



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

355

May 19, 2011

10-409827

Castlerock REO 2 LLC  
45 Knollwood Rd  
Elmsford NY 10523-2815

HSBC Bank USA  
c/o Litton Loan Servicing LP  
4828 Loop Central Dr  
Houston TX 77081-2212

Wilford & Geske  
8425 Seasons Pkwy #105  
Woodbury MN 55125

## Order to Abate Nuisance Building(s)

Dear: Sir or Madam

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

**736 CASE AVE**

With the following Historic Preservation information: NONE

**and legally described as follows, to wit:**

Arlington Hills Add B4045 49 Lot 1 Blk 23

**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 April 26, 2011, 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 duplex.

The following Deficiency List is excerpted from the July 30, 2010 Code Compliance Report.

## **BUILDING**

- Insure basement cellar floor is even, is cleanable, and all holes are filled with hard surface to code.
- Install plinth blocks as needed under posts in basement & ensure adequate footing for load imposed.
- Dry out basement and eliminate source of moisture.
- Remove mold, mildew and moldy or water damaged materials.
- Permanently secure top and bottom of support posts in an approved manner.
- Cover water meter pit with concrete or decay resistant, screwed-down cover. Cleanouts to be flush with floor slab.
- Provide adequate access, ventilation and clearance in crawl space area.
- Install 20 minute fire rated doors, with self closing device, between common areas and individual units. All penetrations required to have property intumescent device or caulk (per current building codes).
- Maintain one hour fire separation between dwelling units and between units and common areas.
- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
- Strap or support top of stair stringers for structural stability and replace basement stairs.
- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
- Provide complete storms and screens, in good repair for all door and window openings.
- Provide functional hardware at all doors and windows
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- Install floor covering in bathroom and kitchen that is impervious to water.
- Repair walls, ceiling and floors throughout, as necessary.
- 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.
- 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.

- Re-level structure as much as is practical.
- Provide fire block construction as necessary and seal chases in basement ceiling.
- Where wall and ceiling covering is removed install full thickness or code-specified insulation.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Co Conservation Code and the MN Dept. of Labor and Industry.
- Habitable rooms with new usage and replaced windows shall have glass area equal to 8% of floor area, one-half of which shall operate.
- Provide major clean-up of premises.
- Install water-proof enclosure in shower area.
- Provide weather sealed, air sealed and vermin sealed exterior.
- Repair siding, soffit, fascia, trim, etc. as necessary with same type.
- Provide proper drainage around house to direct water away from foundation of house.
- Install address numbers visible from street and on the alley side of garage.
- Provide durable, dustless parking surface as specified in the zoning code.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Openings in stair risers must be less than 4 inches.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Install flashing to code at foundation and siding at roof and siding connection.
- Replace front and east side entry landings. Install landing at rear steps.
- Jack up east side addition at center and re level.
- Provide vapor barrier and insulation to code in crawl space.
- Provide vapor harrier in craw space and under new basement floor to code.
- A building permit is required to correct the above deficiencies.

### **ELECTRICAL**

- Basement - Wire furnace and sump pump to code.
- First Floor - Install 3rd receptacle in each big room.
- Second Floor - Install 3rd receptacle in both bedrooms.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.

- Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

### **PLUMBING**

- Exterior - Piping Vents - vent pipes required, could not verify vents (MPC 0200.E.)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- First Floor - Tub and Shower - provide stopper (MPC 1240)
- Second Floor - Sink - fixture is broken or parts missing basket strainer (MPC 0200 0.)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Tub and Shower - fixture is broken or parts missing, chipped (MPC 0200)
- Second Floor - Tub and Shower - provide stopper (MPC 1240)
- Obtain plumbing permits prior to commencement of work.

### **HEATING**

- Install approved lever handle manual gas shutoff valve on furnace and second floor space heater and remove unapproved valve.
- Install approved automatic gas valve on second floor space heater.
- Clean and Orsat test furnace and second floor space heater burners. Check all controls for proper operation. Check heat exchangers for leaks; provide documentation from a licensed contractor that the heating units are safe.
- Connect furnace and water heater venting into chimney liner.
- Vent clothes dryer to code.
- Provide appropriate size operable window in bathrooms or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
- All supply and return ducts for warm air heating system must be clean before final approval for occupancy. Provide access for inspection of inside of ducts or documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
- Repair and/or replace heating registers as necessary.
- Provide heat in every habitable room and bathrooms.

- A separate heating system is required for each dwelling unit if the furnace is replaced.
- Obtain gas and warm air permits and order inspection for new furnace installation and the above corrections.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **June 20, 2011**, 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 dollar (\$5,000.00) performance bond 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

May 19, 2011  
736 CASE AVE  
page 6

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 **Rich Singerhouse** between the hours of 8:00 and 9:30 a.m. at **651-266-1945**, or you may leave a voice mail message.

Sincerely,

Rich Singerhouse  
Vacant Buildings Enforcement Inspector Supervisor

cc: Legistar Approval list and City Council

ota60135 2/11