

6205 BLUFF TRAIL



Code Compliance Division
Bill Stern, Deputy Building Official
7969 San Paulo Drive, El Paso, Texas, 79907 · (915) 591-6290 · Fax (915) 599-3740

**BUILDING AND STANDARDS BOARD AGENDA ITEM # 4 FOR
WEDNESDAY, JULY 28, 2010**

CODE COMPLIANCE DIVISION

MEMORANDUM

July 1, 2010

TO: The Honorable Chairman and Board Members

THROUGH: John Neal – Interim Director for Code Compliance

FROM: Bill Stern., Deputy Building Official

SUBJECT: 6205 Bluff Trail Lane, El Paso, Texas, 79912

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

- 1) First investigated May 5, 2010. The single family dwelling was built in 1990. The structure was also found with interior damage due to vandalism. The roof, air conditioner and exterior of the structure show signs of deterioration due to lack of maintenance. There is trash, weeds and debris throughout the property.
- 2) A certified condemnation letter was mailed to Crystal J. Ramirez and Maria D. Gonzalez.
- 3) Certified notices of the public hearing scheduled for July 28, 2010, were mailed to the owners and all interested parties on June 7, 2010.
- 4) As of June 24, 2010, no taxes is owed.

The owner has been notified of the property maintenance violations at this property, to date there has been no response or corrective action taken, and therefore the Division recommends that it be found:

- 1) That the structures are substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the structures are 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 be revoked; and
- 4) That the original structure can be rehabilitated; and
- 5) That the main structure be secured within thirty (30) days and maintained secure; and
- 6) That the premises be cleaned within 30 days and maintained clean of all weeds, trash, and debris; 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.

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CODE COMPLIANCE DIVISION
May 4, 2010

NOTICE OF VIOLATION

Crystal J Ramirez &
Maria D Gonzalez
6205 Bluff Trail Ln
El Paso, Texas 79912

Re: 6205 Bluff Trail Ln
Blk: 1 Coronado Del Sol
Lots: 16
Zoned: R-3
BSC10-00337
Certified Mail Receipt #
7009 1410 0001 7187 1539

Greetings:

Your property at **6205 Bluff Trail Ln** was recently visited by an inspector from this department.

This property was found to be in violation of the following list of Property Maintenance 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. 502.1, 504.1, 505.1, 2, 3 & 4]
2. All dwelling units must have heating equipment. This equipment and any cooking appliances must be in good condition, in good working order and must be installed in accordance with all codes which apply [Section. 601.1 & 2]
3. 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. 604.1]
4. Each dwelling unit must have approved, listed smoke detectors in good working order. [Sec. 704.2]

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6205 Bluff Trail Ln

5. Adequate garbage collection containers and services must be provided for each and every dwelling unit [Sec. 307.2.1, 307.3]
6. 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. 304.1, 2, 4, 6, 7, 10, 12]
7. All dwelling units must have safe and unobstructed exits to clear and open space at ground level [Sec. 702.1, 4]
8. 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. 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. 304.13, 14, 15, 18.1]
9. All bathrooms must have doors with privacy lock sets [Sec. 503.1]
10. Every bathroom and kitchen floor must be waterproof and easily kept clean and sanitary [Sec. 18.50.100.5]
11. Sleeping rooms require 70 sq. ft. for a single occupant and 50 sq. ft. each for multiple occupant [Sec. 404.4.1]
12. All parts of all dwelling units and the property on which they are located, must be kept in a clean and sanitary condition, free from weeds, trash, garbage, junk vehicles, rodents and insects. Multi-family dwellings must be treated for pests and vectors on a regular basis by the owner [Sec. 307.1, 308.1]
13. Garage and accessory buildings must be kept in sound condition and good repair [Sec. 302.7]
14. All buildings, structures, electrical, gas, mechanical and plumbing systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the technical codes when constructed, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings, structures, electrical, gas, mechanical and plumbing systems [Sec. 18.02.101.3.5]

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In addition, the property was found to be in violation of the City of El Paso Municipal Code, 18.12.045 Section 309.1., Space-heating and cooling systems. Interior spaces intended for human occupancy shall be provided with active or passive space-heating and cooling systems capable of maintaining an indoor temperature between 68 F (20 C) and 90 F at a point 3 feet above the floor in all habitable spaces. The installation of portable space heaters shall not be used to achieve compliance with this section. Exception: Interior spaces where the primary purpose is not associated with human comfort.

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 30 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 599-6290, between 8:00 and 10:00 a.m.

Sam Mendoza
Building Inspector

SM/nms

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the **28th** day of **July, 2010** 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 **6205 Bluff Trail Lane**, in El Paso, Texas, which property is more particularly described as:

Legal Description: Lot 16, Block 1, CORONADO DEL SOL, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 61, Pages 4, 4A, 4B and 4C, Real Property Records, El Paso County, Texas.

is unsafe and dangerous, because of 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 shall be maintained in a clean, safe and sanitary condition free 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 trash and debris within (30) days from receipt of this letter. [Sec. 108.2]

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According to the real property records of the County of El Paso, Texas Crystal J. Ramirez and Maria D. Gonzalez, 6205 Bluff Trail, El Paso, Texas, 79912, (“the **Owners**”) 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, 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 building should not be declared a nuisance and ordered to be abated. The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Title 18, as mandated by Section 18.50 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

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

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

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

If the 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

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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:

Cynthia Osborn
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 6205 Bluff Trail Lane 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 _____, 2010 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 _____, 2010.

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 6205 Bluff Trail Lane was PUBLISHED in the official City newspaper on the ____day of _____, 2010.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at 6205 Bluff Trail Lane was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Crystal J. Ramirez
& Maria D. Gonzalez
6205 Bluff Trail Lane
El Paso, Texas 79912

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 6205 Bluff Trail Lane was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Flora Garcia Villalva
3216 Nairn Street
El Paso, Texas 79925

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 6205 Bluff Trail Lane was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Garcia Family Partnership
3216 Nairn Street
El Paso, Texas 79925

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 6205 Bluff Trail Lane was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Cesar Cazares
& Araceli Hernandez
797 Fescue
Canutillo, Texas 79835

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 6205 Bluff Trail Lane was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Steven E. Anderson and/or
William B. Crout
1533 Lee Trevino, Suite 205
El Paso, Texas 79936

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 6205 Bluff Trail Lane 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 6205 Bluff Trail Lane 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 6205 Bluff Trail Lane 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 6205 Bluff Trail Lane 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 regarding the property at 6205 Bluff Trail Lane 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:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at 6205 Bluff Trail Lane El Paso, Texas.

Date:
Time:

Inspector



UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: June 30, 2010

REP. DISTRICT: 1

ADDRESS: 6205 Bluff Trail Lane, El Paso, Texas 79912

ZONED: A-3

LEGAL DESCRIPTION: 1 Coronado Del Sol, Lot 16

OWNER: Crystal J. Ramirez & Maria D. Gonzalez

ADDRESS: 6205 Bluff Trail Lane
El Paso, Texas 79912

BUILDING USE: Abandoned single family dwelling

TYPE OF CONSTRUCTION: V, wood frame with brick

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: N/A

CONDITION: N/A

FLOOR STRUCTURE: Concrete slab on grade with ceramic tiles.

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

EXTERIOR WALLS: Wood frame with brick coverings.

HEIGHT: 12' +/-

THICKNESS: 10" to 12"

CONDITION: Fair. No structural deficiencies. 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 frame with sheetrock.

CONDITION: Poor. Damaged restroom wall. Water damage from leak and lack of maintenance. A structural engineer should be hired to evaluate the structural elements of the building and submit a report on the corrections required to make the building safe.

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ROOF STRUCTURE: Wood frame with composition shingle.

CONDITION: Fair. 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 frame doors and metal frame windows.

CONDITION: Poor. Majority of windows broken and missing. Doors are deteriorated. Replace doors and windows, so they are operational and meet egress requirements.

MEANS OF EGRESS: Does not meet code requirements.

CONDITION: Windows and doors must be replaced to make them operational.

PLUMBING: A licensed plumber should be hired to replace system.

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: None

WARNING POSTED: Yes

BARRICADED: No

POLICE AID REQD.: No

REMARKS: First investigated May 5, 2010. Single family built in 1990. The structure was found open, abandoned and used as harborage by unwanted persons. The structure was also found with interior damage due to vandalism. The roof, air conditioner and exterior of the structure show signs of deterioration due to lack of property maintenance. There is trash, weeds and debris throughout the property. The department recommends that the structure be secured within 30 days and the property be cleaned of all weeds, trash and debris within 30 days.

Sam Mendoza
Building Inspector

Nellie Avalos
Building Inspector

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