



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

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February 14, 2011

08-046785

Luke B Scott/Jeske Scott
1264 Reaney Ave
St Paul MN 55106-4038

Deutsche Bank National Trust Co
1761 E St Andrew Place
Santa Ana CA 92705

Citi Residential Lending
1100 Town and Country, Ste 1200
Orange CA 92868

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:

845 AGATE ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Edmund Rices Secondaddition Lot 3 Blk 3

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 January 27, 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 story wood frame house and its metal shed accessory structure.

The following deficiency list is the list included in the April 22, 2010 Code Compliance Report.

BUILDING

- Insure basement cellar floor is even, cleanable and all holes are filled
- Tuck Point interior/exterior of foundation as necessary
- 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, screw down cover
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post per attachment.
- Install tempered or safety glass in window over stair landing to code
- 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 operable hardware at all doors and windows
- Install tempered or safety glass at windows within 2 feet of doorway
- Provide thumb type deadbolts for all entry doors. Remove any surface bolts
- Repair or replace damaged doors and frames as necessary, including storm doors
- Weather seal exterior doors
- 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 procedure if lead base paint is present (See St Paul Legislative Code, Chap. 34 for additional information).
- Any framing members that do not meet code (where wall and ceiling covering is removed, members that are over-spanned, 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
- Where wall and ceiling covering is removed install full thickness or code-specified insulation
- Provide smoke detectors per the MN Building Code and carbon monoxide detectors per State Law.
- Provide general clean-up of premise
- Provide weather sealed, air sealed and vermin sealed exterior
- Repair siding, soffit, fascia, trim, etc. as necessary
- Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation of dwelling.
- Provide proper drainage around house to direct water away from foundation of house.
- Install downspouts and a complete gutter system.
- Install rain leaders to direct drainage away from foundation.
- Repair or replace retaining walls at front or property.
- Provide footings under support posts in crawl space where missing.

- Install vapor barrier at grade in crawl space.
- Repair or replace foundation wall on north side of house that projects beyond house wall line. Install green pressure treated sill plate and secure to house and foundation.
- Install flashing at northeast corner of house over foundation wall.
- Remove blown insulation at southeast foundation wall in basement.
- Install floor coverings as necessary.
- See Plan Review for egress window appeals process , East bedroom - 19 x 26 x 9.5 5.6 square feet glazing; West bedroom - 26 x 20 x 28 6.7 square feet glazing
- Replace retaining wall at rear of house by stairs. Existing is deteriorated and failing.
- Remove storage shed.
- Remove and replace steps to parking area in back yard. Existing stairs are not uniform in rise and run.
- Remove dead tree limbs over northwest corner of house; remove nuisance trees next to foundation.
- Forward to DSI a structural engineer report stating remediation of failing foundation wall on the north side of building.
- A building permit is required to correct the above deficiencies.

- **ELECTRICAL**
- Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched on from the top of the stairs
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Replace all painted-over receptacles.
- 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**
- Basement - Water Heater - Vent must be in chimney liner
- Basement - Water Heater - not fired or in service
- Basement - Water Meter - corroded piping; incorrect piping also, remove galvanized piping before meter
- Basement - Water Piping - add appropriate hangers
- Basement - Soil and Waste Piping - unplug floor drain
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect

- Second Floor - Toilet Facilities - fixture is broken or parts missing
 - Second Floor - Toilet Facilities - incorrectly vented
 - Second Floor - Tub and Shower - Provide a vacuum breaker for the handheld shower
 - Second Floor - Tub and Shower - Provide access
 - Second Floor - Tub and Shower - faucet is missing, broken or parts missing
 - Second Floor - Tub and Shower - unvented
 - Exterior - Lawn Hydrants - Requires backflow assembly or device
 - Obtain plumbing permits prior to commencement of work.
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- **HEATING**
 - Clean and Orsat test furnace burner. Check all controls for proper operation. Check furnace heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe.
 - Repair and/or replace heating registers as necessary.
 - Undercut doors one inch to rooms without ducted return air.
 - Repair second floor bathroom exhaust fan.
 - 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.
 - Repair and/or replace heating registers as necessary.
 - Provide heat in every habitable room and bathrooms.
 - Undercut doors one inch to rooms without ducted return air.
 - A ventilation mechanical permit is 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 **March 16, 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 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 **Matt Dornfeld** between the hours of 8:00 and 9:30 a.m. at **651-266-1902**, or you may leave a voice mail message.

Sincerely,

Matt Dornfeld
Vacant Buildings Enforcement Inspector

cc: Mary Erickson - Council Research
Cindy Carlson - PED Housing
Amy Spong – Heritage Preservation