

BUILDING AND STANDARDS BOARD AGENDA ITEM # ____ FOR
WEDNESDAY, MAY 31ST, 2006

DEVELOPMENT SERVICES
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

May 23, 2006

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., Residential Inspector Supervisor

SUBJECT: 3805 Bliss Avenue

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

- 1) First investigated July 12, 2004. 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 Andres Anchondo, 3805 Bliss Avenue, El Paso, Texas 79903.
- 3) Certified notices of the public hearing scheduled for May 31, 2006 were mailed to the owners and all interested parties on May 18, 2006.
- 4) There has been no response from the owner. We have met with the owner and advised him to obtain the required permits.

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 buildings are 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) That the structure can be repaired; and
- 5) That the main structure be vacated and secured 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.

ITEM #5

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT, P.E.
DIRECTOR



0687
CITY COUNCIL

SUSAN AUSTIN,
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

BUILDING PERMITS & INSPECTIONS DEPARTMENT

HOUSING COMPLIANCE

November 8, 2004

Andres Anchondo
3805 Bliss Avenue
El Paso, Texas 79903-2803

Re: 3805 Bliss Avenue
Lots: 36 & W 5 Ft. OD 35
& E 10 Ft. of 37
Blk: L, Hague
Zoned: R-4
COD04-09828
Certified Mail Receipt #
7004 1160 0007 2325 7265

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 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or

3805 Bliss Avenue

- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or
- c. Boarded up, fenced, or otherwise secured in any manner in if:
 - i. The building constitutes a danger to the public even though secured entry, or
 - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 3805 Bliss Avenue has the following violations:

- a. The floors have not been maintained in a safe manner.
- b. The walls have not been maintained in a safe manner free of holes and cracks.
- c. The roof structure has not been maintained free of defects that may cause leaks.
- d. The means of egress is/are inadequate and do not meet minimum code requirements.
- e. The plumbing system is inadequate and does not meet minimum code requirements.
- f. The electrical system is inadequate and does not meet minimum code requirements.
- g. The HVAC system is inadequate and does not meet minimum code requirements.
- h. The structure is open and accessible to unauthorized entry.

3805 Bliss Avenue

- i. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

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:

A handwritten signature in black ink, appearing to read 'Bill Stern', with a long horizontal line extending to the right.

Bill Stern
Building Inspector

BS/rl

7004 1160 0007 2325 7265

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	NOV 09 2004
Restricted Delivery Fee (Endorsement Required)	

BS

Postmark
Here

Andres Anchondo
3805 Bliss Avenue
El Paso, Texas 79903-2803
Re: 3805 Bliss Avenue

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the 31st day of May, 2006 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 **3805 Bliss Avenue**, in El Paso, Texas, which property is more particularly described as:

Legal Description: The West 5 feet of Lot 35, all of Lot 36, and the East 10 feet of Lot 37, Block L, Hague Subdivision of Government Hill, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 10, Page 6, Real Property Records, El Paso County, Texas; also known as 3805 Bliss in said City.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, **Andres Anchondo**, (the "Owner"), **3805 Bliss Avenue, El Paso, Texas 79903**, 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 building 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 structure or part thereof is safe.

Certified Mail Receipt# 7005 1160 0004 6076 5008

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.

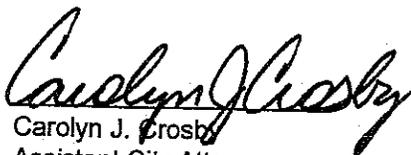
If the Owner fails, neglects or refuses to comply with the order of the Commission the City may pursue one, or more of the following actions:

- 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 shows 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:


Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:


Bill Stern, C.B.O.
Residential Inspector Supervisor
Building Permits and Inspections Department

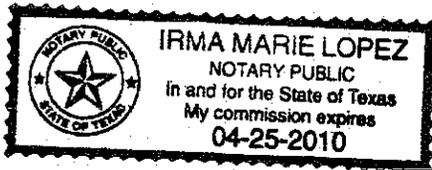
I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice of Public Hearing regarding the property located at **3805 Bliss Avenue**, was filed with the County Clerk's Office, the official public records of real property for El Paso County.


Richarda Duffy Momsen

Executed this 16th day of May, 2006 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 16th day of May, 2006.




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 **3805 Bliss Avenue**, was PUBLISHED in the official City newspaper on the 17th day of May, 2006.


Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Andres Anchondo
3805 Bliss Avenue
El Paso, Texas 79903-2803

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Andres Anchondo
8808 Mount Whitney Drive
El Paso, Texas 79904-2138

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Andres Anchondo
1525 8th Avenue
Greeley, CO 80631-4605

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Esperanza Anchondo
720 Val Verde St.
El Paso, Texas 79905-5012

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Edgardo Anchondo
720 Val Verde St.
El Paso, Texas 79905-5012

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ramon Anchondo
720 Val Verde St.
El Paso, Texas 79905-5012

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ross A. Asher
P. O. Box 7915
Las Cruces, NM 88006

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ross A. Asher
4171 N. Mesa St.
El Paso, Texas 79902

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Sal Rebe
4171 N. Mesa Suite B-201
El Paso, Texas 79902

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

The University of Texas System on Behalf of
The University of Texas at El Paso
201 West Seventh Street
Austin, Texas 78701

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Hannah D. Huckaby
201 West Seventh Street
Austin, TX 78701

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, 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 **3805 Bliss Avenue**, 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 **3805 Bliss Avenue**, 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 **3805 Bliss Avenue**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Linbarger, Goggan, Blair & Sampson
215 N. Stanton Street, 2nd Floor
El Paso, Texas 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3805 Bliss Avenue**, 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 **3805 Bliss Avenue**, El Paso, Texas.

Date: _____

Time: _____

Inspector

Copy

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

**BUILDING PERMITS AND INSPECTIONS
ENFORCEMENT DIVISION
July 20, 2004**

Andres Anchondo
C/O Ramon Anchondo
2909 Monroe Ave.
El Paso, Texas 79930

Re: 3805 Bliss Avenue
Blk: L, Hague
Lots: 36 & W 5 Ft. OF 35 &
E 10 Ft. of 37
Zoned: R-4
COD04-09828
Certified Mail Receipt #
7003 2260 0002 9957 0529

Greetings:

Your property at 3805 Bliss Avenue was recently visited by an inspector from this department.

This property was found to be in violation of the following list of Housing Code requirements:

1. All dwelling units must have a kitchen sink, a bathroom sink, a toilet and a bath tub or a shower. They must be in sanitary condition, intact, without holes, chips, cracks or missing tiles. They must be code approved, properly installed and in good repair so that they operate without leaking. Hot and cold water must be supplied to all units in sufficient amounts [Sec. 302.1 & 302.3.]
2. In all dwelling units, every room for living, sleeping, eating or cooking shall have at least two separate and accessible wall mounted electric outlets. Every bathroom and laundry room shall have at least one accessible electric outlet. Bedrooms and bathrooms shall have at least one switch-controlled lighting receptacle. Each hall, laundry room or furnace room also requires a lighting outlet. Any bathroom or kitchen electrical outlets must be ground fault protected. Common halls and inside stairs must be lighted. All electrical wiring and all outlets, fixtures and electrical equipment must be connected installed and maintained according to the electrical code [Sec. 303.4, 303.5 & 304.]
3. Each dwelling unit must have approved, listed smoke detectors in good working order [Sec. 302.9.]

3805 Bliss Avenue

4. All parts of the dwelling unit such as walls, floors, roofs, stairs, trim, railings and porches must be structurally sound and in good condition in order to support and withstand any load placed on them. The structure must be weathertight, rodent proof, and insect restrictive. Exterior wood surfaces must be protected from the weather by paint or other approved methods. Fire stops and draft stops required for fire safety must be in place [Sec. 305.2, 3, 3.1, 5, 14, 16.1, 17, 18, 19.1, 19.2.]
5. Windows in dwelling units must be in good condition, operate easily as designed, be weathertight, watertight and where required for ventilation, be supplied with screens in good repair and which fit tightly. Window guards in sleeping rooms must be equipped with approved quick release mechanisms. [Sec. 305.7, .8, .9, .13 and IRC 310.1.4, .4.]
6. Doors in dwelling units must be sound and in good repair. All hardware must work properly and easily. Jambs, frames and trim must be sound and intact and protected from decay and weathering. Exterior door must be weathertight, rodent proof and supplied with weatherstripping, thresholds, and approved locking hardware. Where screens are required they must be intact and tight fitting [Sec. 305.11.1, 11.2, .12.1, .20, .21.]

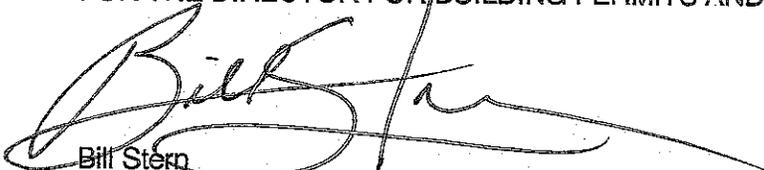
According to the real property records of El Paso County, you are the owners of this property. If you are no longer the owners, please provide us with the name and address of the new owner within 20 days.

To avoid legal action these violations must be corrected within 45 days of the date you received this letter.

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.

If you have any questions, please contact me at 541-4800, between 8:00 and 10:00 a.m.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:



Bill Stern
Building Inspector

BS/rl

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

MEMORANDUM

DATE : 11-16-04
MEMO TO : Tom Maguire, Housing Compliance Supervisor
FROM : Ben Blumenfeld, Environmental Health Inspector
SUBJECT : Condemnation Report Request
RE : 3805 Bliss Ave.

An inspection of the property was conducted on 11-16-04 and the 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,tires and debris were noted.

SECTION 9.16 - NUISANCE:
Tall weeds were noted.

SECTION 9.16.010 – DESIGNATED:
The main house and the guest house in the back yard is unsecured, doors are missing to both structures.

SECTION 9.28 – RAT CONTROL:
N/A

20060523 TC8006

CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS

155527

ACCOUNT H087999000L6900
UNITS:01 03 06 07 08
ANCHONDO, ANDRES

AMT DUE AS OF: 20060523 ROLL R ALT OWN
OMIT(-)/SEL(+)
L HAGUE
36 & W 5 FT OD 35 & E 10 FT
OF 37

3805 BLISS AVE

EL PASO

TX 79903-2803

ACRES	.1286		PARCEL ADDRESS			3805 BLISS AVE	
YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2005	54932	X	1442.56	1442.56	187.53	.00	1630.09
2004	63009	Y	1687.55	1687.55	796.52	.00	2484.07
2003	55871		1690.23	692.24	422.26	1300.00	1114.50
2002	55871	Y Y	1065.69	01/31/2003		1065.69	.00
2001	55871	Y Y	1071.12	01/31/2003	456.31	1527.43	.00
2000	54173	Y Y	991.57	01/31/2003	559.24	1550.81	.00
1999	54173	Y Y	986.46	12/11/2000	372.51	1358.97	.00
1998	54173		1609.69	09/30/2000	833.82	2443.51	.00
1997	54455		1503.55	09/30/2000	986.32	2489.87	.00
TOTAL			4820.34	3822.35	1708.32		

LAST PAYOR OWNER

PAGE TOTAL

5228.66

NOTE EXISTS

CUMULATIVE TOTAL

5228.66

SUIT#2000TX801 8/29/00 NON SUIT 12/6/00