



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

331

November 8, 2011

09-324470

Caberallo LLC
8053 E Bloomington Fwy Ste 300
Bloomington MN 55420-1045

John Ludwig
2 Somerset Road
Mendota Heights MN 55118

MN Reo Properties
8937 Aztec Drive
Eden Prairie MN 55347

Reiter & Schiller
The Academy Professional Building
25 N Dale Street
Saint Paul MN 55102

Wells Fargo Bank MN
Attn: Foreclosure Dept MAC X8801-013
8476 Stateview Blvd
Fort Mill SC 29715

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:

904 CASE AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Romans Rea Of N1/2 B2 Nelsons Lot 11 Blk 2

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 September 14, 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, single family dwelling.

The following Deficiency List is excerpted from the October 11, 2011, Code Compliance Report.

BUILDING

- Insure basement cellar floor is even, is 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.
- 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.
- 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.
- 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.
- 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.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- 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.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Openings in stair risers must be less than 4 inches.
- Remove post from old fence or replace.
- Provide plans and engineering for repair of basement west wall, about 20 feet of foundation wall has caved into basement.
- Replace steps into house from rear room.

- Provide basement access to code.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
- 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
- Close openings in junction box with knock out seals and/or junction boxes
- Properly strap cables and conduits in basement/ service conduit on the exterior of the house.
- 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
- Install exterior lights at front entry door
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement - no access, safety.
- Remove or rewire track lighting in second floor bedroom.
- Based on repair list purchase a permit for 12 circuits.
- 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 current 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

- First Floor - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- First Floor - Gas Piping - run dryer vent to code (IFGC 613.1 - IMC 604.1)
- First Floor - Sink - faucet is missing, broken or parts missing (MPC 0200.P.)
- Second Floor - Toilet - reset to code.
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)

- Second Floor - Tub and Shower - replace waste and overflow (MPC 1240)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- Comments - Unable to gain access to basement. All plumbing must meet Minnesota State Plumbing Code 4715.
- Obtain plumbing permits prior to commencement of work.

HEATING

- Clean and Orsat test furnace/boiler 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.
- Vent clothes dryer to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable 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 provide 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.
- Undercut doors one inch above finished floors to rooms without ducted return air.
- It was unsafe to enter the basement at time of inspection. All the systems and equipment must be brought up to code.
- 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 8, 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 **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

cc: Legistar Approval list and City Council