



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
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355.0

August 01, 2016

14-289062

Raul Hull  
759 Cook Ave E  
St Paul MN 55106-3106

Paul Scharf  
Ramsey County - Tax Forfeit Properties  
90 W Plato Blvd  
St Paul MN 55107

Fremont Investment & Loan  
2727 E Imperial Highway  
Brea CA 92821

MERS  
PO Box 2026  
Flint MI 48501

## 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:**

**759 COOK AVE E**

With the following Historic Preservation information: NONE

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

Arlington Hills Add B4045 49 Lot 16 Blk 2

**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 July 20, 2016 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, single-family dwelling with a detached two-stall garage.

The following is excerpted from the May 8, 2014 Revocation of Fire Certificate of Occupancy and Order to Vacate:

**DEFICIENCY LIST**

1. 2nd Floor - Bathroom Sink - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs. Restore water service to 2nd floor bathroom sink.
2. 2nd Floor - Bathtub - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water. Repair or replace caulk around tub to ensure water tightness around the tub.
3. 2nd Floor - Ceilings Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the ceiling in an approved manner. Repair or patch holes throughout 2nd floor ceiling.
4. 2nd Floor - East Bedroom - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. Replace broken bedroom door.
5. 2nd Floor - East Bedroom - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. Remove slide lock from bedroom door.
6. 2nd Floor - Egress Window - MSFC 1026.1 - Provide and maintain an approved escape window from each sleeping room or area, or discontinue use of area as a sleeping room. Replace egress window under permit or replace damaged framing around egress window and sash.
7. 2nd Floor - South Bedroom - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. Missing door handles on bedroom and closet door. Replace damaged closet door.
8. 2nd Floor - Walls Throughout - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the walls in an approved manner. Patch the holes and/or cracks in the walls in bedrooms, hallway and closets throughout 2nd floor.
9. Fence - Throughout - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. Repair metal fencing. Replace damaged fence planks along northwest side of house.
10. Garage - Roof - SPLC 34.09 (1) e, 34.32 (1) d - Provide and maintained the roof weather tight and free from defects. Repair sagging garage roof under permit.

11. Garage - Storage - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. Remove all trash and debris in garage throughout.
12. Garage - Utility Door - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition. Replace broken garage door.
13. Garage - Utility Door - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. Replace missing door handles on garage door.
14. Garage - SPLC 34.09 (1) b, c, 34.33 (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. Replace missing and damaged soffits, eaves, fascia and trim along garage.
15. House - Chimney Stack - MSFC 603.6.1 - Masonry chimneys that, upon inspection, are found to be without a flue liner and that have open mortar joints which will permit smoke or gases to be discharged into the building, or which are cracked as to be dangerous, shall be repaired or relined with a listed chimney liner system installed in accordance with the manufacturer's installation instructions or a flue lining system installed in accordance with the requirements of the International Building Code and appropriate for the intended class of chimney service. Repair weathered chimney stack on top of house.
16. House - Front Porch - SPLC 34.09 (1) b, c, 34.33 (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. Replace siding along front porch. Scrape and paint supports along front porch.
17. House - North Exterior Lighting - MSFC 605.1 - Repair or replace damaged electrical fixtures. Remove illegal light fixture on north exterior of house.
18. House - North and Southeast Storm Doors - Ext. Door SPLC 34.09 (3), 34.33 (3) - Repair and maintain the door in good condition. Replace broken storm door and handles.
19. House - Screens/Storm Windows - SPLC 34.09 (3), 34.33 (3) - Provide or repair and maintain the window screen. Replace all damaged and missing screens and storm windows throughout.
20. House - South Supports and Slab - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. Under permit, repair structural support along south porch. Repair or replace deteriorated slab along south and east side of south porch.
21. House - Southeast Entry/Exit Door - SPLC 34.09 (3) i - Repair and maintain an approved one-inch throw single cylinder deadbolt lock. Missing deadbolt on entry/exit door.

22. Interior - Bedroom Doors Throughout - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort. Remove all deadbolt locks from all bedroom doors immediately.
23. Interior - Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. Replace missing light fixture covers in all hallways, bathroom, kitchen, living room and bedrooms.
24. Interior - Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes were missing. Replace all missing cover plates in bedrooms, hallways, bathroom, bedroom closets and kitchen.
25. Interior - Throughout - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire Remove incense sticks from multiple areas throughout the unit immediately.
26. Kitchen - Floor - SPLC 34.10 (7), 34.34 (6) - Repair and maintain the floor in an approved manner. Repair or replace the floor tile.
27. Kitchen - Storage - MSFC 315.2.5 - Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operator or repaired within a building. Remove lawn mower, weed whip and propane tank from kitchen immediately.
28. Kitchen - West Window - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass. Replace broken interior window pane.
29. Main Floor - Multiple Areas - SPLC 34.12 (2), SPLC 34.36 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition to properly and safely perform their intended function in accordance with the provisions of the applicable code. Install fitting door for furnace room. Replace missing cover around thermostat in west room. Remove unfitting closet doors in west room.
30. Main Floor - Multiple Areas - MSFC 703 - Provide and maintain fire rated ceiling construction with approved materials and methods. Replace damaged or missing ceiling tiles in west room throughout.
31. Main Floor - South Room - MSFC 605.1 - Repair or replace damaged electrical fixtures. Remove splices extension cords and other wiring in room.
32. Main Floor - West Room - 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. Square footage of bedroom is 60 square feet. Owner is to remove bedroom setup in west room.

33. North Exterior - Deck - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. Replace damaged lattice and spindles along north deck.
34. South Exterior - Cement Staircase - SPLC 34.09 (2) 34.32 (2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair. Missing handrail on staircase.
35. South Exterior - Cement Staircase - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. Replace and repair deteriorated cement staircase steps.
36. South Exterior - Retaining Walls - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. Repair and seal cracks and deterioration along south foundation walls.
37. 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.
38. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **August 31, 2016** 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 **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