

9026 Socorro Road



BUILDING AND STANDARDS BOARD AGENDA ITEM # 4 FOR
WEDNESDAY, March 28, 2007

DEVELOPMENT SERVICES
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM
March 15, 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: 9029 Socorro Road, El Paso, Texas 79907

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

- 1) First investigated February 2, 2007. The building was found to be in an advanced state of disrepair. The building has been used as a harborage by unwanted persons.
- 2) A certified condemnation letter was mailed to Maria Lopez & 2% Fernando Lopez, 10360 Jimenez Lane, Socorro, Texas 79927.
- 3) Certified notices of the public hearing scheduled for March 28, 2007 were mailed to the owners and all interested parties on March 15, 2007.
- 4) There has been no response from the owner.
- 5) As of March 14, 2007, no taxes are owed.

The Department recommends that it be found:

- 1) That the main structure and accessory building be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the building is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) The structure cannot be repaired; and
- 5) That the main structure and accessory building and accessory building be demolished within 30 days; and
- 6) That the premises be cleaned of all weeds, trash, and debris within 30 days; and
- 7) 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
February 7, 2007

Maria Lopez & 2
% Fernando Lopez
10360 Jimenez LN
Socorro, Texas 79927-1412

Re: 9029 Socorro Road AKA Rear
Blk: 44 Ysleta
Lot: TR 13-D
Zoned: R4
COD07-02400
Certified Mail Receipt #
7105 8873 0193 6301 8901

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.

9029 Socorro Road AKA Rear

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 **9029 Socorro Road AKA Rear** has the following violations:

- a. The floors have not been maintained in a safe manner. [Sec. 305.4]
- b. The walls have not been maintained in a safe manner free of holes and cracks. [Sec. 304.6]
- c. The roof structure has not been maintained free of defects that may cause leaks. [Sec. 304.7]
- d. The means of egress is/are inadequate and do not meet minimum code requirements. [Sec. 702.4]
- e. The plumbing system is inadequate and does not meet minimum code requirements. [Sec. 504.1]
- f. The electrical system is inadequate and does not meet minimum code requirements. [Sec. 604.3]
- g. The HVAC system is inadequate and does not meet minimum code requirements. [Sec. 603.1]
- h. The structure is open and accessible to unauthorized entry. [Sec. 301.3]
- i. The premises are full of weeds, trash, and debris [Sec. 302.1 & Sec. 302.4].
- j. 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.

9029 Socorro Road AKA Rear

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:

Zuleika Davila
Building Inspector

ZCD/nms

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the **28th** day of **March, 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 **9029 Socorro Road** in El Paso, Texas, which property is more particularly described as:

LEGAL DESCRIPTION: Tract 13D. Block 44, YSLETA GRANT ADDITION, El Paso County, Texas, also known as 9029 Socorro Road, El Paso, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, **Maria Lopez (1/2), Fernando Lopez and wife Maratha Lopez** (the "**Owners**"), **10360 Jimenez Ln., Socorro, Texas 79927-1412**, are listed as the owners 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 Department, 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 Owners of said property are 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 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 Owners, 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 Owners fail, 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 Owners 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 Owners 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 regarding the property located at **9029 Socorro Road**, 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 **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Lopez
10360 Jimenez Lane
Socorro, Texas 79927

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Fernando Lopez
10360 Jimenez Lane
Socorro, Texas 79927

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Martha Lopez
4508 Alameda Avenue
El Paso, Texas 79905

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Martha Lopez
2719 Delano Avenue
Midland, Texas 79701

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Pasqual Olibas
P. O. Box 220234
El Paso, Texas 79913

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Lopez
9029 Socorro Road
El Paso, Texas 79907

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Fernando Lopez
7904 Mazatlan Dr.
El Paso, Texas 79915

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Martha Lopez and
Elizabeth Lopez
10360 Jimenez Lane
El Paso, Texas 79927

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

First Select, Inc.
C/O Hull & Associates P.C.
6200 Savog #440
Houston, Texas 77036

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Fernando Lopez and Martha Lopez
9029 Socorro Road
El Paso, Texas 79907

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ricardo Herrera
818 Texas Avenue
El Paso, Texas 79901

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Antonio and Mercedes Martinez
9163 Concha
El Paso, Texas 79907

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Fernando Lopez
1125 E. Overland Ave.
El Paso, Texas 79901

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Mary Helen Pedroza
5316 Tropicana Avenue
El Paso, Texas 79924

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

The office of the Attorney General
Child Support Unit 0810E
6460 Hiller Suite A
El Paso, Texas 79925

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Fernando Lopez
8720 Tom Mays
Canutillo, Texas 79835

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Fernando Lopez
7801 Mazatlan Dr.
El Paso, Texas 79915

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Governor of the Ysleta Del Sur
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 **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso Central Appraisal District
5801 Trowbridge Avenue
El Paso, Texas 79925

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Delgado, Acosta, Spencer,
Linebarger, Heard & Perez LLP
ATTN: Bonnie Cooper
221 N. Kansas Suite 1400
El Paso, Texas 79901

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **9029 Socorro Road** , 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 **9029 Socorro Road**, 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 **9029 Socorro Road** El Paso, Texas.

Date:
Time:

Inspector



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: March 14, 2007

REP. DISTRICT: 6

ADDRESS: 9029 Socorro Road

ZONED: R-4

LEGAL DESCRIPTION: Tract 13D, Block 44, YSLETA GRANT ADDITION, El Paso County, Texas, also known as 9029 Socorro Road, El Paso, Texas

OWNER: Maria Lopez, Fernando Lopez and
Martha Lopez

ADDRESS: 10360 Jimenez Lane
El Paso, Texas 79927

BUILDING USE: Apartments

TYPE OF CONSTRUCTION: V

FOOTINGS: Concrete

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

FOUNDATION WALL: N/A

CONDITION: Fair. Signs of cracks on the walls noted indicate possible settlement of footings and foundation walls. A structural engineer should be hired to evaluate actual condition.

FLOOR STRUCTURE: Slab on grade

CONDITION: Poor. Floor is below grade. A structural engineer or registered contractor must be hired to evaluate the flooring system.

EXTERIOR WALLS: Wood frame with plaster finish.

HEIGHT: 8' +/-

THICKNESS: 8" +/-

CONDITION: Poor. Due to lack of maintenance and exposure to the elements, holes, cracks and wall failure was noted. A structural engineer should be hired to evaluate structural elements of the building and submit a report on the corrections required to make the building safe.

INTERIOR WALLS & CEILINGS: Wood framing with built up roofing.
CONDITION: Poor. Majority of ceiling has damage due to water leaks.

ROOF STRUCTURE: Wood framing with built up roofing
CONDITION: Poor. A registered roof contractor or general contractor must be hired to evaluate roof condition.

DOORS, WINDOWS, ETC.: Wood framing windows and wood doors.
CONDITION: Poor. Doors and windows are missing.

MEANS OF EGRESS: Does not meet minimum code requirements.
CONDITION: N/A

PLUMBING: Poor. 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 should 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: Poor. 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: Poor. 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: Yes **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS:

These are two open and abandoned apartments built in 1942. These apartments were found in an advanced state of disrepair. This department recommends that both apartments be demolished within 30 days and that premise be cleaned of all trash, weeds and debris within 30 days.

Zuleika Davila
Building Inspector

**EL PASO CITY COUNTY HEALTH DISTRICT
ENVIRONMENTAL HEALTH SERVICES**

M E M O R A N D U M

DATE : 02-20-07
MEMO TO : Bill Stern, C.B.O., Chief Building Inspector.
FROM : Ben Blumenfeld, Environmental Health Inspector
SUBJECT : Condemnation Report Request
RE : 9029 Socorro

An inspection of the property was conducted on 02-20-07 conditions checked were found in violation of Title 9 – Health and Safety, El Paso Municipal Code.

Section 9.04 - SOLID WASTE STORAGE AREA:
Trash and garbage was noted in the front and back yard

SECTION 9.04.340 – ACCUMULATIONS:
Rubbish, and debris were noted. Tall weeds were noted.

SECTION 9.16 - NUISANCE:
Bird feces were noted on the property, foul odors were noted.

SECTION 9.16.010 – DESIGNATED:
The property and structures need to be secured, the roof is caved in , many openings were noted.

SECTION 9.28 – RAT CONTROL:
The property in its current state is a potential breeding ground for rodents.

If you require additional assistance on this matter, please call me at 543-