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APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

JAN 07 2021

CITY CLERK

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, January 12, 2021
 Time 11:30 a.m.
 Location of Hearing:
~~Room 330 City Hall/Courthouse~~
Teleconference

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

Address Being Appealed:

Number & Street: 857,859 Payne Ave City: St Paul State: MN Zip: _____

Appellant/Applicant: Rico Duran Email rico@ledcmn.org

Phone Numbers: Business (612) 840-2020 Residence (651) 395-4034 Cell (612) 840-2020*

Signature: [Signature] Date: Jan 6, 2021

Name of Owner (if other than Appellant): Latino Economic Development Center

Mailing Address if Not Appellant's: 804 Margaret Street, St Paul 55106

Phone Numbers: Business (612) 840-2020 Residence (651) 395-4034 Cell (612) 840-2020

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.)

Comments:

We have been working to fix the Deficiency List, and still not done yet. We are spending more time in fixing a total of 50 windows in the building. We are asking for extended time to complete this work.

Revised 4/10/2017

We thank you in advance.
LEDC.

It has been slow because people live in these apartments and covid-19 makes it slower.



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

December 9, 2020

RICO DURAN
Latino Economic Development Center
804 MARGARET STREET
SAINT PAUL MN 55106-5019

RE: RE-INSPECTION FIRE CERTIFICATE OF OCCUPANCY WITH DEFICIENCIES
857 PAYNE AVE

Ref. # 11648

Dear Property Representative:

Your building was re-inspected for the Fire Certificate of Occupancy on December 8, 2020. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected immediately.

A reinspection will be made on January 13, 2021 at 12:30 PM.

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 be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. Commercial - Ceiling Tiles - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner. -New Basement - In the back near all the storage supplies, there are sections of the ceiling tiles that are in disrepair and are coming down. Properly repair or remove the ceiling tiles. Store - Near the door leading to the storage/loading dock, the ceiling tile is missing.
2. Commercial - Doors - 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. -A permit is required for the construction and installation of the new doors leading to the storage/loading area.

An Equal Opportunity Employer

3. Commercial - Electrical Panels - NEC 408.7 - Unused Openings for circuit breakers and switches shall be closed using identified closures, or other approved means that provide protection substantially equivalent to the wall enclosure. -On both sides, the electrical panels have openings for the circuit breakers. Provide approved covers.
4. Commercial - Old Basement - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -At the far end of the basement, there is a junction box missing the cover.
5. Commercial - Old Basement - 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.-On the right side of the basement, there is a junction box with exposed wires sticking out.
6. Commercial - Old Basement - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-At the far end of the basement, there is a conduit that has broken loose from the junction box.
7. Commercial - Storage Side - Air Conditioner Room - 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. - The repair to the ceiling over the commercial air conditioner is not complete. Properly seal around the gypsum boards with approved fire rated material.
8. Exterior - Window Screens - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screen. -There are several window screens that are torn, damaged and missing.
9. Interior - Back Stairway - SPLC 34.10 (3), 34.34(2) - Repair or replace the damaged handrail in an approved manner. -The handrail has been damaged again and is coming loose.
10. Interior - Back Stairway - 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. -In the back stairway, the heat register is missing the cover.
11. Interior - Laundry Room - 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. Finish the repairs to the walls and properly seal all openings.

12. Interior - Laundry Room - Electrical Closet - 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. Properly finish the repair to the ceiling and seal all openings.
13. Interior - Smoke Alarms - MSFC 1103.8.1 Replacement of smoke alarms. Single- and multiple-station smoke alarms shall be replaced when: 2. They exceed 10 years from the date of manufacture. Smoke alarms shall be replaced with smoke alarms having the same type of power supply.
-There are expired and non-working smoke alarms on the second and third floor. Replace the alarms.
14. Interior - Throughout - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. -The hallway and back stairway are unclean and in unkempt conditions.
15. Unit 201 - Wall - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -The wall underneath the bedroom window is cracked and damaged.
16. Unit 201 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The bedroom and living room window are very hard to open.
17. **Unit 202 - All Rooms - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.**
18. Unit 202 - Bedroom Floors - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner. -The wooden planks for the bedroom floor have been installed improperly.
19. Unit 202 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. The door does not fit properly within its frame and daylight can be see along the edges.
20. Unit 202 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -Throughout the apartment, there are walls that have cracks and damages, especially around the window sills and walls. There is also a black substance developing along the corners. Finish the repairs.
21. Unit 202 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The bedroom window and a couple of the living room windows are very hard to open.
22. Unit 203 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The bedroom and living room windows are hard to open.

23. Unit 204 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The bedroom and living room windows are hard to open and the bedroom window does not stay up and slides down.
24. Unit 205 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The bedroom and living room windows are very hard to open. The bedroom window does not stay up and slides down.
25. Unit 206 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition. - The strike plate for the bedroom door is missing.
26. Unit 206 - Outlet - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -There is an outlet in the living room area that is missing the cover.
27. Unit 206 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The lift rail for the bedroom window is broken and the window is hard to open.
The living room windows are hard to open and one of them slams down.
28. Unit 207 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The bedroom and living room window are very hard to open and close.
29. **Unit 301 - Bedroom - 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 bedroom has been condemned because the egress window slams down very hard and is unsafe to use. There is no other exit. Discontinue sleeping in this room until the window has been properly repaired.**
30. Unit 301 - Door - SPLC 34.33 (3) - Repair and maintain the door in good condition. -The bedroom door does not fit properly within its frame and is unable to close.
31. Unit 301 - Entry Door - MSFC 703.1 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: -20 minutes. A new door has been installed and there are no indicators showing that this is a fire rated door. Provide a fire rated door. A permit may be required.
32. Unit 301 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -Throughout the apartment, there are different spots that have damages on the walls, including around the window sills.
The access panel for the bathroom plumbing is coming loose from the wall.
33. Unit 301 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
Immediately repair the bedroom window. The window slams down very hard and is unsafe to use.
The living room window is very hard to open and close.

34. Unit 302 - Bathroom - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. -One of the bathroom cabinet doors is broken and has fallen off.
35. Unit 302 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -Throughout the apartment there are different walls, including the walls around the windows that are cracked and damaged. Properly fix the walls.
36. Unit 302 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The tile windows sills are cracked, damaged and there is a hole. Immediately fix the windows.
The bedroom and living room windows are very hard to open and close.
37. **Unit 303 - Bedroom - 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 bedroom has been condemned due to the unsafe window. The top window is heavy and slams down. The bottom sash is very hard to open and close. Immediately repair the window. There is no sleeping in this room.**
38. Unit 303 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The bedroom window is in disrepair. The top sash is heavy, it slams down and does not stay up. The top sash does not allow the bottom sash to open. The bottom sash is very difficult to open and close.
The living room window is hard to open and close.
39. **Unit 304 - 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 effecting inspections, maintenance, repairs or alterations which are necessary to comply with provisions of this chapter.**
40. **Unit 304 - Access - SPLC 34.19 - Provide access to the inspector to all areas of the building.**
41. Unit 304 - Bathroom & Kitchen - 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 bathroom and kitchen GFCI outlet are not working and do not trip when tested.
42. Unit 304 - Doors - SPLC 34.33 (3) - Repair and maintain the door in good condition. -
The closet doors are missing and a piece of the trim is missing.
43. Unit 304 - Kitchen - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing. -The outlet behind the fridge is missing the cover.

44. Unit 304 - 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. -The handles/knobs for the kitchen faucet are missing.
45. Unit 304 - Throughout - MSFC 1030.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exit path.
There are items in front of the egress window. Immediately remove all the items and maintain this area clear at all times.
There is a very large kitchen table that is blocking the walking path from the kitchen to the living room.
46. Unit 304 - 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 very large hole on the wall behind the entry door. There are also scrapes and damages to the fire wall. Immediately repair and seal the hole in the wall.
47. Unit 304 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition. -The far left and far right windows do not open and slams down. Immediately repair the windows.
48. **Unit 305 - All Rooms - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.**
49. Unit 305 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The two (2) left windows do not stay up and slams down. The slide rails on the sides have broken off.
50. **Unit 306 - All Rooms - SPLC 40.06 - Uncertified portions of the building must not be occupied until inspected and approved by this office.**
51. Unit 306 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The kitchen window is unable to stay up and slides down.
The bedroom windows are very hard to open and close.
52. **Unit 307 - Bedroom - 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 bedroom has been condemned because the egress window slams down very hard and is unsafe to use. There is no exit in the bedroom.**
53. Unit 307 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
Immediately repair the bedroom window. The bedroom window slams down very and is unable to safely stay up.
The living room window is hard to open and close.

54. Unit 308 - Bedroom - SPLC 34.19 - Provide access to the inspector to all areas of the building. -Provide access to the bedroom.
55. Unit 308 - Windows - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the window in good condition.
The living room slams down and is unable to stay up. The window also pops out of the frame.
The bedroom window is very hard to open and close.
56. Unit 308 - Windows - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -There are cracks and damages around the windows and have black substance developing in the corners.
- * 57. Variety Store - Access - SPLC 34.19 - Provide access to the inspector to all areas of the building. -Provide access to the variety store.
58. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

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 the original orders.

\$ 25 9-5 pm

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. - 9:00 a.m. Please help to make Saint Paul a safer place in which to live and work.

Sincerely,

Efrayn Franquiz
Fire Safety Inspector
Ref. # 11648