



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

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March 29, 2012

11-294516

James R Larsen  
10402 Huntington Dr  
Eden Prairie MN 55347-4936

Hamline Property Mgmt  
JDS Investments  
501 Dale St N Ste 203  
St Paul MN 55103

Highland Bank  
8140 26<sup>th</sup> Avenue S #160  
Bloomington MN 55425

All American #One  
Construction LLC  
1575 Bush Avenue  
Saint Paul MN 55106

Daniel Kufus  
Attorney at Law  
1600 University Avenue #313  
Saint Paul MN 55104

## 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:**

**993 EDGERTON ST**

With the following Historic Preservation information: NONE

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

Fairview Addition Ex W 47 65/100 Ft Lot 1 Blk 9

**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 March 21, 2012 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 dwelling.

The following Deficiency List is excerpted from the October 27, 2011 Notice of Condemnation issued by the Fire Inspection Division of the Department of Safety and Inspections.

#### DEFICIENCY LIST

1. 2nd Floor - Northwest Side - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Install missing window on north 2nd floor window.
2. 2nd Floor - West Porch Window - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Window missing on 2nd floor porch.
3. Attic - Door Lock - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.-Install deadbolt lock on attic door.
4. Attic - Staircase - SPLC 34.10 (3), 34.33(2) - Provide an approved handrail. The top of the handrail must be between 34 and 38 inches above the treads and run the entire length of the stair.-Install missing handrail leading up to attic floor.
5. Basement - Electrical Room - SPLC 34.14 - Provide and maintain light and ventilation in all habitable rooms in accordance with the Saint Paul Legislative Code.-Install missing light bulb.
6. Basement - Electrical Room - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove all clothing and material lying on electrical room floor.
7. Basement - Storage - UMC 1346.703 - Provide 30 inches clearance around all mechanical equipment.-Tenants are to remove material sitting next to or by furnace and water heaters.
8. Basement - Water Heaters - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times.-Both water heater temperature dials set to high.
9. Both Units - Throughout - 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.
10. Both Units - VACANT UNITS - SPLC 33.05 - Uncertified portions of the building must not be occupied until inspected and approved by this office.-Contact inspector once units are ready to be occupied.
11. Exterior - East Staircase - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090. - Move guardrail from left side over to right side of the staircase.

12. Exterior - Foundation Walls - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Seal or tuck point all gaps on all foundation walls.
13. Exterior - Gas Meters - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Remove tree surrounding gas meters on outside of building.
14. Exterior - Grading and Drainage - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090. - Repair grading and drainage on all sides of the property.
15. Exterior - Retaining Walls - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.-Repair or replace deteriorated and damaged retaining walls throughout the property.
16. Exterior - Throughout - SPLC 34.08 (1), 34.31 (1) - All exterior property areas shall be maintained free from any accumulation of refuse, garbage or feces.-Remove all trash from north side of building to include any and all window wells.
17. Exterior Windows - Screens - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.-Replace or repair all missing, torn or damaged window screens or storm windows.
18. Interior - Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Repair or replace damaged walls throughout property.
19. Interior - Throughout - MSFC 308.2.1 - No person shall throw or place, or cause to be thrown or placed, a lighted match, cigar, cigarette, matches, or other flaming or glowing substance or object on any surface or article where it can cause an unwanted fire.- Remove all incense sticks throughout building.
20. Lower Unit - Bathroom Wall behind Door - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch the holes and/or cracks in the walls. Install missing door stopper.
21. Lower Unit - East Bedroom - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Replace damaged light switch on bedroom wall.
22. Lower Unit - North Bedroom Closet Door - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Tighten closet door handle.

23. Lower Unit - Northeast Entry Door - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove all material behind the entry door.
24. Northeast Staircase and Upper Unit - Carpeting - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Replace carpeting throughout northeast staircase and upper unit.
25. Upper Unit - Bathroom Door and Porch Knob - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair, replace or tighten bathroom door knob. Remove broken porch door knob.
26. Upper Unit - Bathtub and 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.-Repair or replace bathtub fixture. Repair clogged toilet.
27. Upper Unit - Kitchen Cabinet Door - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the damaged or missing door.
28. Upper Unit - Kitchen Floor - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair or replace the floor tile.
29. Upper Unit - Northwest Bedroom - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window glass.-Replace missing west bedroom window.
30. Upper Unit - Northwest Bedroom - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Missing hard wired smoke detector during inspection.
31. Upper Unit - Northwest Bedroom - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.-Missing light fixture cover.
32. Upper Unit - Throughout - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.-Clean all floors, walls, ceiling and equipment throughout the unit.
33. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
34. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **April 30, 2012** 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.

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If you have any questions or request additional information please contact **Tom Friel** between the hours of 8:00 and 9:30 a.m. at **651-266-1906**, or you may leave a voice mail message.

Sincerely,

Tom Friel  
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council

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