



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

361

September 18, 2013

12-219596

Stovokor Properties Llc  
4001 Wedgewood Dr  
Appleton WI 54913-7129

MERS  
PO Box 2026  
Flint MI 48501-2026

Bank of New York Mellon  
101 Barclay Street 4W  
New York NY 10286

Bank of America  
M/C: CA6-914-01-43  
1800 Tapo Canyon Road  
Simi Valley CA 93063

Peterson, Fram & Bergman  
55 E Fifth Street #800  
Saint Paul MN 55101-1197

## 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:**

**438-442 BEACON AVE**

With the following Historic Preservation information: NONE

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

Howard Park Ex S 25 Ft; Lot 77 & All Of Lot 76

**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 11, 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 one and one-half story, wood frame, single-family dwelling with a one-stall detached garage.

The following Deficiency List is excerpted from the September 18, 2012 Fire Certificate of Occupancy Revocation and Order to Vacate letter:

1. Exterior - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen. -Repair window screens throughout the home.
2. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.-Repair cracked window sill on basement window on North side of home.
3. Exterior - 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.-Dirt driveway with broken concrete is used for parking space in rear of home.
4. Exterior front of home - SPLC 34.09 (2), 34.32(2) - Repair or replace the damaged handrail in an approved manner. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair handrail at the front of the home located at the front steps leading to the porch.
5. Exterior garage - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Repair garage overhead door so it operates in an acceptable manner.
6. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Recaulk basement bathtub at the wall level. - Repair walls in the living room, basement stairway, and front hallway.
7. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.-Repair ceiling in stairwell leading to basement and living room.
8. Interior - SPLC 34.11(5), 34.34(2), SPC 4715.0200Q - Provide adequate hot water between 120 degrees F and 130 degrees F.-Temperature measured 132.
9. Interior Kitchen - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Repair kitchen floor, tile is missing next to stove.
10. Interior basement - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.-Repair, replace, or remove loose floor covering on basement stairway.
11. Interior basement - UMC 1002 - Repair, replace or install duct work in compliance with the mechanical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair hole in duct work located next to bathroom in basement.

12. Interior basement - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.-Sliding door in basement separating laundry area from carpeted room needs a door handle.
13. Interior basement - UMC 1004 - Install proper supports for ducts in compliance with the mechanical code.-Properly secure the dryer vent.
14. Interior basement - SPLC 34.13 (4) - Provide and maintain a minimum egress window sill height of 48 inches. Refer to provide handout EW-1 for more information.-Window sill height is 65 1/2 inches.  
Reduce sill height or discontinue use as a sleeping room.
15. Interior basement - MSFC1026.1 - Provide and maintain an approved escape window from each sleeping room. The minimum size must be 5 square feet of glazed area with a minimum of 24 inches of openable height and 20 inches of openable width. With a finished sill height not more than 48 inches. This work may require permit(s). Call DSI at (651) 266-9090. Refer to the Escape Windows for Residential Occupancies handout for more information.-Awning window measured 29 inches in width by 20 inches in height of openable space.
16. Interior basement - NEC 230-2 (e) - Provide identification at the service disconnect for each electrical service.-Properly label the electrical panel.
17. Interior living room - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.-Replace missing outlet cover in living room North wall.
18. Interior second floor bathroom - 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 and maintain an approved private tub or shower. This work may require a permit(s). Call LIEP at (651) 266-9090.
19. Interior second floor hallway - MN Stat. 299F.362 - Immediately provide and maintain a smoke detector located outside each sleeping area.-Hard wired smoke detector in second floor hallway missing. Replace missing smoke detector.
20. Interior throughout. - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Discontinue use of all extension cords throughout the building. Living room, second floor bedroom.
21. 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.
22. SPLC 39.02(c) - Complete and sign the 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 **October 18, 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.

September 18, 2013  
442 BEACON AVE  
page 5

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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