



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

JUN 04 2021

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, June 8, 2021
 Time: you will be called between
1:30 p.m. & 3:30 p.m.
 Location of Hearing:
 Teleconference due to Covid-19 Pandemic

Address Being Appealed:

Number & Street: 845 Selby City: St. Paul State: MN Zip: 55104

Appellant/Applicant: Desiree Payne Email Despayne811@gmail.com

Phone Numbers Business 651-744-1436 Residence 651-730-4729 (Cell) 612-201-3975

Signature: Desiree Payne Date: 6/3/21

Name of Owner (if other than Appellant): Dante V. Wilson

Mailing Address if Not Appellant's: 9334 Parkside Echo, Woodbury, MN 55125

Phone Numbers: Business NA Residence NA Cell NA

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.)

Please find attached a Correction Notice-Re-Inspection Complaint. Also information regarding certificate of occupancy.



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

May 3, 2021

ICO CAROLYN WILSON attn: VIRGIE WILSON
845 SELBY AVE
ST PAUL MN 55104 USA

CORRECTION NOTICE - RE-INSPECTION COMPLAINT

RE: 843-845 SELBY AVE

Dear Property Representative:

A re-inspection was made on your building on May 3, 2021, in response to a complaint. You are hereby notified that the following deficiencies must be corrected prior to re-inspection date. A reinspection will be made on June 9, 2021 at 10:00am.

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

DEFICIENCY LIST

- 1. Upper Unit - 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. -Upper unit is condemned for the following but not limited to; illegal change of use from residential to assembly, unsanitary conditions, and lack of working smoke alarms.**
- 2. Upper Unit - MSBC 1300.022 Subp. 3 - The occupancy group or use division of this building has been changed from that previously approved. Discontinue the unapproved occupancy use as an Assembly occupancy.**
3. Exterior - Front Porch - 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. -Repair the broken portions of the porch.
4. Exterior - 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. -Repair holes in the siding.

5. Lower Unit - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. -Clean and sanitize the floor in the basement.
6. Lower Unit - 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.
7. Lower Unit - MPC 707.4. - Repair the clogged drain line. -Ensure drains have been properly cleared.
8. Upper Unit - SPLC 34.11 (4), 34.35 (1), MPC 719 - Provide and maintain an approved waste trap. -Trap for the bathroom sink is unapproved accordion style.
9. Upper Unit - SPLC 34.09 (4), 34.33 (3) - Repair and maintain the windows in good condition. -Replace all broken windows.
10. Upper Unit - SPLC 34.09 (4), 34.33 (3) -Provide or repair and maintain the window screens. -Replace all window screens that have bullet holes.
11. Sec. 40.01. - Fire certificate of occupancy requirement.
 - (a)All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the department of safety and inspections. The fire certificate of occupancy shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building's occupants and the general public.
 - Sec. 40.04. - Certification process. (3)One- and two-family dwellings which have a change in status from owner occupied to non-owner occupied or rental.(b)Information and application. Owners of all buildings subject to the fire certificate occupancy requirement shall apply for a fire certificate of occupancy. The application shall include, at a minimum, the following information:(1)A description of the building;(2)The name, address and twenty-four (24) hour telephone numbers of the owner(s);(3)The name, address and telephone numbers of the property manager(s) or responsible party;(4)An owner of a building used for residential occupancy who is applying for their first fire certificate of occupancy must complete the DSI landlord 101 course or have completed a similar program approved by the department of safety and inspections within the last two (2) years. The owner must submit with the application a certificate of attendance or a letter showing proof of attendance at the program or verification of enrollment at the next scheduled class. This requirement shall not apply to an owner who has a fire certificate of occupancy on another building used for residential occupancy; and(5)Additional property and property management-related information as will promote effective enforcement of this chapter.

-Dwelling does not currently have an owner of record on file with Ramsey County. Apply for change of ownership and have it properly recorded.

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.

If you have any questions, email me at adrian.neis@ci.stpaul.mn.us or call me at 651-266-8992 between 7:30 a.m. - 9:00 a.m.

Please help to make Saint Paul a safer city in which to live and work.

Sincerely,

Adrian Neis
Fire Safety Inspector



HAGE LAW OFFICE

Hand Delivered

June 2, 2021

Dante Wilson
845 Selby Avenue
St. Paul, MN 55104

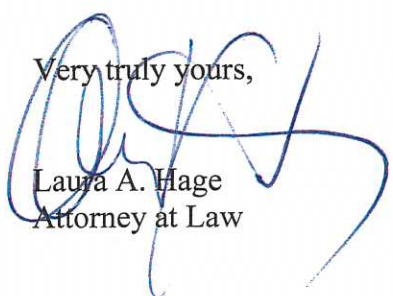
Re: *Estate of Carolyn Marie Wilson*
Court File No.: _____

Dear Mr. Wilson:

Enclosed herein please find a copy of the Application for Informal Appointment of Personal Representative and Acceptance of Appointment. My office will be filing the probate documents tomorrow with Ramsey County. I expect the Order of Informal Appointment of Personal Representative to be approved by the Court within the next 2 weeks, and for the Letters of General Administration to be issued to you shortly thereafter. I will send copies of the same to you once I receive them.

In the meantime, should you have any questions, please do not hesitate to contact me.

Very truly yours,


Laura A. Hage
Attorney at Law

Enclosures

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
PROBATE DIVISION

Court File No.: _____

In Re: Estate of

Carolyn Marie Wilson,

Decedent.

APPLICATION FOR INFORMAL
APPOINTMENT OF PERSONAL
REPRESENTATIVE (INTESTATE)

I, Dante Wilson, state the following:

1. **Information about the Applicant.** I am the applicant in this proceeding. My address is 845 Selby Avenue, St. Paul, MN 55104.

I am an interested person as defined by Minnesota law because:

I am the Decedent's: (*check all that apply*)

spouse

child

heir

other: _____

I am a creditor of Decedent's estate.

I have a property right in or claim against the Decedent's estate.

I have priority for appointment as personal representative of the Decedent's estate.

I am [or represent] a ward or protected person who may be affected by the proceeding.

I am a fiduciary who represents the interests of an interested person.

Other: [Description].

2. **Information about the Decedent.** The Decedent was born on April 12, 1952 in Birmingham, Alabama.

The Decedent died on April 26, 2019 in St. Paul, Minnesota. At the time of death, the Decedent was domiciled in Ramsey County in Minnesota, at 845 Selby Avenue, St. Paul, MN 55104.

More than 120 hours (*check only one*)

but not more than three (3) years have passed since the Decedent's death.

and more than three (3) years have passed since the Decedent's death. This proceeding should be allowed pursuant to the following exception in Minn. Stat. § 524.3-108:

[Provide details]

3. **Venue.** Venue in this proceeding is proper because, at the time of death: *(check only one)*

- the Decedent was domiciled in this County at the time of death; or
 though not domiciled in Minnesota, the Decedent owned property located in this County at the time of death.

4. **Information about Spouse, Children, Heirs, and Other Interested Persons.** As best as I know or can ascertain with reasonable diligence, the names, addresses, relationships, and birthdates, if minors, of the Decedent's spouse, children, heirs, and others interested in this proceeding are set forth in **Exhibit A: Interested Persons.**

5. **Decedent's Assets and Indebtedness.** The estimated value of the Decedent's probate and non-probate assets and the estimated indebtedness of the Decedent are set forth in **Exhibit B: Decedent's Assets and Indebtedness.**

6. **Negative Allegation Statement (Minn. Gen. R. Prac. 408).** *(choose only one and/or edit as appropriate)*

The Decedent left surviving no spouse; no children (including adopted children), other than herein named and no descendants of any deceased children.

7. **Survival of Heirs.** All the heirs survived the Decedent by 120 hours or more.

8. **Information about the Personal Representative.** The name and address of the personal representative nominated in this application are listed in **Exhibit A: Interested Persons.**

Dante Wilson is willing to serve and is not disqualified to serve as personal representative.

There is no other personal representative of the Decedent's estate appointed anywhere whose appointment has not been terminated.

9. **Priority of Personal Representative.** Dante Wilson has statutory priority because he is an heir of the Decedent.

Everyone with a prior or equal right to appointment has renounced appointment or has consented in nominating Dante Wilson as personal representative. *(Attach any renunciations or consents.)*

10. **No Testamentary Documents.** I have conducted a reasonably diligent search and I do not know of the existence of a Will and have no reason to believe that the Decedent executed testamentary documents in any form.

11. Demands for Notice. *(check only one)*

- Proper notice has been given to those persons who have filed a Demand for Notice.
 I have not received a Demand for Notice and I am not aware of any Demand for Notice concerning the Decedent's estate that may have been filed in Minnesota or elsewhere that has not otherwise been waived.

WHEREFORE, I ask the Registrar to informally:

1. Appoint Dante Wilson as personal representative, with no bond, in an unsupervised administration;
2. Issue Letters of General Administration to Dante Wilson; and
3. Grant other appropriate relief.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: 6-2-21

Dante Wilson

Dante Wilson, Applicant

Laura A. Hage (#0292461)
HAGE LAW OFFICE
370 Selby Avenue, Suite 300
St. Paul, MN 55102
Telephone: 651.690.1584
e-mail: laura@hloffice.com

ATTORNEY FOR APPLICANT

Exhibit A: Interested Persons

Name and Address	Relationship and Interest	Adult/Deceased or Age (if minor)
Dante Wilson 845 Selby Avenue St. Paul, MN 55104	Child	

Minn. Stat. § 524.3-301(1)(ii) requires that the application contain the names and addresses of the Decedent's spouse, children, heirs, and devisees and the ages of any who are minors so far as known or ascertainable with reasonable diligence by the applicant. Courts may also require listing all interested parties or persons, including personal representatives, demandants, guardians or conservators, natural guardians for any minor children, primary trust beneficiaries, creditors, foreign consul, and fiduciaries.

Exhibit B: Decedent's Assets and Indebtedness

Probate Assets		Non-Probate Assets	
Homestead:	125,000	Joint Tenancy:	
Other Real Estate:	125,000	Insurance:	
Cash:		Other:	
Retirement:	100,000		
Other:			
TOTAL:	\$ 350,000.00	TOTAL:	\$ 0.00

Approximate Indebtedness: \$ 100.00.

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Court File No.: _____

In Re: Estate of
Carolyn Marie Wilson,

ACCEPTANCE OF
APPOINTMENT AS PERSONAL
REPRESENTATIVE AND OATH
BY INDIVIDUAL

Decedent.

I, Dante Wilson, 845 Selby Avenue, St. Paul, MN 55104. I accept the duties of the office of the personal representative of the decedent's estate. As a condition to receiving letters as personal representative, I agree to be bound by the provisions of Minnesota law relating to the office, submit personally to the jurisdiction of the Court in any proceeding relating to this estate, and swear that, to the best of my ability, I will faithfully perform all duties of the office that I now assume.

Dated: 6-2-21 Dante Wilson
Personal Representative
Dante Wilson

Subscribed and sworn to before me
this 2 day of June, 2021.

[Signature]
Notary Public or Other Official

