





































STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

ADMINISTRATIVE SEARCH WARRANT

TO: SEAN YOUNG, CITY OF EDINA

WHEREAS, Sean Young has this day on oath, made application to this Court applying for issuance of an administrative search warrant to search inside and outside of the following described premises: 4100 Parklawn Avenue, Apartment 109, City of Edina, County of Hennepin, and State of Minnesota (Subject Property), for the following described things:

Minnesota State Fire Code violations, City Code violations, evidence of unsafe conditions, and other safety hazards;

WHEREAS, the application and affidavit were presented and read by the Court,

NOW, THEREFORE, the Court finds that cause exists for the issuance of an administrative search warrant upon the following grounds:

Minnesota State Fire Code violations, unsafe conditions, and fire hazards exist upon the Subject Property and an interior inspection is required to determine the extent and severity of such conditions.

NOW, THEREFORE, SEAN YOUNG and his designated agents are hereby commanded to enter the Subject Property and to search inside and outside the Subject Property for the existence of Minnesota State Fire Code violations, evidence of unsafe conditions, and other safety hazards.

Dated: Sept 5, 2013

BY THE COURT:


Judge of District Court
Laurie Miller

WELLS FARGO
+ Personal Finance Accounts Accepted
+ Corporate Accounts Welcome
800-541-7373
800-541-7373
800-541-7373



Correspondence

10/14/13

To: JEFF SIEMS

From: Karen Brundin

Re: 10/14 date

I work doubles leaving me little time to work on orderliness and reduction in my unit—daily/weekly. (Additionally, I am soon 73 yrs. of age and, since June, in a recovery mode medically.)

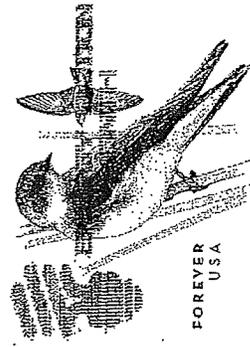
I'll need to Nov. 18, rather than Oct. 14, to

both do the work I
need to do and to
have finances.

My plan you asked
for, can then have
some available days/
eves allowing ^{time for} me
to do so.

Please move your
check date to after
Nov. 18. Thank you,
Karen Brundin

H.B. Parklawn Ave.
4100
Edina, MN 55435



FOREVER
USA

Bank Swallow

MINNEAPOLIS MN 554

15 OCT 2013 PM 3 L

Jeff Siems, Fire Marshal
Edina Fire Dept.
6250 Tracy Ave. S.

~~Edina, MN 55435~~



Edina Fire Department
6250 Tracy Avenue
Edina, Minnesota 55436-2580
(952) 826-0330
Fax (952) 826-0393

City of Edina
4801 West 50th Street
Edina, Minnesota 55424-1394
(952) 927-8861
Fax (952) 826-0390



December 9, 2013

Karen Brundin
4100 Parklawn Avenue South
Unit 109
Edina, MN 55435

Ms. Brundin,

This letter is a follow up to a fire and life safety inspection that occurred at your residence on Friday, September 13, 2013. It is imperative that the storage inside your residence not be excessive and be neat and orderly. This is for your safety as well as the safety of other occupants in the building and the safety of the firefighters that may respond to a fire emergency in your unit. Further, Minnesota State Fire Code (MSFC) requires access and two exits from the room you sleep in.

As you know, on September 13, 2013, the City of Edina entered your residence with a search warrant as allowed under MSFC 104.3.1. This inspection conducted per MSFC 106.2 revealed critical fire and life safety deficiencies and you were served notice of those deficiencies (MSFC 109.2).

Please contact the fire department at 952-826-0339 by noon December 17 to schedule a follow-up inspection. If you fail to schedule a follow-up inspection, we will begin legal proceedings to mitigate the identified hazards.

You have the right to appeal pursuant to Minnesota State Fire Code and Edina City Code.

Best regards,

A handwritten signature in black ink, appearing to read "Jeff Siems".

Jeff Siems, Fire Marshal
Edina Fire Department
6250 Tracy Avenue South
Edina, MN 55436
952-826-0337
JSiems@EdinaMN.gov

Past Code Violations

February 4, 2008

Karen Brundin
4100 Parklawn Ave
Unit 109
Edina Mn 55435

Dear Ms. Brundin:

This letter is a follow up to the inspection that occurred at your residence on January 28, 2008. It is imperative that storage inside your residence be neat and orderly and not excessive. This is for your safety and the safety of other occupants in the building and Edina firefighters. In addition, the Minnesota State Fire Code requires access to two exits from the room you sleep in.

As you know, on September 21, 2004, the City of Edina entered your residence on a search warrant for unsanitary conditions. During the week of September 26, 2005, the unsanitary conditions and the excessive storage were removed from your residence. Now the storage problem that the City of Edina addressed over three years ago has returned. The storage of combustible materials that you have accumulated in two years and 4 months creates a fire danger for you, other occupants of your building and for Edina firefighters. The excessive storage of combustible materials in all rooms of your residence needs to be reduced within the next 30 days. A follow up inspection will occur during the week of March 10, 2008. If there is no change on this date, a citation will be issued and legal action may take place per the 2007 Minnesota State Fire Code Section 110 for unsafe buildings.

In addition to the storage, you shall maintain access to two exits at all times from rooms that you sleep in. This includes full access to the front door and to an emergency escape and rescue window per the 2007 Minnesota State Fire Code Section 1026.

If you have any questions regarding these orders please contact me at 952.826.0337 or tjenson@ci.edina.mn.us.

Thank you,

Thomas Jenson
Fire Marshal

PC. Solvei Wilmot, Edina Health Department
Tony Rocheford, Rockford Management

October 18, 2010

Karen Brundin
4100 Parklawn Ave
Unit 109
Edina Mn 55435

Dear Ms. Brundin:

This letter is a follow up to the inspection that occurred at your residence on January 28, 2008 by Solvei Wilmot, City of Edina Health Department. It is imperative that storage inside your residence be neat and orderly and not excessive. This is for your safety and the safety of other occupants in the building and emergency responders. In addition, the Minnesota State Fire Code requires access to two exits from the room you sleep in.

As you know, on September 21, 2004, the City of Edina entered your residence on a search warrant for unsanitary conditions. During the week of September 26, 2005, the unsanitary conditions and the excessive storage were removed from your residence. Now the storage problem that the City of Edina addressed over five years ago has returned. The excessive storage of combustible materials in all rooms of your residence shall be reduced within the next 30 days. A follow up inspection will occur during the week of November 8, 2010. If there is no change on this date, a citation will be issued and legal action may take place per the 2007 Minnesota State Fire Code Section 110 for unsafe buildings.

In addition to the storage, you shall maintain access to two exits at all times from rooms that you sleep in. This includes full access to the front door and to an emergency escape and rescue window per the 2007 Minnesota State Fire Code Section 1026.

If you have any questions regarding these orders please contact me at 952.826.0337 or tjenson@ci.edina.mn.us.

Thank you,

Thomas Jenson
Fire Marshal

PC. Solvei Wilmot, Edina Health Department
Tony Rocheford, Rockford Management

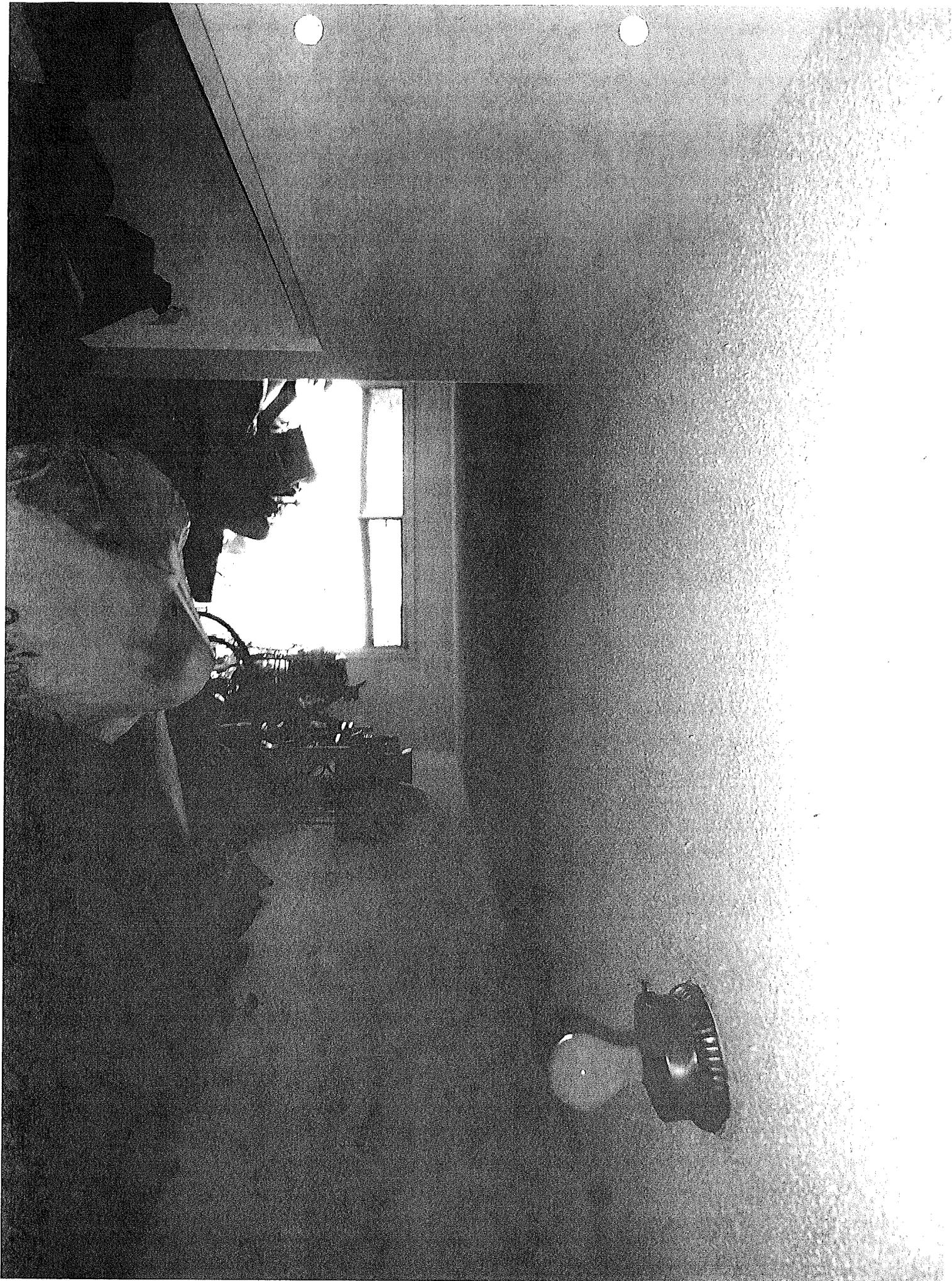


General Manager
Byerly's - Edina
Local Food Storage Inc.

1318308
10.3 1/2" X 308"
THERMAL
59 ROLLS / CS.
MILWAUKEE

PLEASE REUSE THIS
BOX - 30% OFF





COMPLAINT RECORD
Edina Health Department

Date: 5/13/13

Type:

- | | |
|---|---|
| <input type="checkbox"/> Garbage/Refuse | <input type="checkbox"/> Housing |
| <input type="checkbox"/> Recycling | <input type="checkbox"/> Food |
| <input type="checkbox"/> Public Nuisance | <input type="checkbox"/> Pools |
| <input type="checkbox"/> Public Health Nuisance | <input type="checkbox"/> Other: <u>FIRE</u> |
| <input type="checkbox"/> Freedom to Breathe | |

Complaint Location: 4100 Parklawn Ave. Unit # 109

Owner: _____

Owners Address: _____

Complainant: Laural Spande

Complainant Address: 4100 Parklawn Ave. Unit #110

Complainant Telephone (H) 651-775-2935 (W) _____

Received by: Brown – Forwarded to Jeff Siems (Fire Dept.)

Nature of Complaint:

Resident (Karen) is sleeping in common areas of condo complex, and using laundry room for hygiene purposes, as her unit is full of belongings. Complainant states that management is investigating and has taken pictures inside the unit. She indicated that the door to the unit can barely open because of the accumulation of items in front of the door. This unit has a history of accumulating items, but not of unsanitary conditions. Complainant said she spoke with resident, who indicated her heating/cooling system was not working. Egress from the unit may be an issue.

Report of Investigation:

Comments:

Inspection Date:

Compliance Date:

Date of Referral: 5/13/13

Refer to: Planning Building Animal Control Park/Weeds Other

Exhibit B

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT
CASE TYPE: Other Civil

Court File No. _____

IN RE:

The Matter of a Hazardous Building
Located at 4100 Parklawn Avenue South Unit #109,
City of Edina, Hennepin County, Minnesota

**ORDER FOR
REPAIR AND REMOVAL OF
HAZARDOUS CONDITIONS**

TO: Owners and lienholders of the above real estate:

Karen Lynn Brundin, 4100 Parklawn Avenue, Apt. 109, Edina, Minnesota 55435; Secretary of Housing and Urban Development, 451 7th Street, SW, Washington, D.C. 20410; and Wells Fargo Bank, N.A., P.O. Box 17339, Baltimore, Maryland 21297.

PLEASE BE ADVISED that pursuant to order of the Edina City Council and by authority of Minnesota Statutes § 463.15 *et seq.*, you have twenty (20) days from the date of service of this Order upon you, to remedy the health and safety hazards and the hazardous condition of the property at 4100 Parklawn Avenue, Apt. 109, Edina, Minnesota 55435, located in the County of Hennepin, and legally described as follows:

Apartment Number 109, and 1.13013 percent of undivided interest in the common areas and facilities, Apartment Ownership No. 88, Heatherton of Edina Condominiums, Hennepin County, Minnesota.

The Fire Marshal for the City of Edina has inspected the property at 4100 Parklawn Avenue South Unit #109, Edina, Minnesota 55435 [hereinafter: Subject Property]. The inspections revealed that the Subject Property constitutes a health, safety, and fire hazard to the residents of the City of Edina. The City of Edina has notified you of the following conditions and demanded that you remedy all health and safety hazards and hazardous conditions of the Subject Property. On September 5, 2013, the City of Edina applied for and obtained an administrative

search warrant at the Subject Property due to the existence of health, safety, and fire hazards. The search warrant dated September 5, 2013, notified you of the health and safety violations.

On October 14, 2013, you wrote a letter requesting an extension to remedy the code violations by November 18, 2013. The City granted you the extension to remedy the code violations. On December 9, 2013, the City sent you a letter requesting that you schedule a follow-up inspection by noon on December 17, 2013. You failed to contact the City by that date. You have not made any corrections to remedy the hazardous conditions at the Subject Property. The following conditions must be remedied and inspected within twenty (20) days from the date of service of this Order:

1. Piles of rubbish, combustibles, cardboard boxes, and other storage items must be removed to restore the interior of the Subject Property to a safe and sanitary condition. All storage of combustible materials must be orderly and separated from heaters or heating devices by distance or shielding so that ignition cannot occur. Edina City Code § 605.01, subdiv. 1; Minn. State Fire Code § 315.2.
2. Storage must be maintained 2 feet (610 mm) or more below the ceiling in non-sprinklered areas of the Subject Property or a minimum of 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings. Edina City Code § 605.01, subdiv. 1, 2; Minn. State Fire Code § 315.2.1.
3. Combustible materials shall not be stored in exits or exit enclosures. Edina City Code § 605.01, subdiv. 1; Minn. State Fire Code § 315.2.2.
4. Exit accesses, exits, or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Edina City Code § 605.01, subdiv. 2, 3; Minn. Admin. R. 7511.1028.2; International Property Maintenance Code (IPMC) § 702.1. Means of egress must be free from obstructions that would prevent its use; any obstruction which prevents the means of egress constitutes a hazardous condition. Edina City Code § 605.01, subdiv. 3; Minn. Admin. R. 7511.1028.3.

If you fail to remedy the code violations, the City will seek permission from the District Court for the City to do so. The City will move the District Court for summary enforcement of this Order pursuant to Minn. Stat. § 463.19 unless you remedy the situation within said twenty

(20) day period or unless an answer is filed within twenty (20) days of service of this Order upon you pursuant to Minn. Stat. § 463.18. Upon enforcement of the Order by the City, all costs expended by the City will be assessed against the real property and collected as other taxes as provided in Minn. Stat. § 463.21.

Dated: March _____, 2014

CAMPBELL KNUTSON
Professional Association

By: _____

Soren M. Mattick #27785X
Edina City Attorney
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, Minnesota 55121
Telephone: (651) 452-5000

ACKNOWLEDGMENT

The City of Edina, by and through its undersigned attorney, acknowledges that costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposing party or parties pursuant to Minnesota Statutes § 549.21, subdiv. 2.

Dated: March _____, 2014

Soren M. Mattick #27785X