



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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361

May 31, 2011

07-098440

K 3 Investment
631 University Ave
St Paul MN 55104-4802

Destiny Real Estate Investments, LLC
PO Box 4185
St Paul MN 55104

Wells Fargo Bank, NA
9062 Old Annapolis Rd
Columbia MD 21045

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:

554 CHARLES AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Michels Subdivision Of Blk 14 Ex W 6 12/100 Ft The N 1/2 Of Lot 14 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 May 17, 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 duplex.

The following Deficiency List is excerpted from the September 28, 2009 Code Compliance Report.

BUILDING

- Insure basement cellar floor is even, cleanable and all holes are filled
- Dry out basement and eliminate source of moisture
- Remove mold, mildew and moldy or water damaged materials
- Install 20 minute fire rated doors, with self closing device, between common areas and individual units.
- Maintain one hour fire separation between dwelling units and between units and common areas
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post 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 thumb type deadbolts for all entry doors. Remove any surface bolts
- Repair or replace damaged doors and frames as necessary, including storm doors
- Weather seal exterior doors
- Install floor covering in bathroom and kitchen that is impervious to water
- Repair walls, ceiling and floors throughout, as necessary
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedure if lead base paint is present (See St Paul Legislative Code, Chap. 34 for additional information).
- Provide fire block construction as necessary
- Where wall and ceiling covering is removed install full thickness or code-specified insulation
- Provide smoke detectors per the MN Building Code and carbon monoxide detectors per State Law.
- Habitable rooms with new usage and replaced windows shall have glass area equal to 8% of floor area, or a minimum of 8 sq. ft, one-half of which shall operate; and all bedroom windows shall meet emergency escape requirements (20 inch minimum opening width, 24 inch minimum opening height, and minimum net glazed area of 5.7 sq. ft.)
- Provide general clean-up of premise
- Verify proper venting of bath exhaust fan to exterior
- Provide weather sealed, air sealed and vermin sealed exterior
- Repair siding, soffit, fascia, trim, etc. as necessary
- Provide proper drainage around house to direct water away from foundation of house.
- Install rain leaders to direct drainage away from foundation.
- Repair chimney in an approved manner.
- Close in open stair risers to maintain an opening no greater than 4 inches

- A building permit is required to correct the above deficiencies
- Basement bedrooms require smoke and carbon monoxide detectors and egress windows to code.
- Repair hump in floor at upper level rear bedroom.
- Cleanout under front porch.
- Under cut doors that are rubbing on carpet.
- Clean carpet throughout house.
- Remove debris in yard.
- Remove trees in rear yard that are rubbing against house.
- Provide retaining wall at east side of property, continue with existing block wall.
- Remove and replace bottom plate at basement framing and replace with green pressure treated plate.

ELECTRICAL

- Provide a complete circuit directory at service panel indicating location and use of all circuits
- Close openings in service panel/junction box with knock out seals, breaker blanks and/or junction boxes
- Install GFCI receptacle in second floor bathroom by shelves.
- 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
- Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code
- 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
- In basement wire grounds to code in sub-panel. Wired as single family dwelling.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.
- 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).

PLUMBING

- Basement - Laundry Tub - faucet is missing, broken or parts missing
- Basement - Soil and Waste Piping - no front sewer clean out

- Basement - Water Heater - T and P relief discharge piping incorrect
- Basement - Water Heater - not fired or in service
- Second Floor - Tub and Shower - Provide access

HEATING

- Clean and Orsat test furnace burner. Check all controls for proper operation. Check furnace heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe.
- Provide appropriate size operable window in bathrooms or provide exhaust fan vented to outside. A ventilation permit is required if a fan is installed.
- Clean all supply and return ducts for warm air heating system.
- Repair and/or replace heating registers as necessary.
- Provide heat in every habitable room and bathrooms.
- Undercut doors one inch to rooms without ducted return air.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **June 30, 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 **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