



# APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

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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 \_\_\_\_\_)
- ☒ 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, August 4, 2020

Time 11:30 a.m.

Location of Hearing:

~~Room 330 City Hall/Courthouse~~

Teleconference

Call between 11:30 a.m. and 1:00 p.m.

## Address Being Appealed:

Number & Street: 777 6th St E City: St Paul State: MN Zip: 55106

Appellant/Applicant: RUBY NGUYEN Email: cat@5ratal@gmail.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 6128015179

Signature: Ruby Nguyen Date: 7/30/2020

Name of Owner (if other than Appellant): \_\_\_\_\_

Mailing Address if Not Appellant's: 1215 Hawthorne Ave E St Paul 55106

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell 6128015179

## 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.)

The first appeal was only for the window in the bedroom so the date to comply is only for that bedroom not for the whole building. It's misunderstanding here thanks Ruby Nguyen



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

July 20, 2020

Hank T Cu  
1119 E River Pkwy  
Minneapolis MN 55414-3106

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

RE: 777 6TH ST E  
Ref. # 115063

Dear Property Representative:

Your building was inspected on July 16, 2020, 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 August 17, 2020 at 1:15 PM 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. ALL AREAS - ACCESS - SPLC - Sec. 34.20. - Duty of occupant to allow access to owner or operator. Every occupant of buildings, dwelling units, guest rooms, habitable rooms, premises, residential structures, rooming houses, rooming units and other structures or premises shall upon receiving reasonable prior notice give the owner or operator or their agent or employee access to the premises at reasonable times for the purpose of effecting inspections, maintenance, repairs or alterations which are necessary to comply with provisions of this chapter.
2. Access - SPLC 34.19 - Provide access to the inspector to all areas of the building.
3. Exterior - Back Stairs - SPLC 34.09 (3), 34.33(2) - **Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989.-The back-entry stairs are in disrepair and are unsafe to use. The stringers are cracked and damaged. The area under the back stairs has members and components that are part of the stairs that is rotted,**

**damaged and broken. Bring the stairs up to code. The stairs are loose and unsecured. A permit is required for this work.**

4. Exterior - Back Yard - SPLC 34.08 (1), 34.32 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces. -Dispose of all unused, junk material in the back yard. Also, remove the items next to the gas meters.
5. Exterior - Back Yard - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion. -The entire back yard is dirt.
6. Exterior - Building - 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. -All around the house, there are various spots that have multiple damages. There is peeling paint, holes in boards, holes in soffits, holes in fascia, rotted boards, discolored and unprotected surfaces, broken wood panels and missing corner cover panels.
7. Exterior - Electrical Fixtures - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.  
Near the electric meter, there is a section of the conduit for the wires that is broken and is now exposing the wires going into the house. Contact a licensed contractor to do this repair. A permit is required. DO NOT CALL XCEL ENERGY as this section of the wiring does not belong to them.  
There is an outlet box on the East (right) side of the house that is missing the covers over the outlets.
8. Exterior - Fence - 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. -The fence on the West side of the building is in disrepair and has sections that have broken off and is leaning.
9. Exterior - Front Storm Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The front entry storm door is missing the screen.
10. Exterior - Front of Building - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.  
The front steps are cracked and damaged and there is a section of the wooden retaining wall that is damaged and has nails sticking out. The concrete section near the handrail is damaged.  
There is a section of the concrete retaining wall that is damaged.
11. Exterior - Front of Building - MSFC 505.1 - The address posted is not visible from street. -The address numbers do not contrast against its background.
12. Exterior - Front of Building - SPLC 34.09 (3), 34.33(2) - Repair or replace the damaged handrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-8989.-The front handrail is broken at the bottom.

13. Exterior - Parking Surface - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-8989.-The parking surface is no longer maintained and the asphalt surface is damaged.
14. Exterior - Window Screens - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen. -There are window screens that are missing, torn and damaged.
15. Exterior - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.  
There are several windows that have chipping and peeling paint on the frame and sills, On the East side of the house, there is a living room window that has a cracked glass. One of the front porch windows has a hole in it.
16. Interior - Back Entry Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The back-entry door has a screw sticking out near the metal plate and it rubs against the floor. The overhead door closer is missing.
17. Interior - Back Stairway - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The window in the back stairway has chipping and peeling paint on the frame and sill.
18. Interior - Basement - 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 is an unapproved lock on the door leading to the mechanical room.
19. Interior - Basement - MFGC 404.15 - Provide leak tight caps or plugs on disconnected or unused gas lines. -There is a gas line near the laundry machine that is not capped-off.
20. Interior - Basement - MMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.-The dryer exhaust duct has been improperly installed and is disconnected at the very top.
21. Interior - Basement - MMC 607 - Repair, replace or install duct work in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.- There is a section of the warm-air duct (near laundry machines) that is sagging and is not properly secured to the joist. Properly secure the warm-air duct.
22. Interior - Basement - MPC 507.5 - Provide pressure relief valve for hot water heater piped to within 18 inches of the floor.  
The drain relief pipe for the gas-powered water heater has the incorrect type of pipe. The drain relief pipe for the electric water heater is too short.

- ~~23.~~ Interior - Basement - MPC 312, 313 - Provide approved support for all plumbing piping.  
-The water lines nearest to the water meter are not properly secured.
24. 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.
25. Interior - Basement Stairs - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged handrail in an approved manner.
26. Interior - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.  
The ceiling in the front stairway has chipping and peeling paint.  
There is a peeling paint on the back-entry ceiling.  
There are damages on the basement stairway ceiling.
27. Interior - Front Porch Area - MSFC 315.3 - Provide and maintain orderly storage of materials.
28. Interior - Light Fixture - 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 light fixture in the back stairway is missing the cover/globe and the light bulb is plugged into a multi-plug adapter.
29. Interior - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.  
The walls in the basement stairway are damaged and has very large cracks.  
The walls in the front stairway has chipping and peeling paint.
- ~~30.~~ Unit 1 - 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. -The toilet is loose, unsecured and is missing the seal around the bottom.
- ~~31.~~ Unit 1 - Bedroom & Front Room - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.  
The front room in apartment 1 has been condemned because it is not a legal bedroom.  
The windows in this room do not meet the size requirements for egress windows and the windows open into an enclosed porch with furniture and other materials blocking the windows.  
The back bedroom is still condemned because the window does not open all the way.
32. Unit 1 - Ceilings - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -There are ceilings with unfinished repairs on them and the surface for the bathroom ceiling is peeling.

33. Unit 1 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition.  
The front room door has a cracked and damaged panel and there is no slot on the door frame for the door latch.  
The mortise lock and latch for the front entry door is damaged.  
The bathroom door has been damaged and unprofessionally repaired. Properly repair the door.  
The back-bedroom door has been damaged and unprofessionally repaired. Properly repair the door.
34. Unit 1 - Floor - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -There is a section of the living room floor that is damaged.
35. Unit 1 - Front Room - MSFC 1030.1 - Provide and maintain an approved escape window from each sleeping room or area or discontinue use of area as a sleeping room. This work may require permit(s). Call DSI at (651) 266-8989.-The front room in apartment 1 has been condemned because it is not a legal bedroom. The windows in this room do not meet the size requirements for egress windows and the windows open into an enclosed porch with furniture and other materials blocking the windows. Discontinue using this room as a bedroom and remove the baby crib.
36. Unit 1 - Kitchen - SPLC 34.10 (7), 34.17 (5) - Repair or replace and maintain the woodwork in an approved manner.  
There is a section of the baseboard molding that is missing. The wooden molding is leaning against the kitchen wall.
37. Unit 1 - Light Fixtures - 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.- There are light fixtures that are missing the cover/globe.
38. Unit 1 - Smoke Alarms - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The battery powered smoke alarm in the back bedroom and front room are missing.
39. Unit 1 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There are walls with unfinished repairs.
40. Unit 1 - Window - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The living room window has a broken latch.
41. Unit 2 - Bedrooms - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring. -There are extension cords being used in the bedrooms.
42. Unit 2 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition.  
The board on the front bedroom door is cracked and damaged. The door latch does not work properly.  
The back-bedroom door frame is broken and has not slot for the door latch.

43. Unit 2 - Front Right Bedroom - 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 air conditioner has been improperly installed in the right window causing water to accumulate in the window sill. Properly drain and clean the window sill and properly re-install the air conditioner.

- ~~44.~~ Unit 2 - Smoke Alarm - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area. -The smoke alarm in the back bedroom is missing.

- ~~45.~~ Unit 2 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.

The windows in the front bedroom have lots of chipping and peeling paint, a window is missing a latch, a section of the bottom sash that is damaged and there are windows that are unable to stay open. Windows must be able to stay open at all points.

There is storm window that has come out of its track.

The window in the back bedroom is now missing the entire crank handle mechanism and the strip across the window is coming loose.

46. SPLC 40.06 Suspension, revocation and denial. (a) Grounds for revocation. The fire code official may, in writing, issue a notice to the owner(s) and known interested parties of the city's suspension or revocation of a fire certificate of occupancy issued under the provisions of this code, or deny an application therefor: (3) If it is found upon inspections of the fire code official that the building or occupancy is in violation of provisions of this or other applicable safety codes, ordinances, rules and regulations: **-The Fire Certificate of Occupancy has been revoked due to failure to comply with the Legislative Hearing Officer's orders.**

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](mailto:Efrayn.Franquiz@ci.stpaul.mn.us) or call me at 651-266-8955 between 7:30 - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz  
Fire Safety Inspector

Ref. # 115063