COUNCIL AGENDA ITEM # ___ FOR
TUESDAY, MAY 11TH , 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

May 4, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 231 Lolita Place (Rep. District #6)

Scheduling a public hearing to be held on June 8th , 2004 to determine if the property located at 231 Lolita Place in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of January 5th , 2004, Juana G. Delgado, 231 Lolita Place, El Paso, Texas 79907, has been notified of the violations at this property. District #6

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
CODE COMPLIANCE
September 25, 2003

Juana G. Delgado
231 Lolita Place
El Paso, Texas 79907

Re: 231 Lolita Place
Tract: 10-C-11
Blk: 46, Ysleta
Zoned: R-4H
COD03-15069
Certified Mail Receipt #
7003 1010 0004 5303 9015

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

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 231 Lolita Place has the following violations:

a. The foundation has not been maintained in a safe manner.

b. The floors have not been maintained in a safe manner.

c. The walls have not been maintained in a safe manner free of holes and cracks.

d. The roof structure has not been maintained free of defects that may cause leaks.

e. The means of egress is/are inadequate and do not meet minimum code requirements.

f. The plumbing system is inadequate and does not meet minimum code requirements.

g. The electrical system is inadequate and does not meet minimum code requirements.

h. The HVAC system is inadequate and does not meet minimum code requirements.

i. The structure is open and accessible to unauthorized entry.

j. The premises are full of weeds, trash, and debris.

k. 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.

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

231 Lolita Place

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:

Wayne Fannin

Wayne Fannin
Building Inspector

WF/rl

The City of El Paso
Two Civic Center Plaza
El Paso, Texas 79901-1196

Building Permits and Inspections
Code Enforcement

7003 1010 0004 5303 9015

RETURN RECEIPT REQUESTED

EVACANT

Juana G. Delgado
231 Lolita Place
El Paso, Texas 79907

VACANT
732
B1

79907+5303 901/1196

WBT

7003 1010 0004 5303 9015

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 Reciept Fee (Endorsement Required)	SEP 26 2003
Restricted Delivery Fee (Endorsement Required)	

WF

Postmark Here

Juana G. Delgado
231 Lolita Place
El Paso, Texas 79907
Re: 231 Lolita Place

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: WF

Juana G. Delgado
231 Lolita Place
El Paso, Texas 79907
Re: 231 Lolita Place

Lt #3

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☒ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 7003 1010 0004 5303 9015

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-250

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice May 11th, 2004 regarding the property located at 231 Lolita Place, 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 _____, 2004 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 _____, 2004.

_____
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 dated May 11th , 2004 regarding the property located at 231 Lolita Place, was PUBLISHED in the official City newspaper on the ____day of_____, 2004.

_____
Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice dated May 11th , 2004 regarding the property at 231 Lolita Place, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Juana G. Delgado
231 Lolita Place
El Paso, Texas 79907

Date:_____
Time:_____

_____
Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th , 2004 regarding the property at 231 Lolita Place, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Juana G. Delgado
C/O Harry O. Rearick
Dewitt & Rearick, Inc.
6024 Gateway East
El Paso, Texas 79905

Date:_____
Time:_____

_____
Inspector

I certify that a true and correct copy of the foregoing Notice dated May 11th , 2004 regarding the property at 231 Lolita Place, 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 dated May 11th, 2004 regarding the property at 231 Lolita Place, 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 dated May 11th, 2004 regarding the property at 231 Lolita Place, 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 was POSTED at 231 Lolita Place, El Paso, Texas.

Date:_____
Time:_____

_____
Inspector

EL PASO CITY-COUNTY HEALTH &ENVIRONMENTAL DISTRICT

ENVIRONMENTAL HEALTH

M E M O R A N D U M

DATE: **October 1, 2003**

MEMO TO: **Tom McGuire, Housing Compliance Supervisor**

FROM: **Jorge Ramirez, Sr. Environmental Health Inspector**

SUBJECT: **Condemnation Report**

RE: **231 Lolita Pl. 79905**

An inspection of the property was conducted on October 1, 2003 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:
N/A

SECTION 9.04.340 – ACCUMULATIONS:
Of debris was seen.

SECTION 9.16 – NUISANCE:
N/A

SECTION 9.16.010 – DESIGNATED:
N/A

SECTION 9.28 -RAT CONTROL:
Structure is decaying.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.

CITY OF EL PASO
OCT 06 2003
Received Building Svc

20040413 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 152834

ACCOUNT Y805999046A1041 AMT DUE AS OF: 20040413 ROLL R ALT OWN
UNITS:01 07 08 05 06 OMIT(-)/SEL(+)
DELGADO, JUANA G $$ 46 YSLETA
TR 10-C-11
231 LOLITA PL (0.4237 AC)

EL PASO TX 79907-5517
ACRES .4237 PARCEL ADDRESS 231 LOLITA

YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2003	20327		614.82	614.82	67.64	.00	682.46
2002	20327	YY	89.62	89.62	41.26	.00	130.88
2001	20327	YY	89.22	89.22	53.41	.00	142.63
2000	20327	YY	86.04	86.04	63.38	.00	149.42
1999	20327	YY	84.23	84.23	73.67	.00	157.90
1998	20327	YY	84.23	84.23	85.29	.00	169.52
1997	19757		78.16	78.16	89.94	.00	168.10
	TOTAL		1126.32	1126.32	474.59		

LAST PAYOR NONE PAGE TOTAL 1600.91
NOTE EXISTS CUMULATIVE TOTAL 1600.91
ENTER NEXT ACCOUNT