



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
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October 10, 2012

12-051199

Ker Yang and Xao Xiong
341 74th Way No
Brooklyn Park MN 55444-6522

Discover Mortgage Corp
2801 S Wayzata Blvd
Minneapolis MN 55405

MERS
PO Box 2026
Flint MI 48501-2026

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:

1143 EDGERTON ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Beaupre Kellys Addition Subj To Alley And With Esmts The S 30 Ft Of Lot 6 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 26, 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.

Description of Building: Two story, wood frame duplex.

The following list of deficiencies is excerpted from the June 5, 2012 Code Compliance Report:

BUILDING

- Dry out basement and eliminate source of moisture.
- Install 20 minute fire rated doors, with self closing device, between common areas and individual units. All penetrations required to have property intumescent device or caulk (per current building codes).
- Maintain one hour fire separation between dwelling units and between units and common areas.
- 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.
- 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 procedures (EPA, MPCA and St. Paul Legislative Code, Chapter 34 for additional information) if lead base paint is present.
- Any framing members that required repair or do not meet code (where wall and ceiling covering is removed, members that are over-spanned, over-spaced, not being carried properly, door and window openings that are not adequately supported, etc.) are to be reconstructed in an approved manner.
- Charred building components shall be scraped or sandblasted completely clean and water-damaged components replaced. A determination of necessary fire damage corrective measures shall be made by this department or by a registered structural engineer as to replacement, repairs, etc. All smoke damaged and charred members shall be cleaned, sealed and deodorized.
- Provide fire block construction as necessary and seal chases in basement ceiling.
- Air-seal and insulate attic/access door.
- Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
- 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.
- Install downspouts and a complete gutter system on north side of house.
- Install rain leaders to direct drainage away from foundation.
- Provide durable, dustless parking surface as specified in the zoning code.

- 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 all rotted or decayed window and door sills with inspections.
- Replace fire damaged roof shingles on north side of building.
- Properly repair stucco with stucco permit and inspections.
- Remove plastic sheets from basement ceiling.
- Rear door to basement cannot swing over stairs.
- Insure 1 hour fire rated ceiling above suspended ceiling on first floor.
- Repair cabinet floor in first floor sink base cabinet.
- Install headers over windows at new framing and open walls as code requires.
- Fire stop open walls on north side second floor and have inspected before covering.
- Install secure cover on sump pit.
- A building permit is required to correct the above deficiencies.

ELECTRICAL

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service.
- Verify that fuse/circuit breaker amperage matches wire size
- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Provide a complete circuit directory at service panel indicating location and use of all circuits
- Verify/install a separate 20 ampere laundry circuit and a separate 20 ampere kitchen appliance circuit
- Properly strap cables and conduits in basement.
- Ground bathroom light in first floor bathroom and disconnect receptacle on fixture
- 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
- Install exterior lights at side entry doors
- Replace all painted-over receptacles.
- Replace service conduit for basement service.
- Verify/correct wiring above suspended ceilings.
- No service for upper level.
- Open framing in upper level kitchen and bathroom.
- Based on repair list purchase permit for 1 service and all new circuits.
- 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 current 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 - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heater - not fired or in service (MPC 2180)
- Basement - Water Piping - add appropriate hangers (MPC 1430 Subp. 4)
- Basement - Water Piping - improper fittings or usage (MPC 0420)
- Basement - Water Piping - provide water piping to all fixtures and appliances (MPC 1700)
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping (MPC 4715.1720)
- Basement - Water Piping - run 1 inch water line from meter to first major take off (SPRWS Water Code)
- Basement - Water Piping - verify that the proper glue for the CPVC potable water distribution was used or re pipe improper water piping.
- Basement - Soil and Waste Piping - verify opening in concrete basement floor located by wood column is not for plumbing or cap properly to code.
- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping (MPC 1000)
- First Floor - Tub and Shower - shower valve incorrectly installed.
- First Floor - Sink - faucet is missing, broken or parts missing (MPC 0200.P.)
- First Floor - Sink - incorrectly vented (MPC 2500)
- First Floor - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.) Also reset the toilet on a firm base.
- First Floor - Toilet Facilities - waste incorrect (MPC 2300)
- First Floor - Toilet Facilities - water piping incorrect (MPC 0200 P.)
- Second Floor - Lavatory - install clean out on double sanitary tee.
- Second Floor - Lavatory - faucet is missing, broken, or parts missing (MPC 0200.P.)
- Second Floor - Lavatory - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Lavatory - waste incorrect (MPC 2300)
- Second Floor - Lavatory - water piping incorrect (MPC 0200 P.)
- Second Floor - Sink - faucet is missing, broken or parts missing (MPC 0200.P.)
- Second Floor - Sink - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Sink - water piping incorrect (MPC 0200 P.)
- Second Floor - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Toilet Facilities - waste incorrect (MPC 2300)
- Second Floor - Toilet Facilities - water piping incorrect (MPC 0200 P.)
- Second Floor - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.)
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- Exterior - Lawn Hydrants - Broken or parts missing (MPC 0200 K)
- Comments: - The second floor fixtures are removed and a partial rough-in of the plumbing is in process. Re-install per code and receive proper inspections after permits are obtained.

- Remove any unused waste or vent piping its stack and plug or cap properly. Install working clear water sump pump and secure cover to code.
- Obtain plumbing permits prior to commencement of work.

HEATING

- Clean and Orsat test furnace and boiler burners. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating units are safe.
- 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.
- 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
- Provide heat in every habitable room and bathrooms
- Conduct witnessed pressure test on gas piping system and check for leaks.
- Conduct witnessed pressure test on hot water heating system and check for leaks.
- A forced warm air heating system may only serve one dwelling unit - dwelling separation required.
- Undercut doors one-inch above finished floor to rooms without ducted return air.
- Mechanical gas permit is 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 **November 9, 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.

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