

# 2714 LEBANON AVE.



BUILDING AND STANDARDS BOARD AGENDA ITEM # 5 FOR  
WEDNESDAY, January 31, 2007

DEVELOPMENT SERVICES  
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM  
January 19, 2007

TO: The Honorable Chairman and Board Members

THROUGH: Larry Nichols, C.B.O. – The Director for Building Permits and Inspections

FROM: Bill Stern, C.B.O., Chief Building Inspector

SUBJECT: 2714 Lebanon Avenue

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated February 2, 2006. The building was found to be open and abandoned. The building has been used as a harborage by unwanted persons.
- 2) A certified condemnation letter was mailed to Betty Hogan, 2714 Lebanon, El Paso, Texas 79930
- 3) Certified notices of the public hearing scheduled for January 31, 2007 were mailed to the owners all interested parties on January 16, 2007.
- 4) There has been no response from the owner.
- 5) Taxes are paid up.

The Department recommends that it be found:

- 1) That the main structure and accessory buildings be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, , and disposal of refuse; and
- 3) That the structure can be repaired; and
- 4) That the main structure and accessory building be secured and maintained secured within 30 days; and
- 5) That the premises be cleaned of all weeds, trash, and debris within 30 days; and
- 6) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.

BUILDING STANDARDS ENFORCEMENT

February 7, 2006

Allie B. Hogan  
2714 Lebanon Ave.  
El Paso, Texas 79930-3210

Re: 2714 Lebanon Ave.  
Lots: 8 & 9  
Blk: 6. Manhattan Heights  
Zoned: R-3H  
COD06-01059  
Certified Mail Receipt #  
7105 8873 0193 6300 1569

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.50 International Property Maintenance Code, which states:

**18.50.106.1 General.**

When a structure or equipment is found by the Director to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure or equipment shall be condemned pursuant to the provisions of Chapter 2.38 of this code.

The El Paso Municipal Code Chapter 18.50 International Property Maintenance Code defines unsafe structure as follows:

**18.50.106.1.1 Unsafe Structures.**

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**18.50.106.1.2 Unsafe Equipment**

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

**18.50.106.1.3 Structure Unfit for Human Occupancy.**

A structure is unfit for human occupancy whenever the Director finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth or contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public

2714 Lebanon Avenue

The structure located at 2714 Lebanon Avenue has the following violations:

- a. The structure is open and accessible to unauthorized entry. [Sec301.3]
- b. The premises are full of weeds, trash, and debris [Sec302.1 & Sec302.4].
- c. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter. [Sec108.2]

As a result of the aforementioned violations, the following action may be taken:

- a. This case is being submitted to the City Building and Standards Commission for unsafe structures proceedings. The City Building and Standards Commission will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Chapter 2.38 of the El Paso Municipal Code.
- b. By authority of Chapter 18.02.103.9.3 of the El Paso Municipal Code the electrical service at this property may be disconnected at the request of the Building Permits and Inspections Department because of Electrical Code violations.**

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR DEVELOPMENT SERVICES:

Bill Stern, C.B.O.  
Residential Inspector Supervisor

BS/rl

City Of El Paso  
Development Services Department  
#2 Civic Center Plaza, 5th Floor  
El Paso TX 79901-1196

7105 8873 0193 6300 1569



7105 8873 0193 6300 1569



ALLIE B. HOGAN  
2714 LEBANON AVE.  
EL PASO TX 79930-3210

RETURN RECEIPT REQUESTED

412  
3/9/06  
324  
2.91

APR 07 2006

79901-1196  
79930-3210

1. Article Addressed to:  
ALLIE B. HOGAN  
2714 LEBANON AVE.  
EL PASO TX 79930-3210  
2714 LEBANON AVE.

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  
X  Agent  
 Addressee

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label) 7105 8873 0193 6300 1569

## NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the **31st** day of **January, 2007** in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the Building and Standards Commission of El Paso (the "**Commission**") will hold a public hearing on the question of whether the building located on the property at **2714 Lebanon Ave.**, in El Paso, Texas, which property is more particularly described as:

**Legal Description: Lots 8 and 9, Block 6, of the MANHATTAN HEIGHTS, addition to the City of El Paso, El Paso County, Texas.**  
is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Betty Hogan (the "**Owner**"), 2714 Lebanon Ave., El Paso, Texas 79930, is listed as the owner of the real property described herein.

According to the real property records of El Paso County, you own or have an interest in the real property described in this notice. If you no longer own or have an interest in the property, you must execute an affidavit stating that you no longer own or have an interest in the property and stating the name and last known address of the person who acquired the property or interest from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Building Standards Enforcement Division of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice.

The Owner of said property is hereby ordered to appear before the Building and Standards Commission and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before the Commission at said date, hour, and place to show cause why said building should not be declared a nuisance and ordered to be abated. The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Title 18, as mandated by Section 18.50 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the Owner, lien holders, mortgagees, or any other person having an interest in the property must present to the Commission any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to the Commission at this hearing.

The time periods, which govern the completion of work ordered by the commission, are outlined in Chapter 2, Subsection 2.38.080 of the Municipal Code of the City of El Paso, and pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of the Commission the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said building in an amount not to exceed \$1,000.00 a day for each violation, or \$10.00 a day if the Owner show that the property is the Owner's lawful homestead; and
- III) appoint a receiver as permitted by state law; and
- IV) any other remedies permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full;

The City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Roberta Cross  
Assistant City Attorney

\_\_\_\_\_  
Bill Stern, C.B.O.  
Chief Building Inspector  
Building Permits and Inspections Department

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice regarding the property located at 2714 Lebanon Ave. was PUBLISHED in the official City newspaper on the \_\_\_\_day of \_\_\_\_\_, 2007.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Betty Hogan  
2714 Lebanon Ave.  
El Paso, Texas 79930

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Allie Belle Hogan  
2714 Lebanon Ave.  
El Paso, Texas 79930

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Brenda Stallings  
1426 County Road #180  
Alvin, Texas 77511-8637

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was HAND-DELIVERED to:

City of El Paso  
C/O City Clerk  
#2 Civic Center Plaza  
El Paso, TX 79901

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe  
AKA Tigua Indian Community  
119 S. Old Pueblo Road  
El Paso, Texas 79907

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso Central Appraisal District  
5801 Trowbridge Ave.  
El Paso, Texas 79925

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2714 Lebanon Ave. was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso County Probate Court  
500 E. San Antonio Avenue, Suite 703  
El Paso, Texas 79901

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at 2714 Lebanon Ave., El Paso, Texas.

Date:  
Time:

Inspector



# UNSAFE STRUCTURES REPORT

## BUILDING PERMITS AND INSPECTIONS

**DATE OF EXAMINATION:** January 10, 2007

**ADDRESS:** 2714 Lebanon Ave, El Paso, Texas 79930-3210

**LEGAL DESCRIPTION:** Lots 8 and 9, Block 6, of the MANHATTAN HEIGHTS, addition to the City of El Paso, El Paso County, Texas, known as 2714 Lebanon Ave, El Paso, Texas

**OWNER:** Bettie Hogan

**ADDRESS:** 2831 Frankfort Ave,  
El Paso, Texas 79930-3417

**BUILDING USE:** Abandoned, single-family dwelling

**TYPE OF CONSTRUCTION:** V, 2 x 4 Wood frame, brick veneer covered with stucco

**FOOTINGS:** Subterranean concrete footings

**CONDITION:** Unable to determine condition of footing due to subterranean placement. A structural engineer should be hired to evaluate actual condition.

**FOUNDATION WALL:** Concrete

**CONDITION:** Fair. Needs stucco repairs.

**FLOOR STRUCTURE:** Wood frame covered with 3/4" decking with linoleum and carpet.

**CONDITION:** Fair.

**EXTERIOR WALLS:** Brick veneer with stucco outer coating.

**HEIGHT:** 10'+/-

**THICKNESS:** 8" - 10'+/-

**CONDITION:** Poor, needs many repairs.

**INTERIOR WALLS & CEILINGS:** Wood frame with sheetrock and plaster veneer.

**CONDITION:** Fair. Needs basic patch, paint and repair.

**ROOF STRUCTURE:** 2 x 8 and 2 x 6 roof ceiling joists and rafters covered with 3/4" decking with 3 ply, built up roofing.

**CONDITION:** A registered roof contractor must be hired to evaluate roof condition and make recommendations.

**DOORS, WINDOWS, ETC.:** Wooden doors, wood frame and glass windows.

**CONDITION:** Fair. Need minor repair, painting and caulking.

**MEANS OF EGRESS:** N/A

**CONDITION:**

**PLUMBING:** Unable to determine condition. A licensed plumbing contractor must be hired to evaluate the entire plumbing system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

**ELECTRICAL:** Unable to determine condition. A licensed electrical contractor must be hired to evaluate the entire electrical system and submit a report to this department on the corrective action required to bring the system up to minimum code and compliance.

**MECHANICAL:** Unable to determine condition. A licensed mechanical contractor must be hired to evaluate the entire mechanical system and submit a report to the department system and submit a report to the department on the corrective action required to bring the system up to minimum code compliance.

**IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED:** None

**WARNING POSTED:** No      **BARRICADED:** No      **POLICE AID REQD.:** No

**REMARKS:** The department recommends that the main structure be secured and maintained secure until rehabilitated, to clean the property and maintain clean of all weeds, trash and debris within 30 days.

Nellie Avalos  
**Building Inspector**