



# APPLICATION FOR APPEAL

## Saint Paul City Council – Legislative Hearings

RECEIVED

APR 05 2023

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

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 345857)
  - ☒ 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, April 6, 2023

Location of Hearing:

☐ Telephone: you will be called between

\_\_\_\_\_ & \_\_\_\_\_

☒ In person (Room 330 City Hall) at: 10:00  
(required for all Fire C of O revocation & vacate; Condemnation orders)

## Address Being Appealed:

Rm 330

Number & Street: 1321 Dayton Ave City: St Paul State: MN Zip: 55104

Appellant/Applicant: Herber "Darnell" Steele Email: deswel75@gmail.com

Phone Numbers: Business \_\_\_\_\_ Residence \_\_\_\_\_ Cell: 612-805-0381

Signature: H Darnell Steele Date: 4-5-2023

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

Mailing Address if Not Appellant's: \_\_\_\_\_

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

## 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.)

I want to appeal because I  
paid for the repairs that was the cause.



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)

April 05, 2023

## NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION & ORDER TO VACATE

Corene Neal  
1319 Dayton Ave Unit Lower  
St Paul MN 55104-6441

Darnell Steele  
1321 Dayton Ave Upper Unit  
St Paul MN 55104-6441

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **1319 & 1321 DAYTON AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **April 5, 2023**, and ordered vacated no later than **April 7, 2023**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

**"Any dwelling unit, structure, or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned."**

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.**

**Principle Violations:** These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. SPLC 34.23. - **CONDEMNATION:** This occupancy is condemned as unsafe or dangerous. It constitutes a condition of material endangerment to occupants and emergency personnel. The interior of home has gross unsanitary conditions due to:
  - **Continuous water leaking from a water supply source**
  - **Water leaking onto electrical fixtures in the basement**
  - **Appearance of mold like substances in multiple locations in the lower unit**
  - **Potential rotting wood and structural compromise**

**Other Violations:** These deficiencies must be corrected to bring this property into compliance with the Saint Paul Legislative Code.

2. SPLC 34.19. – **ACCESS:** Provide access to the inspector to all areas of the building.
3. SPLC 34.08. - **ACCESSORY STRUCTURES/FENCES:** All accessory structures including, but not limited to, detached garages, sheds, retaining walls and fences shall be kept in a professional state of maintenance and repair and maintained structurally sound. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint which is not lead-based paint or by other protective covering or treatment. Service doors to accessory structures shall be provided with securing locks.

**PLEASE REPAIR AND REPLACE THE DETERIORATED SOFFITS, EAVES, FASCIA, AND ROOF ON THE GARAGE AND MAINTAIN IN A PROFESSIONAL STATE OF REPAIR. PERMIT IS REQUIRED.**

4. SPLC 34.10 (1). - **BASEMENT DAMPNES:** Abate and maintain the basement reasonably free from dampness and free of mold and mildew.

**PLEASE ELIMINATE THE WATER SOURCE AND REMOVE THE WATER FROM THE BASEMENT FLOOR.**

5. SPLC 34.10. - **BATHROOM FLOOR:** Every bathroom floor surface shall be kept in a professional state of maintenance and repair and be constructed and maintained substantially impervious to water to permit such floor to be easily kept in a clean and sanitary condition.

**PLEASE REPAIR THE BATHROOM FLOOR TO BE REASONABLY WATER IMPERVIOUS AND STRUCTURALLY SOUND. PERMIT MAY BE REQUIRED.**

6. SPLC 34.15. - **CARBON MONOXIDE ALARM:** Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturer's instructions.

**PLEASE ENSURE THE CARBON MONOXIDE DETECTOR IS IN OPERABLE CONDITION AND PROPERLY LOCATED.**

7. SPLC 34.10. - **CEILINGS:** All ceilings must be maintained in a sound condition and in a professional state of maintenance and repair.

**PLEASE REPAIR AND MAINTAIN ALL CEILINGS IN A PROFESSIONAL STATE OF MAINTENANCE AS NEEDED THROUGHOUT THE UPPER AND LOWER UNITS.**

8. SPLC 34.09. - **EAVES:** The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.

**PLEASE REPAIR THE SOFFIT, EAVES AND FASCIA BOARDS AROUND THE HOUSE.**

9. SPLC 34.11. - **ELECTRICITY:** Immediately repair electrical service.

**WATER IS LEAKING ONTO ELECTRICAL FIXTURES IN THE BASEMENT. PLEASE IMMEDIATELY ELIMINATE THE WATER SOURCE AND REPAIR ELECTRICAL AS NEEDED.**

10. SPLC 45.03. - **ELECTRIC COVER PLATES:** Provide electrical cover plates to all outlets, switches and junction boxes were missing.

**REPLACE ALL MISSING COVER PLATES IN THE BASEMENT AS NEEDED.**

11. SPLC 34.10. - **FLOORS:** All floors must be maintained in a sound condition and in a professional state of maintenance and repair.

**PLEASE REPAIR OR REPLACE DAMAGED FLOORING AS NEEDED THROUGHOUT THE FIRST FLOOR KITCHEN AND HALLWAYS.**

12. SPLC 45.03. - **INTERIOR SANITATION:** The interior shall be maintained in a clean and sanitary condition, free from any accumulation of refuse or garbage.

**PLEASE CLEAN AND SANITIZE THE LOWER UNIT FLOORS, WALLS, APPLIANCES, COUNTERTOPS AND ANY OTHER SOILED SURFACES AND AREAS AS NEEDED.**

13. SPLC 34.10. - **MOLD/MILDEW:** Abate and maintain the interior reasonably free from dampness and free of any mold or mildew.

**THERE IS AN APPEARANCE OF MOLD LIKE SUBSTANCE ON SURFACES IN THE AREA OF THE ACTIVE WATER LEAK. PLEASE ELIMINATE THE WATER LEAK AND REMOVE THE MOLD LIKE SUBSTANCES.**

14. SPLC 33.03. - **PLUMBING:** Repair or replace and maintain all parts of the plumbing system to an operational condition. Permits may be required.

**REPAIR ALL LEAKING OR DAMAGED WATER SUPPLY OR FIXTURES AS NEEDED.**

15. SPLC 34.09. - **ROOF:** Provide and maintained the roof weather tight and kept in a professional state of maintenance and repair, impervious to water and have no defects which admit water or dampness to the interior of the building.

**REPLACE THE DETERIORATED HOUSE ROOF AND MAINTAIN A PROFESSIONAL STATE OF REPAIR. PERMIT REQUIRED.**

16. SPLC 34.15. - **SMOKE DETECTOR:** The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke detector within 24 hours of discovering that the smoke detector in the dwelling unit is not functioning. Smoke detector may not be tampered with or disabled at any time. Immediately provide and maintain a smoke detector located outside each sleeping area.

**PLEASE ENSURE THE SMOKE DETECTOR IS IN OPERABLE CONDITION AND PROPERLY LOCATED.**

17. SPLC 34.10. - **WALLS:** All walls must be maintained in a sound condition and in a professional state of maintenance and repair.

**REPAIR ALL DAMAGED WALLS IN THE LOWER UNIT AND PROPERLY PREPARE AND PAINT ALL FLAKING AND PEELING WALL SURFACES.**

18. SPLC 34.11. - **WATER HEATER:** Every residential building or residential portion of a building shall have water heating facilities installed in accordance with the plumbing code, properly maintained and properly connected with hot water lines required under paragraph (4) of this section and which are capable of heating water to a temperature of 110 degrees Fahrenheit but not more than 120 degrees Fahrenheit. An adequate amount of water pressure shall be available for the system served. Contact a licensed contractor to repair or replace the water heater. This work may require a permit(s). Call DSI at (651) 266-9090.

**NO PERMIT ON FILE FOR NEW WATER HEATER. PLEASE HIRE A LICENSED CONTRACTOR TO PULL PERMIT AND CERTIFY THE WATER HEATER.**

Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment, or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

**You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.**

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

**If you have any questions concerning this matter, please contact the Inspector, Sean Westenhofer, at 651-266-1914. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.**

Sincerely,

Sean Westenhofer  
Code Enforcement Officer

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cc: Posted to ENS