



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

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December 10, 2012

11-271104

Adam Strobel
Teresa K Strobel
6246 Tennison Way
Indianapolis IN 46236-7390

Aurora Bank FSB
2617 College Park Drive
Scottsbluff NE 69461

Nationstar Mortgage LLC
350 Highland Drive
Lewisville TX 75067

United Residential Mortgage LLC
7301 Ohm Lane #195
Edina MN 55439

Wilford, Geske & Cook
8425 Season Pkwy #105
Woodbury MN 55125

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:

1889 MONTANA AVE E

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Hayden Heights W 1/2 Of Lots 5 6 And Lot 7 Blk 1

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 28, 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.

This is a single-story, wood frame, side-by-side duplex with a two-stall, tuck-under garage.

The following Deficiency List is excerpted from the August 30, 2011 Revocation of Fire Certificate of Occupancy and Order to Vacate letter.

1. 1891 - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.- Storm door
2. 1891 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work will require a permit(s). Call DSI at (651) 266-9090. Electrical wiring done without a permit.
3. 1891 - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information. Remove dresser and or furniture from escape window that would prevent escape through escape window. Bedroom eastside
4. 1891 - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work will require a permit(s). Call DSI at (651) 266-9090.
5. 1891 Front Entry Door - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway. Remove all shoes clothes and other storage that prevent the exitway from being clear.
6. 1891 Garages - MSFC 703 - Provide and maintain fire rated wall construction with approved materials and methods. This work will require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 HOUR
7. 1889 - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition. Repair or replace and maintain an approved private toilet. Provide approved hardware for toilet. Repair or replace and maintain an approved private tub or shower. This work may require a permit(s). Call LIEP at (651) 266-9090.
8. 1889 - MN Stat 299F.18 - Immediately remove and discontinue excessive accumulation of combustible materials. Remove gas cans from basement. Can was removed at time of inspection.
9. 1889 - 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 sliding bolt lock from storm door.
10. 1889 Shower Head - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition. Repair or replace and maintain shower head. This work may require a permit(s). Call LIEP at (651) 266-9090.

11. 1889 and 1891 - SPLC SEC 34.09 EXTERIOR STRUCTURE - All other exterior surfaces shall be maintained in a professional state of maintenance and repair. The retaining walls on the west side and on the east side of the building are in need of repair.
12. 1889 and 1891 - 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.
13. 1889 and 1891 - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989. There is still a permit open from 2009
14. 1889 and 1891 Steps - SPLC SEC 34.09 - Stairs and steps deemed hazardous by the enforcement officer shall be corrected so as to be in compliance with the Building Code.
15. 1889 and 1891 Garages - MR, PART 4620.3435 A. To conduct and asbestos project without a permit posted at the worksite. **YOU CANNOT BEGIN YOUR PROJECT BEFORE YOU RECIEVE YOUR PERMIT.** Work done on the garages could have produced Asbestos being airborne. Check with the Minnesota Department of Health to verify if there is or was a release of Asbestos released
16. 1889 and 1891 Garages - MSFC 703 - Provide and maintain fire rated floor and/or ceiling construction with approved materials and methods. This work will require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: 1 HOUR
17. 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.
18. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.
19. NEC BULLENTIN 0-1 b. HAZARDOUS IMPROPER AND OR ILLEGAL WIRING shall be removed or rewired to the present ELECTRICAL CODE. This will also include other buildings on the property such as garages sheds etc. The tenant 1891 has rewired electrical fixtures in the hallways and bedrooms and a hard-wired smoke detector.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **January 9, 2013** 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.

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If you have any questions or request additional information please contact **Rich Singerhouse** between the hours of 8:00 and 9:30 a.m. at **651-266-1945**, or you may leave a voice mail message.

Sincerely,

Rich Singerhouse
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council

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