



October 31, 2023

Hermanson Investments LLC  
15 Gideons Point Rd  
Excelsior MN 55331-9526

Merchants Bank, NA  
18550 Joplin Ave  
Lakeville MN 55044

## 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:**

**1262 MINNEHAHA AVE E**

With the following Historic Preservation information: NONE

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

A GOTZIANS RE OF SIGEL'S ADD LOT 10 BLK 33

**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 25, 2023, 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 with a detached two-stall garage.

The following is excerpted from the May 15, 2021 Notice of Condemnation, Unfit for Human Habitation, and Order to Vacate:

### DEFICIENCY LIST

1. Back yard and entrance of garage - SPLC 34.08 (6) - Remove the accumulation of exterior storage that creates a nuisance or harbors rodents.

2. FRONT STEPS - SPLC 34.09 (3), 34.33(2) - Repair or replace the damaged guardrail in an approved manner. This work may require a permit(s).
3. Garage - SPLC 34.08(5), 34.32(3) - All accessory structures including, but not limited to, detached garages, sheds and fences shall be maintained structurally sound and in good repair. Provide and maintain exterior unprotected surfaces painted or protected from the elements. -
4. Kitchen - SPLC 34.10 (7) - Repair and maintain the cabinets in an approved manner. - Repair or replace the damaged or missing drawer.
5. REPLACE ALL MISSING DOORS - SPLC 34.09 (4), 34.32 (3) - Repair and maintain the door latch. -
6. Throughout house - SPLC 34.08 (1), 34.34 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition. -GROSS UNSANITARY
7. Various locations - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-8989.-
8. THROUGH HOUSE - SPLC 34.10 (7), 34.17 (5) - Repair and maintain the walls in an approved manner. -Repair or replace the damaged or deteriorated wall coverings. Paint the wall. Patch the holes and/or cracks in the walls.
9. SPLC 39.02(c) - Complete and sign the smoke detector affidavit and return it to this office.
10. MSFC 307.1 - All fires on the ground must be a minimum of 25 feet from structures or contained in a grill or outdoor fireplace. Wind speeds must be under 10 mph, constantly attended, a means of extinguishment must be provided. Only natural firewood can be burned (no construction materials, brush or waste materials), and fire shall be extinguished if the smoke is deemed a nuisance. A citation will be issued for non-compliance. -
11. MSFC 304.1 - Remove excessive combustible storage and/or vegetation from exterior property areas. -
12. SPLC 113.02, MSFC 1030.3 - Remove the accumulation of snow or ice from the public and private sidewalk abutting this property. -Default Remedy
13. MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped. -
14. MMC 504.6 - Provide, repair, or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter and installed in accordance with the mechanical code.

15. SPLC 34.11 (1), MSBC 2902.1, SPLC 34.35 (1), MPC 301.1 - Repair or replace and maintain all parts of the plumbing system to an operational condition. -Repair or replace and maintain an approved Utility sink in the basement.
16. SPLC 34.11 (4), 34.35 (1), MPC 719 - Provide and maintain an approved waste trap.

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, 2023**, 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 deposit 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 voicemail message.

Sincerely,

***Matt Dornfeld***

Vacant Buildings Enforcement Inspector