



February 02, 2021

Xuandiem Tran  
11117 SE Steele Street  
Portland OR 97266-4179

## 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:**

**1128 MACKUBIN ST**

With the following Historic Preservation information: NONE

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

WILKIN & HEYWARDS OUT LOTS, TO EX W 33 FT FOR ST S 65 FT OF W 160 FT OF LOT 55

**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, 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 two-story, wood frame, duplex.

The following is excerpted from the August 20, 2009 Code Compliance Report:

### **BUILDING**

- Ensure 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.
- 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.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors.
- 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).
- Provide fire block construction as necessary.
- Where wall and ceiling covering is removed install full thickness or code-specified insulation.
- Install attic insulation according to applicable code.
- 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.
- Provide general clean-up of premise.
- Verify proper venting of bath exhaust fan to exterior.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Install rain leaders to direct drainage away from foundation.
- Close in open stair risers to maintain an opening no greater than 4 inches.
- A building permit is required to correct the above deficiencies.
- Structure has severe water damage on main level floor and ceilings. Call for inspection upon removal of all debris before covering.
- Remove all insulation and plastic from basement ceiling.

### **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.
- Verify that fuse/circuit breaker amperage matches wire size.
- Install globe-type enclosed light fixture on all closet lights.
- 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.
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/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.
- 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.
- Basement - Water Heater - Water piping incorrect.
- Basement - Water Heater - not fired or in service.
- Basement - Water Meter - corroded piping; incorrect piping.
- Basement - Water Meter - meter is removed or not in service
- Basement - Water Meter - service valves not functional or correct.
- Basement - Water Piping - provide water piping to all fixtures and appliances. Water pipe missing - replace to code.
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping.
- Basement - Water Piping - run 1-inch water line from meter to first major take off.
- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect. Some gas pipe missing - replace to code.
- Basement - Gas Piping - replace improper piping or fittings.
- Basement - Soil and Waste Piping - add appropriate hangers.
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage. Improper cleanout cover on main building cleanout fix the stack mission couplings.
- Basement - Laundry Tub - waste incorrect.
- Basement - Stand pipe - incorrectly vented.
- Basement - Stand pipe - waste incorrect.
- Basement - Floor Drain - provide strainer cover.
- First Floor - Kitchen - Sink - waste incorrect.
- First Floor - Toilet Facilities - fix seat.
- First Floor - Tub and Shower - provide stopper.
- Second Floor - Lavatory - water piping incorrect.
- Second Floor - Tub and Shower - faucet is missing, broken or parts missing.
- Second Floor - Tub and Shower - replace waste and overflow. Patch holes in walls and caulk properly provide heat to water pipes to prevent freezing.

- Second Floor - Tub and Shower - water piping incorrect.
- Exterior - Lawn Hydrants - Need water pipe to it.
- Exterior - Piping Vents - All plumbing vent through roof must be a minimum of 12 inches above roof with proper flashing.
- Comments - Need bath fan or proper size window that opens also, provide heat to all areas with plumbing pipe to prevent freezing.

### MECHANICAL

- Install approved lever handle manual building shutoff gas valve for lower unit in an accessible location ahead of the first branch tee.
- Clean and Orsat test both furnace burners. Check all controls for proper operation. Check furnace heat exchangers for leaks; provide documentation from a licensed contractor that the heating units are safe.
- Extend chimney liner above masonry chimney.
- Vent lower unit clothes dryer to code.
- Clean all supply and return ducts for warm air heating system in lower unit.
- Repair and/or replace heating registers as necessary in lower unit.
- Provide heat in every habitable room and bathrooms.
- A gas 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 4, 2021** 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 Yannarelly** at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

***Joe Yannarelly***

Vacant Buildings Enforcement Inspector