



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

355

March 27, 2014

12-079665

Tina Rahey
227 Division St W
Brownton MN 55312-4519

Housing & Redevelop Authority
Attn: Michelle Vojacek, PED
25 W 4th Street, Suite 1100
Saint Paul MN 55102

US Bank NA
17500 Rockside Road
Bedford OH 44146

Us Bank Home Mortgage
800 Moreland St
Owensboro KY 42301-2046

Five Brothers Mortgage
c/o US Bank
14156 Eleven Mile Road
Warren MI 48089

Usset, Weingarden & Liebo
4500 Park Glen Road #300
Minneapolis MN 55416

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:

826 SIMS AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Nelsons Addition Lot 11 Blk 4

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 March 12, 2014 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, duplex with a detached two-stall garage.

The following is excerpted from the March 21, 2014 Code Compliance Inspection report:

BUILDING

- 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.
- Cover water meter pit with concrete or decay resistant, screwed-down cover. Cleanouts to be flush with floor slab.
- Remove or encapsulate asbestos in an approved manner.
- Install 20 minute fire rated doors, with self-closing device, between common areas and individual units. All penetrations required to have property intumescent device or caulk (per current building codes).
- Maintain one hour fire separation between dwelling units and between units and common areas.
- 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.
- 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.
- 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 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 Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
- 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.
- Provide proper drainage around house to direct water away from foundation of garage.
- Provide general rehabilitation of garage.
- Openings in stair risers must be less than 4 inches.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Replace front porch floor at north end and re-level floor and roof.
- Support floor joist at basement stairs to code.
- Rebuild basement stairs to code.
- Repair common area ceiling with all inspections. R-30 insulation required on slopes.
- 2nd floor unit to have access to elec. panels.

- Replace or sister over spanned garage rafters. (some are cracked)
- 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 service panel/junction boxes with knockout seals, breaker blanks, and/or junction box covers
- Properly strap cables and conduits in basement.
- 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 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
- Replace all painted-over receptacles.
- Remove closet lights in second floor bedrooms per NEC.
- Install countertop served appliance receptacles in first floor kitchen per NEC.
- Basement wired without permit, wire dated May 2011. Remove wall covering and rewire to current NEC.
- 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 electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect (MFGC 411)
- Basement - Gas Piping - run dryer vent to code (MFGC 614.1 - 614.7)
- Basement - Laundry Tub - unvented (MPC 0200 E)
- Basement - Laundry Tub - waste incorrect (MPC 2300)
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage (MPC 2420)
- Basement - Soil and Waste Piping - improper pipe supports (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Water Heater - No gas shut off or gas piping incorrect (MFGC 402.1)
- Basement - Water Heater - T and P relief discharge piping incorrect (MPC 2210 Subp. 4)
- Basement - Water Heater - Vent must be in chimney liner (MFGC 501.12)
- Basement - Water Heater - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - not fired or in service (MPC 2180)

- Basement - Water Meter - raise meter to a minimum 12 inches above floor (MPC 2280)
- Basement - Water Meter - remove meter from pit (SPRW 94.04)
- Basement - Water Meter - service valves not functional or correct (MPC 1800 Subp 3,4)
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping (MPC 4715.1720)
- Basement - Water Piping - run 1 inch water line from meter to first major take off (SPRWS Water Code)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- First Floor - Lavatory - faucet is missing, broken, or parts missing (MPC 0200.P.)
- First Floor - Lavatory - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Lavatory - unvented (MPC 0200. E)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Sink - unvented (MPC 0200. E)
- First Floor - Sink - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - incorrectly vented (MPC 2500)
- First Floor - Toilet Facilities - reset the toilet on a firm base (MPC 0870)
- First Floor - Toilet Facilities - waste incorrect (MPC 2300)
- First Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- First Floor - Tub and Shower - unvented (MPC 0200. E)
- First Floor - Tub and Shower - waste incorrect (MPC 2300)
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- Second Floor - Lavatory - waste incorrect (MPC 2300)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4715 & Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and the Saint Paul Regional Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul under an approved permit.

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 a solid weather-stripped door equipped with an approved self-closing device in the opening between the mechanical equipment room and the bedroom and a combustion air opening taken directly from the outdoors into the mechanical equipment room.
- Connect boiler and water heater venting into chimney liner.
- 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
- Attach metal tag to expansion tank valve stating that this valve must be open at all times except when draining the expansion tank
- Support supply and return piping from heating system according to code
- Pipe boiler pressure relief valve 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.
- Mechanical gas and hydronic 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 **April 11, 2014** 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.

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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

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