



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

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October 11, 2011

08-087973

Jonathan and Elizabeth Bruntjen
Twin Cities Real Estate Partners LLC
440 Old Long Lake Road Suite A
Wayzata MN 55391-9681

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130 W Lake Street
Wayzata MN 55391

Henson & Efron
220 S Sixth Street #1800
Minneapolis MN 55402

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:

81 JESSAMINE AVE W

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Stinsons Rice Street addition Lot 16 Blk 5

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 September 29, 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 and its two stall detached wood frame garage.

The following Deficiency List is excerpted from the April 23, 2010 Code Compliance Report.

BUILDING

- Insure basement cellar floor is even, cleanable and all holes are filled
- Tuck Point interior/exterior of foundation as necessary
- Dry out basement and eliminate source of moisture
- Remove mold, mildew and moldy or water damaged materials
- Permanently secure top and bottom of support posts in an approved manner
- 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
- Relocate 2nd floor electrical panel to 2nd floor unit or to common area; or protect panel and access corridor leading from common area to panel with 1 hour fire rated enclosure.
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post per attachment.
- Strap or support top of stair stringers
- Install tempered or safety glass in window over stair landing to code
- Install tempered or safety glass in window over stairway to code
- 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 and operable latching device for all windows
- Install tempered or safety glass at windows within 2 feet of doorway
- 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).
- Re-level structure as much as is practical
- Where wall and ceiling covering is removed install full thickness or code-specified insulation
- Install attic insulation according to applicable code
- Air-seal and insulate attic access door in an approved manner
- 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
- Install water-proof enclosure in shower area
- Provide weather sealed, air sealed and vermin sealed exterior
- Replace or repair landing and stairway per code
- Repair siding, soffit, fascia, trim, etc. as necessary
- Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation of garage.
- Provide proper drainage around house to direct water away from foundation of house.
- Provide proper drainage around garage to direct water away from foundation of garage.
- Repair chimney in an approved manner.
- Provide general rehabilitation of garage.
- Close in open stair risers to maintain an opening no greater than 4 inches
- Remove nuisance trees at house foundation.
- Trim limbs of cedar tree in front yard away from house.
- Repair flooring in attic, infill where sub floor is missing, repair damaged attic stair treads, install new.
- Infill around plumbing pipes under all sinks.
- Tuck point chimney base.
- Install additional support at basement stairs.
- Install additional support at floor joists to the north of the chimney. Existing is separating from header.
- See Plan Review for egress window appeals process. First floor front bedroom - 30 x 19 1/2 x 34 1/2 A.F.F. First floor east bedroom - 30 x 16 x 43 1/2 A.F.F. house has wood exterior and wood siding.
- Insulate and weather seal lower roof area and access panel.
- Infill oil changing pit in garage.
- Install handrail and guardrail at stairs on north side of garage.
- Remove carpeting throughout house.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- Install S type fuse adapters and proper size S fuses in garage
- Close openings in junction boxes with knock out seals, breaker blanks and/or junction boxes covers including attic.
- 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

- 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
- Install receptacle for garage door opener
- Check building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panel board to the second unit
- 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 - Water Heater - No gas shut off or gas piping incorrect
- Basement - Water Heater - not fired or in service
- Basement - Water Meter - raise meter to a minimum 12 inches above floor
- Basement - Water Piping - pipe sizing incorrect
- Basement - Soil and Waste Piping - no front sewer clean out; no soil stack base clean out
- Basement - Laundry Tub - faucet is missing, broken or parts missing
- Basement - Laundry Tub - incorrectly vented
- Basement - Laundry Tub - waste incorrect
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect
- First Floor - Sink - unvented
- First Floor - Sink - waste incorrect
- First Floor - Toilet Facilities - incorrectly vented
- First Floor - Tub and Shower - incorrectly vented
- First Floor - Tub and Shower - provide stopper
- Second Floor - Sink - waste incorrect
- Second Floor - Tub and Shower - incorrectly vented also, provide air gap on faucet
- Second Floor - Tub and Shower - provide stopper
- Exterior - Lawn Hydrants - Requires backflow assembly or device
- Obtain plumbing permits prior to commencement of work.

HEATING

- Clean and Orsat test furnace burners. Check all controls for proper operation. Check furnace heat exchangers for leaks; provide documentation from a licensed contractor that the heating units are safe.

- All supply and return ducts for warm air heating system 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.
- Repair and/or replace heating registers as necessary.
- 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 **November 10, 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

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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

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