

1306 MAGOFFIN AVE



Front elevation picture

BUILDING AND STANDARDS BOARD AGENDA
October 16, 2025

PLANNING AND INSPECTIONS DEPARTMENT
PROPERTY MAINTENANCE AND ZONING

October 16, 2025

TO: The Honorable Chairman and Board Members

THROUGH: Tony De La Cruz, Planning and Inspections Department, City of El Paso Building Official

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

SUBJECT: 1306 MAGOFFIN AVE EL PASO, TX 79901

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

- 1) The single-family dwelling was built on or about the year 1946. The structure was constructed of brick, wood & wood paneling, with a total of 1,949 sq. ft of living area. The initial investigation began on June 04, 2025. The structure was found to be in disrepair & dilapidating. Needing substantial indoor work inside. The structure was found boarded and secured on June 27, 2025. The current investigation began on August 14, 2025. The structure was found with additional damage constituting a collapsed wall in the rear addition, fire scorching, and a dislocation of the service conduit. There is substantial structural dilapidation to the area's exterior/interior. The property is filled with combustible material, trash, rubbish and debris. The structure is currently open to unwanted entry.
- 2) Structure constitutes of 2 floors & a back addition.
- 3) There has been 5 Property Maintenance and Zoning Cases, 5 EPPD Code Enforcement & 1 Fire Investigation case since 2021.
- 4) From June 25, 2025- October 03, 2025 there has been 18 EPPD cases.
- 5) A certified notice of violation letter was mailed to the owner, **NORAMAR CORP, 539 W COMMERCE ST STE 7780 DALLAS, TX 75208-1953** on **June 06, 2025**.
- 6) Certified notices of the public hearing scheduled for October 16, 2025 of the Building and Standards meeting were mailed to the owner and all interested parties on October 1st, 2025 & October 3rd
- 7) As of September 16, 2025. \$0.00 in taxes are owed.

- 8) On September 16, 2025 the structure was determined by the Chief Building Inspector (Adrian Garcia) as defined under the 2021 International Property Maintenance code as:
1. Imminent Danger
 - a. The rear addition to the home that has already partially collapsed, has been evaluated and found to pose a clear, immediate, and present threat to the safety of occupants, the public, and adjacent properties. This addition requires to be demolished.
 2. Imminent Hazard
 - b. The main abandoned structure has multiple points of entry that could allow individuals to enter the unsafe structure. The property exhibits unsafe conditions that do not currently pose an immediate threat of collapse or injury but could do so without mitigation. This would require to be boarded and secured immediately.
- 9) On June 04, 2025 contact was made with Power of Attorney Omar Maynez to board and secure the property. Contact was made again on October 03, 2025 he is currently working on rehabilitating the property and is struggling to find an engineer. The property is possibly being occupied by transients.
- 10) As of September 30, 2025 the property is pending a writ of entry for clean-up from Clean El Paso.
- 11) The property lies in a Historic District.

The owner has been notified of the property violations at this property. To September 16, 2025 there has been no action taken, and therefore the Department recommends:

- 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 the disposal of refuse; and
- 3) That the certificate of occupancy be revoked; and
- 4) That the structure shall be demolished within thirty 30 days from the date of this order; and
- 5) That the structure be secured from the date of this order, and maintained secured until demolished; and
- 6) That the responsible party shall abide by all permitting requirements; and
- 7) That the premises be cleaned of all weeds, trash, and debris from the date of this order and maintained clean thereafter until the structure is demolished; and
- 8) 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, including demolition and placing a lien on the property for the work which will be caused to be done by the City.

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, hereinafter referred to as the "Commission", at the following time and place:

LOCATION: El Paso City Hall, 300 N. Campbell, Main Conference Room, El Paso, Texas 79901

DATE: Thursday October 16, 2025

TIME: 12:30PM

PROPERTY: 1306 MAGOFFIN AVENUE also described as:

The East 10 feet of Lot 3, and all of Lot 4, Block 4, MAGOFFIN'S HOMESTEAD ADDITION, an addition to the City of El Paso, El Paso County, Texas, municipally designated as 1306 Magoffin Avenue, El Paso, Texas 79990

The Property has been determined to be substandard based upon violations of the minimum standards of the 2021 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, **Noramar Corp, a Wyoming Corporation, 539 W. Commerce St. Ste. 7780 Dallas, TX 75208, Dallas County** is, the owner(s), hereinafter referred to as the "Owner" 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 Property Maintenance & Zoning Division, Planning and Inspections Department, 801 Texas Ave., 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 June 4, 2025 an inspection of the Property was conducted by the Property Maintenance & Zoning 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 interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. [Sec. 305.1, 305.2, 305.3, 305.4, 305.5, 305.6]
- d. 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]
- e. 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]
- f. 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]
- g. The building must comply with the minimum criteria and conditions for light. [Sec.402.1, 402.2, 402.3]
- h. The building must comply with the minimum criteria and conditions for ventilation. [Sec.403.1, 403.2, 403.3, 403.4, 403.5]
- i. The requirement for Privacy, minimum room dimensions, prohibited occupancy or food preparation spaces not met. [Sec.404.1, 404.2, 404.3, 404.4, 404.5, 404.6, 404.7]
- j. The building must comply with the minimum criteria of the provisions for required facilities. [Sec. 502.1, 502.2, 502.3, 502.4, 502.4.1, 502.5]
- k. The building must comply with the minimum criteria of the provisions for toilet rooms. [Sec. 503.1, 503.2, 503.3, 503.4]
- l. The building must comply with the minimum criteria of the provisions for plumbing systems and fixtures. [Sec. 504.1, 504.2, 504.3]
- m. The building must comply with the minimum criteria of the provisions for water systems. [Sec. 505.1, 505.2, 505.3, 505.4]
- n. The building must comply with the minimum criteria of the provisions for sanitary drainage systems. [Sec.506.1, 506.2, 506.3]
- o. The drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance. [Sec. 507.1]

The Owner(s) is 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 Owner(s) advocate(s) 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 Owner(s) fail(s) 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 Property Maintenance & Zoning Division, Planning and Inspections Department, 801 Texas Ave., El Paso, Texas, 79901 or by calling (915) 212-0134.

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 OWNER 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 II

APPROVED AS TO CONTENT:

Arthur "Steve" Alvarado
Director of Code Enforcement
Code Enforcement Department
200 N. Kansas Ave.
El Paso, Texas 79901
(915) 212-6026