



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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March 2, 2012

09-264860

Holden R Holmes LLC
PO Box 483
Isanti MN 55040-0483

Deutsche Bank NA
701 Corporate Center Drive
Raleigh NC 27607

Construction Network Services
910 W County Road B
Roseville MN 55113

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:

1204 7TH ST E

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Messerli Eschbachs Addition Lot 7 Blk 3

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 26, 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.

Description of Building: Two-story wood frame, 4-plex structure and its two-stall, wood frame, detached garage.

The following Deficiency List is excerpted from the February 12, 2012 Fire Certificate of Occupancy Revocation and Order to Vacate letter.

DEFICIENCY LIST

1. CONDEMNATION - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.
2. ELECTRICAL - SERVICE - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work may require a permit(s), call DSI at (651) 266-9090.
3. ELECTRICAL - ALL AREAS - NEC 300-11 Provide for all raceways, boxes, cabinets, and fittings to be securely fastened in place.-Secure all loose receptacles.
4. ELECTRICAL - PANELS - NEC 408.4 Circuit Directory / Circuit Identification-Provide a complete up to date circuit directory for all panels.
5. ELECTRICAL - PANELS - NEC 408.7 Unused Openings. Unused openings for circuit breakers and switches shall be closed using identified closures, or other approved means that provide protection substantially equivalent to the wall enclosure.
6. ELECTRICAL - UNIT 3 - MSFC 605.4 - Discontinue use of all multi-plug adapters.
7. ELECTRICAL - UNIT 3 - NEC 440.13 - For cord-connected equipment such as room air conditioners, household refrigerators and freezers, drinking water coolers, and beverage dispensers, a separable connector or an attachment plug and receptable shall be permitted to serve as the disconnecting means. The appliance must plug directly into a permanent outlet.- Provide a permanent receptacle for the window air conditioner or remove the air condition from the window.
8. ELECTRICAL - UNIT 3 - NEC 210-11(c) (2) - Provide a 20 amp branch circuit within 6 feet of the laundry appliance.-Verify separate 20 ampere laundry circuit. Provide as needed to code.
9. ELECTRICAL - ALL AREAS - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition.-Replace all broken and painted receptacles.
10. ELECTRICAL - BASMENT (UNIT 4) - NEC 300.6 Protection Against Corrosion and Deterioration.-Remove, replace, or provide approved protection to the electrical junction box located near the electrical panel. This junction box is corroded. Provide a suitable junction box for the environment.
11. EXTERIOR - EXIT OBSTRUCTION - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove snow/ice from exterior stairwell exitway.

12. EXTERIOR - GARAGE - Remove the accumulation of snow or ice from the public and private sidewalk abutting this property.-Snow and ice to be removed from sidewalks within 24 hours from end of show storm.
13. EXTERIOR - GRAFFITI - SPLC 45.03(b) - All exterior surfaces must remain free of any initials, marks, symbols, designs, inscriptions or other drawings, scratched, painted, inscribed or otherwise affixed.
14. EXTERIOR - REAR EXIT STAIRWAY/DECKS - SPLC 34.09 (2) 34.32 (2) - Provide an approved guardrail with intermediate ballustrade or rails 4 inches or less apart. This work may require a permit(s). Call DSI at (651) 266-9090.-Provide approved guardrails and balustrades for rear stairwell/decks.
15. EXTERIOR - REAR EXIT STAIRWAY/DECKS - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Rear exterior exit stairway/decks not inspected due to snow cover. Stairway to be in sound condition.
16. EXTERIOR - WALLS/PAINTING - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.-Repair cracks/missing areas of stucco. Scrape and repaint exterior painted surfaces.
17. EXTERIOR/INTERIOR - ENTRY DOORS - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-All exterior/interior entry doors to be in good repair--doors, frames, trim, thresholds etc.
18. EXTERIOR/INTERIOR - WINDOWS - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Replace all broken windows throughout --- windows and doors. All window frames, sashes, trim, window caulking/glazing, sash cords/sash holders etc. to be in good repair.
19. INTERIOR - FIRE EXTINGUISHERS - MSFC 906.1, MN Stat. 299F.361 - Provide approved fire extinguishers in accordance with the following types, sizes and locations.-Provide one minimum 1A10BC fire extinguisher within each apartment unit or a minimum 2A10BC not be more than 50' travel distance from each apartment entrance. They must be permanently mounted between 3 and 5 feet high in readily visible and easily accessible locations
20. INTERIOR - SDA - SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
21. MECHANICAL - HEATING REPORT - SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.

22. MECHANICAL / ALL GAS PIPING - TEST FOR LEAKS - MFGC 406.5.2 - Immediately repair or replace the leaking fuel equipment piping. This work may require a permit(s). Call DSI at (651) 266-9090.
23. MECHANICAL / ALL UNITS - KITCHEN STOVES - UMC 2214 - Install, repair, or replace listed gas appliance fuel connector maximum 3 feet in length. (Kitchen range and clothes dryer maximum 6 foot length.) This work may require a permit(s). Call DSI at (651) 266-9090.
24. PLUMBING BASEMENT LEFT SIDE - WATER HEATER - SPLC 34.11 (5), 34.34 (2) - Contact a licensed contractor to repair or replace the water heater. This work may require a permit(s). Call DSI at (651) 266-9090.-WATER HEATER: NOT FIRED OR IN SERVICE.
25. PLUMBING BASEMENT LEFT SIDE - WATER METER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-WATER PIPING: REPAIR OR REPLACE ALL CORRODED, BROKEN OR LEAKING PIPING AT METER.
26. PLUMBING BASEMENT RIGHT SIDE - SOIL AND WASTE PIPING - SPLC 34.11 (4), 34.34 (1), MPC 4715.0900 MPC 4715.0220S - Provide and maintain an approved waste trap.-SOIL AND WASTE PIPING: BACK PITCHED PIPING; IMPROPER CONNECTIONS, TRANSITIONS, FITTINGS OR PIPE USAGE.
27. PLUMBING FIRST FLOOR LEFT SIDE - GAS PIPING - MFGC 409.5 - Provide an approved gas shut off valve within 6 feet of the appliance in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.-GAS PIPING: RANGE GAS SHUTOFF, CONNECTOR OR PIPING INCORRECT.
28. PLUMBING FIRST FLOOR LEFT SIDE - LAUNDRY TUB - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-LAUNDRY TUB: FAUCET IS MISSING, BROKEN OR PARTS MISSING.
29. PLUMBING FIRST FLOOR LEFT SIDE - LAVATORY - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-LAVATORY: UNVENTED.
30. PLUMBING FIRST FLOOR LEFT SIDE - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-TUB AND SHOWER: REPLACE WASTE AND OVERFLOW; PROVIDE ACCESS.
31. PLUMBING FIRST FLOOR RIGHT SIDE - SINK - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-SINK: FAUCET IS MISSING, BROKEN OR PARTS MISSING,

32. PLUMBING FIRST FLOOR RIGHT SIDE - TOILET - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-TOILET: FIXTURE IS BROKEN OR PARTS MISSING.
33. PLUMBING FIRST FLOOR RIGHT SIDE - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-TUB AND SHOWER: PROVIDE A VACUUM BREAKER FOR THE HANDHELD SHOWER; REPLACE WASTE AND OVERFLOW; PROVIDE ACCESS.
34. PLUMBING SECOND FLOOR LEFT SIDE - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-TUB AND SHOWER: PROVIDE A VACUUMNBREAKER FOR THE HANDHELD SHOWER; REPLACE WASTE AND OVERFLOW; PROVIDE ACCESS.
35. PLUMBING SECOND FLOOR RIGHT SIDE - GAS PIPING - MFGC 409.5 - Provide an approved gas shut off valve within 6 feet of the appliance in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.-GAS PIPING: RANGE GAS CONNECTOR OR PIPING INCORRECT.
36. PLUMBING SECOND FLOOR RIGHT SIDE - SINK - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-SINK: FAUCET IS MISSING, BROKEN OR PARTS MISSING.
37. PLUMBING SECOND FLOOR RIGHT SIDE - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.-TUB AND SHOWER: PROVIDE STOPPER.
38. UNITS ALL - BASEMENT STAIRWELLS - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.-Repair both basement stairwells, handrails, guardrails to meet codes.
39. UNITS ALL - BATHROOM FLOORS - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.-All bathroom floors to be in good repair and impervious to water. NOTE; 1ST FLOOR BATHROOMS HAVE ICE COVERED FLOORING--SUBFLOORING ETC MAY NEED TO BE TOTALLY REPLACED.
40. UNITS ALL - CABINETS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing door. Repair or replace the damaged or missing drawer. Repair or replace the damaged framing. Repair or replace the damaged or missing hardware.
41. UNITS ALL - CEILINGS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Patch the holes and/or cracks in the ceiling. Paint the ceiling.

42. UNITS ALL - CO DETECTORS - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area in hallway or room adjacent to bedrooms. Installation shall be in accordance with manufacturers instructions.
43. UNITS ALL - DEADBOLT LOCKS - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
44. UNITS ALL - FIRE DOORS - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be:-Repair and maintain the door closer. Repair and maintain the door latch. Repair and maintain the door frame.
45. UNITS ALL - FLOORS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the carpeting. Repair or replace the floor tile. Repair or replace the floor coverings. Refinish the floor. Repair/replace buckled flooring.
46. UNITS ALL - ILLEGAL LOCKS - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove all illegal slide bolts from doors throughout.
47. UNITS ALL - STRUCTURAL - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.- Structural components of building to be inspected due to burst water piping and water damage, buckled flooring, ice buildup innbathrooms--one bathroom has ice about 4 plus inches thick on floor.
48. UNITS ALL - WALLS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls. Paint the wall.
49. UNITS ALL - WINDOW LOCKS - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.
50. UNITS ALL - WOODWORK - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.-All interior woodwork--interior doors, floor trim etc. to be in good repair.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **April 2, 2012** 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 **Dave Nelmark** between the hours of 8:00 and 9:30 a.m. at **651-266-1931**, or you may leave a voice mail message.

Sincerely,

Dave Nelmark
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council