



CITY OF SAINT PAUL

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Saint Paul, MN 55101-1806

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December 22, 2021

RDS Investments Co
572 Earl St
St Paul MN 55106-5236

RDS Investments Co
Empire Financial LLC
7279 40th St N
Oakdale MN 55128-3305

RDS Investments Co
245 Marie Ave E #4
W St Paul MN 55118

Robert D Stein
RDS Investments Co
1833 Stillwater Avenue
Saint Paul MN 55119-3405

Minneapolis Property LLC
5100 Edina Industrial Blvd Suite 219
Edina MN 55439

Hoelscher Law Firm PLLC
13100 Wayzata Blvd Suite 100
Minnetonka MN 55305

Order to Abate Nuisance Building(s)

Dear Responsible or Interested Party:

The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:

1021 MINNEHAHA AVE E

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

TERRY'S ADDITION LOT 17 BLK 11

to comprise a nuisance condition in violation of the Saint Paul Legislative Code, Chapter 45.02, and subject to demolition under authority of Chapter 45.11.

On November 10, 2021 a Building Deficiency Inspection Report was compiled and the following conditions were observed.

This list of deficiencies is not necessarily all the deficiencies present at this time. This building(s) is subject to the restrictions of Saint Paul Ordinance Chapter 33.03 and shall not again be used for occupancy until such time as a Certificate of Compliance or a Certificate of Occupancy has been issued. All repairs must be in accordance with appropriate codes. Changes or additions to the electrical system, mechanical system, or the plumbing system may necessitate updating or upgrading the systems involved.

This is a one and one-half story, wood frame, single-family dwelling with a detached two-stall garage.

following is excerpted from the expired October 21, 2019 Code Compliance Report:

BUILDING

1. Ensure basement cellar floor is even, is cleanable, and all holes are filled.
2. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
3. Repair or replace damaged doors and frames as necessary, including storm doors.
4. Weather seal exterior doors, threshold, and weather-stripping.
5. Install floor covering in bathroom and kitchen that is impervious to water.
6. Repair walls, ceiling, and floors throughout, as necessary.
7. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
8. Any framing members that required repair or do not meet code (where wall and ceiling covering is removed, members that are over-spanned, over-spaced, not being carried properly, door and window openings that are not adequately supported, etc.) are to be reconstructed in an approved manner.
9. Where wall and ceiling covering is removed install full thickness or code-specified insulation.
10. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
11. Provide major clean-up of premises.
12. Tuck Point interior/exterior of foundation as necessary.
13. Install water-proof enclosure in shower area.
14. Repair siding, soffit, fascia, trim, etc. as necessary.
15. Provide proper drainage around house to direct water away from foundation of house.
16. Install rain leaders to direct drainage away from foundation.
17. Provide general rehabilitation of garage.
18. Remove trees from against house foundation.
19. Replace storm door on front of house and garage service door.
20. Replace missing siding and decayed trim.
21. Provide access to front crawl space, all to meet code.
22. repair rear door area, floor dropping.
23. Dry out basement and eliminate source of moisture.
24. Repair downspouts and gutters.
25. Remove mold, mildew and moldy or water damaged materials.
26. Permanently secure top and bottom of support posts in an approved manner.
27. Provide adequate access, ventilation, and clearance in crawl space area.
28. Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return handrail ends into a newel post or wall per attachment.
29. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
30. Provide complete storms and screens, in good repair for all door and window openings.

31. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

ELECTRICAL

1. No power at time of inspection. Test all electrical outlets and ensure all luminaires (light fixtures) are working properly when power is restored.
2. Install hard-wired, battery backup, Carbon Monoxide smoke detector as specified in Chapter 58 of the Saint Paul Legislative Code, and other smoke detectors and carbon monoxide detectors as required by the Minnesota State Building Code.
3. Properly support/wire exterior luminaire (light fixture) at entry door.
4. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
5. Replace electrical service due to excessive corrosion.
6. Replace conduit/fittings due to excessive corrosion.
7. Rewire the kitchen to current NEC
8. Ensure all lights have listed boxes installed.
9. Properly install wiring leaving the house to the garage.
10. No access to garage at time of inspection. Ensure the garage is wired to NEC standards.
11. Repair the electrical service grounding conductor to the metallic water piping system. Install a conductor sized to Table 250.66 (NEC) from the electrical service to within 5' of the entrance point of the water service, and bond around the water meter.
12. Provide a complete circuit directory at service panel indicating location and use of all circuits.
13. Verify that fuse/circuit breaker amperage matches wire size in panel. Replace improperly sized overcurrent devices.
14. Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
15. Properly strap and support cables and/or conduits.
16. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
17. Check all receptacles for proper polarity (including 2-prong) and verify ground on 3-prong receptacles. Ensure all GFCI receptacles are functioning properly.
18. Rewire and/or replace receptacles that are improperly wired or not functioning properly.
19. Install box extensions on devices mounted in wood paneling.
20. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

1. Basement -Gas Piping - Install an approved shut off, connector, and gas piping for the dryer.
2. Basement -Gas Piping - Vent clothes dryer to code.
3. Basement -Laundry Tub - Install a proper fixture vent to code.
4. Basement -Laundry Tub - Install the waste piping to code.
5. Basement -Plumbing - General - Remove all unused waste, vent, water and gas piping to the main and cap or plug to code.
6. Basement -Soil and Waste Piping - Install a front sewer clean out.
7. Basement -Soil and Waste Piping - Replace all corroded cast iron, steel waste or vent piping.

8. Basement -Water Heater - Correct the pressure and temperature relief valve discharge.
9. Basement -Water Heater - Install the gas shut off and the gas piping to code.
10. Basement -Water Heater - Install the water heater gas venting to code.
11. Basement -Water Heater - Install the water piping for the water heater to code.
12. Basement -Water Heater - The water heater must be fired and in service.
13. Basement -Water Meter - Raise the water meter to a minimum of 12 inches above the floor.
14. Basement -Water Meter - Support the water meter to code.
15. Basement -Water Meter - The service valves must be functional and installed to code.
16. Basement -Water Meter - The water meter must be removed from the pit.
17. Basement -Water Piping - Repair or replace all the corroded, broken, or leaking water piping.
18. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
19. Bathroom -Plumbing - General - Provide a water-tight joint between the fixture and the wall or floor.
20. Exterior -Lawn Hydrants - Repair or replace the lawn hydrants that are broken or have parts missing.
21. First Floor -Lavatory - Install the water piping to code.
22. First Floor -Lavatory - Repair/replace the fixture that is missing, broken or has parts missing.
23. First Floor -Sink - Install a proper fixture vent to code.
24. First Floor -Sink - Install the waste piping to code.
25. First Floor -Sink - Install the water piping to code.
26. First Floor -Sink - Repair/replace the fixture that is missing, broken or has parts missing.
27. First Floor -Toilet Facilities - Install the water piping to code.
28. First Floor -Toilet Facilities - Repair/replace the fixture that is missing, broken or has parts missing.
29. First Floor -Tub and Shower - Install a proper fixture vent to code.
30. First Floor -Tub and Shower - Install the waste piping to code.
31. First Floor -Tub and Shower - Install the water piping to code.
32. First Floor -Tub and Shower - Install scald and thermal shock protection, ASSE Standard 1016.
33. First Floor -Tub and Shower - Replace the waste and overflow.
34. All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4714, Minnesota Rules Chapter 326, 4716, 1300, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and Saint Paul Regional Water Services Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul by a plumber licensed in the State of Minnesota who also possess a City of Saint Paul Competency Card and after obtaining an approved City of Saint Paul Plumbing Permit.

MECHANICAL

1. Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee.
2. Clean and Orsat test furnace/boiler burner. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe.

3. Replace furnace/boiler flue venting to code.
4. Vent clothes dryer to code.
5. Provide adequate combustion air and support duct to code.
6. Provide support for gas lines to code.
7. Plug, cap and/or remove all disconnected gas lines.
8. Clean all supply and return ducts for warm air heating system.
9. Repair and/or replace heating registers as necessary.
10. Provide heat in every habitable room and bathrooms.
11. Unable to gain entry to garage during inspection, however chimney vent is visible through the roof. If there is any nonconforming heating equipment in the garage, remove it and all connecting piping and venting and permanently seal and plug all openings or install equipment to code.
12. Mechanical permits are required for the above work.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **January 21, 2022** the Department of Safety and Inspections, Division of Code Enforcement, will begin a substantial abatement process to demolish and remove the building(s). The costs of this action, including administrative costs and demolition costs will be assessed against the property taxes as a special assessment in accordance with law.

As first remedial action, a Code Compliance Inspection Report must be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989. This inspection will identify specific defects, necessary repairs and legal requirements to correct this nuisance condition. You may also be required to post a five thousand dollars (\$5,000.00) performance deposit with the Department of Safety and Inspections before any permits are issued, except for a demolition permit. Call the Department of Safety and Inspections for more information at 651-266-8989.

If this building is located in a historic district or site (noted on page 1, above, just below the property address) then you must contact Heritage Preservation (HPC) staff to discuss your proposal for the repairs required by this order and compliance with preservation guidelines. Copies of the guidelines and design review application and forms are available from the Department of Safety and Inspections web site (see letterhead) and from the HPC staff. No permits will be issued without HPC review and approval. HPC staff also can be reached by calling 651-266-9078.

As an owner or responsible party, you are required by law to provide full and complete disclosure of this "Order to Abate" to all interested parties, all present or subsequent renters and any subsequent owners. The property shall not be sold, transferred, or conveyed in any manner until the Nuisance Conditions have been abated and the Certificate of Code Compliance or Certificate of Occupancy has been issued.

The Enforcement Officer is required by law to post a placard on this property which declares it to be a "nuisance condition", subject to demolition and removal by the City. This placard shall not be removed without the written authority of the Department of Safety and Inspections, Division of Code Enforcement. The department is further required to file a copy of this "Order to Abate" with the City Clerk's Office.

If corrective action is not taken within the time specified in this order, the Enforcement Officer will notify the City Council that abatement action is necessary. The City Clerk will then schedule dates for Public Hearings before the City Council at which time testimony will be heard from interested parties. After this hearing the City Council will adopt a resolution stating what action if any, it deems appropriate.

If the resolution calls for abatement action the Council may either order the City to take the abatement action or fix a time within which this nuisance must be abated in accordance with the provisions of Chapter 33 of the Saint Paul Legislative Code and provide that if corrective action is not taken within the specified time, the City shall abate this nuisance. The costs of this action, including administrative costs will be assessed against the property as a special assessment in accordance with law.

If you have any questions or request additional information please contact **Joe Yannarely** at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

Joe Yannarely

Vacant Buildings Enforcement Inspector