

710 W MISSOURI



**BUILDING AND STANDARDS BOARD AGENDA ITEM #4 FOR
WEDNESDAY, JULY 27, 2016**

**PLANNING & INSPECTIONS DEPARTMENT
BUILDING SAFETY DIVISION**

MEMORANDUM

July 7, 2016

TO: The Honorable Chairman and Board Members

THROUGH: Victor Morrison-Vega, Deputy Director, Planning & Inspections Department

FROM: Nathan J. Walsh, Chief Building Inspector

SUBJECT: 710 W. Missouri Avenue, El Paso, TX 79902

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

- 1) Recently investigated on April 19, 2016. The single family dwelling was built on or about 1910 and condemned by the Building and Standards Commission on May 25, 2011 to be maintained secure and clean. The structure is open and accessible to unwanted entry by vagrants, abandoned and in a state of disrepair due to lack of maintenance. The brick veneer on eastern exterior is buckling and separating from the wood frame brick ties and on the verge of collapse. The roof ceiling assembly and roof coverings have not been maintained and are showing signs of deterioration. The rear enclosed porch is showing signs of settlement and collapse. The exposed lumber shows evident signs of dry rot and decay. There is weeds, trash and debris throughout the property.
- 2) A certified condemnation letter was mailed to Anita P. Martinez.
- 3) Certified notices of the public hearing scheduled for July 27, 2016, were mailed to the owners and all interested parties on July 11, 2016.
- 4) As of July 7, 2016, \$32,623.02 in taxes is owed.

The owners have been notified of the property violations at this property, to date there has been no response and therefore the Department recommends that it be found:

- 1) That the structure is 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 structures' certificate of occupancy remain revoked; and
- 4) That the structure be demolished within thirty (30) days; and
- 5) That the premises be cleaned of all weeds, trash, and debris within thirty (30) days and maintained clean thereafter; 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 Safety Division
March 28, 2016
NOTICE OF VIOLATION

Martinez Anita P.
710 W. Missouri Ave.
El Paso, TX 79902-3715

Re: 710 W. Missouri
Blk: 35 Sunset Heights
Lot: 19 & E ½ of 18
Zoned: C-2-H
ENHS15-06783
Mail Receipt #

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, Property Maintenance Code, which states:

18.50.108.1 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 Title 2.38 of the Municipal Code.

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

18.50.108.1.1 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.

18.50.108.1.2 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.

18.50.108.1.3 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 **710 W. Missouri Ave.**, is in violation of the requirements found in the following sections of the 2009 International Property Maintenance Code as adopted in the El Paso City Code, Chapter 18.50, Property Maintenance Code:

- a. All exterior property, accessory structures and premises shall be maintained in a clean, safe and sanitary condition, All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. [Sec. 302.1, 302.2, 302.3, 302.4, 302.5, 302.6, 302.7, 302.8, 302.9]
- b. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. [Sec. 304.1, 304.1.1 conditions 1,2,3,4,5,6,7,8,9,10,11,12,13, 304.2, 304.3, 304.4, 304.5, 304.6, 304.7, 304.8, 304.9, 304.10, 304.11, 304.12, 304.13, 304.14, 304.15, 304.16, 304.17, 304.18]
- c. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 306.1, 306.1.1 conditions 1,2,3,4,5,6]
- d. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. [Sec. 308.1, 308.2, 308.2.1, 308.2.2, 308.3, 308.3.1, 308.3.2]
- e. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation. [Sec.309.1, 309.2, 309.3, 309.4, 309.5]
- f. The building must comply with the minimum criteria and conditions for light. [Sec.402.1, 402.2, 402.3]
- g. The building must comply with the minimum criteria and conditions for ventilation. [Sec.403.1, 403.2, 403.3, 403.4, 403.5]
- h. The building must comply with the minimum criteria of the provisions for plumbing systems and fixtures. [Sec. 504.1, 504.2, 504.3]
- i. The building must comply with the minimum criteria of the provisions for heating facilities. [Sec. 602.2, 602.3, 602.4, 602.5]
- j. The building must comply with the minimum criteria of the provisions for electrical facilities. [Sec. 604.1,604.2, 604.3, 604.3.1, 604.3.1.1, 604.3.2, 604.3.2.1]
- k. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function. [Sec. 607.1]
- l. Means of egress & Emergency escape opening - A safe, continuous and unobstructed path of travel has not been provided from all points in the building or structure to the public way. [Sec. 702.1, 702.2, 702.3, 702.4]
- m. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained. [Sec. 703.1, 703.2]

- n. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times. [Sec. 704.1, 704.1.1, 704.2, 704.3, 704.4]
- o. 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]
- p. The repairs to the structural elements and/or service systems referred to in the previous sections must be completed within **30** days of your receipt of this letter. If, due to the scope and complexity of the work more time is needed, you must make this request to the City Development Department, Building Safety Division.

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 Building and Standards Commission will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Title 2.38 of the El Paso Municipal Code.
- b. By authority of Chapter 18.02.103.10.3.3 of the El Paso Municipal Code the electrical service at this property may be disconnected at the request of the City Development Department, Building Safety Division 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 Building Safety Division office, 801 Texas Ave., El Paso, Texas, 79901, 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 (915) 212-1815. Office hours are Monday thru Thursday, 2:00 p.m. to 4:00 p.m.

Nellie Avalos
Building Inspector



The City of El Paso
 P.O. Box 1890
 El Paso, Texas 79950-1890
 CITY DEVELOPMENT DEPARTMENT
 BUILDING AND SAFETY DIVISION

ENHS15-06783



91 7199 9991 7030 7456 7775



U.S. POSTAGE & RETIREMENT BOWERS
 Zip 79901 \$ 005.335
 02 1W
 0001388928 MAR 30 2016

CERTIFIED MAIL

ENHS15-06783
 Martinez Anita P.
 710 W. Missouri
 El Paso, Texas 79901

RECEIVED

MAR 01 2016

CITY OF EL PASO

POSTAL INSPECTION DIVISION

NIXIE 7995 FEB 1 0804/02/16

RETURN TO SENDER
 ATTEMPTED - NOT KNOWN
 UNABLE TO FORWARD

SC: 79950189090 *0693-02196-30-42

79950189090 90

NOTICE OF PUBLIC HEARING

To all interested parties:

The owners, mortgagee, lien holders and any others with a legal interest in the property described below are hereby ordered to appear before the Building and Standards Commission, herein after referred to as the "Commission", at the following time and place:

LOCATION: El Paso City Hall, City Council Chambers, 300 N. Campbell El Paso, Texas 79901

DATE: July 27, 2016

TIME: 5:30 p.m.

PROPERTY: 710 W. Missouri Ave., EL PASO, TEXAS, also described as the East 1/2 of Lot 18 and all of Lot 19, Block 35, of SUNSET HEIGHTS SECOND REVISED MAP, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof recorded in Volume 10, Page 47, Plat Records of El Paso County, Texas.

The Property has been determined to be substandard based upon violations of the minimum standards of the 2009 Building Codes, adopted and incorporated in the El Paso City Code, Chapter 18, more specifically addressed below.

According to the real property records of El Paso County, and other relevant public records, Jose Martinez, Sr., the surviving heirs of the estate of Enrique A. Martinez, Deceased and the estate of Anita P. Martinez, Deceased; and Josephina Fierro Peralez, Enrique Eduardo Fierro, Juan Manuel Fierro, Rosa Maria Chacon Candelaria, Cecilia Aguilar, Enrique A. Martinez, III, Anita Barr, Maria Luisa Melton, Angela Fraser, Pamela Gendos, Jorge Medina, Jose Servin, Jr., Ricardo Servin, Patricia Ann Barrientos, David Barrientos, Joanne Barrientos, Anthony Barrientos and Diane Margaret Barrientos devisees of the descendants are the owners, herein after referred to as the "Owners" of the Property. 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 from you, if applicable. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Building and Safety Division, Planning & Inspections Department, 801 Texas, Avenue, El Paso, Texas, 79901, no later than the 20th day after the date you receive this notice. If you do not execute and deliver the affidavit, it will be presumed that you own or have an interest in the Property, even if you do not.

On or about April 19, 2016, an inspection of the Property was conducted by the Building and Safety Division and the following violations were identified:

- a. All exterior property, accessory structures and premises shall be maintained in a clean, safe and sanitary condition, All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. [Sec. 302.1, 302.2, 302.3, 302.4, 302.5, 302.6, 302.7, 302.8, 302.9]

- b. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. [Sec. 304.1, 304.1.1 conditions 1,2,3,4,5,6,7,8,9,10,11,12,13, 304.2, 304.3, 304.4, 304.5, 304.6, 304.7, 304.8, 304.9, 304.10, 304.11, 304.12, 304.13, 304.14, 304.15, 304.16, 304.17, 304.18]
- c. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 306.1, 306.1.1 conditions 1,2,3,4,5,6]
- d. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. [Sec. 308.1, 308.2, 308.2.1, 308.2.2, 308.3, 308.3.1, 308.3.2]
- e. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent infestation. [Sec.309.1, 309.2, 309.3, 309.4, 309.5]
- f. The building must comply with the minimum criteria and conditions for light. [Sec.402.1, 402.2, 402.3]
- g. The building must comply with the minimum criteria and conditions for ventilation. [Sec.403.1, 403.2, 403.3, 403.4, 403.5]
- h. The building must comply with the minimum criteria of the provisions for plumbing systems and fixtures. [Sec. 504.1, 504.2, 504.3]
- i. The building must comply with the minimum criteria of the provisions for heating facilities. [Sec. 602.2, 602.3, 602.4, 602.5]
- j. The building must comply with the minimum criteria of the provisions for electrical facilities. [Sec. 604.1,604.2, 604.3, 604.3.1, 604.3.1.1, 604.3.2, 604.3.2.1]
- k. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function. [Sec. 607.1]
- l. Means of egress & Emergency escape opening - A safe, continuous and unobstructed path of travel has not been provided from all points in the building or structure to the public way. [Sec. 702.1, 702.2, 702.3, 702.4]
- m. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained. [Sec. 703.1, 703.2]
- n. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times. [Sec. 704.1, 704.1.1, 704.2, 704.3, 704.4]
- o. 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]

The Owners are entitled to show cause that the Property is safe, does not constitute a dangerous structure and should not be declared a nuisance and ordered abated by presenting relevant evidence and testimony. If the Owners advocate for repair, then they bear the burden of proof to demonstrate the scope of any work that may be required to bring the property into compliance with Chapter 18.50 and the time it will

take to reasonably perform the work. The allowable time periods for repair are governed by Texas Local Government Code, Sections 214.001(h), (i), (j) and (k). Any document relied upon to demonstrate that the Property is safe or that it can be repaired must be presented to the Commission at the hearing, including building plans, specifications, drawings, or reports from professionals and any other relevant documentation.

If the Owners fail to comply with the order of the Commission the City may pursue one or more of the following actions:

Perform any and all work necessary to bring the property into compliance with the Commission's order;

Assess civil penalties, provided for in the Commission's order, in an amount not to exceed \$1,000 per day or \$10 per day if the Property has a homestead exemption, that will accrue interest of 10% per year until paid in full;

Appoint a receiver as permitted by state law; and

Any other remedies permitted by state law.

Commission orders may be appealed to the State District Court within 30 days of the Final order.

The Commission's authority and procedures in regard to a Dangerous Structure Hearing may be found in Chapter 2.38 of the El Paso City Code and in their duly adopted bylaws. The bylaws may be obtained at the Building and Safety Division, Planning & Inspections Department, 801 Texas Avenue, El Paso, Texas, 79901 or by calling (915) 212-1815.

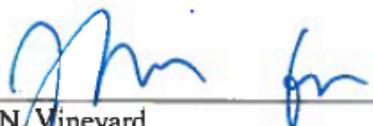
This notice will be recorded in the real property records of El Paso County and will be binding on subsequent grantees, lien holders or other transferees of an interest in the Property.

The City Clerk is ordered to provide notice of this hearing to the record owners and all other interested parties, required by law, who are listed following this notice, and file this notice in the real property records of El Paso County.

FAILURE OF THE OWNERS AND/OR LIENHOLDER OR MORTGAGEE TO TAKE THE ORDERED ACTION MAY RESULT IN THE CITY TAKING THE ORDERED ACTION AND FILING A LIEN AGAINST THE PROPERTY.

The City of El Paso appreciates your cooperation and prompt attention to remedying the nuisances on the Property. Please do not hesitate to contact me should you have any additional questions, comments or concerns relative to this notice.

APPROVED AS TO FORM



Wendi N. Vineyard
Assistant City Attorney

APPROVED AS TO CONTENT



Nathan J. Walsh, C.B.O.
Chief Building Inspector

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 710 W. Missouri Ave., El Paso, Texas, 79902, was PUBLISHED in the official City newspaper on the ____ day of _____, 2016.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Jose Martinez, Sr.
1601 Grande Blvd SE
Rio Rancho, NM 87124

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Josephina Fierro Peralez
3222 S. Kachina
Tempe, AZ 85282

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Enrique Eduardo Fierro
12148 Dos Rios
El Paso, TX 79936

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 10 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Juan Manuel Fierro
100 Woodland Ave.
Chula Vista, CA 91910-2022

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Rosa Maria Chacon Candelaria
1100 Fairfield Dr.
El Paso, TX 79925

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Cecilia Aguilar
11117 Bill Hill Drive
El Paso, TX 79936

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Enrique A. Martinez, III
631 Windor Jade Lane
Charlotte, North Carolina 28215

Date: 7-11-16
Time: 4 pm
Inspector: wrt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Anita Barr
8212 Eagles Point
Charlotte, NC 28277

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Luisa Melton
804 Beese
Monroe, NC 28110

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Angela Fraser
14520 John Beck Dr.
Charlotte, NC 28273

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Pamela Gendos
1411 Coachman Dr.
Waxhaw, NC 28173

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Jorge Medina
6330 E. Yandell
El Paso, TX 79905

Date: 7-11-16
Time: 4 pm
Inspector: WJ

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Jose Servin, Jr.
11105 Seafoam Way
El Paso, TX 79936

Date: 7-11-16
Time: 4 pm
Inspector: WJ

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ricardo Servin
6416 Cheyenne Trail
El Paso, TX 79925

Date: 7-11-16
Time: 4 pm
Inspector: WJ

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Patricia Ann Barrientos
3507 4th Ave.
Los Angeles, CA 90018

Date: 7-11-16
Time: 4 pm
Inspector: WJ

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

David Barrientos
12224 Sierra Laguna
El Paso, TX 79938

Date: 7-11-16
Time: 4 pm
Inspector: wt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Joanne Barrientos
11619 206th A
Lakewood, CA 90715-1391

Date: 7-11-16
Time: 4 pm
Inspector: wt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Anthony Barrientos
3507 4th Ave
Los Angeles, CA 90018

Date: 7-11-16
Time: 4 pm
Inspector: wt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Diane Margaret Barrientos
1500 S Grammercy Pl. #204
Los Angeles, CA 70019-4572

Date: 7-11-16
Time: 4 pm
Inspector: wt

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was HAND-DELIVERED to:

City of El Paso
C/O City Clerk
300 N. Campbell
El Paso, TX 79901

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, 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: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

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

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso County Clerk, Probate Dept.
500 E. San Antonio Avenue, Suite 105
El Paso, Texas 79901

Date: 7-11-16
Time: 4 pm
Inspector: WJH

I certify that a true and correct copy of the foregoing Notice regarding the property at 710 W. Missouri Ave., El Paso, Texas, 79902, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

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

Date: 7-11-16
Time: 4 pm
Inspector: WJ

I certify that a true and correct copy of the foregoing Notice was POSTED at 710 W. Missouri Ave., El Paso, Texas, 79902

Date: 7-11-16
Time: 4 pm
Inspector: WJ

ORDER OF THE BUILDING AND STANDARDS
COMMISSION OF THE CITY OF EL PASO

WHEREAS, the Director of Environmental Services of the City of El Paso has conducted an investigation and has reported to the Building and Standards Commission in writing that he is of the opinion that the structure located on the property at **710 W. Missouri Avenue**, in El Paso, Texas, which property is more particularly described as follows:

Legal Description: The East 1/2 of Lot 18, and all of Lot 19, in Block 35, of the SUNSET HEIGHTS ADDITION to the City of El Paso, El Paso County, Texas, known as 710 West Missouri Street, El Paso, Texas. O County, Texas.

is dilapidated and substandard and a hazard to public health, safety, and welfare; do not meet the minimum standards for continued use and occupancy contained in 18.50 of the El Paso City Code; and

WHEREAS According to the real property records of the County of El Paso, Texas, Maria Del Carmen Martinez, Owner, 710 West Missouri Avenue, El Paso, Texas, 79902-3715, (the "**Owners**"), is listed as the owner, was duly notified according to law to appear at a public hearing before the Building and Standards Commission at **5:30 p.m.** on **May 25, 2011**; and

WHEREAS, no one appeared.

IT IS THEREFORE, ORDERED ADJUDGED AND DECREED BY THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF EL PASO:

1. That having heard the evidence, and being persuaded by a preponderance of same, the Building and Standards Commission makes the following findings:
 - A. That the structure located on said property is an urban nuisance; and
 - B. That the structure located on said property is currently unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - C. That the structure is not in substantial compliance with municipal ordinance regulating fire protection, structural or service systems integrity and disposal of refuse; and
 - D. That the certificate of occupancy should be revoked; and
 - E. That the structure can be rehabilitated; and
 - F. That in order to be made safe, all of the aforementioned violations must be corrected.
2. That the Building and Standards Commission hereby orders the structure's certificate of occupancy revoked and the Owner(s) to comply with the following requirements:
 - A. That the structure be secured within thirty (30) days and maintained secure until rehabilitated; and

- B. That the brick veneer be repaired within thirty (30) days; and
 - C. That the rear enclosed porch be demolished within thirty (30) days; and
 - D. That the premises be cleaned of all weeds, trash, and debris within thirty (30) days and be maintained clean of all weeds, trash, and debris.
3. That upon failure of the Owner(s) to comply with this Order, any mortgagees, lien holders, and/or other persons having an interest in the property have an additional ten (10) days to comply with the order of the Building and Standards commission.
4. That upon failure of the Owner(s), mortgages, lienholders, and/or any other person having an interest in the property to comply with this Order, the City of El Paso, through its Code Compliance Division of the Environmental Services Department, may:
 - A. Secure the structure; and
 - B. Clean the property of all weeds, trash and debris; and
 - C. Provide for any other remedies permitted by state law
5. That upon failure of the Owner(s) to comply with this Order, the City of El Paso through its Code Compliance Division of the Environmental Services Department may request a hearing before the Building and Standards Commission to:
 - A. Determine the amount and duration of civil penalties the City of El Paso may recover for failure to comply with this Order as allowed by Texas Local Government Code Chapter 54; and
 - B. Provide any other remedies permitted by State law.
6. **When this Order has been filed in the deed records of the county in which the property that is the subject of this Order is located, execution of this Order shall not be affected by a sale or other transfer of such property. Any person or entity acquiring an interest in such property after this Order has been so filed is subject to the requirements of this Order.**
7. **REHEARING:** a person affected by this order may request a rehearing by the same Building and Standards Commission panel that issued this Order. Only ONE hearing may be requested. The Building and Standards Commission may grant a rehearing only under the following circumstances:
 - A. *Proper request is made within twenty (20) days of receipt of notice of the Order of the Commission; and*
 - B. *No appeal of this Order has been taken as allowed pursuant to paragraph 8, below; and*

C. Rehearing fees of five hundred and forty dollars (\$540.00) are furnished with the rehearing request. The rehearing request shall state the basis for requesting the rehearing. The Building and Standards Commission may waive these fees in cases of financial hardship based on written affirmation from the applicant.

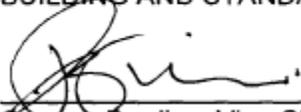
- 8. RIGHT TO APPEAL: The decision of the Building and Standards Commission is final. An appeal may be filed by verified petition in State District Court, setting forth that the decision of the Commission is illegal, in whole or in part, and specifying the grounds of the illegality. Petition for appeal must be filed by the owner(s) or interested party within thirty (30) days of receipt of notice of the Order of the Commission in this matter. Appeals in District Court are limited to hearings under the substantial evidence rule.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the City Clerk shall cause copies of this Order to be served on the record owner(s) and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own or have an interest in the 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 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 this office no later than the twentieth (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.

ADOPTED on this 25th day of May, 2011.

BUILDING AND STANDARDS COMMISSION


Gregory Bowling, Vice-Chairman, Panel A

CITY CLERK DEPT.

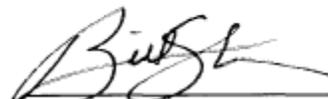
2011 JUN 13 AM 11:14

APPROVED AS TO FORM:



Robert Almonte II
Assistant City Attorney

APPROVED AS TO CONTENT:



Bill Stern, C.B.O., Deputy Building Official
Code Compliance Division



UNSAFE STRUCTURES REPORT

PLANNING & INSPECTIONS DEPARTMENT

DATE OF EXAMINATION: April 19, 2016

REP. DISTRICT: 8

ADDRESS: 710 W. Missouri Avenue

ZONED: C-2 H

LEGAL DESCRIPTION: The East ½ of Lot 18 and all of Lot 19, in Block 35, of the SUNSET HEIGHTS SECOND REVISED MAP, an Addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof recorded in Volume 10, Page 47, Plat Records of El Paso County, Texas.

OWNER: Anita P. Martinez.

ADDRESS: 710 W. Missouri Ave.
El Paso, TX 79902-3715

BUILDING USE: Abandoned, deteriorated single family dwelling

TYPE OF CONSTRUCTION: V - Wood frame with brick veneer

FOOTINGS: Concrete

CONDITION: Unable to determine condition due to subterranean placement. An engineer must be hired to evaluate footings.

FOUNDATION WALL: Rock and mortar

CONDITION: Poor. Deteriorated, the grout is disintegrating and there is an area that appears to be unstable causing structural cracks on the rest of the wall; re-pointing and maintenance is required. An engineer should be hired to evaluate the structural components.

FLOOR STRUCTURE: Wood flooring w/vinyl floor covering in some areas.

CONDITION: Some of the vinyl tile is broken and missing; the wood floor shows signs of deterioration due to lack of maintenance. However, an engineer should be hired to evaluate all structural components.

EXTERIOR WALLS: Wood Frame W / Brick Veneer

HEIGHT: 8' – 10'

THICKNESS: 5"

CONDITION: Poor. Brick veneer on the exterior front wall and the eastern wall is buckling and separating from wood frame brick ties.

INTERIOR WALLS & CEILINGS: 2 x 4 wood with plaster or sheetrock

CONDITION: Unable to determine main dwelling interior conditions.

ROOF STRUCTURE: Gable / Hip with T-lock asphalt shingles.

CONDITION: Poor disintegrating due to lack of maintenance. A registered roofing contractor or building contractor must be hired to evaluate the roofing system and submit a report of required corrections to bring the roof system into code compliance.

DOORS, WINDOWS, ETC.: Wood doors and wood sash windows w/wrought iron guards.
CONDITION: Poor. All doors and windows need code approved replacement.

MEANS OF EGRESS: Does not meet code requirements.
CONDITION: Poor. Windows and doors must be replaced to make them operational.

PLUMBING: A licensed plumber should be hired to bring system up to code.

ELECTRICAL: A licensed electrician should be hired to bring system up to code.

MECHANICAL: A licensed mechanical contractor should be hired to bring system up to code.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: 0

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

REMARKS: The structure was found open and abandoned and in as state of disrepair due to lack of maintenance. The structure should be demolished and the property cleaned within thirty (30) days.

Nellie Avalos
Building Inspector

TAX REPORT

Account Status

Go To:

EVAR **ACCOUNT NO(S97999903505000): YEAR = 2008, LEGAL STATUS = ACTIVE, CAUSE** 07/07/2016 09:58:19
 ACT8006 v1.273 **NUMBER = 2009TX074** ACTEP

Account Information
 Account No. Roll Code

Certified Owner

Parcel Address

Amount Due as of CAD No.

Tax Units
 Tax Unit Description
 List of Tax Units
 Countywide

Tax Unit, Yr, Rec. Type
 Tax Unit
 Year
 Rec. Type

Amount Due/Paid Information

Year	Gross Value	H	O	V	D	Excodes	Base Levy	Paid Levy	Write-Off	Remaining Levy	Fees	Refund	Amount Due
2015	\$76,333	Y	Y				\$718.23	\$0.00	\$0.00	\$718.23	\$288.86	\$0.00	\$1,007.09
2014	\$76,028	Y	Y				\$770.49	\$0.00	\$0.00	\$770.49	\$420.57	\$0.00	\$1,191.06
2013	\$76,028	Y	Y				\$744.45	\$0.00	\$0.00	\$744.45	\$471.24	\$0.00	\$1,215.69
2012	\$76,028	Y	Y				\$700.35	\$0.00	\$0.00	\$700.35	\$582.64	\$0.00	\$1,282.99
2011	\$94,134	Y	Y				\$917.26	\$0.00	\$0.00	\$917.26	\$894.89	\$0.00	\$1,812.15
2010	\$94,134	Y	Y				\$899.54	\$0.00	\$0.00	\$899.54	\$1,006.62	\$0.00	\$1,906.16
2009	\$95,360	Y	Y				\$881.36	\$0.00	\$0.00	\$881.36	\$1,111.89	\$0.00	\$1,993.25
2008	\$88,596	Y	Y				\$3,832.83	\$0.00	\$0.00	\$3,832.83	\$1,104.41	\$0.00	\$4,937.24
2007	\$88,596	Y	Y				\$709.30	\$709.30	\$0.00	\$0.00	\$49.65	\$0.00	\$0.00
Totals							\$18,844.26	\$4,655.32	\$0.00	\$14,188.94	\$18,739.35	\$0.00	\$32,623.02

Last Payment Date

Last Payer