RLH VBR 24-68

# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED
NOV 21 2024
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 waived )
- [x] Copy of the City-issued orders/letter being appealed
- [x] Attachments you may wish to include
- [x] 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,* December 10, 2024
*Location of Hearing:*
☐ **Telephone:** *you will be called between*
_____ & _____
[x] **In person** *(Room 330 City Hall)* **at:** 1:00 p.m.
*(required for all Fire C of O revocation & vacate; Condemnation orders)*

## Address Being Appealed:

**Number & Street:** 729 Hawthorne Avenue East City: St. Paul State: MN Zip: 55106

Appellant/Applicant: Kyaw Die Email heather.mendiola@smrls.org

Phone Numbers: Business 651-222-5863 Residence _____ Cell _____

*Signature:* Heather Mendiola Date: 11/21/2024

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: Heather Mendiola, SMRLS, 55 E. 5th St., #400, St. Paul, 55101

Phone Numbers: Business 651-222-5863 Residence _____ Cell _____

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

- ☐ Vacate Order/Condemnation/ Revocation of Fire C of O — See attachments.
- ■ Summary/Vehicle Abatement
- ☐ Fire C of O Deficiency List/Correction
- ☐ Code Enforcement Correction Notice
- ■ Vacant Building Registration
- ☐ Other (Fence Variance, Code Compliance, etc.)

## What is Being Appealed and Why?

1. 11/15/2024 Summary Abatement: The items have been removed.

2. 11/7/2024 Vacant Building Registration Renewal Notice: The property has been undergoing significant work for several months by a professional contractor. The work had been delayed due to insurance issues. The condition of the property does not meet any of the factors of Category I and to the extent it does, we request a fee exemption under 43.04(1). Notice was not received for several days and previous requests were made to copy me on notices like this because Mr. Die is not proficient in English and I am his attorney.

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*

November 07, 2024

Kyaw Die/Myint Aye
729 Hawthorne Ave E
St Paul MN 55106- 1906

**Customer #:1625867**
**Bill #: 1911876**

# VACANT BUILDING REGISTRATION RENEWAL NOTICE

Dear Sir or Madam:

As the owner or responsible person for the property located at
**729 HAWTHORNE AVE E**
you are required by law to register this building with the Department of Safety and Inspections on the form provided with this letter and to pay the annual Vacant Building registration fee of **$2,459.00** . The purpose of this fee is to provide partial reimbursement to the City for administrative costs. This fee is due annually as required in Saint Paul Legislative Code Chapter 43.

The renewal due date for this building is **December 07, 2024** . The annual registration fee and the enclosed registration form for this building is due on the renewal date. If you pay by mail, please fill in the enclosed registration form and return it with your payment.

**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.**

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 found on this letter.
If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at:

DEPARTMENT OF SAFETY AND INSPECTIONS
375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806
**Do Not Mail Cash**

You may file an appeal to this fee (unless the fee has been previously appealed) or registration requirements by contacting the City Clerk's Office at (651) 266- 8688. Any appeal must be made within ten (10) days of the date of this notice.

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 , Rick Gavin, at 651- 266- 1910 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, Rick Gavin, at 651- 266- 1910.**

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: rg
vb_registration_renewal_notice 11/14

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CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS
DIVISION OF CODE ENFORCEMENT
375 Jackson Street, Suite 220
Saint Paul, MN 55101- 1806

November 15, 2024
22 - 122407

# SUMMARY ABATEMENT ORDER

Yog hais tias koj tsis to taub tsab ntawv no, hu rau ntawm (651) 266- 8989. Lawv mam nrhiav ib tug neeg txhais lus los pab koj.

MYINT AYE
729 HAWTHORNE AVE E
ST PAUL MN 55106- 1906

**As owner or person(s) responsible for : 729 HAWTHORNE AVE E you are hereby ordered to eliminate all nuisance conditions which are in violation of Chapter 45 of Saint Paul Legislative Code.**

1. **Remove improperly stored or accumulated refuse which may include: garbage, rubbish, loose and scattered litter, discarded furniture, appliances, vehicle parts, scrap wood and metal, recycling materials, household items, building materials or rubble, tires, brush, etc., from entire property including yard, boulevard, alley, and driveway. Including tires in rear driveway. Comply before November 22, 2024**

If you do not correct the nuisance or file an appeal **before November 22, 2024** , the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.
Charges: If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipments, etc. The rate will be approximately $260 per hour plus expensed for abatement.

## You must maintain the premises in a clean condition and provide proper and adequate refuse storage at all times

## FAILURE TO COMPLY MAY RESULT IN FURTHER ENFORCEMENT ACTION. THANK YOU FOR YOUR COOPERATION.

Issued by: Rick Gavin Badge: 328 Phone Number: 651- 266- 1910
**If you have any questions about this order, the requirements or the deadline, you should contact the Inspector listed above, Monday through Friday.**

Also Sent To:
Kyaw Die/Myint Aye 729 Hawthorne Ave E St Paul MN 55106- 1906

Kyaw Die 729 Hawthorne Ave E St Paul MN 55106- 1906

APPEALS: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, which ever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310 in City Hall, 15 W Kellogg Blvd., St. Paul, MN 55102. The telephone number is (651) 266- 8688. You must submit a copy of this Summary Abatement Notice with your appeal application.

*WARNING Code inspection and enforcement trips cost the taxpayers money. If the violations are not corrected within the time period required in this notice, the city's costs in conducting a reinspection after the due date for compliance will be collected from the owner rather than being paid by the taxpayers of the city. If additional new violations are discovered within the next following 12 months, the city's costs in conducting additional inspections at this same location within said 12 months will be collected from the owner rather than being paid by the taxpayers of the city. Any such future costs will be collected by assessment against the real property and are in addition to any other fines or assessments which may be levied against you and your property.

sa.rpt 9/15

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CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS
DIVISION OF CODE ENFORCEMENT
**375 Jackson Street, Suite 220**
**Saint Paul, MN 55101- 1806**

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November 15, 2024

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sa.rpt 9/15

SAINT PAUL
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)
ANGIE WIESE, PE(MN), CBO, DIRECTOR

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Tel: 651-266-8989 | Fax: 651-266-9124

January 19, 2023

Kyaw Die
729 Hawthorne Ave E
St Paul MN 55106-1906

# NOTICE OF CONDEMNATION
# ORDER TO REMAIN VACANT

RE: 729 HAWTHORNE AVE E
Ref. # 118539

Dear Property Representative:

A fire occurred at your property on December 4, 2022. You are hereby notified that the following deficiency list must be corrected immediately.

Failure to comply may result in a criminal citation. The code also provides for the assessment of additional reinspection fees.

DEFICIENCY LIST

1. SPLC 34.23, MSFC 111.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office. **-Building has been condemned due significant fire, smoke, and water damage and cannot be reoccupied until all repairs are made under permit and is inspected and approved by the Department of Safety and Inspections.**

Saint Paul Legislative Codé 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 place in which to live and work.

Sincerely,

Adrian Neis
Fire Safety Manager

Ref. # 118539