



CITY OF SAINT PAUL

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

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October 26, 2020

Kathleen and Kerry Nilles
1033 Como Place
St Paul MN 55103-1318

Order to Abate Nuisance Building(s)

Dear Responsible or Interested Party:

The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:

1004 THOMAS AVE

With the following Historic Preservation information: NONE

and legally described as follows, to wit:

C. C. VAN DYKE'S ADD'N. LOT 6

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 21, 2020 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 one-stall garage.

The following is excerpted from the October 20, 2017 Code Compliance Report:

BUILDING

1. 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).

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. Provide major clean-up of premises.
4. Install water-proof enclosure in shower area.
5. Repair siding, soffit, fascia, trim, etc. as necessary.
6. Provide proper drainage around house to direct water away from foundation of house.
7. Provide proper drainage around house to direct water away from foundation of garage.
8. Install flashing in an approved manner at the intersection of the roof with walls, chimneys, and other conjoined surfaces.
9. Provide general rehabilitation of garage.
10. Install address numbers visible from street and on the alley side of garage.
11. Grade must drain away from foundation of dwelling. Maintain 6-inch clearance between wood and soil.
12. Maintain one-hour fire separation between dwelling units and between units and common areas.
13. Install safety glass in upper stair landing window.
14. Install 20-minute fire rated doors from common area into units.
15. Replace weather barrier at rear house with required inspections and install siding to code.
16. Replace roof covering on garage and all decayed roof framing and roof boards.
17. Replace overhead garage door.
18. Install handrails (34 inches - 38 inches above each nosing) and guardrails (36-inch minimum) at all stairways, and return handrail ends into a newel post or wall.
19. Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary.
20. Provide complete storms and screens, in good repair for all door and window openings.
21. Repair or replace damaged doors and frames as necessary, including storm doors.
22. Repair walls, ceiling and floors throughout, as necessary.
23. 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.
24. Where wall and ceiling covering is removed install full thickness or code-specified insulation.
25. 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. Test all electrical outlets and ensure all luminaires (light fixtures) are working properly when power is restored.
2. Cables, smaller than 8 AWG, run at angles on the bottom of joists in unfinished basements, shall be run in either bored holes in joists or on running boards.
3. Ensure proper overhead service conductor clearance.
4. Ensure installation of one wire per terminal in both service panels.
5. Repair / replace damaged cable in basement joist space.
6. Properly install the water service grounding electrode system.
7. No access to garage.
8. Rough-in of 1st floor kitchen and 2nd floor bathroom performed under permit.

9. Provide a complete circuit directory at service panel indicating location and use of all circuits.
10. Verify that fuse/circuit breaker amperage matches wire size in panel. Replace improperly sized overcurrent devices.
11. Close openings in service panel/junction boxes with knockout seals, breaker blanks, proper cable clamps, and/or junction box covers.
12. Properly strap and support cables and/or conduits.
13. Repair or replace all broken, painted over, corroded, missing or loose receptacles, luminaires (light fixtures), switches, covers and plates to current code.
14. 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.
15. 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.
16. Remove and/or rewire all illegal, improper or hazardous wiring to current NEC.
17. All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.

PLUMBING

1. Basement -Lavatory - Install the water piping to code.
2. Basement -Lavatory - Repair/replace the fixture that is missing, broken or has parts missing.
3. Basement -Lavatory - Repair/replace the faucet that is missing, broken or has parts missing.
4. Basement -Toilet Facilities - Repair/replace the faucet that is missing, broken or has parts missing.
5. Basement -Toilet Facilities - Install the water piping to code.
6. Basement -Toilet Facilities - Repair/replace the fixture that is missing, broken or has parts missing.
7. Basement -Tub and Shower - Repair/replace the fixture that is missing, broken or has parts missing.
8. Basement -Tub and Shower - Repair/replace the faucet that is missing, broken or has parts missing.
9. Basement -Water Heater - Install the gas shut off and the gas piping to code.
10. Basement -Water Heater - Install the water piping for the water heater to code.
11. Basement -Water Heater - The water heater must be fired and in service.
12. Basement -Water Piping - Provide water piping to all fixtures and appliances.
13. Basement -Water Piping - Provide a one (1) inch water line to the first major take off.
14. First Floor -Plumbing - General – Obtain permits and provide tests/inspections for any plumbing performed without permits.
15. First Floor -Sink - Repair/replace the fixture that is missing, broken or has parts missing.
16. First Floor -Sink - Repair/replace the faucet that is missing, broken or has parts missing.
17. Second Floor -Lavatory - Install the water piping to code.
18. Second Floor -Lavatory - Repair/replace the fixture that is missing, broken or has parts missing.

19. Second Floor -Lavatory - Repair/replace the faucet that is missing, broken or has parts missing.
20. Second Floor -Toilet Facilities - Repair/replace the faucet that is missing, broken or has parts missing.
21. Second Floor -Toilet Facilities - Install the water piping to code.
22. Second Floor -Toilet Facilities - Repair/replace the fixture that is missing, broken or has parts missing.
23. Second Floor -Tub and Shower - Install the water piping to code.
24. Second Floor -Tub and Shower - Repair/replace the fixture that is missing, broken or has parts missing.
25. Second Floor -Tub and Shower - Repair/replace the faucet that is missing, broken or has parts missing.
26. All the above corrections to waste, vent, water, and gas piping shall be per the Minnesota Plumbing Code Chapter 4714, Minnesota Rules Chapter 326, 4716, 1300, the Minnesota Mechanical Code, the Minnesota Fuel Gas Code, and Saint Paul Regional Water Services Water Code. All plumbing must be done by a plumbing contractor licensed in the State of Minnesota and the City of St. Paul by a plumber licensed in the State of Minnesota who also possess a City of Saint Paul Competency Card and after obtaining an approved City of Saint Paul Plumbing Permit.

MECHANICAL

1. Install approved level handle manual gas shutoff valve on furnace & boiler and remove unapproved valve.
2. Install approved automatic gas valve for furnace & boiler.
3. 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.
4. Provide thirty (30) inches of clearance in front of furnace & boiler for service.
5. Install approved metal chimney liner and verify it is sound.
6. Replace furnace and boiler flue venting to code.
7. Connect furnace, boiler and water heater venting into chimney liner.
8. Vent clothes dryer to code.
9. Provide adequate combustion air and support duct to code.
10. Provide support for gas lines to code.
11. Plug, cap and/or remove all disconnected gas lines.
12. Install furnace air filter access cover.
13. Clean all supply and return ducts for warm air heating system.
14. Repair and/or replace heating registers as necessary.
15. Provide heat in every habitable room and bathrooms.
16. Attach metal tag to expansion tank valve stating that this valve must be open at all times except when draining the expansion tank.
17. Support supply and return piping from heating system according to code.
18. Conduct witnessed pressure test on hot water heating system and check for leaks.
19. Install boiler pressure relief valve and pipe discharge to within 18 inches of the floor.
20. Install back flow preventer on city water fill line to hot water heating system and pipe vent as required.
21. Repair or replace radiator valves as needed.

22. Run condensate drain from A/C unit coil in basement to an approved location and secure as needed.
23. Separate heating system is required for each dwelling unit. Furnace in basement cannot be used for heating both 1st and 2nd floor units of duplex.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **November 25, 2020** 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 dollars (\$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

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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 **Joe Yannarelly** at **651-266-1920**, or you may leave a voice mail message.

Sincerely,

Joe Yannarelly

Vacant Buildings Enforcement Inspector