34.14 (2) c - Repair or replace the duplex convenience outlet with ground fault protection within 3 feet of the basin on an adjacent wall in all bathrooms. This work may require a permit(s). Call DSI at (651) 266-8989.-The GFCI outlets in the apartment do work when tested.
60. Unit 8 - Kitchen - 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. - Repair or replace and maintain an approved kitchen sink. This work may require a permit(s). Call LIEP at (651) 266-9090. The kitchen faucet is leaking and is loose.
61. Unit 8 - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.
The hard-wired smoke alarm has been removed and covered with a cap. You must provide and maintain a hard-wired smoke alarm with battery back-up.
There is a smoke alarm near the bathroom that is expired and does not work.
62. Unit 9 - Ceiling - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -There is chipping and peeling paint on the bedroom ceiling. Also seal the opening around the smoke alarm.
63. Unit 9 - Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The bedroom door's top hinge is coming loose and the door does not close properly.
64. Unit 9 - Kitchen - 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. - Repair or replace and maintain an approved kitchen sink. This work may require a permit(s). Call LIEP at (651) 266-9090. The kitchen sink is very loose and unsecure and the sprayer is missing.
65. Unit 9 - Outlets - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There are several outlets including behind the sofa that is missing the covers.
66. Unit 9 - Outlets - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-There are cracked and damaged outlets.
67. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

68. 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. **Permits - Electrical, Plumbing, Building, Warm-Air and Mechanical permits are required for the installation and construction of the new furnace, the two new bathrooms and new electrical wiring.**
Store 1315 - A permit is needed for the construction of the new basement stairs.
Permits may be required for the electrical repairs needed for the residential portion.
You must contact DSI at 651-266-8989 for more information on permit(s).
There is no permit on file for any of the work observed in the inspection.

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: Efrayn.Franquiz@ci.stpaul.mn.us or call me at 651-266-8955 between 7:30 a.m. - 9:30 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz
Fire Inspector

Reference Number 82077