



CITY OF SAINT PAUL

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March 16, 2018

## NOTICE OF CONDEMNATION AS UNFIT FOR HUMAN HABITATION & ORDER TO VACATE

Helen C Stuff  
489 Sherburne Ave  
Saint Paul MN 55103-1944

William J Stuff  
489 Sherburne Ave  
St Paul MN 55103-1944

William J Stuff  
1174 Charles Ave  
St Paul MN 55104-2514

Dear Sir or Madam:

The Department of Safety and Inspections, Division of Code Enforcement, has determined that the dwelling and premises at **489 SHERBURNE AVE** is "Unfit for Human Habitation". In accordance with Saint Paul Legislative Code, Chapter 34, Section 23, the premises will be placarded on **March 16, 2018** and ordered vacated no later than **March 16, 2018**.

Your attention is called to the following provisions of Section 34.23, Subsection 6 entitled, *Vacation of Structure or Unit*:

**“Any dwelling unit, structure or portion thereof which has been condemned or placarded as unfit for occupancy shall be vacated within the time set forth in the placard and/or order. No person shall occupy or let for occupancy any structure which is condemned.”**

**THIS DWELLING SHALL NOT AGAIN BE USED FOR HUMAN HABITATION UNTIL WRITTEN APPROVAL IS SECURED FROM THE CITY OF SAINT PAUL; DEPARTMENT OF SAFETY AND INSPECTIONS, DIVISION OF CODE ENFORCEMENT.**

**Principle Violations:** These deficiencies must be corrected before this condemnation and vacate order will be removed.

1. **SPLC 34.23 CONDEMNATION:** This occupancy is condemned as unsafe or dangerous. It constitutes a condition of material endangerment to occupants and emergency personnel. The interior of home has unsanitary conditions, the front porch roof has caved causing exit obstruction and many other code deficiencies.
2. **SPLC 34.11 HEATING FACILITIES:** Every residential building or residential portion of a building shall have heating facilities that are properly installed, safely maintained and in good working condition, and capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a temperature of at least sixty-eight (68) degrees Fahrenheit. Installation, repair or alteration of heating facilities, space heaters and water heating facilities shall be in accordance with the Legislative Code, Chapter 33, and the state mechanical code. The enforcement officer may require the owner of residential property to provide current proof of service of any heating or space heating facility by a licensed contractor, which must include a carbon monoxide reading. Every space heating, cooking and water heating device located in a structure shall be properly installed, connected, maintained and capable of performing the function for which it was designed in accordance with the provisions of the plumbing and mechanical codes. **FURNACE FOUND INOPERABLE UPON INSPECTION OF THE PROPERTY. REPLACE THE INOPERABLE GAS FURNACE UNDER PERMIT. PLEASE REMOVE THE UNAPPROVED OIL HEATING SYSTEM AND TANK UNDER PERMIT FROM THE BASEMENT.**
3. **SPLC 34.09 ROOF:** Provide and maintained the roof weather tight and kept in a professional state of maintenance and repair, impervious to water and have no defects which admit water or dampness to the interior of the building. **REPLACE THE ROOF UNDER PERMIT. FOUND ROOF CAVED IN OVER THE FRONT PORCH.**
4. **INTERIOR THROUGHOUT: SPLC 34.10 MOLD/MILDEW:** Abate and maintain the interior reasonably free from dampness and free of any mold or mildew. **PLEASE UNTHAW AND REMOVE THE SNOW AND ICE BUILD UP FROM THE FRONT PORCH FLOOR, ENTRY/EXIT FRONT DOOR AREA AND BASEMENT BY THE EAST FOUNDATION WALL.**
5. **INTERIOR THROUGHOUT: SPLC 34.11 HEAT:** Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times. **HEAT INSIDE THE HOUSE MEASURED AT 40 DEGREES. PLEASE PROVIDE HEAT TO THE INTERIOR OF THE HOUSE THROUGHOUT.**

6. **INTERIOR THROUGHOUT: SPLC 34.10 WALLS:** All walls must be maintained in a sound condition and in a professional state of maintenance and repair. **SCRAPE AND PAINT THE PEELING PAINT THROUGHOUT THE INTERIOR OF THE HOUSE. REPLACE WATER DAMAGED WALLS.**
7. **INTERIOR THROUGHOUT: SPLC 34.10 FLOORS:** All floors must be maintained in a sound condition and in a professional state of maintenance and repair. **REPLACE ALL THE SNOW AND ICE DAMAGE TO THE FRONT PORCH, REPAIR OR REPLACE THE EXPOSED 2<sup>ND</sup> FLOOR BATHROOM SUBFLOOR, AND REPLACE THE DAMAGED/MISSING FLOORING IN THE KITCHEN.**
8. **SPLC 34.09 FOUNDATION:** Provide and maintain foundation elements to adequately support this building at all points. Repair deteriorated or defective foundation in a professional state of maintenance and repair. The foundation shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit dampness to the interior portions of the wall or to the interior spaces of structures. Permit may be required. **SNOW AND ICE BUILD UP FOUND ON THE INSIDE OF THE EAST BASEMENT WALL ABOVE A STANDPIPE LINE. PLEASE REPLACE THE MISSING SECTION OF THE EAST FOUNDATION WALL AND SEAL ALL CRACKS AND EXPOSED SECTIONS OF THE FOUNDATION WALLS AROUND THE HOUSE.**
9. **SPLC 34.15 SMOKE DETECTOR:** The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke detector within 24 hours of discovering that the smoke detector in the dwelling unit is not functioning. Smoke detector may not be tampered with or disabled at any time. **PLEASE PROVIDE A WORKING SMOKE DETECTOR.**
10. **SPLC 45.03 INTERIOR SANITATION:** The interior shall be maintained in a clean and sanitary condition, free from any accumulation of refuse or garbage. **PLEASE REMOVE THE DAMAGED FLOORING INSIDE THE FRONT PORCH, FRONT ENTRY DOOR, KITCHEN, AND 2<sup>ND</sup> FLOOR BATHROOM SUBFLOOR. PLEASE CLEAN UP AND REMOVE THE STORAGE FROM THE BASEMENT FLOOR.**
11. **SPLC 34.15 CARBON MONOXIDE ALARM:** Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area. Installation shall be in accordance with manufacturer's instructions. **PLEASE PROVIDE A CARBON MONOXIDE DETECTOR INSIDE THE HOUSE.**

12. **INTERIOR CEILING: SPLC 34.10 CEILINGS:** All ceilings must be maintained in a sound condition and in a professional state of maintenance and repair. **SCRAPE AND PAINT THE PEELING CEILINGS THROUGHOUT, PLEASE REPLACE THE MISSING SECTIONS OF DRYWALL/SHEETROCK IN MULTIPLE AREAS THROUGHOUT THE INTERIOR OF THE HOUSE.**
13. **INTERIOR THROUGHOUT: SPLC 34.09 DOOR(S):** All doors and its hardware shall be in sound condition and fit within its frame. Doors shall be maintained in a professional state of maintenance and repair. Repair or replace the damaged door, hardware, or frame. **PLEASE REPLACE ALL MISSING AND DAMAGED DOORS THROUGHOUT THE INTERIOR OF THE HOUSE TO INCLUDE: BEDROOM DOORS, AND ENTRY/EXIT DOORS. PLEASE REPLACE ALL DAMAGED AND BROKEN DOOR FRAMING, HARDWARE AND FRAMES AS NEEDED.**
14. **EXTERIOR STORM DOORS: SPLC 34.09 EXTERIOR DOOR:** Repair and maintain the door in good condition including the door latch and frame. **REPLACE THE BROKEN EAST STORM DOOR HANDLE.**
15. **SPLC 34.09 WINDOWS:** Repair and maintain the window in good condition including the glass, sash, frame and screens. Windows shall be without cracks or holes, sashes shall be in sound conditions, the window shall be easily opened and maintain the open position. All screens shall be maintained in a professional state of maintenance and repair. **PLEASE REPLACE THE BROKEN WINDOWS THROUGHOUT THE EXTERIOR OF THE HOUSE. REPLACE THE MISSING EXTERIOR 2<sup>ND</sup> FLOOR WINDOW FRAMING. PLEASE REPAIR OR REPLACE ALL TORN, FRAYED OR DAMAGED WINDOW SCREENS AND STORM WINDOWS AS NEEDED.**
16. **SPLC 34.11 WATER HEATER:** Every residential building or residential portion of a building shall have water heating facilities installed in accordance with the plumbing code, properly maintained and properly connected with hot water lines required under paragraph (4) of this section and which are capable of heating water to a temperature of 110 degrees Fahrenheit but not more than 120 degrees Fahrenheit. An adequate amount of water pressure shall be available for the system served. Contact a licensed contractor to repair or replace the water heater. This work may require a permit(s). Call DSI at (651) 266-9090. **PLEASE REPAIR OR REPLACE THE CORRODED WATER HEATER VENT PIPING UNDER PERMIT. FOUND VENT PIPE CORRODED AND CURLED. WATER FOUND DISCONNECTED UPON INSPECTION.**
17. **EXTERIOR THROUGHOUT: SPLC 34.09 EAVES:** 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. **PLEASE REPLACE THE EXPOSED AND DAMAGED SOFFITS, EAVES AND FASICA THROUGHOUT THE EXTERIOR OF THE HOUSE UNDER PERMIT.**

18. **ALL DOORS: SPLC 34.09 LOCKS/DEADBOLT:** Lacking deadbolt door locks. Provide one-inch throw deadbolt locks for all entry doors to dwelling unit(s). **PLEASE PROVIDE A NEW DEADBOLT LOCK TO THE FRONT ENTRY DOOR AND INTERIOR ENTRY/EXIT DOOR. REPLACE OR REPAIR THE DAMAGED OR MISSING DOOR KNOBS AND ASSEMBLIES THROUGHOUT THE INTERIOR OF THE HOUSE.**
  
19. **FRONT EXTERIOR CEMENT STAIRCASE: SPLC 34.09 STAIRWAY/SIDEWALK:** All sidewalks, walkways and exterior stairs shall be maintained in a professional state of maintenance and repair, free of defects and hazards. Repair or replace the unsafe stairway, walkway, and/or sidewalks in an approved manner. **REPAIR AND RESURFACE THE FRONT CEMENT STEPS. FRONT TOP STEP FOUND IN DISREPAIR.**
  
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Authorization to reoccupy this/these dwelling unit(s) will not be given until it is demonstrated that all principal violations have been corrected and that no new conditions exist which could constitute material endangerment or which threaten the peace, health, safety or welfare of the occupants of this building.

All repairs and new installations must be made in accordance with the appropriate codes. Permit information may be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989.

You may file an appeal to this notice by contacting the City Clerk's Office at (651) 266-8585. Any appeal must be made in writing within 10 days of the date of this notice.

It is the responsibility of the property owner to keep all buildings secured and to properly maintain the premises at all times.

**If you have any questions concerning this matter, please contact the Inspector, Sean Westenhofer, at 651-266-1914. To arrange an appointment or request an extension of time to complete repairs, you will need to speak directly to the inspector.**

Sincerely,

**Sean Westenhofer**  
Enforcement Officer

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cc: Posted to ENS