

## Vang, Mai (CI-StPaul)

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**From:** Patrick Ryan <pmryan@allisonwilliams.com>  
**Sent:** Monday, August 5, 2019 4:50 PM  
**To:** Migdal, Sebastian (CI-StPaul)  
**Cc:** \*CI-StPaul\_LegislativeHearings; Perucca, James (CI-StPaul)  
**Subject:** Re: 244 Dayton Ave, Reference No. 11170, Hearing Date August 6, 2019 at 11:30 AM

Thanks Sebastian.

We are confirmed for 1 PM Thursday.

Pat Ryan  
651.260.4496

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**From:** Migdal, Sebastian (CI-StPaul) <sebastian.migdal@ci.stpaul.mn.us>  
**Sent:** Monday, August 5, 2019 4:23 PM  
**To:** Patrick Ryan <pmryan@allisonwilliams.com>  
**Cc:** \*CI-StPaul\_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us>; Perucca, James (CI-StPaul) <james.perucca@ci.stpaul.mn.us>  
**Subject:** RE: 244 Dayton Ave, Reference No. 11170, Hearing Date August 6, 2019 at 11:30 AM

Good Afternoon,

Mr. Ryan and I have set-up a date/time for a fire certificate of occupancy inspection on 08/08/2019 at 1:00 pm.

Thank you,



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*"DSI's Mission: To preserve and improve the quality of life in Saint Paul by protecting and promoting public health and safety for all."*

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**From:** Patrick Ryan [mailto:pmryan@allisonwilliams.com]  
**Sent:** Monday, August 5, 2019 3:50 PM  
**To:** \*CI-StPaul\_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us>

**Cc:** Migdal, Sebastian (CI-StPaul) <sebastian.migdal@ci.stpaul.mn.us>

**Subject:** 244 Dayton Ave, Reference No. 11170, Hearing Date August 6, 2019 at 11:30 AM

**Think Before You Click: This email originated outside our organization.**

I am writing to request a postponement of the hearing on the the appeal of the Revocation of Fire Certificate of Occupancy and Order to Vacate related to the property at 244 Dayton. The hearing is scheduled for 11:30AM August 6 , 2019.

244 Dayton, LLC, did not receive the notice of revocation in time to contact the Fire Safety Inspector before the appeal deadline and filed the appeal to reserve its rights. When contacted by the City to schedule the hearing we agreed to setting it for August 6th on the belief it could be postponed or cancelled is we were in discussion with the Department of Safety and Inspections and seeking to resolve the matter.

244 Dayton LLC's position is that the building is being used, the Revocation should not have been issued and should be revoked. This is the basis for the appeal.

Sebastian Migdal, the Fire Safety Inspector with the St. Paul Department of Safety and Inspections and I traded voicemails last week and were finally able to speak this morning, August 4, 2019. We agreed it would be best to arrange a time for him to go through the building and determine if the building is vacant or being used, whether the Revocation should stand or be revoked and whether an appeal is even necessary. We are working to have an inspection scheduled by the end of this week and agreed it would be best to postpone the hearing until after the inspection.

After speaking with Mr. Migdal I contacted the City Council office this morning and requested a postponement and was advised the hearing officer was not willing to postpone the hearing.

This is 244 Dayton LLC's formal request to postpone the hearing until Mr. Migdal can inspect the building, determine if it is occupied or not, whether the Revocation Order should stand or be revoked, and thus whether a hearing is needed or not.

Mr. Migdal,

Please correct any misstatements of my comments above and confirm our discussion and agreement to request a postponement of the hearing to the Legislative Hearings Office until after you have had an opportunity to inspect the building and make a final determination of its status.

Please contact me with any questions.

Pat Ryan  
651.260.4496