

3819 Hastings Dr.



BUILDING AND STANDARDS BOARD AGENDA ITEM # 8 FOR
WEDNESDAY, FEBRUARY 28, 2007

DEVELOPMENT SERVICES
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

February 13, 2007

TO: The Honorable Chairman and Board Members

THROUGH: R. Alan Shubert, P. E., C.B.O. – Development Services Director

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

SUBJECT: 3819 Hastings Drive, El Paso, Texas 79930

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

1. First investigated on December 19, 2006. The building was found to be in fair condition.
2. A certified condemnation letter was mailed to Alfonso and Rosa Dominguez, 4200 Adelphi Ln., Austin, Texas 78727-5348.
3. Certified notices of the public hearing scheduled for February 28, 2007 were mailed to the owners and all interested parties on February 16, 2007.
4. A representative for Mr. and Mrs. Dominguez advised that the property has been donated to the Catholic Society of Religious and Literary Education and their attorney Enrique Moreno has made contact with this office.
5. As of February 13, 2007, no property taxes are owed.

The Department recommends that it be found:

1. That the main structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2. That the structure is 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 be secured within 30 days; 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.

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT, PE, CBO
DEVELOPMENT SERVICES DEPARTMENT, DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES DEPARTMENT

BUILDING STANDARDS ENFORCEMENT
January 3, 2007

Alfonso & Rosa Dominguez
4200 Adelphi Ln
Austin, Texas 78727-5348

Re: 3819 Hastings Dr.
Blk: 10 Government Hill
Lot: 32 & E 1/2 of 31
Zoned: R4
COD06-23851
Certified Mail Receipt #
7105 8873 0193 6301 7621

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.

3819 Hastings Dr.

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

The structure located at **3819 Hastings Dr.** has the following violations:

- a. The structure is open and accessible to unauthorized entry. [Sec. 301.3]
- b. The premises are full of weeds, trash, and debris [Sec. 302.1 & Sec. 302.4].
- 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. [Sec. 108.2]

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, 5th floor, City Hall, no later than the 20th 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 BUILDING PERMITS AND INSPECTIONS:

Manuela Avalos
Building Inspector

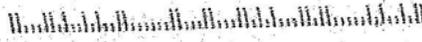
MA/nms

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

BUILDING PERMITS
& INSPECTIONS
92 CIVIC CENTER PLAZA, 5th FL.
EL PASO, TX 79901-1103



1. Article Addressed to:

Alfonso & Rosa Dominguez
4200 Adelphi Ln
Austin TX 78727-5348
3819 Hastings

COMPLETE THIS SECTION ON DELIVERY

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

Martha Maldonado 1-23-07

C. Signature Agent Addressee

Martha Maldonado

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

RECEIVED

JAN 26 2007

CITY OF EL PASO
DEVELOPMENT SERVICES
DEPARTMENT

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7105 8873 0193 6301 7621

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the **28th** day of **February, 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 buildings located on the property at **3819 Hastings Dr.**, in El Paso, Texas, which property is more particularly described as:

LEGAL DESCRIPTION: The East half of Lot 31 and all of Lot 32, in Block 10, of the GOVERNMENT HILL 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, **r(s) Catholic Society of Religious and Literary Education** (the "**Owner**"), **710 Baronne St. Suite B, New Orleans, Louisiana, 70113**, 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, 5th floor, City Hall, no later than the 20th 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 buildings should not be declared a nuisance and ordered to be abated. The Owner, 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 structures 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, neglect or refuse 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 Owners, 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 Owners 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 of Public Hearing regarding the property located at **3819 Hastings Dr.**, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

Richarda Duffy Momsen

Executed this ____ day of _____, 2007 on behalf of the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

STATE OF TEXAS
COUNTY OF EL PASO

Subscribed and sworn to before me, this ____ day of _____, 2007.

Notary Public

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 **3819 Hastings Dr.**, 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 **3819 Hastings Dr.**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Catholic Society of Religious & Literary Education
710 Barrone St. #B
New Orleans, LA 70113

Date:

Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3819 Hastings Dr.**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Enrique N. Medrano, Atty
2411 Montana
El Paso, Texas 79903

Date:

Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3819 Hastings Dr.**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Alfonso and Rosa Dominguez
4200 Adelphi Ln
Austin, Texas 78727-5348

Date:

Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3819 Hastings Dr.**, 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 **3819 Hastings Dr.**, 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 **3819 Hastings Dr.** 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 **3819 Hastings Dr.**, 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 **3819 Hastings Dr.**, El Paso, Texas.

Date:

Time:

Inspector



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: February 13, 2007

REP. DISTRICT: 2

ADDRESS: 3819 Hastings Avenue

ZONED: R - 4

LEGAL DESCRIPTION: The East half of Lot 31 and all of Lot 32, in Block 10, of the GOVERNMENT HILL ADDITION to the City of El Paso, El Paso County, Texas.

OWNER: Catholic Society of Religious and Literary Education

ADDRESS: 710 Baronne Street, Suite B, New Orleans, Louisiana 70113

BUILDING USE: Abandoned single family dwelling

TYPE OF CONSTRUCTION: V, wood frame with brick veneer

FOOTINGS: Concrete

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

FOUNDATION WALL: Rubble stone with concrete mortar

CONDITION: Fair, no notable cracks or deficiencies found.

FLOOR STRUCTURE: Wood frame, 2 x 8 @ 16" o.c. covered with 3/4" sheathing, covered with linoleum and/or carpet

CONDITION: Fair, a structural engineer or registered contractor must be hired to evaluate the flooring system.

EXTERIOR WALLS: 2 x 4 wood framing with brick veneer

HEIGHT: 8' to 10"

THICKNESS: 8" +/-

CONDITION: Fair, minor cracks found requires basic patch, paint and repair.

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

CONDITION: Fair, minor repairs required.

ROOF STRUCTURE: Gable roof, wood framing with composition shingles

CONDITION: A registered roofing contractor must be hired to evaluate the roof system.

DOORS, WINDOWS, ETC.: Wood doors and wood frame windows.

CONDITION: Poor, will need to repair or replace all doors and windows, so they are operational and meet egress requirements.

MEANS OF EGRESS: N/A

CONDITION: N/A

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

ELECTRICAL: 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.

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

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: None

WARNING POSTED: Yes

BARRICADED: No

POLICE AID REQD.: No

REMARKS: This single family dwelling was built in 1940. The structure was found to be in fair condition. This property has already been cleaned and is in the process of being completely secured.

Nellie Avalos

Building Inspector

EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT
ENVIRONMENTAL HEALTH



MEMORANDUM

DATE: 01-25-07
MEMO TO: William Stern C.B.O., Residential Inspector Supervisor
FROM: Ben Blumenfeld, Environmental Health Inspector
SUBJECT: Condemnation Report
RE: Address: 3819 Hastings

An inspection of the property was conducted at 3819 Hastings and the conditions checked were found in violation of Title 9 of the El Paso Municipal Code.

SECTION 9.04 - SOLID WASTE STORAGE AREA
Trash noted through out the yard.

SECTION 9.04.340 - ACCUMULATIONS
Broken glass, tires, rubbish and debris and weeds were noted.

SECTION 9.16 - NUISANCE
Waste oil and Containers of unknown fluid was found the property.

SECTION 9.16.010 - DESIGNATED
The structure was noted to be unsecured, the back window is missing. The roof is delapated . Fo odors were also noted.

SECTION 9.28 -RAT CONTROL
Rodent droppings were noted.

If you require additional information or assistance, please feel free to call at Tel. (915) 594-1568 or Fax: at 594-9655

Account Status

Prev Account Next Account Prev Owner Next Owner Acc History Notes Go To

EVAR 02/14/2007 09:25:41
ACT8008 V1.180 ACTEP

STATUS DETAIL Expand Fields Summary

Account Information

Account No: 0558-999-0100-9200 Owner No: 0

Certified Owner: DOMINGUEZ, ALFONSO & ROSA

Parcel Address: 3819 HASTINGS DR

Amount Due as of: 02/14/2007 Roll Code: REAL PROPERTY

Tax Units

List of Tax Units: 3 6 7 8

Tax Unit Description: [Empty]

Tax Unit Yr. Rec. Type: [Empty]

AG INCLUDED [Checked] Remove Fees Countywide Multi Select

Amount Due/Paid Information

Year	Gross Value	H	O	V	D	Exemption	Base Levy	Paid Levy	Write-Off	Remaining Levy	Fees	Refund	Amount Due
2006	\$32,234	Y	Y			Exemption	\$241.20	\$241.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2005	\$31,505	Y	Y			Exemption	\$231.44	\$231.44	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	\$28,192	Y	Y				\$185.64	\$185.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2003	\$28,192	Y	Y				\$183.81	\$183.81	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2002	\$28,192	Y	Y				\$181.98	\$181.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2001	\$37,151	Y	Y				\$289.66	\$289.66	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1999	\$37,151	Y	Y				\$289.00	\$289.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1998	\$37,151	Y	Y				\$289.00	\$289.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals							\$2,348.87	\$2,348.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Last Payment Date: [Empty] Last Payer: [Empty]