



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Saint Paul, MN 55101-1806

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361.0

October 28, 2015

13-258634

Frank I Smith  
7211 Foxbrick Ln #10208  
Humble TX 77338-6228

Equity Plus Inc  
5333 Mission Center Rd #380  
Sand Diego CA 92108

Popular Financial Services  
1595 Spring Hill Rd #310  
Vienna VA 22182

MERS  
PO Box 2026  
Flint MI 48501

OCWEN Loan Servicing LLC  
PO Box 24738  
West Palm Beach FL 33416

Ken Kinney  
10995 18 6th St N  
Marine On St Croix MN 55047

## 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:**

**1295 KENT ST**

With the following Historic Preservation information:

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

Mayhams Addition Tost Paul N 13 Ft Of Lot 11 And All Of Lots 9 And Lot 10 Blk 1

**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 8, 2015 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-story, wood frame, single-family dwelling.

The following is excerpted from the October 16, 2015 Code Compliance Inspection Report:

**BUILDING:**

1. Insure basement cellar floor is even, is cleanable, and all holes are filled.
2. Repair or replace damaged doors and frames as necessary, including storm doors.
3. Repair walls, ceiling and floors throughout, as necessary.
4. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures if lead pain is present.
5. Provide fire block construction as necessary and seal chases in basement ceiling.
6. Where wall and ceiling covering is removed install full thickness or code specified insulation.
7. Air-seal and insulate attic/access door.
8. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
9. Provide major clean-up of premises.
10. Repair siding, soffit, fascia, trim, etc. as necessary.
11. Provide proper drainage around house to direct water away from foundation of house.
12. Tuck Point interior/exterior of foundation as necessary.
13. Install rain leaders to direct drainage away from foundation.
14. Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
15. Clean out and repair downspouts and gutters.
16. Basement full of trash at time of inspection.
17. 2nd. floor for storage only, too short ceiling height for habitable space.
18. Install insulated door between 1st and 2nd floor.
19. Dry out basement and eliminate source of moisture.
20. Remove mold, mildew and moldy or water damaged materials.
21. 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.
22. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc. as necessary.
23. Provide complete storms and screens, in good repair for all door and window openings.
24. Provide functional hardware at all doors and windows.
25. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.
26. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

**ELECTRICAL:**

1. No power at time of inspection in mcls areas. Test all electrical outlets and ensure all luminaires (light fixtures) are working properly when power is restored.
2. Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
3. Properly strap and support cables and/or conduits.
4. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.

5. Check all receptacles for proper polarity (including 2-prong) and verify ground on 3-prong receptacles. Ensure all GFCI receptacles are functioning properly. Rewire and/or replace receptacles that are improperly wired or not functioning properly.
6. Install box extensions on devices mounted in wood paneling.
7. Basement -Attic -Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
8. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

**PLUMBING:**

1. Plumbing - General - Caulk all the fixtures to code.
2. Basement -Basement required to be cleaned out in order to perform inspection on plumbing system. Plumbing contractor to verify all plumbing in basement meets the standards of the current Minnesota State Plumbing code.
3. Basement -Gas Piping - Install an approved shut off; connector and gas piping for the dryer.
4. Basement -Gas Piping - Vent clothes dryer to code.
5. First Floor -Gas Piping - Install an approved shut off; connector and gas piping for the range.
6. First Floor -Lawn Hydrants - Repair or replace the lawn hydrants that are broken or have parts missing.
7. First Floor -Lawn Hydrants - The lawn hydrant(s) require a backflow assembly or device.
8. First Floor -Sink - Repair/replace the fixture that is missing, broken or has parts missing.
9. First Floor -Toilet Facilities - Repair/replace the fixture that is missing, broken or has parts missing.
10. First Floor -Toilet Facilities - Reset the toilet on a firm base.
11. 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:**

1. Clean and Orsat test furnace/boiler burner. Check all controls for proper operation. Check furnace heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe.
2. Provide a means of returning air from every habitable room to the furnace. Return air cannot be taken from closets, bathrooms, toilet rooms, kitchen or mechanical rooms.
3. Install approved metal chimney liner.
4. Connect furnace/boiler and water heater venting into chimney liner.
5. Provide adequate clearance from flue vent pipe on furnace/boiler to combustible materials or provide approved shielding according to code.
6. Vent clothes dryer to code and provide approved gas piping and valve (plumbing or mechanical gas permit is required).
7. Provide adequate combustion air and support duct to code.
8. Provide support for gas lines to code.
9. Plug, cap and/or remove all disconnected gas lines.

10. Bathrooms require a means to ventilate the space. Provide a window with an aggregate glazing area of not less than 3 square feet, one half of which must be operable. Alternative is a bath fan properly vented to the outside. All kitchen exhaust must be venting to exterior. A mechanical ventilation permit will be required for the bath fan and/or kitchen exhaust.
11. Provide all supply and return ducts for warm air heating system must be clean before final approval for occupancy. Documentation is required from a licensed duct-cleaning contractor that the duct system has been cleaned.
12. Repair and/or replace heating registers as necessary.
13. Provide heat in every habitable room and bathrooms.
14. Verify that A/C system is operable, if not, repair, replace or remove and seal all openings. Run A/C condensate drain three-quarter inch nominal size to an approved location and secure as needed.
15. Mechanical permits are 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 27, 2015** 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 **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