



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

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

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

352

April 1, 2013

10-514381

Target Real Estate Investment Fund LLC
PO Box 2865
 Fargo ND 58108-2865

Bremer Bank NA
1444 45th Street SW
 Fargo ND 58103

Target Real Estate III LLC
PO Box 219
Cottage Grove MN 55016

Wings Financial Credit Union
14985 Glazier Avenue
Apple Valley MN 55124

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:

69 DOUGLAS ST

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Geo Benz Subdivision Lot 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 March 28, 2013 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 and masonry, duplex with a one-stall, wood frame, garage.

The foundation is substantially deteriorated with vertical and step cracking. There is extensive damage to the super-structure from shifting of the foundation.

The following list of deficiencies is excerpted from the December 21, 2012 Code Compliance:

BUILDING

- Insure basement cellar floor is even, is cleanable, and all holes are filled.
- Tuck Point interior/exterior of foundation as necessary.
- 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.
- Repair or replace damaged doors and frames as necessary, including storm doors.
- Weather seal exterior doors, threshold and weather-stripping.
- Repair walls, ceiling and floors throughout, as necessary.
- Provide fire block construction as necessary and seal chases in basement ceiling.
- 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.
- 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.
- Provide proper drainage around house to direct water away from foundation of garage.
- Remove trees which are against foundation of home and garage.
- Openings in stair risers must be less than 4 inches.
- Structural engineer's report required for repair, re-leveling and soil corrections required for foundation work.
- Install floor and vapor barrier in basement, remove old floor.
- Replace basement steps and install guardrail and handrail to code.
- Install tempered glass in window on stair landing.
- Install sink and cabinets in 1st. floor unit.
- Repair stucco after foundation corrections.
- 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
- 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
- Close openings in junction boxes with knockout seals and/or junction box covers.
- Properly strap cables and conduits in basement.
- Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched on from the top of the stairs
- 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 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Properly wire exterior light at front door.
- Install exterior light at side entry door.
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Replace all painted-over receptacles.
- Add receptacle in second floor back bedroom per SPLC 34.14(2)b.
- Add receptacle in second floor kitchen per SPLC 34.14(2)c.
- Add receptacle in first floor dining room per SPLC 34.14(2)b.
- Remove/rewire first floor kitchen lights to 2011 NEC.
- Rewire boiler to NEC.
- Provide retainer for electrical panel main breaker.
- Based on repair list purchase permit for 14 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 electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

- Basement - Water Meter - meter is removed or not in service (MPC 4715.1700)
- Basement - Water Meter - support meter properly (MPC 2280)
- Basement - Water Meter - missing install per code.
- Basement - Water Piping - boiler fill water line requires backflow assembly or device (MPC 2100)
- Basement - Water Piping - pipe sizing incorrect (MPC 4715.1730)
- 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 - Gas Piping - add appropriate metal hangers (MFGC 407.2)
- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect (MFGC 411)
- Basement - Gas Piping - replace improper piping or fittings (MFGC 411)
- Basement - Gas Piping - run dryer vent to code (MFGC 614.1 - 614.7)
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage (MPC 2420)
- Basement - Soil and Waste Piping - improper pipe supports (MPC 1430 Subp. 4)
- Basement - Soil and Waste Piping - unplugged or open piping; back pitched piping (MPC 1000)
- Basement - Laundry Tub - incorrectly vented (MPC 2500)
- Basement - Laundry Tub - provide a vacuum breaker for the spout (MPC 2000 B)
- Basement - Laundry Tub - waste incorrect (MPC 2300)
- Basement - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.)
- Basement - Toilet Facilities - incorrectly vented (MPC 2500)
- Basement - Toilet Facilities - waste incorrect (MPC 2300)
- Basement - Toilet Facilities - water piping incorrect (MPC 0200 P.)
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- First Floor - Gas Piping - replace improper piping or fittings (MFGC 411)
- First Floor - Lavatory - faucet is missing, broken, or parts missing (MPC 0200.P.)
- First Floor - Lavatory - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Lavatory - waste incorrect (MPC 2300)
- First Floor - Lavatory - water piping incorrect (MPC 0200 P.)
- First Floor - Sink - faucet is missing, broken or parts missing (MPC 0200.P.)
- First Floor - Sink - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Sink - incorrectly vented (MPC 2500)
- First Floor - Sink - waste incorrect (MPC 2300)
- First Floor - Sink - water piping incorrect (MPC 0200 P.)
- First Floor - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.) tank top incorrect.
- First Floor - Toilet Facilities - unvented (MPC 0200. E)
- First Floor - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.)
- First Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- First Floor - Tub and Shower - provide stopper (MPC 1240)
- First Floor - Tub and Shower - unvented (MPC 0200. E)
- Second Floor - Replace the incorrect Fittings in the wall, behind the lavatory, on the second floor.
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (MFGC 411)
- Second Floor - Gas Piping - replace improper piping or fittings (MFGC 411)
- 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 - incorrectly vented (MPC 2500)
- Second Floor - Lavatory - waste incorrect (MPC 2300)

- Second Floor - Lavatory - water piping incorrect (MPC 0200 P.)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.) air gap incorrect.
- Second Floor - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- Second Floor - Tub and Shower - provide stopper (MPC 1240)
- All Floors - Remove any unused pipe.
- All Floors - Plumbing - General - Plumbing was installed without permits and no inspections. Obtain proper permits and provide for proper tests and inspections (0320 Subp. 3)
- Exterior - Lawn Hydrants - Broken or parts missing (MPC 0200 K)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4715 & Chapter 326, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and the Saint Paul Regional Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul under an approved permit.

HEATING

- Install approved level handle manual gas shutoff valve on all gas appliances and remove unapproved valves.
- Clean and Orsat test boiler burner. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating unit is safe
- Connect boiler and water heater venting into chimney liner according to code. Inspection required for boiler/water heater connection to chimney liner before chimney is sealed.
- Provide adequate combustion air and support duct to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines
- Attach metal tag to expansion tank valve stating- this valve must be open at all times except when draining the expansion tank. Install closed expansion tank piping according to boiler manufacturer's installation instructions.
- Support supply and return piping from heating system according to code
- Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
- Repair or replace radiator valves as needed
- Mechanical gas, hydronic, ventilation permits are required for the above work.
- Provide documentation of heat loss and required fin tube element for habitable rooms with fin tube baseboard connected to hydronic radiator system.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **April 27, 2013** 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 **Dennis Senty** between the hours of 8:00 and 9:30 a.m. at **651-266-1930**, or you may leave a voice mail message.

Sincerely,

Dennis Senty
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council

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