



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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326

March 2, 2011

09-279523

Bank Of America NA  
6501 Irvine Center Dr  
Irvine CA 92618-2118

Erue Rivera  
12541 Greentree Court  
Saint Paul MN 55124-8345

US Bank  
c/o Michael Olsen  
659 Bielenberg Drive Suite 100  
Woodbury MN 55125

Stonecrest Income and Opportunity Fund LLC  
4300 Stevens Creek Blvd  
San Jose CA 95129

Usset & Weingarden  
4500 Park Glen Road #300  
St. Louis Park MN 55416

## 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:**

**1025 LAWSON AVE E**

With the following Historic Preservation information: NA

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

Douglas Addition Lot 22 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 January 25, 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, single family dwelling and its two stall, detached wood frame garage.

The following list of Deficiencies is the list included in the November 24, 2010 Code Compliance Report:

**BUILDING**

- Install handrails (34 inches - 38 inches above each nosing) and guardrails (36 inch minimum) at all stairways, and return hand rail ends into a newel post or wall per attachment.
- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
- Provide complete storms and screens, in good repair for all door and window openings.
- Provide functional hardware at all doors and windows
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- Repair walls, ceiling and floors throughout, as necessary.
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
- Re-level structure as much as is practical.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Co Conservation Code and the MN Dept. of Labor and Industry.
- Provide major clean-up of premises.
- Repair siding, soffit, fascia, trim, etc. as necessary.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around house to direct water away from foundation of garage.
- Install downspouts and a complete gutter system.
- Install rain leaders to direct drainage away from foundation.
- Install address numbers visible from street and on the alley side of garage.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Openings in stair risers must be less than 4 inches.
- Replace basement stair tread and install riser boards, guardrail and handrail.
- Replace floor in sink base cabinet and repair cabinets.
- Install guardrail and handrail to code on first floor stairs.
- Install egress windows to code in both rear bedrooms.
- Repair or replace front porch floor.
- Repair fence or remove.
- Install missing siding to code with proper weather barrier.
- Totally rebuild garage and foundation to meet code or remove.
- Install door on rear west entry.
- A building permit is required to correct the above deficiencies.

### **ELECTRICAL**

- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Verify that fuse/circuit breaker amperage matches wire size (14 AWG 20 amp zpac breaker)
- Properly strap cables and conduits in basement conduit on the exterior of the house.
- install/replace GFCI receptacle in first and second bathroom adjacent to the sink
- Install globe-type enclosed light fixture on all closet lights
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets ( no power at time of inspection)
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Properly wire exterior lights at back door
- Install exterior lights at front entry door
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Add a receptacle in all three bedrooms on second floor (ARC fault)
- Repair service mast. Include a service on permit.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

### **PLUMBING**

- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- Basement - Gas Piping - run dryer vent to code (IFGC 613.1 - IMC 604.1)
- Basement - Laundry Tub - faucet is missing, broken or parts missing (MPC 0200. P.)
- Basement - Laundry Tub - unvented (MPC 0200 E)
- Basement - Laundry Tub - water piping incorrect (MPC 0200 P.)
- Basement - Soil and Waste Piping - One and one-half PVC pipe in concrete
- Basement - Soil and Waste Piping - add appropriate hangers (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage (MPC 2420)
- Basement - Soil and Waste Piping - improper pipe supports (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Soil and Waste Piping - replace the floor drain cover or clean out plug (MPC 1300)

- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping (MPC 1000)
- Basement - Toilet Facilities - unvented (MPC 0200. E)
- Basement - Water Heater - Gas Control valve parts missing (MPC 0200 V.)
- Basement - Water Heater - T and P relief discharge piping incorrect (MPC 2210 Subp. 4)
- Basement - Water Heater - Vent must be in chimney liner (IFGC 501.12)
- Basement - Water Heater - Water Heater: froze and split
- Basement - Water Heater - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - gas venting incorrect (IFGC 503)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Meter - meter is removed or not in service (MPC 4715.1700)
- Basement - Water Meter - raise meter to a minimum 12 inches above floor (MPC 2280)
- Basement - Water Piping - boiler fill water line requires backflow assembly or device (MPC 2100)
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping (MPC 4715.1720)
- Exterior - Lawn Hydrants - Requires backflow assembly or device and 3/4 inch size (MPC 2000)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Sink - unvented (MPC 0200. E)
- First Floor - Sink - waste incorrect (MPC 2300)
- First Floor - Tub and Shower - Provide a code tub faucet
- First Floor - Tub and Shower - provide stopper (MPC 1240)
- Obtain plumbing permits prior to commencement of work.

### **HEATING**

- Install approved lever handle manual gas shutoff valve on boiler and remove unapproved valve.
- Clean and Orsat test boiler burner. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating unit is safe.
- Replace boiler flue venting to code.
- Connect boiler and water heater venting into chimney liner.
- Provide adequate clearance from flue vent pipe on boiler to combustible materials or provide approved shielding according to code.
- Vent clothes dryer to code.
- Provide adequate combustion air and support duct to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Provide a window in the bathrooms with an aggregate glazing area of not less than 3 square feet, one-half of which must be openable or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
- Provide heat in every habitable room and bathrooms.

- Attach metal tag to expansion tank valve stating that this valve must be OPEN at all times except when draining the expansion tank.
- Support supply and return piping for heating system according to code.
- Conduct witnessed pressure test on hot water heating system and check for leaks.
- Install boiler pressure relief valve and pipe discharge to within eighteen inches of the floor.
- Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
- Repair or replace radiator valves as needed.
- Install isolation valves on the boiler supply and return.
- Unable to gain entry to garage during inspection, however a chimney vent is visible through the roof. If there is any nonconforming heating equipment in the garage, remove it and all connecting piping and venting and permanently seal and plug all openings or install equipment to code.
- Gas and hydraulic mechanical permits are required for the above work.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **April 4, 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.

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