DEPARTMENT OF SAFETY AND INSPECTIONS
Steve Magner, Manager of Code Enforcement

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

361.0

December 10, 2015

13-182440

Mckusick Building Services LLC
3206 Adair Ave NE
Buffalo MN 55313-3691

Superior Financing Inc
8053 E Bloomington Freeway
Suite 300
Bloomington MN 55420

Jared Goerlitz
PFB Law, PA
55 Fifth St E Suite 800
Saint Paul MN 55101

JN Homes LLC
8362 Tamarack Village Suite 119
Woodbury MN 55125

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:

839 THOMAS AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Chute Brothers Divisionno 13 Lot 21

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 December 2, 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 two-story, wood frame, single-family dwelling with a detached two-stall garage.

The following is excerpted from the May 5, 2015 Code Compliance Inspection Report:

BUILDING

1. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc. as necessary.
2. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
3. Repair siding, soffit, fascia, trim, etc. as necessary.
4. Provide proper drainage around house to direct water away from foundation of house.
5. Provide proper drainage around house to direct water away from foundation of garage.
6. Install rain leaders to direct drainage away from foundation.
7. Replace one section of front sidewalk at top of steps to street sidewalk.
8. Replace garage fascia, soffit and decayed siding.
9. Replace garage roof covering.
10. Remove soil away from garage siding and provide slope away from building.
11. Replace or install missing house siding.
12. Provide complete storms and screens, in good repair for all door and window openings.
13. Repair chimney above roof on house.
14. Repair rear flat roof.
15. Relevel rear entry landing and install steps and handrail to code on house.
16. Provide functional hardware at all doors and windows.
17. Repair or replace damaged doors and frames as necessary, including storm doors.
18. Weather seal exterior doors, threshold and weather-stripping.
19. Repair walls, ceiling and floors throughout, as necessary.
20. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedures if lead base paint is present.
21. Where wall and ceiling covering is removed install full thickness or code specified insulation.
22. Air-seal and insulate attic/access door.
23. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

ELECTRICAL

1. Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
2. Check all outlets for proper polarity and verify ground on 3-prong outlets.
3. Remove and or/ re-wire all illegal, improper or hazardous wiring in garage (no access).
4. Replace all painted-over receptacles (all upper level bedrooms, 1- South wall living room, 1 - West wall dining room).
5. Install proper floor box covers for receptacle outlets in living room and dining room.
6. Install circuit for over range microwave.
7. All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
8. Any open walls or walls that are opened as part of this project must be wired to the standards of the current NEC.
9. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

1. Basement -Gas Piping -run dryer vent to code.
2. Basement -Laundry Tub -waste incorrect.
3. Basement -Laundry Tub -water piping incorrect.
4. Basement -Tub and Shower -Provide a vacuum breaker for the handheld shower.
5. Basement -Tub and Shower -fixture is broken or parts missing.
6. Basement -Water Heater -No gas shut off or gas piping incorrect.
7. Basement -Water Heater -Vent must be in chimney liner.
8. Basement -Water Heater -not fired or in service.
9. Basement -Water Piping -provide water piping to all fixtures and appliances.
10. Exterior -Rain Leader -Not properly plugged or capped off.
11. First Floor -Gas Piping -range gas shut off; connector or piping incorrect.
12. Second Floor -Tub and Shower -Provide a vacuum breaker for the handheld shower.
13. Second Floor -Tub and Shower -replace waste and overflow.
14. Second Floor -Tub and Shower -provide anti-scald valve.
15. 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. Install approved automatic gas valve for furnace/boiler.
2. Clean and Orsat test boiler burner. Check all controls for proper operation. Provide documentation from a licensed contractor that the heating unit is safe.
3. Install approved metal chimney liner.
4. Replace boiler flue venting to code.
5. Connect boiler and water heater venting into chimney liner.
6. Vent clothes dryer to code.
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. 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.
11. Provide heat in every habitable room and bathrooms.
12. Attach metal tag to expansion tank valve stating that this valve must be open at all times except when draining the expansion tank.
13. Support supply and return piping from heating system according to code.
14. Conduct witnessed pressure test on hot water heating system and check for leaks.
15. Install boiler pressure relief valve and pipe discharge to within 18 inches of the floor.
16. Repair or replace radiator valves as needed.
17. Install isolation valves on boiler supply and return.
18. Remove or abate all friable asbestos material. Provide documentation that this work was performed by a state licensed asbestos abatement contractor.
19. Mechanical gas and hydronic 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 **January 9, 2016** 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

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