



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

361

November 22, 2011

11-270655

Moua Yang/Khou Yang
1144 Granada Way
Oakdale MN 55128-9686

Bank of America NA
400 Countrywide Way
Simi Valley CA 93065-6298

Shapiro Nordmeyer & Zielke
12550 W Frontage Road #200
Burnsville MN 55337

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:

391 THOMAS AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Smiths Sub Of Stinsns Div B 2 Lot 13 Blk 8

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 November 16, 2011, 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 house and its two stall detached wood frame garage.

Interior

- Smoke Detector: Lack of properly installed and operable smoke detector. Provide functioning smoke detectors in accordance with the attached requirement, within 24 hours.
- The interior ceilings are defective. Repair all ceiling defects and finish in a professional manner. The interior walls are defective.
- Repair all wall defects and finish in a professional manner.
- There is evidence of a rodent infestation. Immediately exterminate and eliminate all rodents from the entire building. Remove rodent harborages in the yard areas. Tuckpoint the foundation if necessary to rodent-proof the building to prevent re-infestation. Immediately remove any dead rodents from the premises.
- Copper piping is missing.
- SANITATION: Immediately remove improperly stored or accumulated refuse including; garbage, rubbish, junk, vehicle parts, wood, metal, recycling materials, household items, building materials, rubble, tires, etc., from yard. The Saint Paul Legislative Code requires all exterior property areas to be maintained in a clean and sanitary condition. Usable materials must be stored in an approved manner, so as not to constitute a nuisance.

Exterior

- The windows and/or storm windows are in a state of disrepair. Replace all missing or broken window glass. Make all necessary repairs to frames, sashes, hardware and associated trim in a professional manner. Permit may be required.
- The window and/or door screens are missing, defective or in a state of disrepair. Provide proper window and door screens for all openable windows and doors. Screens must be tight-fitting and securely fastened to the frames.
- The foundation is deteriorated, defective or in a state of disrepair. Repair all foundation defects in a professional manner to a weather-tight, water-tight and rodent-proof condition. Permit may be required.
- The chimney is defective, deteriorated or in a state of disrepair. Replace all missing or defective bricks, tuckpoint as needed to restore the chimney to a professional state of maintenance and repair. Permit may be required.
- DEFECTIVE STAIRS. Porch and stairs are broken, defective, or in disrepair. Repair in a professional manner.
- The exterior walls of the house have defective, peeled, flaked, scaled or chalking paint or has unpainted wood surfaces. Scrape and repaint to effect a sound condition in a professional manner.
- The exterior walls of the house are defective. Repair all holes, breaks, loose or rotting siding, and paint to a professional state of maintenance.

- The eaves and soffits are in a state of disrepair or deterioration. Repair all defects, holes, breaks, loose or rotting boards, to a professional state of maintenance. Permit may be required.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **December 22, 2011**, 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.

November 22, 2011
391 THOMAS AVE
page 4

If you have any questions or request additional information please contact **Matt Dornfeld** between the hours of 8:00 and 9:30 a.m. at **651-266-1902**, or you may leave a voice mail message.

Sincerely,

Matt Dornfeld
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council

ota60135 5/11