



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)

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December 07, 2012

07-214979

Raven Financial LLC  
300 Broadway N Unit 305  
Fargo ND 58102-4723

Kevin and Kathleen Riley  
300 Broadway N #305  
Fargo ND 58102-4723

Summit Community Bank  
Attn: Kevin T Kelly  
1275 E County Road D #106  
Maplewood MN 55109

Anastasi & Associates PA  
Attn: Joshua Christensen  
14985 60<sup>th</sup> Street N  
Stillwater MN 55082

## 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:**

**758 MARYLAND AVE E**

With the following Historic Preservation information: NONE  
**and legally described as follows, to wit:**

Oak Ville Park Lot 6 Blk 14

**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 December 5, 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.

The following Deficiency List is excerpted from the October 28, 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.
- 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.
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- 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.
- Provide major clean-up of premises.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Co Conservation Code and the MN Dept. of Labor and Industry.
- 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.
- Provide ground cover capable of controlling sediment and erosion.
- Remove trees which are against foundation of home and garage.
- Install drip cap on rear west door and paint trim.
- Replace front sidewalk at front steps bottom riser to high.
- Insure tempered glass in windows over bathtubs.
- Insure tempered glass in stair landing windows.
- Repair or replace basement windows.
- A building permit is required to correct the above deficiencies.

### **ELECTRICAL**

- Secure and ground second floor kitchen light and repair 3-prong over receptacle that is not grounded.
- Based on repair list purchase minimum fee permit.

## **PLUMBING**

- Basement - Water Heater - Gas Control valve parts missing (MPC 0200 V.)
- Basement - Water Heater - gas venting incorrect (IFGC 503)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Piping - boiler fill water line requires backflow assembly or device (MPC 2100)
- Basement - Soil and Waste Piping - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping (MPC 1000)
- Basement - Laundry Tub - incorrectly vented (MPC 2500)
- Basement - Laundry Tub - provide a vacuum breaker for the spout (MPC 2000 B)
- First Floor - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- First Floor - Toilet Facilities - incorrectly vented (MPC 2500)
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- Second Floor - Tub and Shower - fixture is broken or parts missing (MPC 0200 O.)
- Exterior - Lawn Hydrants - Broken or parts missing (MPC 0200 K)
- Exterior - Rain Leader - Not properly plugged or capped off
- Comments - Need permits and corrections for two water heaters, two tub and showers, two kitchen sinks and any waste, vent or water pipe that was installed and never permitted.
- Obtain plumbing permits prior to commencement of work.

## **HEATING**

- Clean and Orsat test boiler burner. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating unit is safe.
- Provide adequate clearance from flue vent pipe on boiler 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 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.
- Provide heat in every habitable room and bathrooms.
- 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.
- Seal chimney penetration in basement.
- Gas and hydronic mechanical permits are required for the above work and for radiators installed since last code compliance inspection.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **January 6, 2013** 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.

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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

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