

# 2630 RICHMOND



BUILDING AND STANDARDS BOARD AGENDA ITEM # 12 FOR  
WEDNESDAY, AUGUST 27, 2008

DEVELOPMENT SERVICES  
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM  
August 18, 2008

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: 2630 Richmond Avenue

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

- 1) First investigated June 27, 2008. The historical designated single family dwelling was built in 1920. The buildings were found to be open and abandoned, vandalized and being used as harborage by unwanted persons. The detached garage has minor damage. The property was full of weeds.
- 2) A certified condemnation letter was mailed to Dennis B, Deregla and Joseph T. Reydum, 2630 Richmond Avenue, El Paso, Texas 79930.
- 3) Certified notices of the public hearing scheduled for August 27, 2008, were mailed to the owners and all interested parties on August 14, 2008.
- 4) As of July 31, 2008, no taxes are owed.

The owners have been notified of the violations at this property to secure and clean the premises, on July 7, 2008 the City took emergency action and secured the first floor, therefore the Department recommends that it be found:

- 1) That the structures be condemned as 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 structures can be repaired; and
- 5) That the structures be secured and maintained secure within 30 days; and
- 6) That the premises be cleaned and maintained clean 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



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

JOYCE WILSON  
CITY MANAGER

VICTOR Q. TORRES  
DIRECTOR

## DEVELOPMENT SERVICES

July 3, 2008

Dennis B Dereglia  
Joseph T Reydom  
2630 Richmond Ave.  
El Paso, Texas 79930-1720

Re: 2630 Richmond Ave.  
Blk: 96 Highland Park  
Lot: 17 to 23 & E 10 Ft of 24  
Zoned: R-3  
COD08-14591  
Certified Mail Receipt #  
7005 1160 0004 6075 3876

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.

2630 Richmond Ave.

**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.

**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 **2630 Richmond Ave.** 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 means of egress is/are inadequate and do not meet minimum code requirements.[Sec. 702.4]
- d. The electrical system is inadequate and does not meet minimum code requirements. [Sec. 604.3]
- e. The structure is open and accessible to unauthorized entry. [Sec. 301.3]
- f. The premises are full of weeds, trash, and debris [Sec. 302.1 & Sec. 302.4].
- g. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter. [Sec. 108.2]

As a result of the aforementioned violations, the following action may be taken:

- a. This case is being submitted to the City Building and Standards Commission for unsafe structures proceedings. The City Building and Standards Commission will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Chapter 2.38 of the El Paso Municipal Code.

- b. By authority of Chapter 18.02.103.9.3 of the El Paso Municipal Code the electrical service at this property may be disconnected at the request of the Building Permits and Inspections Department because of Electrical Code violations.

**Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.**

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> 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:

Nellie Avalos  
Building Inspector

MA/nms

## NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the **27th** day of **August, 2008** 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 **2630 Richmond Avenue**, in El Paso, Texas, which property is more particularly described as:

**Legal Description: Lots 17 through 23 and the East 10 Feet of Lot 24, Block 96, HIGHLAND PARK ADDITION (THIRD AMENDED MAP), an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 13, Page 8, Real Property Records, El Paso County.**

are 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 means of egress is/are inadequate and do not meet minimum code requirements.[Sec. 702.4]
- d. The electrical system is inadequate and does not meet minimum code requirements. [Sec. 604.3]
- e. The structures are open and accessible to unauthorized entry. [Sec. 301.3]
- f. The premises shall be maintained in a clean, safe and sanitary condition free of weeds, trash, and debris [Sec. 302.1 & Sec. 302.4].
- g. 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]

According to the real property records of the County of El Paso, Dennis B. Dereglá, 2630 Richmond Avenue, El Paso, Texas 79930, Dennis B. Dereglá, 4646 Paramount Dr., San Diego, CA 92123, Joseph Therese Reydóm, 700 Kerbey, El Paso, Texas 79902, US Bank National Assn, Lienholder, C/O Jenne M. Robledo, First American Field Services, Property Preservation & Conveyance Unit, Client Services Representative, GMAC Mortgage LLC, Homecoming Team, 1, First American

Way, Westlake, TX 76262, (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, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> 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

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:

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Mark Shoesmith  
Assistant City Attorney

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Bill Stern, C.B.O.  
Chief Building Inspector  
Building Permits and Inspection 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 2630 Richmond Avenue was PUBLISHED in the official City newspaper on the \_\_\_\_day of \_\_\_\_\_, 2008.

Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at 2630 Richmond Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Dennis B. Deregl  
2630 Richmond Avenue  
El Paso, Texas 79930

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2630 Richmond Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Dennis B. Deregl  
4646 Paramount Dr.  
San Diego, CA 92123

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2630 Richmond Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Joseph Therese Reydom  
700 Kerbey  
El Paso, Texas 79902

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2630 Richmond Avenue was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

US Bank National Assn, Lienholder  
C/O Jenne M. Robledo  
First American Field Services  
Property Preservation & Conveyance Unit  
Client Services Representative  
GMAC Mortgage LLC  
Homecomings Team, 1  
First American Way  
Westlake, TX 76262

Date:  
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at 2630 Richmond 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 2630 Richmond 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 2630 Richmond 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 2630 Richmond 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 regarding the property at 2630 Richmond Avenue 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 2630 Richmond Avenue, El Paso, Texas.

Date:

Time:

Inspector



# UNSAFE STRUCTURES REPORT

## BUILDING PERMITS AND INSPECTIONS

**DATE OF EXAMINATION:** August 14, 2007

**REP. DISTRICT:** 2

**ADDRESS:** 2630 Richmond Avenue

**ZONED:** R – 3H

**LEGAL DESCRIPTION:** Lots 17 through 23 and the East 10 Feet of Lot 24, Block 96, HIGHLAND PARK ADDITION (THIRD AMEDED MAP), an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 13, Page 8, Real Property Records, El Paso County.

**OWNER:** Dennis B. Dereglá      **ADDRESS:** 2630 Richmond Avenue, El Paso, Texas 79930

Joseph T. Reydom

700 Kerbey, El Paso, Texas 79902

US Bank Nat'l Assn.  
GMAC Mortgage LLC

1st American Way, Westlake, Texas 76262

**BUILDING USE:** Abandoned three story single family dwelling with Historical designation

**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:** Basement w/concrete foundation walls and masonry

**CONDITION:** Fair. No notable cracks or deficiencies found

**FLOOR STRUCTURE:** Concrete slab in basement, 1st, 2<sup>nd</sup> and 3<sup>rd</sup> floor-wood joists w/wood sheathing covered with tile/carpet.

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

**EXTERIOR WALLS:** Wood frame with brick.

**HEIGHT:** 8' – 10' +/-

**THICKNESS:** 10" - 12"

**CONDITION:** Fair. 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 w/drywall and plaster

**CONDITION:** Fair. Walls will require repairs due to vandalism

**ROOF STRUCTURE:** Hip roof, wood framing, 2 x 6 joists and rafters covered w/wood sheathing and composition shingles.

**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 doors and wood frame/sash windows, glass lights..

**CONDITION:** Fair. Will need to repair or replace doors and windows that have been vandalized, to make them operational and to meet egress requirements.

**MEANS OF EGRESS:** Does not meet code requirements.

**CONDITION:** Fair. Windows and doors will need replacing or repairs done 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:** None

**WARNING POSTED:** Yes

**BARRICADED:** No

**POLICE AID REQD.:** No

**REMARKS:** This is an open and abandoned single-family residence with Historical designation that has been secured by the City to prevent further damage and/or entry by unwanted vagrants. The structures can be repaired/rehabilitated. The structures should be secured and the property cleaned of all weeds, trash and debris within thirty (30) days.

Nellie Avalos

**Building Inspector**

**CITY OF EL PASO  
ENVIRONMENTAL SERVICES**



**M E M O R A N D U M**

**DATE:** 07-17-2008  
**MEMO TO:** William Stern C.B.O., Residential Inspector Supervisor  
**FROM:** Jesus H. Arenas, Associate Code Compliance Inspector

**SUBJECT: Condemnation Report #COD 08-14591**

**RE: 2630 Richmond, 96 Highland Park, Lot 17 to 23& E 10 Ft of 24**

An inspection of the property was conducted on 07-16-2008 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**

Garage doors are closed and also noticed that East side of the garage is boarded up

**SECTION 9.04.340 – ACCUMULATIONS**

No accumulation of weeds and grass noted

**SECTION 9.16 - NUISANCE**

Some trash spotted throughout the fence line of the property

**SECTION 9.16.010 – DESIGNATED**

The house is secured at the front gate under lock and key. The back gate is secured with a pad lock and chain. Some of the second floor windows are broken and the first floor windows are boarded up. There appears to be an unfinished pool (covered) in the back of the property.

**SECTION 9.28 -RAT CONTROL**

Rodent evidence was not noted on the premise.