



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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355.0

October 31, 2014

11-244429

US Bank Nat Association  
c/o Us Bank Home Mortgage  
800 Moreland St  
Owensboro KY 42301-2046

FIVE BROTHERS MORTGAGE  
Services & Securing  
14156 Eleven Mile Road  
Warren MI 48089

## 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:**

**699 HAWTHORNE AVE E**

With the following Historic Preservation information: NONE

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

Oak Ville Park Lot 10 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 October 15, 2014 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 with a detached, two-stall garage.

Deficiency List is excerpted from the May 2, 2012, Code Compliance report.

### **BUILDING**

- Cover water meter pit with concrete or decay resistant, screwed-down cover. Cleanouts to be flush with floor slab.
- 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.
- Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
- Repair walls, ceiling and floors throughout, as necessary.
- Air-seal and insulate attic/access door and insulate attic floor.
- 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.
- Where wall and ceiling covering is removed install full thickness or code-specified insulation.
- 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.
- Install downspouts and a complete gutter system on east side of house and front.
- Install rain leaders to direct drainage away from foundation.
- Install address numbers visible from street and on the alley side of garage.
- Provide ground cover capable of controlling sediment and erosion.
- Review all applicable codes & policies when replacing windows including egress windows for sleeping rooms.
- Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
- Install 20 minute fire rated doors at entry to basement from both units with closing device.
- Install tempered glass in window over bathtub on second floor.
- Vent first floor bathroom on first floor to code.
- Install safety cables on garage doors.
- Level out garage floor.

- 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
- 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
- Install listed circuit breakers
- Verify that circuit breaker amperage matches wire size
- Close openings in service panel/junction boxes with knockout seals, breaker blanks, and/or junction box covers
- Properly strap cables and conduits in basement.
- Install/replace GFCI receptacle in first and second floor bathroom adjacent to the sink.
- Ground bathroom light in first and second floor bathroom and disconnect receptacle on fixture
- Install globe-type enclosed light fixture on all closet lights
- Remove all cord wiring
- 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 receptacle for garage door opener
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Replace all painted-over receptacles.
- Remove garage circuit and reinstall to current NEC standards.
- Add one receptacle outlet in 701 dining room and northeast bedroom.
- Remove improper wiring in attic.
- Based on repair list purchase permit for 15 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 Heaters - No gas shut off or gas piping incorrect (IFGC 402.1)
- Basement - Water Heaters - T and P relief discharge piping incorrect (MPC 2210 Subp. 4)
- Basement - Water Heaters - Vent must be in chimney liner (IFGC 501.12)
- Basement - Water Heaters - Water piping incorrect (MPC 1730 Subp. 1)
- Basement - Water Heaters - gas venting incorrect (IFGC 503)
- Basement - Water Heaters - not fired or in service (MPC 2180)
- Basement - Water Meter - corroded piping; incorrect piping (MPC 0200 0.)
- Basement - Water Meter - meter is removed or not in service (MPC 4715.1700)
- Basement - Water Meter - raise meter to a minimum 12 inches above floor (MPC 2280)
- Basement - Water Meter - service valves not functional or correct (MPC 1800 Subp 3,4)
- Basement - Water Piping - improper fittings or usage (MPC 0420)
- Basement - Water Piping - improper piping or usage (MPC 0520)
- 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 - Water Piping - some water piping is missing. Replace to code.
- Basement - Gas Piping - some gas piping is missing. Replace to code and provide proper testing for inspection.
- Basement - Gas Piping - dryer gas shutoff; connector or piping incorrect (IFGC 402.1)
- Basement - Gas Piping - replace improper piping or fittings (IFGC 406.1.2)
- Basement - Gas Piping - run dryer vent to code (IFGC 613.1 - IMC 604.1)
- Basement - Soil and Waste Piping - lead waste for first floor bathroom leaks. Replace to code.
- 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 - no front sewer clean out (MPC 1000)
- Basement - Soil and Waste Piping - no soil stack base clean out
- Basement - Soil and Waste Piping - replace corroded cast iron or steel waste piping (MPC 0200)
- Basement - Laundry Tub & Stand Pipe - incorrectly vented (MPC 2500)
- Basement - Laundry Tub & Stand Pipe - provide a vacuum breaker for the spout (MPC 2000 B)
- Basement - Laundry Tub & Stand Pipe - waste incorrect (MPC 2300)
- Basement - Laundry Tub & Stand Pipe - water piping incorrect (MPC 0200 P.)
- Basement - Toilet Facilities - fixture is broken or parts missing (MPC 0200 0.)
- Basement - Tub and Shower - faucet is missing, broken or parts missing (MPC 0200. P.)
- Basement - Tub and Shower - provide anti-scald valve (MPC 1380. Subp. 5)
- Basement - Tub and Shower - unvented (MPC 0200. E)
- Basement - Tub and Shower - waste incorrect (MPC 2300)
- Basement - Tub and Shower - water piping incorrect (MPC 0200 P.)

- First Floor - Sink - cast iron waste located in basement for the first floor kitchen sink is corroded. Replace to code.
- First Floor - Sink - fixture is broken or parts missing (MPC 0200 0.)
- First Floor - Sink - waste incorrect (MPC 2300)
- 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)
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect (IFGC 411 1.3.3)
- Second Floor - Lavatory - fixture is broken or parts missing (MPC 0200 0.)
- Second Floor - Lavatory - waste incorrect (MPC 2300)
- Second Floor - Sink - faucet is missing, broken or parts missing (MPC 0200.P.)
- Second Floor - Sink - unvented (MPC 0200. E)
- Second Floor - Sink - waste incorrect (MPC 2300)
- Second Floor - Sink - water piping incorrect (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)
- Exterior - Lawn Hydrants - Requires backflow assembly or device (MPC 2000)
- Exterior - Rain Leader - Not properly plugged or capped off
- Comments: - Verify that the dishwasher and garbage disposal in both units function properly. Run the condensate from both furnaces to a proper point of disposal.
- Obtain plumbing permits prior to commencement of work.

### **HEATING**

- Clean and Orsat test both furnace burners. Check all controls for proper operation. Check furnace heat exchangers for leak; provide documentation from a licensed contractor that the heating units are safe.
- Install approved metal chimney liner for basement gas burning equipment.
- Connect basement furnace and water heater venting into chimney liner
- Vent clothes dryer to code
- Provide support for gas lines to code
- Plug, cap and/or remove all disconnected gas lines and unapproved valves. Conduct witnessed pressure test on both gas piping systems.
- Install furnace air filter access cover
- 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
- 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.
- Run condensate drain from furnaces to an approved location and secure as needed.
- Mechanical gas, ventilation and warm air permits are required for the above work and the newly installed furnaces and A/C unit in each unit.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **November 30, 2014** 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.

October 31, 2014  
699 HAWTHORNE AVE E  
Page 7

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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