



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

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361

August 29, 2011

07-201093

Dong Phung
1621 Poppyseed Dr
New Brighton MN 55112-1679

MERS
PO Box 2026
Flint MI 48501

MERS
2476 Stateview Blvd
Fort Mills SC 29715-0048

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:

910 EDMUND AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

John J Wards Addition Tost Lot 2 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 August 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 four unit house.

The following Deficiency List is excerpted from the October 15, 2010 Fire Inspection Code Compliance Notice. Rehabilitation work on the water heater, furnace and electrical boxes has taken place without proper permits (primarily, Items 44 through 67).

DEFICIENCY LIST

1. EXTERIOR - ADDRESS NUMBERS - SPLC 71.01 - The address posted is not visible from street. (HN-1)-Provide address numbers that contrast with the background. Provide reflective numbers or background or illuminate at night.
2. EXTERIOR - DOORS/STORM DOORS - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.- All exterior doors/storm doors to be in good repair. Storm door closures to be in good repair.
3. EXTERIOR - DRIVEWAY/PARKING AREA - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.- Repair/resurface driveway/parking area.
4. EXTERIOR - FRONT STEPS - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090. Repair/replace defective front concrete steps.
5. EXTERIOR - GROUND COVER - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.
6. EXTERIOR - GUTTERS/DOWNSPOUTS - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition. - Repair/replace defective areas of gutters/downspouts, etc. Downspouts to run water away from building.
7. EXTERIOR - KEYBOX - MSFC 506.2 - Call Fire Department communication center at (651) 224-7371 to make arrangements to have the keybox opened when you have the correct keys on site. Fire Department keybox on building. Provide keys to all parts of building except individual units.
8. EXTERIOR - PRIVATE SIDEWALKS - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs. Repair/replace defective private sidewalks.
9. EXTERIOR - SCREENS - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screens.
10. EXTERIOR - STAIRWAY - SPLC 34.09 (2), 34.32(2) - Repair or replace the unsafe stairways, porch, decks or railings in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.- Exterior stairway to 2nd floor shaky. Repair stairway under permit.

11. EXTERIOR - WALLS/REPAIRS/PAINTING - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.- Repair walls, rotted window/door frames/trim, etc. Scrape and repaint.
12. EXTERIOR/INTERIOR - FOUNDATION - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.- Repair and tuckpoint foundation exterior and interior.
13. EXTERIOR/INTERIOR - WINDOWS - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition. Windows to be in good repair--frames, sashes, trim, sash holding devices, glass, glazing etc.
14. INTERIOR - STAIRWELLS - MSFC 703 - Provide and maintain fire 'rated' shaft or stairway construction with approved materials and methods. This work may require a permit(s). Call DSI at (651) 266-9090. The minimum rating must be: ONE HOUR. Repair stairwell walls/ceilings.
15. INTERIOR BASEMENT - BASEMENT DOOR - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: ONE HOUR.- Repair and maintain the door closer. Repair and maintain the door latch. Repair and maintain the door frame.
16. INTERIOR BASEMENT - STRUCTURAL - SPLC 34.10 (2), 34.33 - Repair and maintain the damaged structural member. This repair may require a building permit, call DSI at (651) 266-9090.- Basement support columns appear rotting at floor level. To be structurally inspected by building inspector under permit.
17. INTERIOR STAIRWELL - DETERIORATED CARPETING - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition. - Remove deteriorated carpeting on stairways.
18. INTEIOR THROUGHOUT - ALL EQUIPMENT - SPLC 34.12 (2), 34.35 (1) - Repair and maintain all required and supplied equipment in an operative and safe condition. All supplied equipment - stoves, refrigerators, air conditioners etc to be in good repair and proper working order.
19. UNITS ALL - BATHROOM FLOORS - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.
20. UNITS ALL - BATHROOM VENTING - SPLC 34.14 (3), MPC 4715.200.T - Provide and maintain a window or approved ventilation system in all bathrooms.- No electric service at time of inspection--all bathroom mechanical ventilation to be properly functional.

21. UNITS ALL - CEILINGS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner. Repair source of water damage to ceilings. Remove water damaged areas and properly repair.-Patch the holes and/or cracks in the ceiling. Paint the ceiling.
22. UNITS ALL - CO DETECTORS - MN State Statute 299F.50 Immediately provide and maintain an approved Carbon Monoxide Alarm in a location within ten (10) feet of each sleeping area in room/hallway adjacent to each bedroom. Installation shall be in accordance with manufacturers instructions.
23. UNITS ALL - FLOORS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner. Repair holes in floors from removal of radiators.-Repair or replace the carpeting. Repair or replace the floor tile. Repair or replace the floor coverings.
24. UNITS ALL - SMOKE DETECTORS - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Provide within 10 feet of each sleeping room in room/hallway adjacent to each bedroom.
25. UNITS ALL - UNIT FIRE DOORS - MSFC 703 - Provide, repair or replace the fire rated door and assembly. The minimum rating must be: 20 MINUTES.-Repair and maintain the door closer. Repair and maintain the door frame. Repair and maintain the door latch.
26. UNITS ALL - UNIT NUMBERS - SPLC 71.01 - Provide address numbers on building per attached HN-1 handout.-Post unit identification numbers on all units.
27. UNITS ALL - WALLS - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner. Repair all holes/cracks in walls including around all penetrations under sinks. Patch the holes and/or cracks in the walls. Paint the wall.
28. UNITS LOWER EAST - REAR ROOM - SPLC 34.19 - Provide access to the inspector to all areas of the building.- Rear room in unit has door screwed shut--no access.
29. ZONING APPROVAL - VACANT OVER 1 YEAR - SPLC 62.101 - Use of this property does not conform to zoning ordinance. Discontinue unapproved use or call DSI Zoning at (651) 266-8989 to convert to legal use. Discontinue:-Building has been vacant over a year. Any use to be approved by Zoning. Contact Zoning at 651-266-9081 for information/zoning approval of use.
30. SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unfit for human habitation. This occupancy must not be used until re-inspected and approved by this office. Provide water.
31. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

32. PLUMBING - SPLC 34.11(4), 34.34(1) SPC 4715.0200A - Provide an adequate water supply to all water closets, sinks, showers and tubs.
33. PLUMBING BASEMENT - LAUNDRY TUB - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- LAUNDRY TUB: FAUCET IS MISSING, BROKEN OR PARTS MISSING (MPC 0200.P).
34. PLUMBING BASEMENT - SOIL AND WASTE PIPING - SPLC 34.11 (4), 34.34 (1), MPC 4715.0900 MPC 4715.0220S - Provide and maintain an approved waste trap. SOIL AND WASTE PIPING: NO FRONT SEWER CLEANOUT (MPC 1000); NO SOIL STACK BASE CLEAN OUT (MPC 1000).
35. PLUMBING BASEMENT - WATER METER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- WATER METER: SUPPORT METER PROPERLY (MPC 2280).
36. PLUMBING BASEMENT - WATER PIPING - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- WATER PIPING: REPAIR OR REPLACE ALL CORRODED, BROKEN OR LEAKING PIPING (MPC 4715.1720).
37. PLUMBING EXTERIOR - LAWN HYDRANT - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- LAWN HYDRANT: REQUIRES BACKFLOW ASSEMBLY OR DEVICE (MPC 2000).
38. PLUMBING UNIT #1 FIRST FLOOR EAST - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition. TUB AND SHOWER: REPLACE WASTE AND OVERFLOW (MPC 0900).
39. PLUMBING UNIT #2 FIRST FLOOR WEST - GAS PIPING - MFGC 409.5 - Provide an approved gas shut off valve within 6 feet of the appliance in accordance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-8989.- GAS PIPING: RANGE GAS SHUTOFF, CONNECTOR OR PIPING INCORRECT (IFGC 402.1).
40. PLUMBING UNIT #2 FIRST FLOOR WEST - TOILET - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- TOILET: NOT SET/INCORRECT CLEARANCE.
41. PLUMBING UNIT #2 FIRST FLOOR WEST - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- TUB AND SHOWER: FAUCET IS MISSING,

BROKEN OR PARTS MISSING (MPC 0200.P); REPLACE WASTE AND OVERFLOW (MPC 1940).

42. PLUMBING UNIT #3 SECOND FLOOR EAST - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- TUB AND SHOWER: PROVIDE STOPPER)MPC 1340).
43. PLUMBING UNIT #4 SECOND FLOOR WEST - TUB AND SHOWER - SPLC 34.11, SBC 2902.1, SPLC 34.17, MPC 415.0220 - Repair or replace and maintain the plumbing fixture to an operational condition.- TUB AND SHOWER: REPLACE WASTE AND OVERFLOW (MPC 1240).
44. ELECTRICAL - Ground the electrical service to the water service with a copper conductor within 5' of the entrance point of the water service, NEC 250.52
45. ELECTRICAL - Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC, NEC 250.53
46. ELECTRICAL - Provide a complete circuit directory at service panel indicating location and use of all circuits, NEC 408.4
47. ELECTRICAL - Verify/install a separate 20 ampere laundry circuit & a separate 20 ampere kitchen appliance circuit, NEC 210.52
48. ELECTRICAL - Verify that fuse/circuit breaker amperage matches wire size, NEC 240.4
49. ELECTRICAL - Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched from the top of the stairs, SPLC 34.14(2)e
50. ELECTRICAL - Repair or replace all broken, missing or loose light fixtures, switches & outlets, covers and plates, MSFC 605.6
51. ELECTRICAL - Check all outlets for proper polarity and verify ground on 3-prong outlets, NEC 406.3
52. ELECTRICAL - Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code, NEC 406.3
53. ELECTRICAL - Throughout building, install outlets and light fixtures as specified in Bulletin 80-1, SPLC 34.14(2)
54. ELECTRICAL- Remove and/or rewire all illegal, improper or hazardous wiring in basement/ garage, MSFC 605.1

55. ELECTRICAL - Duplex: Check Building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panelboard to the second unit,
56. ELECTRICAL - All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit, NEC 210.12
57. ELECTRICAL - All electrical work must be done by a Minnesota- licensed electrical contractor under an electrical permit, MN Stat 326B.36
58. ELECTRICAL - Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC, MN Stat 326B.35
59. ELECTRICAL - All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1), SPLC 34.14
60. MECHANICAL - ALL UNITS - MNFGC 409.5 - Install approved lever handle manual gas shutoff valve on all gas appliances and remove any unapproved valves.
61. MECHANICAL - ALL UNITS - MNFGC 409.1 - Install approved lever handle manual building shutoff gas valve for each unit in an accessible location ahead of the first branch tee.
62. MECHANICAL - ALL UNITS - HEATING REPORT - SPLC 34.11 (6) - Clean and Orsat test furnace burners. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating units are safe.
63. MECHANICAL - BASEMENT - MNFGC 501.12 - Connect furnaces and water heater venting into chimney liner.
64. MECHANICAL - ALL UNITS - MNRC R303.3 - Provide appropriate size openable window in bathrooms or provide exhaust system vented to outside. A mechanical ventilation permit is required if an exhaust system is installed.
65. MECHANICAL - ALL UNITS - MNMC 103 - All supply and return ducts for warm air heating systems must be clean before final approval for occupancy. Provide access for inspection of inside of ducts or provide documentation from a licensed duct-cleaning contractor that the duct system has been cleaned.
66. MECHANICAL - ALL UNITS - MNMC 103 - Repair and/or replace heating registers as necessary.
67. MECHANICAL - MN RULES 1300.0120 – Gas, ventilation, warm air and electrical permits and inspections are required for the above work and for the four warm air heating and bath exhaust systems installed without permits.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **September 28, 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.

August 29, 2011
910 EDMUND AVE
page 9

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

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