



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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November 06, 2012

09-324274

Twin Cities Real Estate Partners LLC  
3104 Pacific St N Ste 300  
Minneapolis MN 55411-1642

Lantern Advisors LLC  
130 Lake Street W  
Wayzata MN 55391

Douglas Polinsky  
3923 Tramore Lane  
Wayzata MN 55391

## 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:**

**715 COOK AVE E**

With the following Historic Preservation information: NONE

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

Arlington Hills Add B4045 49 Lot 13 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 October 26, 2012 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 two-story wood frame duplex with a two-stall, wood frame garage.

The following Deficiency List is excerpted from the January 10, 2010 Code Compliance Report.

### **BUILDING**

- Permanently secure top and bottom of support posts in an approved manner
- Remove or encapsulate asbestos in an approved manner
- Install 20 minute fire rated doors, with self closing device, between common areas and individual units.
- Maintain one hour fire separation between dwelling units and between units and common areas
- Relocate 2nd floor electrical panel to 2nd floor unit or to common area; or protect panel and access corridor leading from common area to panel with 1 hour fire rated enclosure.
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post per attachment.
- Strap or support top of stair stringers
- Install tempered or safety glass in window over stair landing to code
- Install tempered or safety glass in window over bathtub to code on first floor
- 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
- 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).
- Air-seal and insulate attic access door in an approved manner
- Provide smoke detectors per the MN Building Code and carbon monoxide detectors per State Law.
- Habitable rooms with new usage and replaced windows shall have glass area equal to 8% of floor area, or a minimum of 8 sq. ft, one-half of which shall operate; and all bedroom windows shall meet emergency escape requirements (20 inch minimum opening width, 24 inch minimum opening height, and minimum net glazed area of 5.7 sq. ft.)
- Provide general clean-up of premise
- Repair siding, soffit, fascia, trim, etc. as necessary
- Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation of garage.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around garage to direct water away from foundation of garage.
- Install rain leaders to direct drainage away from foundation.
- Provide general rehabilitation of garage.

- Install address numbers visible from street and alley.
- Close in open stair risers to maintain an opening no greater than 4 inches
- A building permit is required to correct the above deficiencies
- Replace or sister over notched joist under first floor bathroom.
- Supply egress window for second floor east side bedroom.
- Install tempered glass in window in third floor stair area.
- Repair or replace garage door.
- Replace garage stairs to code.
- Remove third floor kitchen and stairs on east side of house. The third floor is not to be a third unit.

### **ELECTRICAL**

- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Provide a complete circuit directory at service panel indicating location and use of all circuits
- Verify that fuse/circuit breaker amperage matches wire size in garage
- Close openings in service panel/junction box with knock out seals, breaker blanks and/or junction boxes
- Properly strap cables and conduits in basement/ service conduit on the exterior of the house.
- Replace GFCI receptacle in third floor bathroom adjacent to the sink
- Ground bathroom light in first, second and third floor bathroom and disconnect receptacle on fixture
- Install globe-type enclosed light fixture on all closet lights
- Remove all cord wiring and loose cables
- 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
- Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
- Throughout building, install outlets and light fixtures per bulletin 80-1
- 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
- Properly wire exterior lights at garage
- Install exterior lights at side entry doors.
- Remove and or/ re-wire all illegal, improper or hazardous wiring in garage
- Check building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panel board to the second unit
- Throughout building, install outlets and light fixtures as specified in Bulletin 80-1.
- In basement drill holes for romex run under joists, install connectors on romex at boxes. First and second floor add second and third receptacle to bedroom; third to living room;

fourth to dining room and second to middle bedroom. Third floor south room add third receptacle.

- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.
- 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).

## **PLUMBING**

- Basement - Water Heater - No gas shut off or gas piping incorrect all three water heaters
- Basement - Water Heater - Vent must be in chimney liner all three water heaters
- Basement - Water Heater - Water piping incorrect all three water heaters
- Basement - Water Heater - not fired or in service all three water heaters
- Basement - Water Meter - meter is removed or not in service
- Basement - Water Piping - boiler fill water line requires backflow assembly or device (two)
- Basement - Gas Piping - strap dryer gas to wall, provide code dryer vent.
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage Fernco
- Basement - Laundry Tub - provide a vacuum breaker for the spout
- Basement - Laundry Tub - water piping incorrect remove extra water pipe
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect
- First Floor - Lavatory - faucet is missing, broken, or parts missing
- First Floor - Lavatory - waste incorrect
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect
- Second Floor - Lavatory - faucet is missing, broken, or parts missing
- Second Floor - Lavatory - fixture is broken or parts missing
- Second Floor - Lavatory - waste incorrect
- Second Floor - Sink - fixture is broken or parts missing
- Second Floor - Tub and Shower - Provide access
- Second Floor - Tub and Shower - provide anti-scald valve
- Second Floor - Tub and Shower - provide stopper
- Second Floor - Tub and Shower - replace waste and overflow
- Third Floor - Gas Piping - range gas shut off; connector or piping incorrect remove gas cock
- Third Floor - Lavatory - fixture parts missing
- Third Floor - Sink - fixture parts missing
- Third Floor - Tub and Shower - Provide access
- Third Floor - Tub and Shower - provide stopper
- Third Floor - Tub and Shower - replace waste and overflow

- Exterior - Lawn Hydrants - Requires backflow assembly or device
- Exterior - Piping Vents - could not verify vent on roof

### HEATING

- Install approved lever handle manual gas shutoff valve on boiler and remove unapproved valve.
- Clean and Orsat test boiler burners. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating units are safe.
- Install approved metal chimney liner.
- Connect boilers and water heater venting into chimney liner.
- Provide adequate clearance from flue vent pipe on boilers to combustible materials or provide approved shielding according to code.
- Vent clothes dryer to code.
- Provide adequate combustion air and support duct to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Provide appropriate size operable window in bathrooms or provide exhaust fan vented to outside. A ventilation permit is required if a fan is installed.
- Provide heat in every habitable room and bathrooms.
- Install boiler pressure relief valve and pipe discharge to within 18 inches of the floor.
- Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
- Repair or replace radiator valves as needed.
- Gas and hydronic 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 **December 6, 2012** 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 **Tom Friel** between the hours of 8:00 and 9:30 a.m. at **651-266-1906**, or you may leave a voice mail message.

Sincerely,

Tom Friel  
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council