APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

OCT 29 2019

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 950443)
- X Copy of the City-issued orders/letter being appealed
- X Attachments you may wish to include
- X This appeal form completed
- X Walk-In *OR* ☐ Mail-In

for abatement orders only: ☐ Email *OR* ☐ Fax

HEARING DATE & TIME
(provided by Legislative Hearing Office)
Tuesday, Nov. 5, 2019

Time 2:30 p.m.

Location of Hearing:
Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1129 Beech St. City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Shai Leibovich Email Shai@rbkcapital.com

Phone Numbers: Business _____ Residence _____ Cell 612-850-1156

Signature: A Date: 10/24/2019

Name of Owner (if other than Appellant): Bp Homes 1 Lc

Mailing Address if Not Appellant's: 55 W. 39th St Rm 806, New York, NY 10018

Phone Numbers: Business _____ Residence _____ Cell 612-850-1156

What Is Being Appealed and Why? *Attachments Are Acceptable*

- ✓ Vacate Order/Condemnation/ Revocation of Fire C of O — Renter Warehouse did not file I'm one of the owners
- ☐ Summary/Vehicle Abatement
- ☐ Fire C of O Deficiency List/Correction
- ☐ Code Enforcement Correction Notice
- ✓ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

CITY OF SAINT PAUL

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

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

October 17, 2019

Bp Homes 1 Llc
55 W 39th St Rm 806
New York NY 10018-0548

Customer #:1553029
Bill #: 1468242

VACANT BUILDING REGISTRATION NOTICE

The premises at **1129 BEECH 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 **$2,127.00** . 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.
Payment must be received by November 17, 2019 .

You may pay this registration fee online by going to **online.stpaul.gov** and selecting the 'Make a Payment' option. You will need your customer number and bill number to process a payment - both can be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
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 the above address.

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 catergory 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 , Tom Friel, at 651-266-1906 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, Tom Friel, at 651-266-1906.

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: tf
vb_registration_notice 11/14

DEPARTMENT OF SAFETY AND INSPECTIONS
Fire Inspections Division
Ricardo X. Cervantes, Director

CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

September 9, 2019

Renters Warehouse
13200 PIONEER TRAIL SUITE 100
EDEN PRAIRIE MN 55347

Revocation of Fire Certificate of Occupancy and Order to Vacate

RE: 1129 BEECH ST
Ref. # 124226

Dear Property Representative:

Your building was inspected on September 9, 2019, 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 September 26, 2019 at 10:00A.M. 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. Back Yard - SPLC 163.03, 163.01 (2), (3) - Currently license (tabs) all vehicles on the property and return the vehicles to an operative mechanical condition or remove vehicles from the property.-

2. Basement - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-

3. Basement - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.-

4. Freezers - Various locations - 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.-

30 stove
400 ea.

5. Fridge in kitchen - 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.- Repair

6. Garage and Garage door - and walls - 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.- Paint

7. House - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window glass.- ✓

8. House - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window lock.- ✓

9. Living room to the porch - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner.-Repair or replace the carpeting.

10. Rear Porch - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials.-Remove charcoal lighter fluid from house (rear porch)

11. Repair tub faucet - 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 tub or shower. This work may require a permit(s) Call LIEP at (651) 266-9090. ✓

12. Secure toilet to floor - 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.

13. Upstairs Bedroom - N.E. Side - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path..-Remove bed so it doesn ot prohibbite it from opening.

14. Vanity door - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.- Repair or replace the damaged or missing door.

15. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

16. SPLC SECTION 34.13 - Occupancy - (3) Required space for sleeping rooms in every dwelling unit every room occupied for sleeping purposes by one (1) occupant shall have minimum fross floor area of seventy square feet (70).-Reoom on S.W. Side is approx. 61 square feet.

17. MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-

18. MSFC 307.1 - All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be under 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials, brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance.-

Spring Summer

19. SPLC 34.09 (1)(2), 34.33 (1) - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-

20. MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Remove motor bike from rear porch.

21. SPLC 200.02 (a) - No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989-

22. SPLC 34.10 (1) - Abate and maintain the basement reasonably free from dampness and free of mold and mildew.-

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: james.thomas@ci.stpaul.mn.us or call me at

651-266-8983 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

James Thomas
Fire Safety Inspector

Ref. # 124226

9/24/99
Order to Vacate