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April 25, 2018

12-032029

Beneficial Investments LLC
PO Box 28692
Oakdale MN 55128-0692

Red Dirt Lending LLC
1220 N 50th Street
Oklahoma City OK 73118

Shapiro & Zielke
12550 W Frontage Road #200
Burnsville MN 55337

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:

1332 DAYTON AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

Anna E Ramsey Add Lot 13 Blk 5

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 April 18, 2018 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 4, 2015 Code Compliance Report:

BUILDING

1. Tuck Point interior/exterior of foundation as necessary.
2. Weather seal exterior doors, threshold and weather-stripping.
3. Install floor covering in bathroom and kitchen that is impervious to water.

4. Repair walls, ceiling and floors throughout, as necessary.
5. 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.
6. Any framing members that required repair or do not meet code (where wall and ceiling covering is removed, members that are over- spanned, over- spaced, not being carried properly, door and window openings that are not adequately supported, etc.) are to be reconstructed in an approved manner.
7. Re- level structure as much as is practical.
8. Provide fire block construction as necessary and seal chases in basement ceiling.
9. Where wall and ceiling covering is removed install full thickness or code- specified insulation.
10. Air- seal and insulate attic/access door.
11. Install Smoke Detectors/Carbon Monoxide Detectors per MN Conservation Code and the MN Dept. of Labor and Industry: Install per code where feasible.
12. Dry out basement and eliminate source of moisture.
13. Provide major clean- up of premises.
14. Repair siding, soffit, fascia, trim, etc. as necessary.
15. Provide proper drainage around house to direct water away from foundation of house.
16. Provide proper drainage around house to direct water away from foundation of garage.
17. Install downspouts and a complete gutter system
18. Install rain leaders to direct drainage away from foundation.
19. Provide general rehabilitation of garage.
20. Remove trees which are against foundation of home and garage
21. Grade must drain away from foundation of dwelling. Maintain 6 inch clearance between wood and soil.
22. Remove fuel oil tank from basement; permit is required.
23. Permanently secure top and bottom of support posts in an approved manner.
24. Remove drywall from kitchen ceiling and repair floor framing as needed before framing inspection.
25. Jack up and relevel east corner of rear porch for first and second floors; foundation repair required, call before covering.
26. Replace front and rear steps to code; also repair steps at street.
27. Garage full of belongings at time of inspection, all to meet code.
28. House roof needs some repair around edges and garage roof needs replacement. Also replace decayed roof boards and rafters.
29. Replace garage service door and overhead door.
30. Repair basement windows and insure storm windows and screens.
31. 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
32. Repair or Replace any deteriorated window sash, broken glass, sash holders, re- putty, etc. as necessary.
33. Provide complete storms and screens, in good repair for all door and window openings.
34. Provide functional hardware at all doors and windows.
35. Exit doors shall be capable of being opened from the inside, easily and without the use of a key. Remove all surface bolts.

36. Repair or replace damaged doors and frames as necessary, including storm doors.
37. A building permit is required to correct the above deficiencies. All work is to be done in a workmanship like manner.

ELECTRICAL

1. Ground the electrical service to the water service with a copper conductor within 5' of the entrance point of the water service.
2. Check all outlets for proper polarity and verify ground on 3- prong outlets.
3. Remove any 3- wire ungrounded outlets and replace with 2- wire or ground 3- wire to code.
4. Install exterior lights at front/side/back entry doors.
5. Install receptacle for garage door opener.
6. Remove and/or rewire all illegal, improper or hazardous wiring in basement/garage.
7. Replace all painted- over receptacles.
8. Install hard- wired, battery backup, Carbon Monoxide smoke detector as specified in Chapter 58 of the Saint Paul Legislative Code, and other smoke detectors and carbon monoxide detectors as required by the Minnesota State Building Code. SPLC 58, IRC
9. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
10. Relocate Xcel meter socket to meet their requirements.
11. Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NBC.
12. Provide a complete circuit directory at service panel indicating location and use of all circuits.
13. Close openings in service panel/junction boxes with knockout seals, breaker blanks, and/or junction box covers.
14. Properly strap cables and conduits in basement/service conduit on the exterior of the house.
15. Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched from the top of the stairs.
16. Install globe- type enclosed light fixture on all closet lights.
17. Remove all cord wiring.
18. Repair or replace all broken, missing or loose light fixtures, switches and outlets, covers and plates.
19. All added receptacles must be grounded, tamper-resistant and be on an Arc- Fault Circuit Interrupter- protected circuit.
20. Any open walls or walls that are opened as part of this project must be wired to the standards of the current NEC.
21. All electrical work must be done by a Minnesota- licensed electrical contractor under an electrical permit.

PLUMBING

1. Basement - Gas Piping - Install an approved shut off; connector and gas piping for the dryer.
2. Basement - Gas Piping - Vent clothes dryer to code.
3. Basement - Laundry Tub - Install a proper fixture vent to code.
4. Basement - Laundry Tub - Install the waste piping to code.
5. Basement - Laundry Tub - Install the water piping to code.

6. Basement - Laundry Tub - Provide the proper potable water protection for the faucet spout.
7. Basement - Soil and Waste Piping - Install a front sewer clean out.
8. Basement - Soil and Waste Piping - Plug all open piping and properly pitch all piping.
9. Basement – Soil and Waste Piping- Replace all improper connections, transitions, fittings or pipe usage.
10. Basement - Soil and Waste Piping - Replace all corroded cast iron, steel waste or vent piping.
11. Basement - Soil and Waste Piping - Install a clean out at the base of all stacks.
12. Basement - Tub and Shower - Install a proper fixture vent to code.
13. Basement - Tub and Shower - Install the waste piping to code.
14. Basement - Tub and Shower - Install an anti- scald control device.
15. Basement - Water Heater - The water heater must be fired and in service.
16. Basement - Water Meter - Raise the water meter to a minimum of 12 inches above the floor.
17. Basement - Water Meter - Support the water meter to code.
18. Basement - Water Meter - The service valves must be functional and installed to code.
19. Basement - Water Meter - Repair the corroded or incorrect water meter piping.
20. Basement - Water Meter - The water meter must be removed from the pit.
21. Basement - Water Piping - Provide a one (1) inch water line to the first major take off.
22. Basement - Water Piping - Repair or replace all the corroded, broken, or leaking water piping.
23. Basement - Water Piping - Replace all the improper fittings and fittings that have improper usage.
24. Basement - Water Piping - Provide water piping to all fixtures and appliances.
25. Exterior - Lawn Hydrants - The lawn hydrant(s) require a backflow assembly or device.
26. First Floor - Gas Piping - Install an approved shut off; connector and gas piping for the range.
27. Second Floor - Toilet Facilities - Install the waste piping to code.
28. Second Floor - Toilet Facilities - Reset the toilet on a firm base.
29. Second Floor - Tub and Shower - Install a proper fixture vent to code.
30. Second Floor - Tub and Shower - Install an anti- scald control device.
31. Second Floor - Tub and Shower - Install a temperature limiting device.
32. Second Floor - Tub and Shower - Replace the waste and overflow.
33. 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 level handle manual gas shutoff valve on boiler and remove unapproved valve.
2. Install approved automatic gas valve for boiler.
3. Clean and Orsat test boiler burner. Check all controls for proper operation. Check boiler heat exchanger for leak; provide documentation from a licensed contractor that the heating unit is safe.

4. Install approved metal chimney liner.
5. Vent clothes dryer to code and provide approved gas piping and valve.
6. 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.
7. Provide heat in every habitable room and bathrooms.
8. Attach metal tag to expansion tank valve stating that this valve must be open at all times except when draining the expansion tank.
9. Support supply and return piping from heating system according to code.
10. Conduct witnessed pressure test on hot water heating system and check for leaks.
11. Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
12. Repair or replace radiator valves as needed.
13. Mechanical hot water and mechanical gas 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 **May 25, 2018** 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** 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