

July 26, 2011

City of St. Paul  
Legislative Hearing Officer and City Clerk  
310 City Hall, 15 W. Kellogg Blvd.  
St. Paul, MN 55102

RE: Response to Deficiency List – Notice of Condemnation for 402 Minnehaha Ave. W

The purpose of this letter is to provide background information, clarify situations pointed out in list, report on status of repairs underway, and correct misinformation in the report. This information was summarized at an Appeal Hearing on the Condemnation held July 26, 2011. Please note: numbers in parentheses refer to items on deficiency list). I had difficulty ascertaining from this list what were the critical items related to condemnation and what were minor items that could be dealt with under a more extended time frame.

***Background on Property:***

This property was purchased in 1998 to house the ailing mother and sister (supplemental care-giver) of my wife (an RN), when her mother's health deteriorated and she could no longer function independently in Rochester, MN. We have improved the property (complete replacement of plumbing system, new kitchen cabinetry, painted house 2X, jacking up the attached porch and installing windows in it [under permit]) to make this property more livable. After Norma's mother's death, we briefly leased to two tenants, but found them too destructive. During this time period, there were a couple citations from CPI related to tenant garbage. Only Norma's sister currently resides at the property in a relative homestead. She is classified as disabled by Social Security with Norma having Power-of-Attorney. The city has not previously inspected the property for a certificate of occupancy, and we did not have the benefit of such an inspection before buying the property 14 years ago. Nor has the property received any citations over the last 8 years or so related to the exterior. In our appeal, we are merely asking for adequate time to address the required repairs and given the health and psychological status of the tenant, request continued occupancy until repairs and inspections are completed.

***Status of deficiency items:***

*Furnace, water heaters (items 28, 29, 31, 37, 56, 57):* Both furnaces were installed under permit in 2002 (St. Paul Plumbing and Heating) and 2003 (Hammer's Heating & Air Conditioning), respectively. Both water heaters were replaced year later or so, but apparently not inspected (missing down tubes on pressure relief valves, used existing venting). Licensed contractors (Hammer's Heating & Air Conditioning) examined situation on July 25 (installed missing down tubes, provided bid to bring venting up to code for water heaters, furnaces, and chimney, combustion test; bid accepted). Clothes hamper (only item within 30 inches of a furnace) moved. A CO/gas digital monitor downstairs indicates no detection of either CO or natural gas.

*Dryer (item 1):* Dryer was not connected (no gas line) at time of inspection. To avoid future confusion, old dryer venting removed and dryer moved to other side of basement. New venting will be installed via a different existing vent in side of house as part of mechanical upgrade contracted for on July 25.

*Windows (10, 11, 12, 13, 14, 25):* Estimates for all upper level windows, including egress windows, obtained from Sandstrom Windows in Sept. 2010. Estimate rebid – based on newer available windows – and accepted. Site visit scheduled for Aug. 8. Egress window in first floor bedroom installed. All window frames and window installation in lower level to be inspected and repaired. Permit will be pulled and installation to begin soon.

*Plumbing (items 36):* Obtaining estimate from plumber on fixture installations. Leak corrected with new wax ring in upstairs bathroom. No water on plumbing stack. Wall removal to trace leak can now be repaired.

*Electrical (items 44, 38, 39, 40, 41, 42):* Panels were checked over when the weather head failed about 10 years ago. The weather head and main circuit breakers in both panels were replaced at that time. The electrician, whom I'm assuming pulled a permit for the repairs, considered the service adequate (100 amp service to each unit of duplex) because we specifically discussed whether or not to install new panels. We will have an electrician re-inspect the panels to ensure both meet code requirements. We have contacted an electrician for an estimate for the panels, the GFI circuit in bathroom, and replace one unapproved line that existed from the previous owner plus generally examine the electrical system for other compliance issues.

The wiring for all previously disconnected circuits in the basement has been removed.

All cover plates for receptacles, switches, and junction boxes in the basement that were removed to map lower unit circuits have been replaced. A defective circuit breaker was replaced and the electrical cord was removed that tenants were using to power kitchen appliances.

All upstairs light fixtures that were dropped for painting and all outlet, receptacle covers that were removed for painting have been re-installed.

*Smoke, CO alarms (items 26,35):* Smoke alarms and CO alarms were present in lower unit at the time of inspection. No one is living in upper unit and alarms had been removed during painting of ceilings and walls. We purchased new detectors/alarms for upstairs units and during the inspection, asked the inspector to clarify code requirements. Alarms, detectors have since been installed in upper level and activated (see affidavit).

*Smoke detector affidavit (item 58):* Copy included with this letter...not requested at time of inspection.

*Basement Steps (items 32, 33, 34):* Existing steps were installed before our purchase of the residence and certainly need replacement. Space available for steps presents a code-compliance challenge and we'll be seeking an inspectors input on how to comply. Carpenter contacted for estimate.

*Wall board (items 46, 51, 53):* Drywall removed to track plumbing leak. Will work with contractor on repairing walls and ceiling removed to locate and resolve plumbing leak.

*Kitchen Floor (item 52):* All kitchen and bathroom floors, and stairway landings, were slated for replacement with commercial tile. Tile installation has been completed in upstairs bathroom, kitchen and stairway landings. Older-type linoleum was removed from the lower unit kitchen just before inspection leaving its black tar-paper like backing adhering to the floor at time of inspection. Certainly makes the floor look dirty and admittedly is tough to sweep and keep clean. However, removal of the old backing from the floor, cleaning, and tiling of the lower unit kitchen floor will occur in the next week or so.

*Cleanliness (items 45, 48, 49, 52, 23):* Tenant has a problem with cleanliness (disability and psychological issues). My thanks to the inspector for referring us to Ramsey County Public Health – House Calls Program, who arranged for a dumpster and provided a social worker. Volunteers have helped clean the lower unit and basement; we have filled the dumpster about 2/3 full with some additional work remaining. A clear and unobstructed exit way is now present. Dog feces in one spot in basement were removed and the basement floor has been cleaned and dis-infected. Note: A volunteer who provides periodic cleaning services for the tenant, had worked 60 hours the 4 days preceding the inspection and was unable to help the tenant prepare for inspection. The social worker has met with tenant several times and observed continuing improvement in the unit.

*Pets (item 27):* Tenant has made arrangements for neutering with vet (ASPCA) and licensing to be completed Aug. 1. Written documentation will be supplied upon completion.

*Exterior Doors (Items 8, 9, 24):* All exterior doors and frames primed. Wood molding around rear door replaced and primed. Deadbolt installed.

*Porch and Deck (item 19):* We have purchased a set of steps for front entry and will have a handrail installed. From talking with planning in DSI, it appears that no handrails are required for the rear deck. See request for clarification on deck below

*Exterior lighting (items 3, 5, 47):* Light fixtures near front and rear doors, and in stairwell, replaced. Missing globe replaced.

*Sidewalks, walkways and stairs (item 2):* Weeds overgrowing sidewalk removed. Front stairs to be replaced.

*Appearance (items 15, 6, 16):* Grass and weeds in the fenceline are cut. Weeds along the west side of the house have been pulled. We have painted the house twice in 14 years with the same peeling issues re-appearing and are debating vinyl siding. I will discuss the issue with Sandstrom Windows at their site inspection Aug, 8 since they also do siding. Holes have been repaired except we're waiting for salvaged siding (appropriate for 1917 construction) to arrive to replace disintegrating boards (if we scrape and re-paint a third time).

*Property grade and basement dampness (item 4):* Down spouts that were removed in anticipation of roofing will be re-placed since the roofing crew is delayed by hot weather and rain. Suitable grade is present along most of the west side but presence of the sidewalk on the east side raises questions its removal to permit a re-grading. Basement dehumidification is underway.

***Inaccuracies in inspection:***

*Roof (Item 7):* Inspector did not inspect roof. No leakage from roof present in any room on second floor or in attic. I did tell her that we were contemplating re-shingling and had obtained estimates last fall/ early winter but hate to think my opinion replaced an actual inspection of the roof.

*Vehicles (item 20):* All vehicles were licensed and tabbed at the time of inspection, including boat and trailer. All vehicles were in operating condition and properly parked on asphalt pad. Area where the boat was parked was weeded and the boat moved to make way for dumpster.

***Clarification requested:***

*Bathroom ventilation (item 30):* Ceiling fans connected to exterior vents are provided in both upstairs and downstairs bathrooms. If some aspect of these fans is not in compliance, please specify.

*Porches (item 17, 18, 19):* What handrails are damaged or need repair(s)? Rear deck was installed under permit and we consulted with inspector on deck support and deck supports were approved when it was built. To what does the comment "rear deck is not structurally sound" refer to?

*Electric box clearance (item 44):* Electric panels are located in a small room. Currently the door on the small room is removed. Does the 36" clearance apply in all directions or merely in front of the panels?

*Cabinets (item 50):* Installation of new cabinets was underway upstairs so doors were off at time of inspection. Obviously they are attached as installation is completed. Not sure what cabinets "throughout" the duplex that the inspector was referring to in this comment.

*Flooring (item 52):* What flooring was missing in the upper unit? The kitchen and bathroom has been completely re-tiled. We anticipate sanding and re-varnishing the hardwood flooring (maple) throughout this vacant unit this fall. The hardwood-floor people will of course be checking over the entire floor at that time.

*Woodwork (item 54):* This description was rather vague. What woodwork? Door molding around newly installed doors upstairs? Baseboards in the upstairs kitchen that's being repainted? Grooved wood ceiling board used on the walls in the enclosed porch that's been primed and will be repainted? Varnished woodwork throughout the upper and lower levels?

***Items remaining:***

*Garage and fence (item 15):* Center post of garage was hit by garbage truck picking up a dumpster at the residence this winter. The post needs to be returned to vertical so the sliding garage doors can be

opened properly . A side door will also be installed (disintegrating and off-kilter). We will ask a carpenter to evaluate the integrity of the garage before making repairs.

When the trash dumpster is removed, the rear fence can be re-installed.

Note: At this time other code issues are considered a higher priority since the garage is only infrequently used for storage given problems with the sliding doors.

We would be happy to answer questions about the property and our progress at any time (Ken @ 612-750-0993, Norma @ 651-270-2682).

Sincerely,

Ken Ostlie, PhD, MS

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Edelweiss Home Care