



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

FEB 27 2024

CITY CLERK

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: (651) 266-8585

legislativehearings@ci.stpaul.mn.us

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 & any attachments you may wish to include

☐ Walk In

☒ Mail

☐ Email

Appeal taken by: _____

HEARING DATE & TIME

(provided by Legislative Hearing staff)

Tuesday, March 12, 2024

Location of Hearing:

☒ Telephone: you will be called between 1:00 p.m. & 3:00 p.m.

☐ In person (Room 330 City Hall) at: _____
(required for all condemnation orders and
Fire C of O revocations and orders to vacate)

Address Being Appealed:

Number & Street: 1391 ENGLEWOOD City: ST. PAUL State: MN Zip: 55104

Appellant/Applicant: KEVIN CHRIST Email: dkccustombuilders@yahoo.com

Phone Numbers: Business 763-443-7201 Residence _____ Cell _____

Signature: [Signature] Date: 02/22/2024

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: 2950 HIGHLAND RD., MINNETRISTA, MN 55364

Phone Numbers: 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.)

APPLIED Fire Provisional 8/8/23, NO ONE
IS LIVING IN THE PROPERTY DUE TO RENOVATIONS

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

February 13, 2024

Cbw Properties Llc
2950 Highland Rd
Mound MN 55364-9464

Customer #:1555215

Bill #: 1815404

VACANT BUILDING REGISTRATION NOTICE

The premises at **1391 ENGLEWOOD AVE** has been inspected and found to meet the legal definition of a Vacant Building as described in Saint Paul Legislative Code, Chapter 43. You are required by law to register this building with the Department of Safety and Inspections, Vacant Building Division, by filling out and returning the registration form provided with this letter. You are also required to pay the annual Vacant Building Registration Fee of **\$2,459.00**. The fee is due upon receipt of this letter and must be paid no later than thirty (30) days from the date of this letter, as required in Saint Paul Legislative Code, Chapter 43. If this building is vacant due to a fire, complete the enclosed registration form and return it to this office within 30 days.

Payment must be received by March 13, 2024 .

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 be found on this letter.

To pay this invoice by mail please send this registration form along with payment to:

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

If you wish to pay in person, you may do so from 8:00am to 4:00pm Monday through Friday at the above address.

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

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.

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 category 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 , Matt Dornfeld, at 651- 266- 1902 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, Matt Dornfeld, at 651- 266- 1902.

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: md
vb_registration_notice 11/14



February 14, 2024

CBW Properties LLC
2950 HIGHLAND ROAD
MOUND MN 55364-9464USA

**NOTICE OF CONDEMNATION
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

RE: 1391 ENGLEWOOD AVE
Ref. # 108778

Dear Property Representative:

Your building was inspected on February 9, 2024.

The building was found to be unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life. A Condemnation Placard has been posted on the building.

The following deficiency list must be completed or the building vacated by the re-inspection date.

A reinspection will be made on February 8, 2024 at 10:00 am.

CONDEMNATION OF THE BUILDING REVOKES THE CERTIFICATE OF OCCUPANCY.

Failure to complete the corrections may result in a criminal citation. The Saint Paul Legislative Code requires that no building be occupied without a Fire Certificate of Occupancy.

DEFICIENCY LIST

1. 1391 - Dining room walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Walls are dirty and damaged with cracking
2. 1391 - Exterior surfaces - SPLC 34.09 (1)(2)(a), 34.33 (1)(b) - 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.- Exterior surfaces are damaged or have chipping paint including fascia, soffits and board falling off of front porch as well as spalling on front stairway

3. 1391 - GFCI - NEC 406.4(D)(3) - GFCI outlets shall be provided where replacements are made at outlets that are required to be so protected elsewhere in this Code.-Second floor bathroom GFCI not functional
4. 1391 - Heater - MMC 1346.0103 - Mechanical systems, both existing and new, and parts of those systems, shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. MSFC 603.5.1 Guard against contact. The heating element or combustion chamber shall be permanently guarded so as to prevent accidental contact by persons or material.-Front guard missing from heater
5. 1391 - Heating equipment - SPLC 34.11 (6), 34.35 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Existing Fuel Burning Equipment Safety Test Report to this office.-Heating equipment in basement is not maintained in proper condition and has puddle of liquid inside of equipment.
6. 1391 - Kitchen - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.-Extinguisher provided in kitchen without current annual service tags
7. 1391 - Kitchen cabinets - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner.-Kitchen cabinets are damaged and missing faces
8. 1391 - Kitchen ceiling - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.-Cracks and holes in ceiling
9. 1391 - Kitchen floor - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner.-Kitchen floor is ripped up
10. 1391 - Kitchen walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Kitchen walls are cracked, damaged and dirty
11. 1391 - Rear entry - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the ceiling in an approved manner.-Hole in ceiling near rear exit
12. 1391 - Smoke alarm - MN Stat. 299F.362, MSFC 1103.8 - Immediately provide and maintain a smoke alarm located outside each sleeping area.-Smoke alarm not functional
13. 1391 - Smoke alarm third floor - MN Stat. 299F.362, MSFC 1103.8 - Immediately provide and maintain a smoke alarm located outside each sleeping area.-No proper smoke alarm is present in bedroom with one alarm far lower than 12 inches from ceiling and another unit missing
14. 1391 - Throughout - SPLC 34.10 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Unit is unsanitary and dirty throughout with walls and floors covered in filth
15. 1393 - Floors - SPLC 34.10 (7), 34.17(5) - Repair and maintain the floor in an approved manner.-Floors damaged throughout
16. 1393 - Living room - MSFC 313.1 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building.-Fueled lawn mower stored inside of unit

17. 1393 - Sanitation - SPLC 34.10 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Unsanitary conditions throughout
18. 1393 - Stove - 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.-Stove missing front
19. 1393 - Walls - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner.-Extensive damage to walls throughout
20. 1393 - Water service - SPLC 34.11 (4), 34.35 (1), MPC 601.1 - Provide an adequate water supply to all water closets, sinks, showers and tubs.-Water is not functional in unit
21. 1393 Englewood - Throughout - 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.-Unit does not have working water, is unsanitary and has conditions unfit for inhabitation

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: Ryan.Tessman@ci.stpaul.mn.us or call me at 651-266-1908 between 7:30 - 9:00 a.m. Please help make Saint Paul a safer place in which to live and work.

Sincerely,

Ryan Tessman
DSI Fire Safety Inspector II
Ref. # 108778

cc: Housing Resource Center
Force Unit



July 20, 2023

Cbw Properties Llc
2950 Highland Rd
Mound MN 55364-9464

CORRECTION NOTICE - COMPLAINT INSPECTION

RE: 1391 ENGLEWOOD AVE
Ref. # 113548

Dear Property Representative:

A referral has been made to our office regarding code deficiencies that are reported to exist in your building or on the premises. An inspection has not been conducted by the Fire Prevention Division. If these deficiencies do in fact exist, you are hereby notified that the following deficiencies must be corrected immediately.

An inspection will be made on August 23, 2023 at 10:00 AM.

DEFICIENCY LIST

1. 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.
 - (b) Provisional fire certificate of occupancy. When an owner-occupied dwelling changes to a rental dwelling unit, the owner of the dwelling must submit a completed application for a provisional certificate of occupancy, a completed owner's self evaluation affidavit and pay the fee for a provisional certificate of occupancy within thirty (30) days of the change in use.

The property is not owner-occupied.

2. Sec. 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:

- (1) Whenever the certificate was issued in error, or on the basis of incorrect information supplied;
- (2) When the owner(s) has submitted a false, incomplete or inaccurate statement as a part of the application for certificate;
- (3) If it is found upon inspection 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;
- (4) If the owner, in a material matter, fails to comply with the regulations in section 40.09 of this chapter; or in situations where the fire code official after a good faith effort cannot identify an owner or interested party;
- (5) If the nonresidential building becomes unoccupied or a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;
- (6) If a residential building becomes unoccupied or is a vacant building as defined in section 43.02 of the Saint Paul Legislative Code;
- (7) Evidence of nuisance activity which shall follow the procedures stated in subsection (b)(2) below; or
- (8) If a tenant, leaseholder, or third party payer files a written request for revocation following an owner's violation of Saint Paul Legislative Code chapter 53 which requires that owners notify tenants of pending mortgage foreclosure or cancellation of contract for deed involving the property.

(b) Notice of suspension, revocation or denial.

- (1) When the fire code official revokes, suspends or denies a fire certificate of occupancy for safety code violations, the notice shall state:
 - a. The specific reason(s) for the city's suspension, revocation or denial of the fire certificate of occupancy;
 - b. The effective date of the revocation, suspension or denial of the fire certificate of occupancy;
 - c. A statement indicating that the commercial building or residential occupancy, or portion thereof, shall not again be used or occupied until such time as the said certificate is issued or renewed or suspension lifted following inspection and a determination by the fire code official that the commercial building or residential occupancy, or portion thereof, is in compliance with applicable safety codes; and
 - d. A statement indicating that the suspension, revocation, or denial may be appealed to the legislative hearing officer within ten (10) days of issuance.

Apply for a Provisional Fire Certificate of Occupancy within 30 days.

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: Ryan.Anttila@ci.stpaul.mn.us or call me at 651-266-9142 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,

Ryan Anttila
Fire Safety Inspector II

Ref. # 113548



CITY OF SAINT PAUL
Department of Safety & Inspections
Fire Safety Inspection Division

OWNER'S SELF EVALUATION AFFIDAVIT

375 Jackson Street Suite 220
Saint Paul, MN 55101-1806
(P) 651-266-8989 (F) 651-266-9124

Revised 2/2022

This pre-inspection checklist will help you prepare for your Fire Certificate of Occupancy inspection. It is not all inclusive of the items we will look for during the actual Fire Certificate of Occupancy inspection.

Address of Property:

1391 ENCLEWOOD AVE
13413 ENCLEWOOD AVE.

Owner/Responsible Party Name and Address:

KEVIN LAZIST / LBL PROPERTIES LLC
2930 HIGHLAND RD
MINNETRISTA, MN 55364

EXTERIOR

Address

Yes No

- ☒ ☐ Is the building address visible from the street and or alley with numbers at least four inches high?

INTERIOR

Electrical

Yes No

- ☒ ☐ Are all outlets/switch plate covers present, secured, and is all wiring concealed?
- ☒ ☐ Are extension cords used only on portable appliances?

Plumbing Fixtures

- ☒ ☐ Do sinks and wash basins have both hot and cold running water?

Smoke/Carbon Monoxide Alarms

- ☒ ☐ Are smoke alarms present and working?
- ☒ ☐ Are carbon monoxide (CO) alarms within 10' of sleeping rooms and working?

Exit Doors and Pathways

- ☒ ☐ Are exit doors and pathways clear, maintained and usable?

Windows/Patio Doors

Yes No

- ☒ ☐ Do windows and doors open and close freely?
- ☐ ☐ Is a window provided in each room used for sleeping?

Stairs & Porches

- ☒ ☐ Are handrails and guardrails present on stairs?
- ☒ ☐ Do decks over 30" tall have guardrails?

Garbage

- ☒ ☐ Is a garbage pick-up service provided?
- ☒ ☐ Are garbage containers provided?

Hazardous Storage

- ☐ ☒ Is gasoline and propane stored in the dwelling unit?

Emergency Contacts

- ☒ ☐ Are 24 hour emergency contact numbers provided to tenants?

OCCUPANCY

Number of sleeping rooms:

0 Basement 0 Main Floor
3/3 Second Floor 2/2 Third Floor/Attic

Total Number of Occupants 0

Additional Safety Tips:

- The leading cause of home fires is unattended cooking, followed closely by carelessly discarded smoker's materials
 - Maintain 3 feet of clearance around cooking surfaces
 - Never leave the room with food on the stove
 - Discard smoking materials in metal, glass or ceramic containers
- Clean dryer vents regularly
- Maintain 3 feet of clearance around heating appliances
- Do not overload outlets
- Do not leave open flames and candles unattended
- Test smoke alarms monthly
- Create an escape plan

I hereby certify that the above information is true to the best of my knowledge, and belief. I understand the property owner is responsible for the continued maintenance and habitability of this property.

[Signature]
Owner / Responsible Party signature

08/08/2023
date

Send To:

Department of Safety & Inspections
Fire Safety Inspection Division
375 Jackson Street - Suite 220
Saint Paul, MN 55101-1806
Fax: 651-266-9124



January 8, 2024

CBW PROPERTIES LLC
2950 HIGHLAND ROAD
MOUND MN 55364-9464 USA

FIRE INSPECTION CORRECTION NOTICE

RE: 1391 ENGLEWOOD AVE
Ref. #108778
Residential Class: C

Dear Property Representative:

Your building was inspected on January 8, 2024 for the renewal of your Fire Certificate of Occupancy. Approval for occupancy will be granted upon compliance with the following deficiency list. The items on the list must be corrected prior to the re-inspection date. A re-inspection will be made on **February 8, 2024 at 10:00 am.**

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 shall be occupied without a Fire Certificate of Occupancy. The code also provides for the assessment of additional re-inspection fees.

YOU WILL BE RESPONSIBLE FOR NOTIFYING TENANTS IF ANY OF THE FOLLOWING LIST OF DEFICIENCIES ARE THEIR RESPONSIBILITY.

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651-266-1908 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,

Ryan Tessman
DSI Fire Safety Inspector II

Reference Number 108778