CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

Meeting Agenda

Construction Codes Board of Adjustment and Appeals

Thursday, May 25, 2023 6:00 PM City Hall

- 1. 6:00 P.M. - CALL MEETING TO ORDER
- 2. **CERTIFICATION OF A QUORUM**
- 3. **GENERAL COMMENTS FROM THE PUBLIC**

Citizens wishing to address the Board may do so at this time. All comments are limited to 5 minutes.

In order to be recognized during the "General Comments from the Public", please complete an "Appearance Card" located at the entry to the City Council Chamber and present it to the Chief Building Official prior to the start of the meeting.

RECESS INTO EXECUTIVE SESSION 4.

Pursuant to Section 551.071, Texas Government Code, the Board reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

- Pending or Contemplated Litigation or to Seek the Advice of the City Attorney A. Pursuant to Section 551.071
- 5. RECONVENE INTO REGULAR BUSINESS SESSION
- 6. RATIFICATION OF ACTIONS TAKEN DURING THE APRIL 13, 2021 REGULAR **BUSINESS MEETING**
- 7. **PUBLIC HEARINGS**

23-5377

Public Hearing - Hold public hearing, consider, and take action regarding Case CCBAA-23-00292 - 320 Queens Court North to determine compliance with Section 150.011(D) of the Code of Mansfield, Texas. The Board may order the property to be repaired, removed, demolished, secured, and occupants relocated (if any).

Presenters: Serena Smith

Attachments: Rental Registration Application

OR-2050-17 Dangerous Structures Ordinance

MyGov Property Maintenance Case MyGov Dangerous Structure Case

Site Map

Comptroller Tax Account Status

Comptroller Public Information Report

Title Search

TAD Exemptions

TAD Geolocation

TAD Ownership

TAD Property Value

TAD Taxing Units

Chronology of Events

2022 Annual Property Inspection Pictures 7.11.2022

Inspection Report 7.11.2022

Mail 7.11.2022

Inspection Photos 11.17.22

Certified Mail 11.18.22

Inspection Photos 01.23.23-01.24.23

Inspection Photos 02.10.23

Certified Mail 02.24.23

Inspection Photos 03.03.23

Substandard Structure Letter 03.08.23

Certified Mail 03.09.23

Inspection Photos 04.12.23

Certified Mail 04.12.23

Notice of Public Hearing

Notice of Public Hearing Posted

Notice of Public Hearing Posted (2)

Staff Recommendations

23-5378

Public Hearing - Hold public hearing, consider, and take action regarding Case CCBAA-22-00213 - 304 East Kimball Street to determine compliance with Section 150.011(D) of the Code of Mansfield, Texas. The Board may order the property to be repaired, removed, demolished, secured, and occupants relocated (if any).

Presenters: Serena Smith

Attachments: OR-2050-17 Dangerous Structures Ordinance

Case History

TCAD Aerial

TAD Exemptions

TAD Geolocation

TAD Ownership

TAD Property Value

TAD Taxing Units

Water Account 02.17.2022

Title Search 02.18.2022

Title Search 11.18.2022

Title Search Update 05.17.2023

Chronology of Events

Inspection Photos 02.17.2022

Notice of Violation 02.18.2022

Final Notice of Violation 02.18.2022

Certified Mail 02.18.2022

NA-2020-004 Administrative Search Warrant 03.02.2022

Inspection Photos 03.03.2022

Inspection Report 03.03.2022

Notice of Violation 05.09.2022

Final Notice of Violation 05.16.2022

Certified Mail 05.16.2022

Inspection Photos 10.24.2022

NA-2022-043 Administrative Search Warrant 10.26.2022

Inspection Photos 10.27.2022

Inspection Report 10.27.2022

Certified Mail 10.27.2022

Notice of Violation 11.10.2022

Certified Mail 01.13.23

Letter from Kricken Law Firm 01.19.2023

NA-2023-017 Administrative Search Warrant 03.29.23

Inspection Photos 03.30.2023

Inspection Report 03.30.2023

Building Safety Owner Notice 04.03.2023

Building Safety Tenant Notice 04.03.2023

Certified Mail 04.04.2023

Notice of Public Hearing

Notice of Public Hearing Posted

Notice of Public Hearing Posted (2)

Staff Recommendations

8. GENERAL COMMENTS FROM BOARD MEMBERS

9. <u>ADJOURN</u>

CERTIFICATION

I certify that the above agenda was posted on the bulletin board next to the main entrance of City Hall
and to the City's website, mansfieldtexas.gov, on Friday, May 19, 2023, in accordance with Chapter
551 of the Texas Government Code.

Serena Smith, Chief Building Official

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call (817) 473-0211 or TDD 1-800-RELAY TX, 1-800-735-2989 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs.



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5377

Agenda Date: 5/25/2023 Version: 1 Status: Public Hearing

In Control: Construction Codes Board of Adjustment and Appeals File Type: Sub-standard case

Agenda Number:

Title

Public Hearing - Hold public hearing, consider, and take action regarding Case CCBAA-23-00292 - 320 Queens Court North to determine compliance with Section 150.011(D) of the Code of Mansfield, Texas. The Board may order the property to be repaired, removed, demolished, secured, and occupants relocated (if any).

Description/History

The Construction Code Board of Adjustments and Appeals is authorized within statutory guidelines contained in Sections 150.025-150.029 of Title XV of the Mansfield Code of Ordinances, and shall hear appears from building officials decisions and implement Section 150.011 "Dangerous and Substandard Structures" of the Code of Ordinances. This authority was adopted by the City Council through Ordinance 2050-17 on May 24, 2017. The intention was to establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction and to provide for the giving of proper notice to the owner of a building and to provide for a public hearing to determine whether a building complies with the standards set out in the ordinance.

Justification

320 Queens Court North, Mansfield, Texas, 76063. Cambric Park Block 3 Lot 18. The Building Official inspected the property and has found and determined that the residence is substandard. Staff has requested a hearing before the Board to determine whether the structure located at 320 Queens Court North complies with the standards set out in section 150.011 (D) of the Code of the City of Mansfield. The Board may order the structure to be repaired, vacated, occupants relocated, removed, demolished, and/or secured.

Recommendation

For the Board to, by a majority vote, find upon the evidence presented that the building is in violation of the standards set out in Section 150.011(D) and order that the building be repaired, vacated, removed or demolish, secured, or the occupants relocated by the owner, mortgagee or lienholder, within a reasonable time, as described in Section 150.011(G).

Funding Source

N/A

Prepared By

Serena Smith, Chief Building Official



City of Mansfield Regulatory Compliance Department

RECEIVED AUG 2°6 2022

Multi-Family Rental Registration

Regulatory Compliance Department • 620 S. Wisteria Street • Mansfield, Texas 76063

3. Site Plan If an accurate copy of the site plan is on file from your last registration and if no changes have been made at the property, it will not be necessary to submit another site plan. If we do not have a site plan, or changes have occurred, please follow the steps below.	1. Location and Col	ntact Information	
City:		ENGTHER STATE OF THE STATE OF T	
Complex Name:			
Complex Telephone:	City: Manstield	State: <u>TX</u> Zip: <u>76063</u>	
Fax:	Complex Name:		
2. Building and Apartment Information How many buildings are in the complex? (Including office, pool, recreation center, laundry, etc.) How many total dwelling units/apartments are in the complex? One bedroom units =	(Name of C	omplex - <u>Not Owner</u>)	
2. Building and Apartment Information How many buildings are in the complex? (Including office, pool, recreation center, laundry, etc.) How many total dwelling units/apartments are in the complex? One bedroom units =	Complex Telephone:	Fax:	
How many buildings are in the complex? (Including office, pool, recreation center, laundry, etc.) How many total dwelling units/apartments are in the complex? Four bedroom units = Four bedroom units = Efficiency units = Owner occupied unit = O	(Main Telephone and I	Fax Number of Complex - <u>Not Owner</u>)	
How many total dwelling units/apartments are in the complex?	2. Building and Apar	tment Information	
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Two bedroom units =		4	
Three bedroom units = Owner occupied unit = No (May only claim one unit and is owner's primary residence.) 3. Site Plan If an accurate copy of the site plan is on file from your last registration and if no changes have been made at the property, it will not be necessary to submit another site plan. If we do not have a site plan, or changes have occurred, please follow the steps below. Attach a copy of a site plan that depicts: The location of each building within the complex; Apartment numbers/address for each building; A description of the use for each building (pool house, mail center, etc.); Parking locations and number of spaces; Trash receptacle/dumpster locations; Yes No Did you attach a site plan? 4. Security System As there a security system on the property? Is the system monitored? If yes, complete company information. Company/Name: Telephone Number: Telephone Number: Are there bars across the windows for the purposes of security? If you have a question specifically about your master codes for a security system, please call 817-276-4221.		Four bedroom units =	
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STATE OF THE STATE	Yes No Are there bars across the windows for the purposes of security?		
A COPY OF THE MASTER CODE MUST ALSO ACCOMPANY THE REGISTRATION	If you have a question specifically about your master codes for a security system, please call 817-276-4221.		
The resident of the second of			
Check here to indicate that you have attached a copy of the master code.			

(Owner #2 Information			
Owner #2 Name: Kelsey Tally				1
Owner #2 Business Address: SAME				
City:		_ State:	Zip Code:	
Owner #2 Residence address: SAME				
City:	8	_ State:	Zip Code:	
Owner #2 Business Telephone:	Owner #2 Reside	nce Telephone:		
Owner #2 Fax:	Owner #2 Cell Phone:			
Owner #2 E-Mail:				_ State:
Date of Birth:(Required)		(0	ptional)	
	Owner #3 Information	AND THE STATE OF T	and the second	
Owner #3 Name:				
Owner #3 Business Address:				
City:		State:	Zip Code:	
Owner #3 Residence address:				
City:		State:	Zip Code:	
Owner #3 Business Telephone:	Owner #3 Reside	nce Telephone: _		
Owner #3 Fax:	Owner #3 Cell Phone: _			
Owner #3 E-Mail:	_ Owner #3 Driver License #: _	(0)	ntional)	_ State:
Date of Birth:(Required)		(V)	ottoriai)	
	Owner #4 Information			
Owner #4 Name:				
Owner #4 Business Address:				
City:		State:	Zip Code:	
Owner #4 Residence address:				
City:		State:	Zip Code:	
Owner #4 Business Telephone:	Owner #4 Resider	nce Telephone: _		
Owner #4 Fax:	Owner #4 Cell Phone: _	- 8		
Owner #4 E-Mail:	Owner #4 Driver License #: _	(Or	ntianal)	State:
Date of Birth:(Required)		(~,	Monal)	

7. Mortgagee Information

If the property is mortgaged, list information regarding all mortgages. A mortgagee is a person, agency, business or institution who takes a mortgage on another's property as security for a debt or obligation.

who takes a mongage on another a property as security for a dept of or	ongation.
Mortgagee #1: Texas Trust Credit Union	Telephone #: 972-263-5171
Address: 5850 West Interstate 20	
city: Arlington	_ State: Zip Code: 76017
Mortgagee #2:	Telephone #:
Address:	
City:	
Mortgagee #3:	
Address:	
City:	
8. Registered Agent's Inf	ormation
If any owner permanently resides outside of Texas they must designate	an agent to receive service of legal notice.
Agent Name:	
Physical Street Address:	
5400,000,000	x Not Acceptable)
City: State	
Telephone:	
9. Property Mana	gement
Property Management Company Name (if applicable):	
Address (Must be physical address, No PO Box):	
City:	_ State: Zip Code:
Telephone: Fax: _	
Property Manager's Name:	
Address (Must be physical address, No PO Box):	
City:	_ State: Zip Code:
Business Telephone:	Residence/Cell:
Onsite Manager's Name:	
Address (Must be physical address, No PO Box):	
City:	_ State: Zip Code:
Business Telephone:	_ Residence/Cell:

10. Emergency Contact Information		
In the event of fire, natural disaster, flood, burst pipes, collapse hazard, violendesignated employees or authorized representatives assigned to respond during		
Primary Contact Name: Brian Tally		
Physical Residence Address: 274 Shaes Turn (PO Box Not Acceptable)	Te)	
City: Aledo	State: Zip Code: Zip Code:	
Residence Telephone:		
Physical Business Address: SAME (PO Box Not Accept	able)	
City:		
Business Telephone: Cell:	Pager:	
Secondary Contact (Optional):		
Physical Residence Address:(PO Box Not Acceptable)	MARKET AND	
City:	_ State: Zip Code:	
Residence Telephone:		
Physical Business Address:(PO Box Not Acceptable,		
City:	_ State: Zip Code:	
Business Telephone: Cell:	Pager:	
11. Billing information	n	
Billing Name: Newport Investments, LLC E-Mail: To what name do you want the invoice mailed? Would you		
Billing Address: 274 Shaes Torn	70.	
To what address would you prefer to receive your invol		
City: Aledo State: TX Zip Code: 76008		
Billing Telephone: Fax:		
12. Required Signature		
Registration Authorized By: Brian Tally	Signature 8 - 2 5 - 22 Date	
Registration Completed By : Brian Tally	\$-25-22 Signature Date	
affirm that the information on this application is true to the best of my knowledge and befor partnership, you must notify the City within 30 days. Failure to comply with this required City Code. We do not accept payments with your application. Please remit pasts, Mansfield, Texas, 76063. You may contact our office at 817-276-4221.	lief. If the complex is sold to a new owner, corporation ment may result in penalties as established by the	
Mail Completed Registration Form To: City of Mansfield, Regulatory Com Multifamily Rental Inspections 620 S. Wisteria St, Mansfield, TX 7		

Questions: 817-276-4221 • Email: regulatory.compliance@mansfieldtexas.gov

17-2206 17-2323 17-2324

ORDINANCE NO. OR-2050-17

AN ORDINANCE DELETING SECTION 011 OF CHAPTER 150 OF TITLE XV OF THE CITY CODE OF THE CITY OF MANSFIELD, AS AMENDED, BY INSERTING PROVISIONS REGARDING ESTABLISHING REGULATIONS APPLICABLE TO DANGEROUS AND SUBSTANDARD BUILDINGS; PROVIDING FOR THE REPAIR, DEMOLITION, REMOVAL, SECURING, AND VACATION OF DANGEROUS AND SUBSTANDARD BUILDINGS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas is a Home Rule Municipality located in Tarrant County, created and operating pursuant to and in accordance with Article XI, Section 5 of the Texas Constitution, the Local Government Code and prior statutes, and other enabling legislation of the State of Texas; and,

WHEREAS, the City Council of the City of Mansfield deems it necessary to adopt this ordinance providing minimum standards to safeguard the health, property and welfare of the citizens of Mansfield by regulating and controlling the use, occupancy, maintenance, repair, vacation, removal, demolition, and abatement of substandard or dangerous buildings within the City of Mansfield; and,

WHEREAS, Chapter 214 of the Local Government Code authorizes a municipality to regulate substandard buildings and establishes procedures thereof; and,

WHEREAS, it is the intention of the City Council of the City of Mansfield to establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction and to provide for the giving of proper notice to the owner of a building and to provide for a public hearing to determine whether a building complies with the standards set out in this ordinance; and,

WHEREAS, the City Council of the City of Mansfield previously adopted Section 150.011 of Title XV of the Mansfield City Code, which regulates the abatement of dangerous structures within the City of Mansfield; and,

WHEREAS, the City Council of the City of Mansfield now desires to provide updated and additional procedures and substantive provisions relating to the regulation and abatement of dangerous and substandard buildings, in compliance with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

Ordinance No. <u>or-2050-17</u>
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SECTION 1.

Section 150.011 of Chapter 150 of Title XV of the Mansfield City Code is hereby deleted and replaced with the following provisions to read as follows:

§ 150.011 DANGEROUS AND SUBSTANDARD STRUCTURES.

(A) Purpose and Scope.

- (1) Purpose. It is the purpose of this Section to provide a just, equitable and practical method, to be cumulative with and in addition to any other remedy provided by the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code, other ordinances and regulations of the City of Mansfield, Chapter 214 of the Local Government Code, or otherwise available at law, whereby buildings, as defined herein, which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants and may be required to be repaired, vacated, demolished, removed or secured. The purpose of this Section is also to provide minimum standards for the continued use and occupancy of all structures to safeguard life, limb, health, property and public welfare.
- (2) Scope. The provisions of this Section shall apply to all buildings which are hereinafter defined as dangerous or substandard buildings whether now in existence or whether they may hereafter become dangerous.
- (3) Designation. The regulations set forth in this section may be referred to as the Mansfield Substandard Building Ordinance.

(B) Definitions.

- (1) **Board** means the Board of Adjustment and Appeals as authorized to implement the Substandard Building Ordinance by Section 150.025 of the Mansfield Code, as amended.
- (2) **Building** means and includes any building, fence, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.
- (3) **Building Code** is the International Building Code as adopted and amended by the City of Mansfield.
- (4) **Building Official** means the person designated by the City Manager to enforce this Section.
 - (5) **Council** means the City Council of the City of Mansfield.
- (6) **Electric Code** is the National Electrical Code as adopted and amended by the City of Mansfield;

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-		17-2324

- (7) **Fire Code** is the International Fire Code as adopted and amended by the City of Mansfield.
- (8) **Maintenance Code** is the International Property Maintenance Code as adopted and amended by the City of Mansfield.
- (9) **Mechanical Code** is the International Mechanical Code as adopted and amended by the City of Mansfield.
- (10) **Plumbing Code** is the International Plumbing Code as adopted and amended by the City of Mansfield.
- (11) **Residential Code** is the International Residential Code as adopted and amended by the City of Mansfield.

C. Enforcement.

- (1) General.
- (a) Administration. The building official is hereby authorized to enforce the provisions of this Section. The building official shall have the power to render interpretations of this Section and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this Section 150.011.
- (b) **Inspections.** The building official and the fire marshal or their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Section 150.011.
- (c) Right of Entry. When it is necessary to make an inspection to enforce the provisions of this Section, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this Section which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform the duties imposed by this Section, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry, including, but not limited to obtaining an administrative search warrant.
- (2) Abatement of Dangerous or Substandard Buildings. All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this Section are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this Section.

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- (3) Unlawful to Violate Section. It shall be unlawful for any person, firm or corporation to erect, construct, or use, occupy or maintain any building that is deemed herein to be a nuisance or cause or permit the same to be done in violation of this Section 150.011.
- (4) Inspection Authorized. All buildings within the scope of this Section and all construction or work for which a permit is required shall be subject to inspection by the building official.

(D) Substandard Building Declared.

- (1) For the purposes of this Section, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:
- (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety and welfare in the opinion of the building official.
- (b) Whenever any building, regardless of its structural condition, is 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.
- (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
- 1. The building constitutes a danger to the public even though secured from entry; or
- 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (1)(b) of this Subsection.
- (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.
- (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building.
- (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

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- (h) Whenever any building is defined as substandard by any provision of the Building Code, Maintenance Code, Electric Code, Fire Code, Plumbing Code, Mechanical Code, Residential Code or other ordinance or regulation of the City of Mansfield, or constructed and still existing in violation of any provision of any of said Codes of the City of Mansfield to the extent that the life, health or safety of the public or any occupant is endangered.
- (2) For the purposes of this Section, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:
- (a) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- (b) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- (c) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
- (d) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
- (e) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- (f) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
- (g) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- (h) Whenever the building, or any portion thereof, because of (1) dilapidation, deterioration or decay; (2) faulty construction; (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (4) the deterioration, decay or inadequacy of its foundation; or (5) any other cause, is likely to partially or completely collapse.

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- (i) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- (j) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- (k) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- (l) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (1) an attractive nuisance to children; or, (2) a harbor for vagrants, criminals or immoral persons.
- (m) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of this jurisdiction, as specified in the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
- (n) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (1) strength, (2) fire-resisting qualities or characteristics, or (3) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- (o) Whenever a building, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the building official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease, but not limited to the following:
- 1. Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
- 2. Lack of, or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel.
 - 3. Lack of, or improper kitchen sink in a dwelling unit.
 - 4. Lack of hot and cold running water to plumbing fixtures in a hotel.

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- 5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
 - 6. Lack of adequate heating facilities.
 - 7. Lack of, or improper operation of, required ventilating equipment.
- 8. Lack of minimum amounts of natural light and ventilation required by this Section or the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or other ordinance or regulation of the City of Mansfield.
- 9. Room and space dimensions less than required by this Section or the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or other ordinance or regulation of the City of Mansfield.
 - 10. Lack of required electrical lighting.
 - 11. Dampness of habitable rooms.
 - 12. Infestation of insects, vermin or rodents.
 - 13. General dilapidation or improper maintenance.
 - 14. Lack of connection to required sewage disposal system.
 - Lack of adequate garbage and rubbish storage and removal facilities.
- (p) Whenever any building contains structural hazards, including but not limited to the following:
 - 1. Deteriorated or inadequate foundations.
 - 2. Defective or deteriorated flooring or floor supports.
- 3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
- 4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
- 5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
- 6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

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- 7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
- 8. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.
- 9. Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety.
- (q) Whenever any building is constructed or existing in violation of the Building Code, Fire Code, Plumbing Code, Mechanical Code, Electric Code, Residential Code, Maintenance Code or other ordinance or regulation of the City of Mansfield, or is defined as a dangerous building by any provision of said Codes of the City of Mansfield, or is constructed and still existing in violation of any provision of any of said Codes of the City of Mansfield to the extent that the life, health or safety of the public or any occupant is endangered.
- (E) Determination by Building Official. When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:
- (1) Issue notice to the record owner that the building is substandard and must be repaired or demolished; or
 - (2) Issue citation(s) for violation(s) of this Section; or
 - (3) Secure the building if permitted by Subsection (L)(1) of this Section; or
- (4) Recommend to the Board that abatement proceedings be commenced pursuant to Subsection (F) of Section.

(F) Public Hearing for Abatement of Substandard Buildings.

- (1) Commencement of Proceedings. When the building official has found and determined that a building is a substandard building, the building official shall commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.
- (2) Public Hearing to be Held. Except when the Council or the building official finds that a building is likely to immediately endanger persons or property, a public hearing before the Board shall be held to determine whether a building complies with the standards set out in Subsection (D) of this Section. If the Council or building official determines that the building constitutes an immediate danger, the procedures set forth in Subsection (L) of this Section shall be followed.
- (3) Notice. Not less than ten (10) days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the

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identity and address of any owner, lienholder or mortgagee of the building through searching the county real property records of the county in which the building is located; appraisal district records of the appraisal district in which the building is located; records of the Secretary of State; assumed name records of the county in which the building is located; tax records of the city; and utility records of the city. The notice shall contain:

- (a) the name and address of the record owner;
- (b) the street address or legal description sufficient for identification of the premises upon which the building is located;
- (c) a statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of Subsection (D) of this Section;
- (d) a statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the Section, and the time it will take to reasonably perform the work;
 - (e) notice of the time and place of the public hearing; and
- (f) a statement that if the building is found to be in violation of this Section, the Board may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.
- (4) Additional Notice of Public Hearing. Prior to the public hearing, the City may file a copy of the notice mailed pursuant to Subsection (3) of this subsection in the official public records of real property in the county in which the property is located. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Board at the public hearing, prior to any remedial action by the City.
- (5) Burden of Proof. At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this Section, and the time it will take to reasonably perform the work.
- (6) Conduct of Public Hearing. At the public hearing, the owner of the building, and all other interested persons may make their appearance and be heard. Any evidence may be received and considered by the Board. The hearing may be adjourned from day to day or continued upon a majority vote of the Board, in compliance with the Open Meetings Act.

(G) Order of Board Regarding Substandard Building.

(1) Findings of the Board. If the Board, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of standards set out in Subsection (D) of this Section, the Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, by the owner, mortgagee or lienholder within a reasonable time as provided herein.

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- (2) Time Allowed to Complete Work.
- (a) The order must require the owner, lienholder or mortgagee of the building to within 30 days:
 - 1. Secure the building from unauthorized entry; and/or
- 2. Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.
- (b) If the Board allows the owner, lienholder or mortgagee more than thirty (30) days to repair, remove or demolish the building, the Board shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Board.
- (c) The Board may not allow the owner, lienholder or mortgagee more than ninety (90) days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:
- 1. Submits a detailed plan and time schedule for the work at the hearing; and
- 2. Establishes at the hearing that the work cannot be reasonably completed within ninety (90) days because of the scope and complexity of the work.
- (d) If the Board allows the owner, lienholder or mortgagee more than ninety (90) days to complete any part of the work required to repair, remove or demolish the building, the Board shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Board or the building official to demonstrate compliance with the time schedules.
 - (3) Contents of order. The order of the Board must contain at minimum:
- (a) An identification which is not required to be a legal description, of the building and the property on which it is located; and
- (b) A description of the violation of minimum standards present in the building; and
- (c) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

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- (d) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and
- (e) If the Board has determined that the building will endanger persons or property and that the building is a dwelling with 10 or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(H) Notice of Order of the Board.

- (1) Order Shall be Mailed. After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.
- (2) Order Shall be Filed with City Secretary. Within ten (10) days after the date that the order is issued by the Board, the building official shall file a copy of the order in the office of the City Secretary.
- (3) Order Shall be Published. Within ten (10) days after the date the order is issued by the Board, the building official shall publish in a newspaper of general circulation within the City a notice containing:
 - (a) The street address or legal description of the property; and
 - (b) The date the hearing was held; and
 - (c) A brief statement indicating the results of the order; and
 - (d) Instructions stating where a complete copy of the order may be obtained.
- (4) The order may be filed in the official public records of real property in the county in which the property is located.

(I) Enforcement of the Order of the Board.

- (1) If order not complied with, City may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:
- (a) The city may not act to remove or demolish a building until after the Board has found:
- 1. That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

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- 2. The building is infeasible of repair; or
- 3. There is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.
- (b) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:
- 1. The Board has made a determination that the building is likely to endanger person or property; and
- 2. The building is a residential dwelling with ten (10) or fewer dwelling units.
- 3. In the event there are mortgagors or lienholders, the City may only repair, remove or demolish the building after allowing the lienholder or mortgagee on additional 30 days after the time prescribed in the order has expired to complete the required work.
- (2) Posting of Notice to Vacate Building. If the order requires vacation or if compliance is not had with the order within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and it shall be posted at or upon each entrance to the building and shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building or to remove or deface this notice.

Building Official
City of Mansfield"

- (3) Remedial Action by City. Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.
- (4) Failure to Obey Order. Any person to whom an order pursuant to Subsection (G) of this Section is directed who fails, neglects or refuses to comply with such order shall be guilty of a

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misdemeanor and may be prosecuted in municipal court in addition to any other remedies available to the City provided herein.

- (5) Interference Prohibited. No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this Section; or with any person to whom such building has been lawfully sold pursuant to the provisions of this Section, whenever such officer, employee, contractor or authorized representative of the City, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this Section, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this Section.
- (6) *Permit Required*. Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the City. All permits issued pursuant to an order of the Board shall expire upon expiration of the time for compliance set forth in the order.

(J) Performance of Work by the City.

- (1) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the City pursuant to the provisions of any order of the Board, the work may be accomplished by City personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.
- (2) Costs. The cost of such work shall be paid from City funds and shall constitute a special assessment and a lien against such property to secure payment thereof, together with ten percent (10%) interest on such amount from the date on which the work is performed.
- (3) Repair to Minimum Standards Only. The City may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with minimum standards.

(K) Recovery of Cost of Securing, Repair, Removal or Demolition.

- (1) Itemized Account and Notice of Lien. The building official shall keep an itemized account of the expenses incurred by the City in the securing, repair, removal or demolition of any building pursuant to this Section. Upon completion of the work, the Building Official shall prepare and file with the City Secretary a sworn account and Notice of Lien containing the following information:
- (a) The name and address of the owner if that information can be determined with a reasonable effort;

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- (b) A legal description of the real property on which the building is or was located;
 - (c) The type of work performed; and
- (d) The amount of expenses incurred by the city in performing the work and the balance due.
- (2) Notice Filed in County Records. The City Secretary shall file the Notice of Lien along with a copy of the order of abatement issued by the Board in the deed records of the county in which the premises are located.
- (3) Personal Obligation of Property Owner. The expenses incurred by the City as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property. The City Attorney may bring an action in any court of proper jurisdiction against the owner or property to recover the costs incurred by the City.
- (4) Lien Shall be Valid and Privileged. Upon filing of the Notice of Lien in the Deed Records of Tarrant, Ellis, or Johnson County, Texas, as applicable, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens, existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.
- (5) Assessment Must be Paid. No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the City.
- (6) Release of Lien. After the expenses incurred by the City, as set forth in the sworn account of the building official, have been fully paid with interest of ten percent (10%) per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the Deed Records of Tarrant, Ellis, or Johnson County, Texas, as applicable.

(L) Additional Authority to Secure Certain Substandard Buildings Prior to Public Hearing and Secure, Demolish, Repair or Remove Certain Dangerous Buildings.

- (1) Securing of Unoccupied, Substandard Building. Notwithstanding any other provisions of this Section the City may secure a building if the building official determines:
- (a) That the building violates the minimum standards set forth in Subsection (D) of this Section; and
- (b) That the building is unoccupied or is occupied only by persons who do not have the right of possession to the building.
- (2) If Building Creates Immediate Danger. Notwithstanding any other provisions of this Section, if the Board finds that a building is likely to immediately endanger persons or property the Board may:

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- (a) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or
- (b) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.
- (3) Before the eleventh (11th) day after the date the building is secured pursuant to Subsection (1) of this section, or action is ordered pursuant to Subsection (2)(a) of this subsection, or the building is repaired, removed or demolished pursuant to Subsection (2)(b) of this subsection, the building official shall give notice to the owner by:
 - (a) Personally serving the owner with written notice; or
- (b) Depositing the notice in the United States mail addressed to the owner at the owner's post office address; or
- (c) Publishing the notice at least twice within a ten (10) day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or
- (d) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and
- (e) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the county clerk.

(4) The notice must contain:

- (a) An identification, which is not required to be a legal description, of the building and the property on which it is located;
- (b) A description of the violation of the minimum standards present in the building;
- (c) A statement that the city will secure or has secured, as the case may be, the building, or that the City has taken or will take the action ordered pursuant to Subsection (2) of this subsection:
- (d) An explanation of the owner's entitlement to request a hearing about any matter relating to the City's securing, removing, demolishing or repairing of the building.

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- (5) The Board shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the City's securing, repairing, removing or demolishing of the building, if, within thirty (30) days after the date the City has taken action pursuant to Subsections (2)(a) or (2)(b) of this subsection, the owner files with the City a written request for the hearing. The hearing shall be conducted within twenty (20) days after the date the request is filed.
- (6) If the City incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by Subsections (J) and (K) of this Section.
 - (7) It shall be unlawful to fail to comply with an order issued pursuant to this Section.

(M) Civil Penalty.

- (1) Civil Penalty Authorized. In addition to any other enforcement authority provided for by law, the Board may, by order, at an administrative hearing assess a civil penalty against a property owner as provided for herein for failure to comply with an order issued by the Board pursuant to Subsection (G) of this Section.
- (2) Showing Required. The civil penalty may be assessed if it shown at the administrative hearing that:
- (a) the property owner was notified of the contents of the order issued pursuant to Subsection (G) of this Section; and
- (b) the property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.
- (3) Amount of Penalty. The civil penalty may be assessed in an amount not to exceed \$1000.00 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed \$10.00 a day for each violation.
- (4) Notice of Administrative Hearing. Not less than ten (10) days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail/return receipt requested. The notice shall contain:
- (a) a copy of the order issued by the Board pursuant to Subsection (G) of this Section;
- (b) a statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;
- (c) a statement that at the administrative hearing the Board may assess a civil penalty not to exceed \$1000.00 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed \$10.00 a day for each violation; and

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- (d) notice of the time and place of the hearing.
- (5) Copy of Order Filed with District Clerk. After the civil penalty is assessed, the city secretary shall file with the district clerk of the county in which the property is located, a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.
- (6) *Enforcement*. The civil penalty may be enforced by the city in a suit brought by the City in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this subsection is final and binding and constitutes prima facie evidence of the penalty in any suit.
- (N) Authority Not Limited. Notwithstanding all other provisions of this Section, nothing herein shall be deemed a limitation on the duty of the City to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Mansfield, Texas except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances and such ordinances are hereby repealed. Ordinance No. 1143 is specifically repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Mansfield are expressly saved as to any and all violations of the provisions of any ordinance related to substandard or dangerous buildings as they may have been amended or any other ordinance or code provision which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation,

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both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Mansfield is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

SECTION 7.

The City Secretary of the City of Mansfield is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance at least once in the official newspaper of the City of Mansfield.

SECTION 8.

This ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

FIRST READING APPROVED ON THE 22ND DAY OF MAY, 2017.

SECOND READING APPROVED ON THE 23RD DAY OF MAY, 2017.

DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 24^{TH} DAY OF MAY, 2017.

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

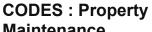


CE | PI | PW | RNTL | MISC





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Inspector: James Triplett

Initial Inspection

Violation - Send Notice of Violation

Mail Notice of Violation

Ready

Second Inspection

Mail Final Notice

Final Inspection

Issue Citation Citation Issued

Select Contractor

Pre-Warrant Inspection

Obtain Warrant

Cancel Contractor Abatement

Confirm Abatement

Invoice / Payment Authorization

Add Fees

Mail Owner's Invoice

Payment Due

Print / File Lien

Record Filing Information

Court Results Ready

Archive Case

Maintenance Overviews: Results | Inspections

Start Date 🍮 Jul 25, 2022

Work Days Elapsed 198d 21h

Case Description (edit)

2022 API

22-01728

Address (view) (show more)



320 N QUEENS Ct. MANSFIELD, TX 76063

CE History

(display 14 records) (property history)

Key Dates and Information (edit)

07/11/2022

Initial Date Last

Inspection 07/11/2022

2

Inspection

Date

Total # of Inspections

Initial Citation

11/18/2022 (243500 (1,2,3))

Date

Date

01/26/2023 (2400471,2400472,2400473, 2400481, Last Citation 2400482, 2400483, 2400491, 2400492, 2400493, 2400501, 2400502, 2400503, 243891 (1,2,3), 243890 (1,2,3), 243892 (1,2,3), 243893 (1,2,3)) 4

Total # of Citation Total # of

Publish

0

Total uploaded files: 13

(view all)

Modules

- Assign Contractor
- Add Fees
- Enter Owner's Payment
- Lien Filling Information
- Set Correction Items

Documents

- Notification Letter
- Violation Notice
- Contractor Notification
- Owners' Invoice
- Lien

Case Notes

Add Note Set up Standard Notes

▶ Conducted the 2022 API

Last Update by James Triplett on Jul 25, 2022

(edit) (delete)

I conducted the 2022 API on 7-11-22. I completed and mailed the paperwork today. JMT

Documents

- Pictures
- Inspection Notes

Envelope

▶ 1st Reinspection

Last Update by James Triplett on Nov 18, 2022

(edit) (delete)

I received an interior concern from a resident Case #22-02860. Since I was conducting that initial I went ahead and conducted a re-inspection on the API. The only noted correction was the parking lot striping. Everything else was still in violation, plus I've added some additional items in MyGov since I was given additional access to the balcony. I'm mailing citations for handrail and guards, protective treatment and walkway/stairways not maintained. The citation is 2435001, 2435002 an 2435003. Additional citations are warranted but I ran out. I went to court and there is a backorder. By default alone, I only issued the three citations today. All three were issued to Kelsey Talley and mailed to the 274 Shaes Turn address.

Documents

- Pictures
- cites

▶ 1-23-2023 and 1-24-2023

Last Update by James Triplett on Jan 26, 2023

(edit) (delete)

No change. Issued and mailed citations 2400431, 2400421, 2400422, 2400411, 2400412, 2400413 to Brian Tally. Mailed on 1-26-23.

Documents

• photos from 1-23 and 1-24

▶ 02-10-2023

Last Update by James Triplett on Feb 10, 2023

(edit) (delete)

No changes. Emailed Cliff and Narada for identifiers on Kelsey Tally.

Documents

▶ 2-10-23 Pictures

2-14-2023

Last Update by James Triplett on Feb 14, 2023

(edit) (delete)

Issued a round of citations to Kelsey and a round of citaitons to Brian.

2400471, 2400472, 2400473, 2400481, 2400482, 2400483, 2400491, 2400493, 2400493, 2400501, 2400502, 2400503. For roof defects, trim/wall defects, protective treatment (both peeling paint and rust), hand rails and guard rails not connected, exterior wall in poor condition, unsafe condition with balcony of #C.

Documents

Pictures 2-10-2023

▶ 2-23-23 no change

Last Update by James Triplett on Feb 24, 2023

(edit) (delete)

320 Queens

James Triplett

3:45 PM (4 minutes ago)

to Cliff, Narada

There are life safety issues involving a detached second floor patio that is situated on a foundation that does not appear to be adequate (the ground has shifted causing the slab to raise on one side and thus pulling the landing from the wall). I've issued around twenty two citations to both owners for a number of issues.

I think this is one you two should come take a look at in case there's any other steps you'd like me to take outside of the customary citation enforcement.

▶ 3-3-2023

Last Update by James Triplett on Mar 3, 2023

(edit) (delete)

I am supposed to meet with Building Safety on Monday.

3-3-23 - No change. Issued citations 243891 (1,2,3), 243890 (1,2,3), 243892 (1,2,3), 243893 (1,2,3) to Brian and Kelsey Tally for: roof defects, protective treatment (paint and rust), trash and debris (rodent observed in limb/litter pile), handrail/guard not attached, unsafe patio conditions in unit #C, exterior stairway not in good repair.

Documents

• Pictures 3-3-2023

▶ Letter from Building Official

Last Update by James Triplett on Mar 9, 2023

(edit) (delete)

certified receipt

James Triplett Attachments 2:51 PM (0 minutes ago) to Serena

Here's a copy of the certified receipt and a copy of the two envelopes that were mailed from Regulatory Compliance regarding 320 Queens. These were sent out yesterday afternoon. Just an fyi.

James Triplett

Rental Inspector

City of Mansfield

620 S. Wisteria Street

Mansfield, TX 76063

Phone: 817-728-3333

E-mail: james.triplett@mansfieldtexas.gov

regulatory.compliance@mansfie

IMG_9579.JPG ldtexas.gov

One attachment

Scanned by Gmail

Photos



Documents

▶ Letter from Building Official

▶ 4-12-2023

Last Update by James Triplett on Apr 14, 2023

(edit) (delete)

Issued citations to Brian and Kelsey Tally 2440291 2440292 2440293 2440271 2440272 2440273 2440281 2440282 2440283 2440261 2440262 2440262 for unfastened handrails, trash/debris, overhang extension not in good repair, protective treatment, balcony not structurally sound, stairway not maintained.

Photos



Documents

▶ Pictures from 4-12-2023

Back

Nicolette Ricciuti

Version 4.0

May 3, 2023

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CE | PI | PW | RNTL | MISC





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Home » Code Enforcement » Active Cases » Active Case

CODES: Dangerous Structures





Overviews: Results | Documents | Inspections

ID#	Start Date 🍮	Work Days Elapsed
23-00292	Feb 24, 2023	48d 0h



Case Description (edit)

The second story patio landings for unit #C and #D are not sufficiently stable and due to the foundation shifting they are not anchored, attached or fastened in place so as to be capable of resisting natural load and/or stress. The hand rails have detached from the exterior wall. It is clearly unsafe for its use by the occupants of the attached units and/or any person or property situated underneath and adjacent to it.

Please have the back doors of all the units (A, B, C and D) secured to prevent their usage and therefore access to the backyard. Please have the backyard secured to prevent access (locking of gates and ensure any fence gaps are repaired). Please secure the building doors and back yard points of entry immediately.

As indicated in prior communications permits will likely be needed for the repairing and/or rebuilding of the structures. However, the structures and area need to be secured immediately in order to prevent injury or death.

Address (view) (show more)





320 N QUEENS Ct. MANSFIELD, TX 76063

 	 	,	 -	-	_	_

CE History

(display 14 records) (property history)

Key Dates and Information (edit)					
Initial Inspection Date	02/24/2023				
Total # of Inspections	1				
Initial Comply By Date	02/27/2023				
Last Comply By Date	02/27/2023				
Total # of Comply By	1				
Initial Citation Date	04/14/2023 (2440291 2440292 2440293 2440271 2440272 2440273 2440281 2440282 2440283 2440261 2440262 2440263)				
Last Citation Date	04/14/2023 (2440291 2440292 2440293 2440271 2440272 2440273 2440281 2440282 2440283 2440261 2440262 2440263)				
Total # of Citation	1				
Total # of Publish	0				

Total uploaded files: 5 (view all)

STEPS 🤴





Inspector: James Triplett

Initial Inspection

Violation - Send Certified Letter

Citation Issued

Mail Notice of Violation

Second Inspection

Final Notice Mailed Mail Final Notice

Final Inspection Ready

Select Contractor

Issue Citation

Pre-Warrant Inspection

Obtain Warrant

Cancel Contractor Abatement

Confirm Abatement

Invoice / Payment Authorization

Add Fees

Mail Owner's Invoice

Payment Due

Print / File Lien

Record Filing Information

Court Results Delayed until May 4, 2023

Archive Case

Modules

- Assign Contractor
- Add Fees
- Enter Owner's Payment
- Lien Filling Information
- Set Correction Items

Documents

- Notification Letter
- Violation Notice
- Contractor Notification
- Owners' Invoice

Case Notes

Add Note

Set up Standard Notes

▶ 2-24-2023

Last Update by James Triplett on Feb 24, 2023

(edit) (delete)

Tarrant County Appraisal District still shows the address as 2117 Bay Cove in Arlington. I generated a letter for that address and created a letter to send to the Shaes Turn address in Aledo.

Photos



2-27-2023

Added by James Triplett on Feb 28, 2023

(edit) (delete)

No change. Mgmt reviewing.

2-28-2023

Last Update by James Triplett on Mar 1, 2023

(edit) (delete)

Met with senior mgmt this morning. Building Safety will be inspecting and/or we'll be inspecting.

3:00PM - solo inspection, no change onsite. Notified Mgmt.

▶ 3-2-2023

Added by James Triplett on Mar 2, 2023

(edit) (delete)

320 Queens - Dangerous Structure

James Triplett

8:21 AM (0 minutes ago)

to Narada, Cliff, Nicolette

There hasn't been any visible change. I did not see any permits on file. I've recently had several certified cards signed by one of the defendants come back as "signed" but I have not heard anything from either one of them and/or their attorney.

▶ 3-3-2023

Last Update by James Triplett on Mar 3, 2023

(edit) (delete)

No change. Documented citations under the API case.

Documents

▶ Pictures 3-3-2023

▶ Letter from Building Official

Last Update by James Triplett on Mar 9, 2023

(edit) (delete)

certified receipt

James Triplett

Attachments

2:51 PM (0 minutes ago)

to Serena

Here's a copy of the certified receipt and a copy of the two envelopes that were mailed from Regulatory Compliance regarding 320 Queens. These were sent out yesterday afternoon. Just an fyi.

James Triplett

Rental Inspector

City of Mansfield

620 S. Wisteria Street

Mansfield, TX 76063

Phone: 817-728-3333

E-mail: james.triplett@mansfieldtexas.gov

regulatory.compliance@mansfie

IMG_9579.JPG ldtexas.gov One attachment
• Scanned by Gmail

Photos



Documents

▶ Letter from Building Official

▶ 4-12-2023

Last Update by James Triplett on Apr 14, 2023

(edit) (delete)

Issued/Mailed citation 2440291 2440272 for the detached handrails and unsafe condition of the balcony to Kelsey Tally. Issued/Mailed citation 2440281 2440263 for detached handrails and unsafe condition of the balcony to Brian Tally.

Photos



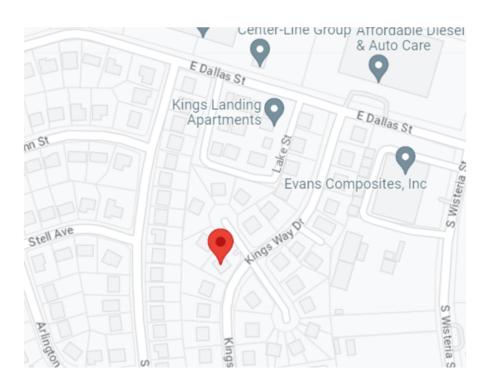


Nicolette Ricciuti Version 4.0

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May 3, 2023

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Franchise Tax Account Status

As of: 05/07/2023 12:06:25

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

NEWPORT INVESTMENTS LLC				
Texas Taxpayer Number	32045623587			
Mailing Address	2117 BAY COVE CT ARLINGTON, TX 76013-5247			
	FRANCHISE TAX INVOLUNTARILY ENDED Request tax clearance to reinstate entity			
State of Formation	TX			
Effective SOS Registration Date	11/10/2011			
Texas SOS File Number	0801506104			
Registered Agent Name	BRIAN TALLY			
Registered Office Street Address	2101 BAY COVE COURT ARLINGTON, TX 76013			

Public Information Report

Public Information Report NEWPORT INVESTMENTS LLC

Report Year :2021

Information on this site is obtained from the most recent Public Information Report (PIR) processed by the Secretary of State (SOS). PIRs filed with annual franchise tax reports are forwarded to the SOS. After processing, the SOS sends the Comptroller an electronic copy of the information, which is displayed on this web site. The information will be updated as changes are received from the SOS.

You may order a copy of a Public Information Report from open.records@cpa.texas.gov or Comptroller of Public Accounts, Open Records Section, PO Box 13528, Austin, Texas 78711.

Title	Name and Address
MANAGING M	BRIAN TALLY 2117 BAY COVE CT ARLINGTON, TX 76013
MANAGING M	KELSEY TALLY 2117 BAY COVE CT ARLINGTON, TX 76013



9675 Camp Bowie West Blvd, Fort Worth, TX 76116

P: 817-335-5082 F: 817-334-9687 www.ReisResearch.com

REIS File No. 28482 May 10, 2023

Client File No. 320 N Queens Ct.

ABSTRACTOR'S INFORMATION LETTER TITLE SEARCH

Narada Lee City of Mansfield 620 S. Wisteria St. Mansfield, TX 76063

In compliance with your request for information with reference to the following described property, our search from September 11, 2014 (commencement date) to May 2, 2023 (certification date) reflects:

LEGAL DESCRIPTION:

Lot 18, in Block 3, of CAMBRIC PARK II ADDITION, an Addition to the City of Mansfield, Texas, according to the Map thereof recorded in Volume 388-176, Page 53, of the Plat Records of Tarrant County, Texas.

BASED ON THE INSTRUMENTS FILED OF PUBLIC RECORD, TITLE APPEARS TO BE VESTED IN:

Newport Investments, LLC, a Texas Limited Liability Company

NAME(S) SEARCHED FOR INVOLUNTARY LIENS AND BANKRUPTCIES:

Newport Investments, LLC

LAST DEED(S) IN CHAIN OF TITLE:

(Grantor/Grantee shown as indexed and may be abbreviated. Please refer to document for full name)

WARRANTY DEED (ALL CASH)

Grantor: BRIAN TALLY

Grantee: NEWPORT INVESTMENTS LLC

Filed: 9/11/2014 Instrument Number: 214199656

LIENS FOR WHICH WE FIND NO RELEASE OR ATTEMPTED RELEASE OF RECORD:

DEED OF TRUST, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES

Grantor: NEWPORT INVESTMENTS LLC
Grantee: TEXAS TRUST CREDIT UNION

Filed: 8/26/2020 Instrument Number: <u>220213181</u>

Notes: References multiple properties including Lot 18, Block 3, Cambric Park II Addition.

ABSTRACT OF JUDGMENTS, CHILD SUPPORT LIENS, STATE TAX LIENS AND FEDERAL TAX LIENS FOR WHICH WE FIND NO RELEASE OR ATTEMPTED RELEASE OF RECORD FILED OF RECORD FROM May 2, 2013 (commencement date) to May 2, 2023 (certification date):

WE FIND NONE.

PENDING BANKRUPTCIES FILED IN TEXAS FROM May 2, 2018 (commencement date) to May 2, 2023 (certification date):

WE FIND NONE.

EXCEPTIONS AND REMARKS:

Hyperlinks may terminate after four years.

ITEMS SHOWN ON LETTER ARE BASED UPON INFORMATION PROVIDED BY CLIENT, AND ARE SHOWN AS THE RESULT OF A PROPERTY/NAME SEARCH AND MAY OR MAY NOT BE ONE IN THE SAME PERSON(S) AND MAY OR MAY NOT AFFECT THE PROPERTY.

This Abstractor's Information Letter does not include any of the following matters:

- (1) Bankruptcies which are closed, terminated, filed out of the State of Texas, or antedate the certification date of this letter by more than five (5) years.
- (2) Abstract of Judgments, which from date of filing, antedate the certification date of this letter by more than ten (10) years.
- (3) Child Support Liens which from the date of filing, antedate the certification date of this letter by more than ten (10) years.
- (4) Suits affecting the property which are closed or dismissed or antedate the certification date of this letter by more than 5 years or suits that do not affect the subject property.
- (5) Unpaid State and Federal Tax Liens which, from date of filing, antedate the certification date of this letter by more than ten (10) years.
- (6) Any unpaid ad valorem property taxes, real or personal, affecting the above described real property.
- (7) Liens which have been barred by the statute of limitations. Please click <u>here</u> for more information.
- (8) Voluntary Liens which from the date of filing antedate the certification of this letter by more than thirty-four (34) years.
- (9) Easements and Restrictions.
- (10) Oil, Gas or Mineral interests.

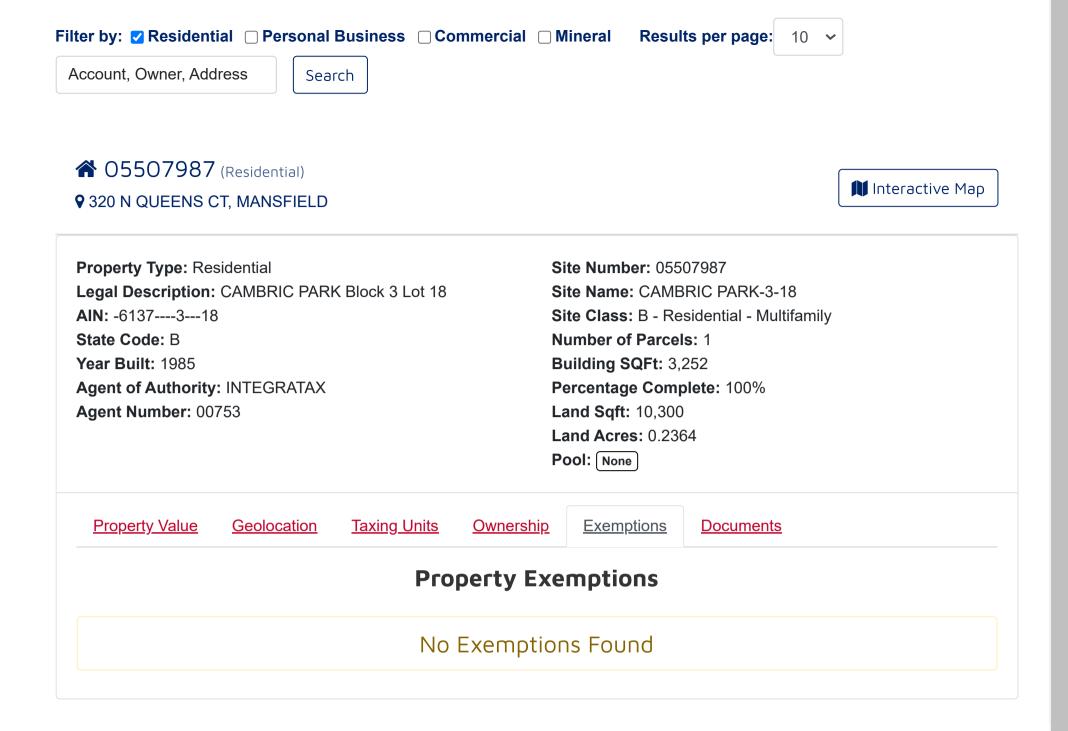
It is understood by City of Mansfield (Benefited Party) that the above information was secured by REIS, Inc. through the use of the real estate title records of the county where the property is located and/or from various title evidence providers. REIS, Inc. does not and will not assume any liability,

financially or otherwise, to Benefited Party, or any other party, in a total amount in excess of the amount paid for the information contained herein.

This report was prepared from the results of a search of name(s) supplied by the Benefited Party. This report may not reveal holders of outstanding interest such as assignees of mortgages, liens, leases or other matters not indexed under the names searched. No variations of names have been searched unless otherwise indicated.

The above Abstractor's Information Letter is issued for the use of, and shall inure to the benefit of the Benefited Party, and is issued in consideration of \$135.00 paid by the Benefited Party, and to whom said sum shall be returned as liquidated damages in the event the Information Letter contains an error or errors that cause Benefited Party loss or damage due to such errors. Such sum shall constitute the full measure of damages against REIS, Inc., its officers, employees and staff, as well as any other title evidence provider used in the research process.

The information set out in this Information Letter is not an opinion of title, guarantee of title, or a title insurance product of any kind, and any use or reliance on the information reported herein, for any purpose whatsoever, is taken at the sole risk and responsibility of the Benefited Party.



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★ 05507987 (Residential)

♀ 320 N QUEENS CT, MANSFIELD

■ Interactive Map

Property Type: Residential

Legal Description: CAMBRIC PARK Block 3 Lot 18

AIN: -6137----3---18 **State Code:** B **Year Built:** 1985

Agent of Authority: INTEGRATAX

Agent Number: 00753

Site Number: 05507987

Site Name: CAMBRIC PARK-3-18
Site Class: B - Residential - Multifamily

Number of Parcels: 1
Building SQFt: 3,252

Percentage Complete: 100%

Land Sqft: 10,300 Land Acres: 0.2364

Pool: None

Property Value Geolocation

Taxing Units

<u>Ownership</u>

Exemptions

Documents

Property GeoLocation Data

Address: 320 N QUEENS CT

City: MANSFIELD

Subdivision Name: CAMBRIC PARK **Neighborhood Code:** M1M01E

Latitude: 32.5611024069

Longitude: -97.1263316211 Georeference: 6137-3-18 TAD Map: 2114-324

Mapsco: TAR-124U

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Filter by: ☑ Residential ☐ Personal Business ☐ Commercial ☐ Mineral Results per page: 10 ✓

Account, Owner, Address

Search

↑ 05507987 (Residential)

9 320 N QUEENS CT, MANSFIELD

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Pool: None

Property Value

Geolocation

Taxing Units

<u>Ownership</u>

Exemptions

Documents

Current Ownership

Name: NEWPORT INVESTMENTS LLC

Address: 2117 BAY COVE CT, ARLINGTON, TX 76013
Address Recipient: NEWPORT INVESTMENTS LLC

Previous Ownership & Transfers

Document Number	Deeded Owner	Document Date	Book	Page
D214199656	NEWPORT INVESTMENTS LLC	09/10/2014		
D214044029	TALLY BRIAN	02/27/2014		
D209140345	HUDSON JAMES R	05/19/2009		
D204084190	MARSH ANGELA J;MARSH MICHAEL D	03/10/2004		
00154330000161	OVERTON STEVEN P	01/18/2002	0015433	0000161
00153250000139	DAME DEBORAH	12/03/2001	0015325	0000139
00082350001122	DAME EVELYN S;DAME KELLY L	07/05/1985	0008235	0001122
	ROGERS & ROGERS IV ETAL	01/01/1984		

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Results per page: 10

Account, Owner, Address

Search

★ 05507987 (Residential)

♀ 320 N QUEENS CT, MANSFIELD

■ Interactive Map

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AIN: -6137----3---18 State Code: B Year Built: 1985

Agent of Authority: INTEGRATAX

Agent Number: 00753

Site Number: 05507987

Site Name: CAMBRIC PARK-3-18 Site Class: B - Residential - Multifamily

Number of Parcels: 1 **Building SQFt: 3,252**

Percentage Complete: 100%

Land Sqft: 10,300 Land Acres: 0.2364

Pool: None

Property Value

Geolocation

Taxing Units

Ownership

Exemptions

Documents

5 Years historical Value

Year	Land Appr.	Imprv. Appr.	Total Appr.	Land Mkt.	Imprv. Mkt.	Total Mkt.
2023	\$20,000	\$461,102	\$481,102	\$20,000	\$461,102	\$481,102
2022	\$20,000	\$338,095	\$358,095	\$20,000	\$338,095	\$358,095
2021	\$20,000	\$354,701	\$374,701	\$20,000	\$354,701	\$374,701
2020	\$20,000	\$215,478	\$235,478	\$20,000	\$215,478	\$235,478
2019	\$20,000	\$215,478	\$235,478	\$20,000	\$215,478	\$235,478
2018	\$20,000	\$202,795	\$222,795	\$20,000	\$202,795	\$222,795



Information: Information relating to the current year should be considered a "work in progress".

Prior year data is informational only and does not necessarily replicate the values <u>published by Tarrant County Tax</u> Office.

The information provided is purely for ad valorem taxation purposes.

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ightharpoonup 05507987 (Residential)

Q 320 N QUEENS CT, MANSFIELD

⋒ Interactive Map

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AIN: -6137----3---18 **State Code:** B **Year Built:** 1985

Agent of Authority: INTEGRATAX

Agent Number: 00753

Site Number: 05507987

Site Name: CAMBRIC PARK-3-18
Site Class: B - Residential - Multifamily

Number of Parcels: 1

Building SQFt: 3,252

Percentage Complete: 100%

Land Sqft: 10,300

Land Acres: 0.2364

Pool: None

Property Value	<u>Geolocation</u>	Taxing Units	<u>Ownership</u>	<u>Exemptions</u>	<u>Documents</u>	
<u> </u>			Taxing U			
Name:						Code:
CITY OF MANSF	IELD					017
TARRANT COUN	TY					220
TARRANT COUN	TY HOSPITAL					224
TARRANT COUN	TY COLLEGE					225
MANSFIELD ISD						908

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Case Chronology

- July 11, 2022, the Annual Property Inspection was performed by the Rental Inspection Program.
- July 25, 2022, inspection report and notice of violation sent to property owner,
 Newport Investments LLC.
- November 17, 2022, Received a complaint from one tenant regarding a
 collapsed roof that had not been repaired in over a week at the time of the
 complaint. James Triplett performed an interior inspection to investigate the
 complaint and conducted a follow-up property inspection to verify correction of
 previously noted violations. No violations were corrected except for parking lot
 striping and additional violations were observed. Also observed tarps on the roof
 and interior surface damages.
- November 18, 2022, Three citations were issued to Kelsey Tally (Managing Member) regarding handrails and guards, protective treatment, and walkways/stairways non-maintained. Notice of violation was mailed to address listed in TAD, address on Multi-Family Registration, and emailed to owner contact provided on Multi-Family Registration.
- January 23, 2023, follow up inspection performed and property still in non-compliance. Three citations were issued to Brian Tally (Managing Member).
- February 10, 2023, follow up inspection performed and property still in non-compliance. Citations were issued to Kelsey Tally and Brian Tally for roof defects, trim/wall defects, protective treatment (peeling paint and rust), handrails and guards not being connected, exterior wall in poor condition, and unsafe condition regarding the balcony of Unit #C.
- March 3, 2023, follow up inspection performed and property still in non-compliance. Citations were issued to Kelsey Tally and Brian Tally for roof defects, protective treatment (peeling paint and rust), trash and debris (rodent observed in limb/litter pile), handrails and guards not being connected, unsafe patio conditions of Unit #C, and exterior stairway in poor condition.

- March 6, 2023, a safety inspection was conducted with Building Official Serena Smith and a letter was issued notifying the Property Owner (Newport Investments LLC) of the life-safety violations regarding structural soundness of the balcony, balcony guardrail, and shifted concrete patio below it.
- April 12, 2023, follow up inspection performed and property still in non-compliance. Citations were issued to Kelsey Tally and Brian Tally for protective treatment, exterior stairway in poor condition, handrails and guards not being connected, trash/debris, and unsafe condition regarding the balcony of Unit #C.
- May 15, 2023, Notice of public hearing with attachments sent to the record owner (Newport Investments LLC), and entities in control or that have an interest in the property mentioned.
- May 19, 2023, The meeting agenda was posted at City Hall.
- May 25, 2023, Public Hearing with the CCBAA.



Parking Facility Striping























- Trash and Debris
- Litter
- Outside/Open Storage



• Inoperable/Unregistered Vehicle





• Stairwell Landing Obstructions



- Exterior Surface Maintenance
- Rotted/Deteriorating Wood
- Missing Protective Treatment
- Soffit Maintenance
- Trim Maintenance







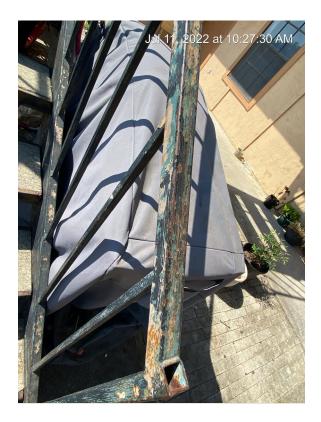






- Rust/Oxidation
- Exterior Surface Maintenance
- Chipped/Peeling Paint







320 Queens 07-11-2022

• Rust/Oxidation







- Walking Surface Stairwell Maintenance







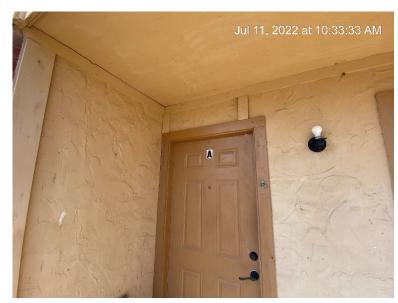
- Handrail Maintenance
- Exterior Wall Surface



• Waling Surface Conditions

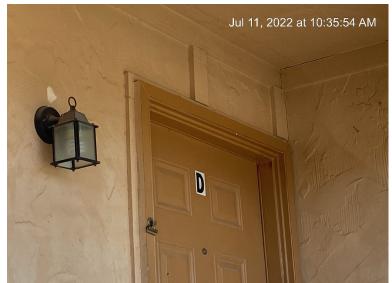


- Exterior Surface Conditions
- Patio landings not plumb











07-25-2022

Property Inspection at 320 Queens on 07-11-2022.

Re: Notes for Property Inspection at 320 Queens.

1. Signage – Please erect the appropriate signage as outlined in the Minimum Standards for Multi-Family Dwelling Complexes Sections 158.020(A)(1) and 158.020(A)(2). Please have the signage corrected before August 29, 2022.

MINIMUM STANDARDS FOR MULTI-FAMILY DWELLING COMPLEXES

SECTION 158.021: CRIME PREVENTION STANDARDS.

- (A) The landlord of a multi-family dwelling complex shall provide the following crime prevention measures:
- (1) Signs for emergencies and code violations. A landlord of a multi-family dwelling complex shall post and maintain signs on the premises of the complex. The sign required by this section shall be a minimum of 12 inches by 24 inches. Sign facings shall be fabricated out of weather-proof material. The signs shall have a white background, with letters and numbers in a contrasting color. At each multi-family dwelling complex there shall be at least one sign posted at each entrance and exit point. The signs shall be prominently displayed in exterior, publicly accessible areas of the complex. If the complex has an on-site management office, one sign shall be on the exterior door or wall of the office.
- (2) Emergency numbers. The names of designated employees or other authorized persons who shall be assigned to respond to emergency conditions, and a telephone number where said employees can be contacted during any 24-hour period. Emergency conditions shall include fire, natural disaster, flood, collapse hazard, burst pipes or violent crime; and
- 2. The parking striping has faded, Zoning 155.091 (B)(12). Please stripe/correct before September 26, 2022.
- 3. Please ensure the stairwells are not utilized for trash storage. Please correct immediately.
- 4. Please remove boxes, plastic bins, buckets, trash, burnt food, cleaning products, unspecified aerosol cans, pile of tree limbs, litter from the property including the yard and stairwells. Please ensure all excessive outside storage on the stairwells (including permanent furniture) is removed. Please correct this before August 8, 2022.
- 5. Please remove all inoperable/unlicensed vehicles (IPMC 302.8) from the parking facility before August 8, 2022.
- 6. Protective Treatments (chipped paint, rust/oxidation) Please ensure all exterior surfaces are adequately treated as described in IPMC 304.2. This includes the removal of chipped, peeling, flaking paint. This also includes the removal of rust and oxidation damage/stains. All areas will need to be repainted or treated with an approved exterior protective coating that serves to prevent further oxidation/damage to metal surfaces. It should be noted this includes the bottom or underside of the stairwell landing (where the rotted wood needs to be removed/replaced). Please ensure this is corrected before September 26, 2022.
- 7. Please repair damaged soffit, fascia, and trim. Please ensure all areas are fixed in a workmanship like manner and all surfaces are adequately painted or treated with an approved protective treatment as outlined in IPMC 304.2.
- 8. One of the steps on the stairwell has exposed rebar. Please replace the damaged step before August 8, 2022. IPMC 304.10



- 9. Please ensure the fittings for the handrails and guards are secured to the wall and the wall is free of damage. Please correct this before August 29, 2022.
- 10. There are some decorative bricks that were installed as a walking surface. The bricks are not required but if installed the surface must be maintained. Please replace the missing bricks causing the tripping hazard within the walkway area before September 26, 2022.
- 11. I was not able to inspect the patios up close. However, from the street they are not plumb, are leaning and have rotted wood/trim work. Please fix the back patios so they are level and plumb and paint/treat all areas of wood affected by rot, deterioration, chipped paint, settling, etc. Please correct this before September 26, 2022.

Please contact me if you have any questions. My desk line is 817-728-3333. My cell phone number is 214-422-8295. I can also be reached by email at James.Triplett@mansfieldtexas.gov.

James Triplett

City of Mansfield – Regulatory Compliance

620 S. Wisteria St. Mansfield, Texas 76063

MANSFIELD 1200 E. Broad Street 1200 E. Broad Street Mansfield, Texas 76063 Mansfield, Texas 76063

Newport Investments LLC
Anlington,
Anlington,
Anlington,

320 Queens 11-17-2022 – JMT Citation 2435002













320 Queens 11-17-2022 – JMT Citation 2435002







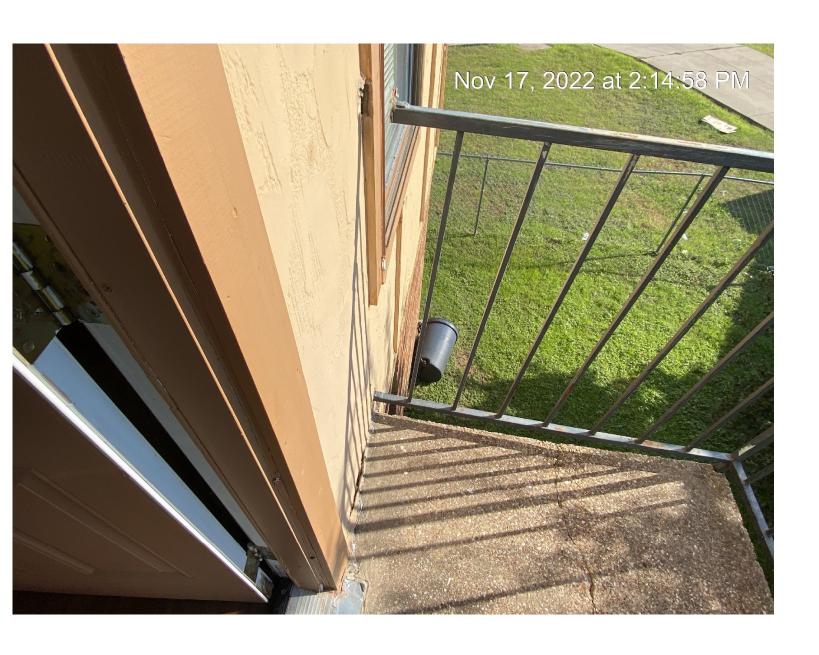


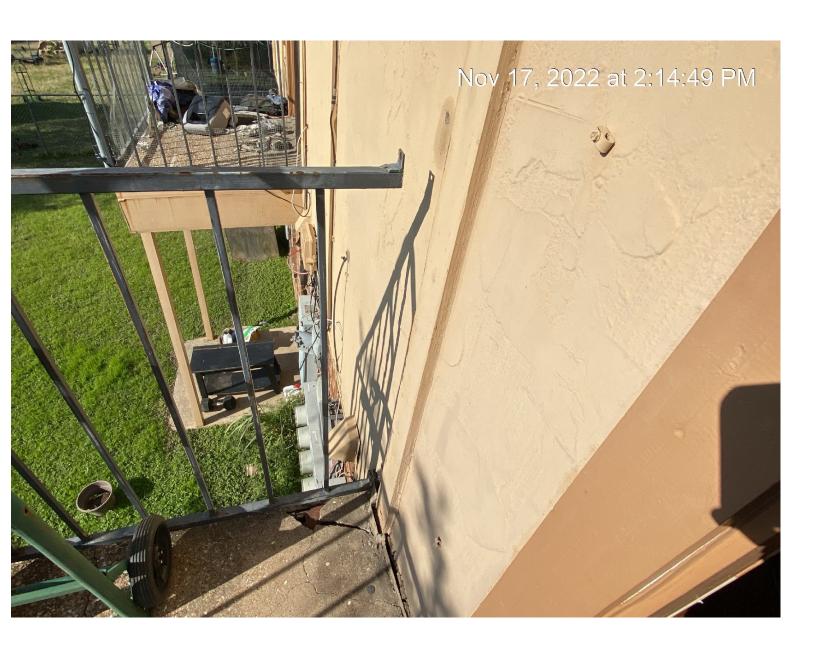




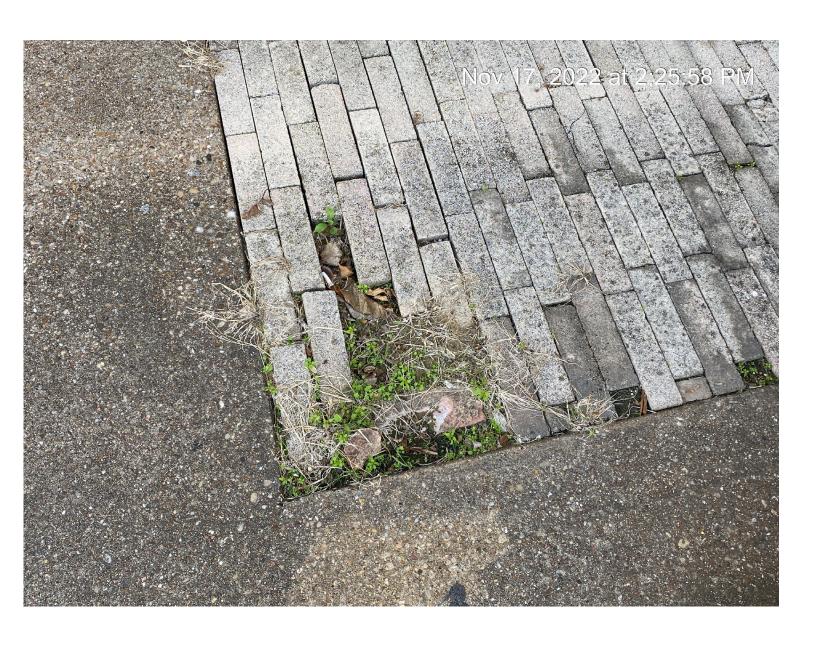








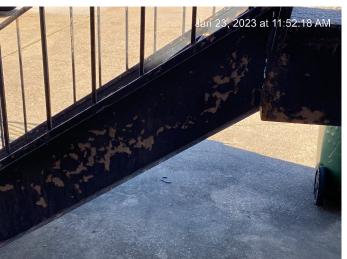


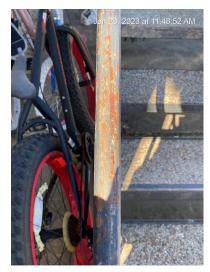


Officer's Signature	Notice: Your signature below sig citation. Your signature is NOT a	Property / Evidence / Animal Description	Irmc 303.3	2 nd Violation Code	1 st Violation Code	Spd Posted	rk Number	Work/Parent Name New port Invest	E-Mail Address	Phone Number	6-30-86 Home Address		1305 E Broad St. Mansfield, TX 76063	City of Mansfield
	Notice: Your signature below signifies that you agree to appear/contact the Mansfield Municipal Court 1305 E Broad St. on or before to citation. Your signature is NOT a plea of guilty or innocence. For Information contact 817-276-4716 Monday thru Friday 8 a.m. – 5p.m.	scription	not maintained in a proper state of repair //tuzzed present	Protective Treatment-post present pount pount violation Location	Violation - firmly fastened the of support	County Dist. Sci	?	Investments Work/Para		Race Ethn. Sex Ht. Wt.	Home Address Shaes Turn	Violation Time Accident Last	eld, TX 76063	817-276-4716
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320 Queens 01-23-2023 –JMT Citation 2400411













320 Queens 01-23-2023 –JMT Citation #2400412



320 Queens 01-23-2023 –JMT Citation #2400413





320 Queens 01-23-2023 –JMT Citation 2400421

















320 Queens 01-24-2023 – JMT Citation #2400431





320 Queens 01-24-2023 – JMT Citation #2400432

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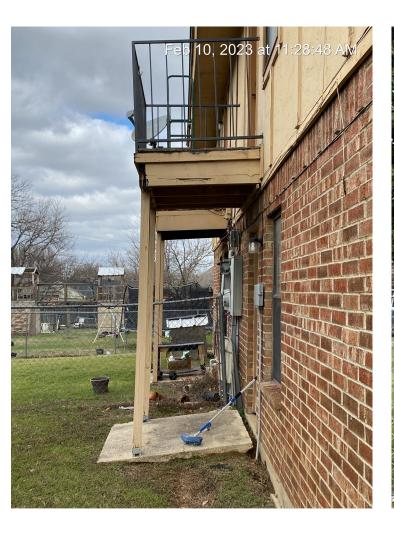




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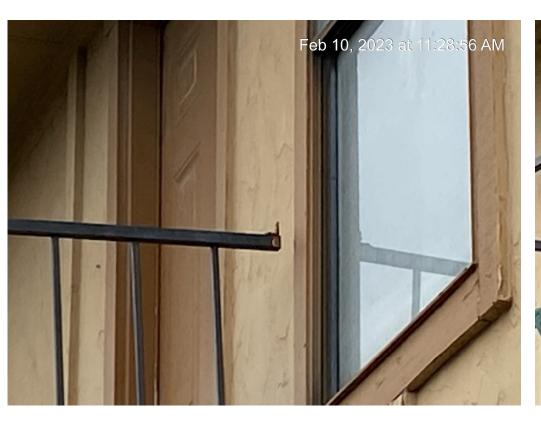




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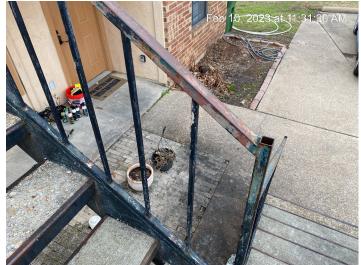


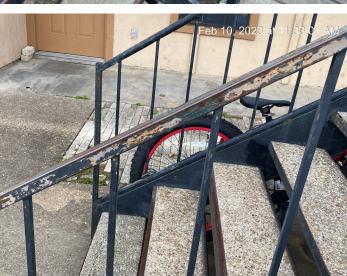


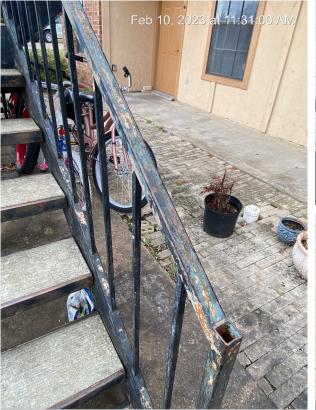


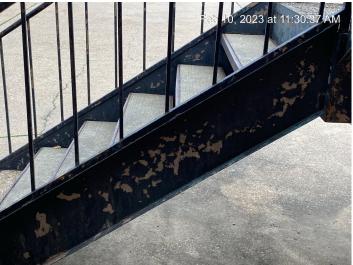


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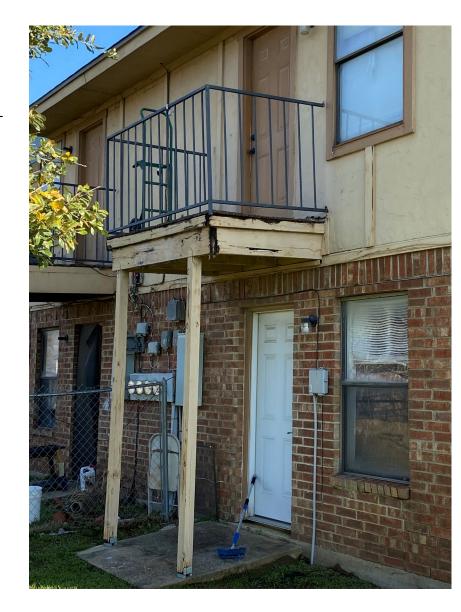
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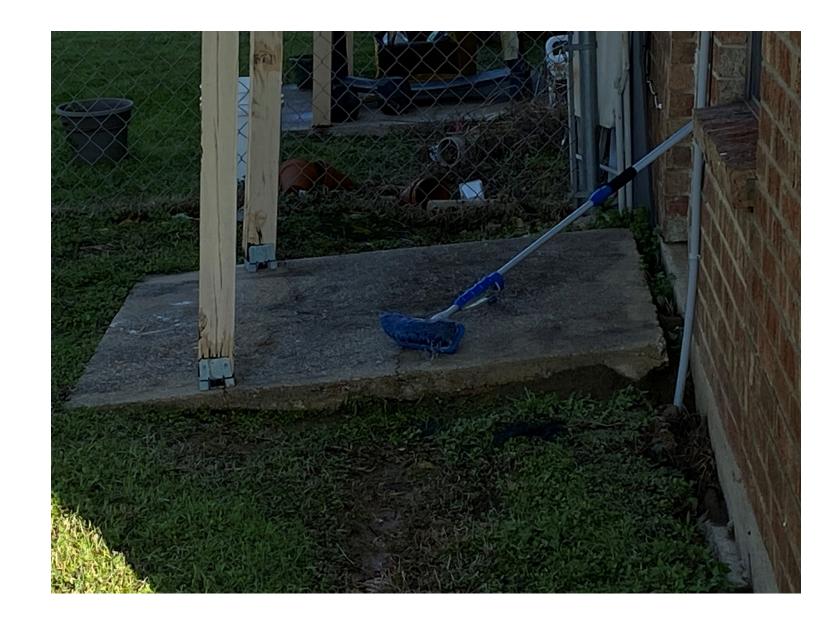






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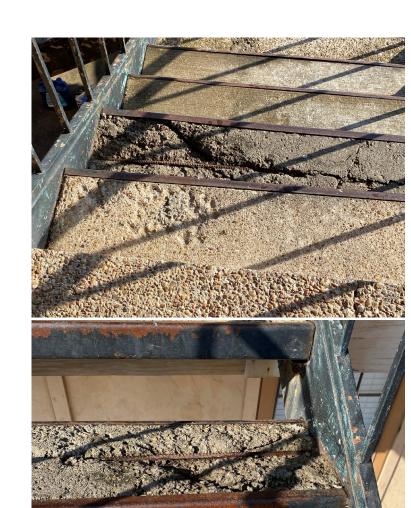


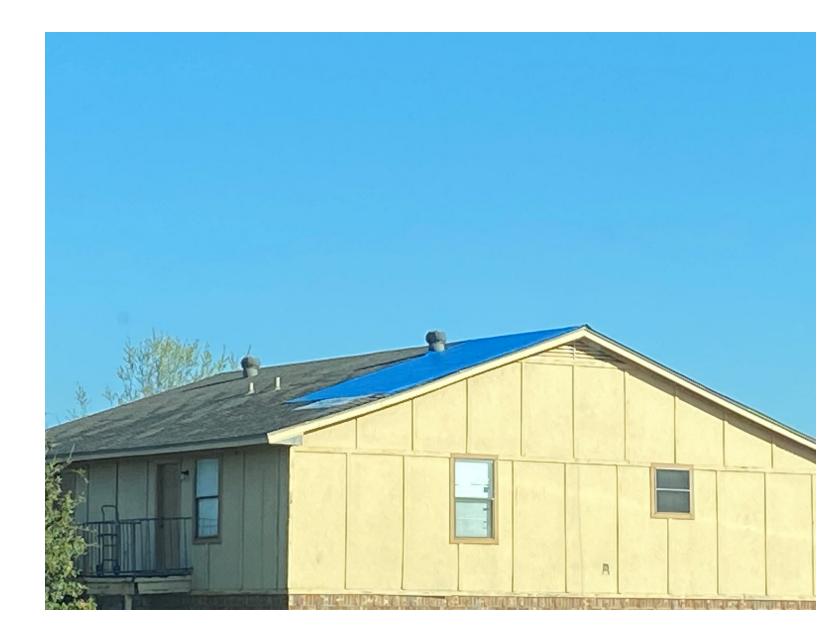


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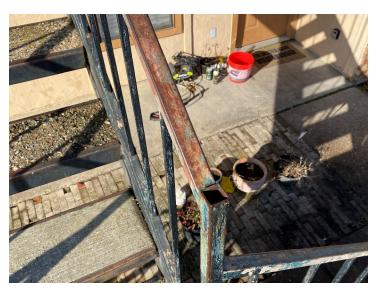
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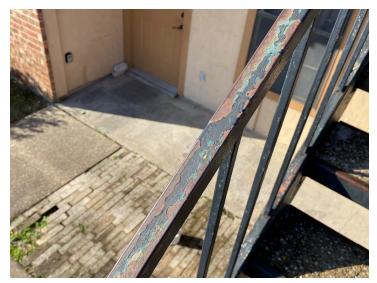
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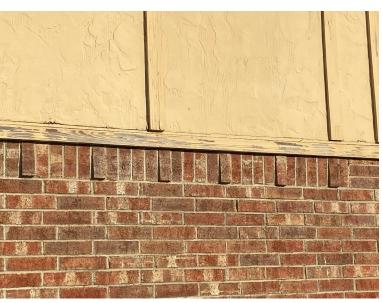








320 Queens 03-03-2023 - JMT







320 Queens 03-03-2023 - JMT





1200 E. Broad Street Mansfield, Texas 76063 817-276-4200

March 8, 2023

Owner: Newport Investments LLC

274 Shaes Turn

Aledo, TX 76008-4867

Address of Subject Property: 320 N Queens Ct, Mansfield Texas 76063

Legal: Cambric Park Blk 3 Lot 18

Subject: Inspection Results of an Existing Structure

An inspection was conducted on March 6, 2023 at the above address which identified items that are in violation of the 2018 International Property Maintenance Code (IPMC) and the 2018 International Building Code. This letter is being sent to you to summarize the existing violations and outline what the adopted codes will require to correct them.

Inspection Observations:

The existing structure displays signs of wood rot and decay, dilapidated piers/foundation causing shifting of patio and balcony, unsecured guard railings that are detached from the building, unsound roof covering with a temporary tarp, rotted and split wooden supports, and damaged flooring. The priority for life-safety concerns is the structural soundness of the balcony, the balcony guardrail, and the shifted concrete patio below it.

The 2018 IPMC Section 108.1.1 states that a structure is unsafe when such structure is so damaged, decayed, dilapidated and structurally unsafe.

The 2018 IBC Section 116.1 states that structures that become unsafe, insanitary, or deficient that are a danger to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe.

The 2018 IBC Section 105.1 states that any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, a structure or electrical, gas, mechanical or plumbing system which is regulated by this code, or to cause any such work to be performed shall make application to obtain required permits.

Please Take Further Notice: As the owner or person in control of the property mentioned, it is your responsibility to correct the existing violations on the property as outlined in this letter. Repair work on the structure must be evaluated by a structural engineer, a letter of recommendation and supporting drawings by the engineer must be submitted to the City clearly outlining corrective action needed to bring structure into compliance, all required permits are submitted to the City accompanied by the required submittal documents and all permits are approved and issued. You are encouraged to contact the Planning Department to ensure the structure can be reconstructed on the lot in compliance with the current ordinances along with any proposed additions or changes to the existing layout of the structure.

Minimum Building Permit Submittal Requirements:

Adopted codes with local amendments

2018 International Building Code

2017 National Electrical Code (2020 NEC per State adoption)

2018 International Energy Conservation Code

Note: To obtain a building permit; at a minimum the following items listed below must be submitted for review and approval:

- 1. Building permit application
- 2. Sub-contractors permit applications/validations (electrical, plumbing and mechanical)
- 3. Energy Compliance Report from an independent third party registered with the City of Mansfield for any building envelope changes, and
- 4. One set of plans drawn to scale which includes at a minimum:
 - **A. Site plan** with lot dimensions, distance from property lines to structure, lot drainage directed away from structure and all easements noted
 - B. Construction plans which shall include at a minimum
 - a. Floor plan dimensioned, with ceiling height noted and all rooms labeled,
 - b. Exterior elevation drawings indicating type of material proposed on exterior walls.
 - c. Door and window schedule keyed to the floor plan with U-factor and SHGC noted.
 - d. Table identifying wall and ceiling insulation type and R-value.

C. Engineered plans

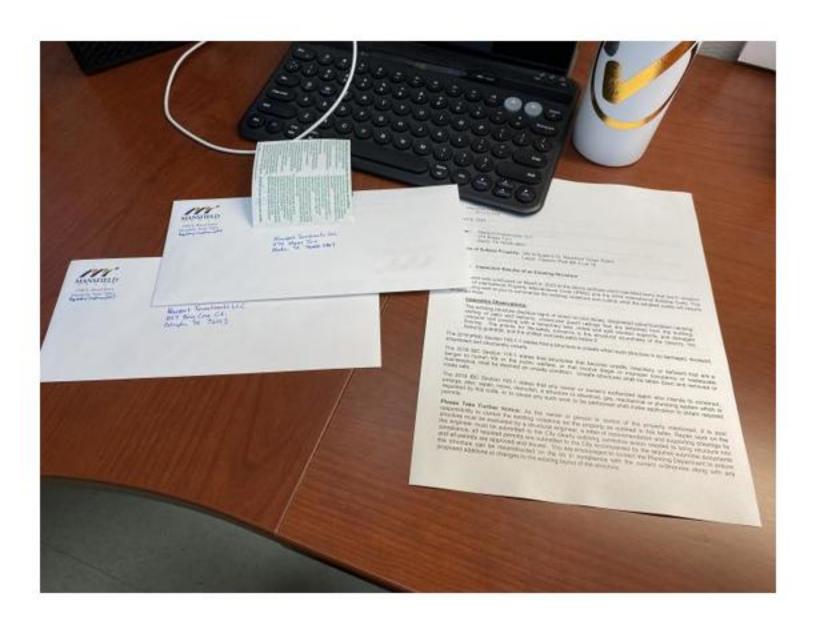
a. Foundation (or pier) plan and details prepared by a Texas Licensed Professional Engineer noting compliance with the 2018 IBC and the letter from the Engineer outlining corrective action needed to repair or remove the existing structure must be submitted with the plan.

If you have any questions or would like to schedule a meeting to discuss items listed above, please contact me at (817) 276-4224. Also, please provide the City with a timeline of when all repairs and/or abatement of the structure will be completed. Thank you for help and cooperation with this matter.

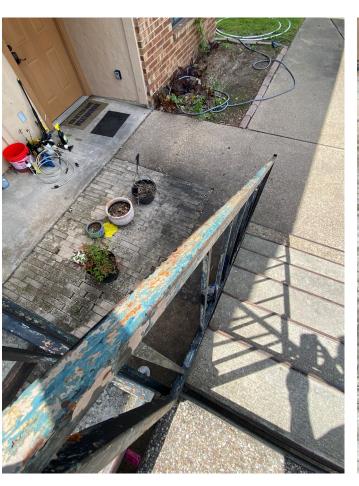
Sincerely.

Serena Smith, CBO I-3563

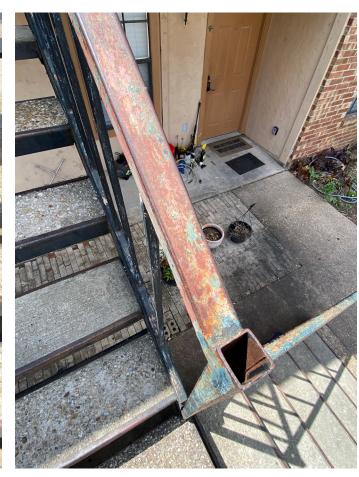
Chief Building Official



320 Queens 04-12-2023 JMT







320 Queens 04-12-2023 JMT





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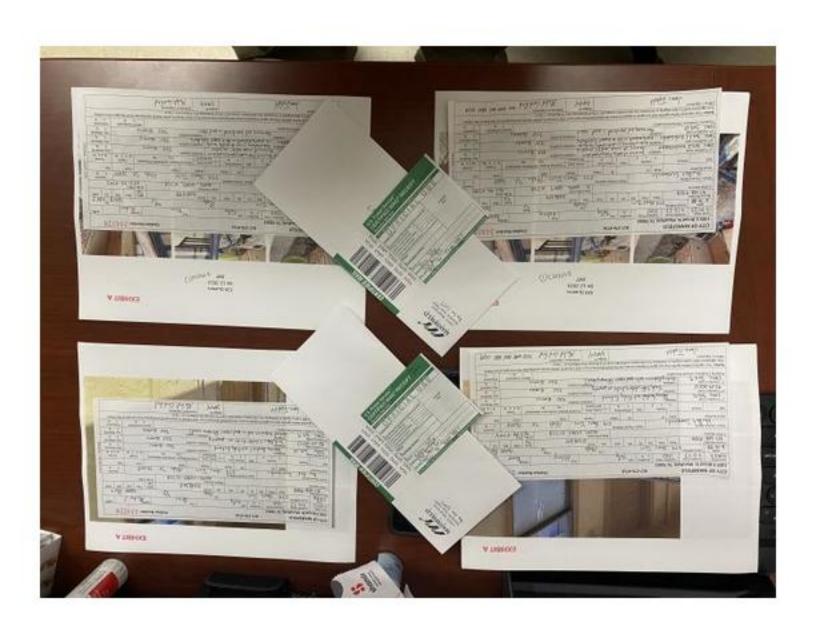


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320 Queens 04-12-2023 JMT









NOTICE OF PUBLIC HEARING TO BE HELD BEFORE THE CONSTRUCTION CODES BOARD OF ADJUSTMENT AND APPEALS ON MAY 25, 2023 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT MANSFIELD CITY HALL, 1200 E. BROAD STREET, MANSFIELD, TEXAS 76063.

Name and Address of Record Owner:

Name and Address of all Lienholders, Mortgagees or Other Persons with

Interest:

NEWPORT INVESTMENTS LLC 274 SHAES TURN ALEDO, TX 76008 TEXAS TRUST CREDIT UNION 5850 WEST I-20 ARLINGTON, TEXAS 76017

According to the records of Tarrant County Appraisal District, and other records required to be searched by the City of Mansfield, Texas you are the owner, lienholder or mortgagee of property described as:

CAMBRIC PARK BLOCK 3 LOT 18

Commonly known as: 320 QUEENS CT, MANSFIELD, TX 76063 (the "Property".)

Please be advised that the Building Official of the City of Mansfield found and determined that the above-described Property is substandard and that proceedings shall commence to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the Property. Attached please find a copy of the Substandard Building Inspection Report dated 03/08/2023, describing the conditions found to render the Property substandard or dangerous pursuant to the minimum standards for continued use and occupancy set forth in Section 150.011(D) of the Code of Mansfield, Texas.

A Public Hearing will be held on the date noted above before the Construction Codes Board of Adjustment and Appeals (the "Board") to determine whether the Property complies with the standards set out in Section 150.011(D) of the Code of Mansfield, Texas.

According to law, the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance, and the time it will take to reasonably perform the work.

If the Property is found to be in violation of the standards set forth in Section 150.011(D) of the Code of Mansfield, Texas, the Board may order that the Property

be repaired, vacated, removed or demolished, secured, or the occupants relocated, by the owner, mortgagee or lienholder within thirty days (30 days).

If the Order given to the owner, mortgagee, or lienholder is not complied within the allowed time, **the City** may vacate, secure, remove or demolish the Property and relocate the occupants of the building. The expenses incurred by the City shall be a personal obligation of the Property owner in addition to a priority lien being placed upon the Property to secure payment.

If you should have any questions regarding this notice, or you are not the owner, mortgagee, or lienholder please call the office of the Building Official at (817) 276-4223 or the Code Enforcement Officer at (817) 728-3637.

Attachments:

Inspection Results Dated 03/8/2023.

FORM 2: NOTICE OF HEARING



1200 E. Broad Street Mansfield, Texas 76063 817-276-4200

March 8, 2023

Owner: Newport Investments LLC

274 Shaes Turn Aledo, TX 76008-4867

Address of Subject Property: 320 N Queens Ct, Mansfield Texas 76063

Legal: Cambric Park Blk 3 Lot 18

Subject: Inspection Results of an Existing Structure

An inspection was conducted on March 6, 2023 at the above address which identified items that are in violation of the 2018 International Property Maintenance Code (IPMC) and the 2018 International Building Code. This letter is being sent to you to summarize the existing violations and outline what the adopted codes will require to correct them.

Inspection Observations:

The existing structure displays signs of wood rot and decay, dilapidated piers/foundation causing shifting of patio and balcony, unsecured guard railings that are detached from the building, unsound roof covering with a temporary tarp, rotted and split wooden supports, and damaged flooring. The priority for life-safety concerns is the structural soundness of the balcony, the balcony guardrail, and the shifted concrete patio below it.

The 2018 IPMC Section 108.1.1 states that a structure is unsafe when such structure is so damaged, decayed, dilapidated and structurally unsafe.

The 2018 IBC Section 116.1 states that structures that become unsafe, insanitary, or deficient that are a danger to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe.

The 2018 IBC Section 105.1 states that any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, a structure or electrical, gas, mechanical or plumbing system which is regulated by this code, or to cause any such work to be performed shall make application to obtain required permits.

Please Take Further Notice: As the owner or person in control of the property mentioned, it is your responsibility to correct the existing violations on the property as outlined in this letter. Repair work on the structure must be evaluated by a structural engineer, a letter of recommendation and supporting drawings by the engineer must be submitted to the City clearly outlining corrective action needed to bring structure into compliance, all required permits are submitted to the City accompanied by the required submittal documents and all permits are approved and issued. You are encouraged to contact the Planning Department to ensure the structure can be reconstructed on the lot in compliance with the current ordinances along with any proposed additions or changes to the existing layout of the structure.

Minimum Building Permit Submittal Requirements:

Adopted codes with local amendments

2018 International Building Code

2017 National Electrical Code (2020 NEC per State adoption)

2018 International Energy Conservation Code

Note: To obtain a building permit; at a minimum the following items listed below must be submitted for review and approval:

- 1. Building permit application
- 2. Sub-contractors permit applications/validations (electrical, plumbing and mechanical)
- Energy Compliance Report from an independent third party registered with the City of Mansfield for any building envelope changes, and
- One set of plans drawn to scale which includes at a minimum:
 - A. Site plan with lot dimensions, distance from property lines to structure, lot drainage directed away from structure and all easements noted
 - B. Construction plans which shall include at a minimum
 - a. Floor plan dimensioned, with ceiling height noted and all rooms labeled,
 - b. Exterior elevation drawings indicating type of material proposed on exterior walls.
 - c. Door and window schedule keyed to the floor plan with U-factor and SHGC noted.
 - d. Table identifying wall and ceiling insulation type and R-value.

C. Engineered plans

a. Foundation (or pier) plan and details prepared by a Texas Licensed Professional Engineer noting compliance with the 2018 IBC and the letter from the Engineer outlining corrective action needed to repair or remove the existing structure must be submitted with the plan.

If you have any questions or would like to schedule a meeting to discuss items listed above, please contact me at (817) 276-4224. Also, please provide the City with a timeline of when all repairs and/or abatement of the structure will be completed. Thank you for help and cooperation with this matter.

Sincerely

Serena Smith, CBO I-3563

Chief Building Official





Staff Recommendations for 320 Queens Ct

IF THE PROPERTY OWNER IS TO BE GIVEN AN OPPORTUNITY TO REPAIR:

Based on evidence presented at the hearing, I move that the Board find that the following facts exist:

- 1. That the building located at <u>320 Queens Court</u>, is substandard and a public nuisance; and:
- 2. That the conditions set forth in the building official's report exist to the extent that the life, health, property or safety of the public are endangered; and
- 3. That the owner has presented a plan of repair and schedule of work to be completed; and
- That <u>45</u> days is a reasonable period of time to complete the needed repairs taking into account the owner's interests and the interests of public safety; and
- 5. That if the building is not repaired within said time period, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

Add, if applicable:

- 6. That the building is unfit for human habitation, and the life, health, property, and safety of the occupants are endangered, and that the building should be secured until the work can be completed.
- Within 10 days, the responsible party must have an engineer review the property and devise a repair, replacement, or removal plan for the structural components addressed that meets the 2018 International Building Code and 2018 International Existing Building Code.
- Within 20 days, the responsible party must apply and secure a valid building permit for the reconstruction, repair, or removal of the elements of the building that are out of compliance with the 2018 International Building Code and 2018 International Existing Building Code. An engineered plan will be required.
- Within the allotted 45 days, all work must be completed and the final inspection completed by a building inspector, with the engineer's signed and sealed statement that repairs/reconstruction/removal have been completed according to their planned design.



CITY OF MANSFIELD

1200 E. Broad St. Mansfield, TX 76063 mansfieldtexas.gov

STAFF REPORT

File Number: 23-5378

Agenda Date: 5/25/2023 **Version:** 1 **Status:** Public Hearing

In Control: Construction Codes Board of Adjustment and Appeals File Type: Sub-standard case

Agenda Number:

Title

Public Hearing - Hold public hearing, consider, and take action regarding Case CCBAA-22-00213 - 304 East Kimball Street to determine compliance with Section 150.011(D) of the Code of Mansfield, Texas. The Board may order the property to be repaired, removed, demolished, secured, and occupants relocated (if any).

Description/History

The Construction Code Board of Adjustments and Appeals is authorized within statutory guidelines contained in Sections 150.025-150.029 of Title XV of the Mansfield Code of Ordinances, and shall hear appears from building officials decisions and implement Section 150.011 "Dangerous and Substandard Structures" of the Code of Ordinances. This authority was adopted by the City Council through Ordinance 2050-17 on May 24, 2017. The intention was to establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction and to provide for the giving of proper notice to the owner of a building and to provide for a public hearing to determine whether a building complies with the standards set out in the ordinance.

Justification

304 East Kimball Street, Mansfield, Texas, 76063. Mansfield, City of Block 6 Lot 1B, 2B & 3B E 50' LTS 1, 2, & 3. The Building Official inspected the property and has found and determined that the residence is substandard. Staff has requested a hearing before the Board to determine whether the structure located at 304 East Kimball Street complies with the standards set out in section 150.011 (D) of the Code of the City of Mansfield. The Board may order the structure to be repaired, vacated, occupants relocated, removed, demolished, and/or secured.

Recommendation

For the Board to, by a majority vote, find upon the evidence presented that the building is in violation of the standards set out in Section 150.011(D) and order that the building be repaired, vacated, removed or demolish, secured, or the occupants relocated by the owner, mortgagee or lienholder, within a reasonable time, as described in Section 150.011(G).

Funding Source

N/A

Prepared By

Serena Smith, Chief Building Official

ORDINANCE NO. OR-2050-17

AN ORDINANCE DELETING SECTION 011 OF CHAPTER 150 OF TITLE XV OF THE CITY CODE OF THE CITY OF MANSFIELD, AS AMENDED, BY INSERTING PROVISIONS REGARDING ESTABLISHING REGULATIONS APPLICABLE TO DANGEROUS AND SUBSTANDARD BUILDINGS; PROVIDING FOR THE REPAIR, DEMOLITION, REMOVAL, SECURING, AND VACATION OF DANGEROUS AND SUBSTANDARD BUILDINGS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mansfield, Texas is a Home Rule Municipality located in Tarrant County, created and operating pursuant to and in accordance with Article XI, Section 5 of the Texas Constitution, the Local Government Code and prior statutes, and other enabling legislation of the State of Texas; and,

WHEREAS, the City Council of the City of Mansfield deems it necessary to adopt this ordinance providing minimum standards to safeguard the health, property and welfare of the citizens of Mansfield by regulating and controlling the use, occupancy, maintenance, repair, vacation, removal, demolition, and abatement of substandard or dangerous buildings within the City of Mansfield; and,

WHEREAS, Chapter 214 of the Local Government Code authorizes a municipality to regulate substandard buildings and establishes procedures thereof; and,

WHEREAS, it is the intention of the City Council of the City of Mansfield to establish minimum standards for the continued use and occupancy of all buildings regardless of the date of their construction and to provide for the giving of proper notice to the owner of a building and to provide for a public hearing to determine whether a building complies with the standards set out in this ordinance; and,

WHEREAS, the City Council of the City of Mansfield previously adopted Section 150.011 of Title XV of the Mansfield City Code, which regulates the abatement of dangerous structures within the City of Mansfield; and,

WHEREAS, the City Council of the City of Mansfield now desires to provide updated and additional procedures and substantive provisions relating to the regulation and abatement of dangerous and substandard buildings, in compliance with state law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

Ordinance No. <u>or-2050-17</u>
Page 2 of 18

17-2206 17-2323 17-2324

SECTION 1.

Section 150.011 of Chapter 150 of Title XV of the Mansfield City Code is hereby deleted and replaced with the following provisions to read as follows:

§ 150.011 DANGEROUS AND SUBSTANDARD STRUCTURES.

(A) Purpose and Scope.

- (1) Purpose. It is the purpose of this Section to provide a just, equitable and practical method, to be cumulative with and in addition to any other remedy provided by the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code, other ordinances and regulations of the City of Mansfield, Chapter 214 of the Local Government Code, or otherwise available at law, whereby buildings, as defined herein, which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants and may be required to be repaired, vacated, demolished, removed or secured. The purpose of this Section is also to provide minimum standards for the continued use and occupancy of all structures to safeguard life, limb, health, property and public welfare.
- (2) *Scope*. The provisions of this Section shall apply to all buildings which are hereinafter defined as dangerous or substandard buildings whether now in existence or whether they may hereafter become dangerous.
- (3) Designation. The regulations set forth in this section may be referred to as the Mansfield Substandard Building Ordinance.

(B) Definitions.

- (1) **Board** means the Board of Adjustment and Appeals as authorized to implement the Substandard Building Ordinance by Section 150.025 of the Mansfield Code, as amended.
- (2) **Building** means and includes any building, fence, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.
- (3) **Building Code** is the International Building Code as adopted and amended by the City of Mansfield.
- (4) **Building Official** means the person designated by the City Manager to enforce this Section.
 - (5) **Council** means the City Council of the City of Mansfield.
- (6) **Electric Code** is the National Electrical Code as adopted and amended by the City of Mansfield;

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- (7) **Fire Code** is the International Fire Code as adopted and amended by the City of Mansfield.
- (8) **Maintenance Code** is the International Property Maintenance Code as adopted and amended by the City of Mansfield.
- (9) **Mechanical Code** is the International Mechanical Code as adopted and amended by the City of Mansfield.
- (10) **Plumbing Code** is the International Plumbing Code as adopted and amended by the City of Mansfield.
- (11) **Residential Code** is the International Residential Code as adopted and amended by the City of Mansfield.

C. Enforcement.

- (1) General.
- (a) Administration. The building official is hereby authorized to enforce the provisions of this Section. The building official shall have the power to render interpretations of this Section and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this Section 150.011.
- (b) **Inspections.** The building official and the fire marshal or their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Section 150.011.
- (c) Right of Entry. When it is necessary to make an inspection to enforce the provisions of this Section, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this Section which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform the duties imposed by this Section, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry, including, but not limited to obtaining an administrative search warrant.
- (2) Abatement of Dangerous or Substandard Buildings. All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this Section are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this Section.

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- (3) Unlawful to Violate Section. It shall be unlawful for any person, firm or corporation to erect, construct, or use, occupy or maintain any building that is deemed herein to be a nuisance or cause or permit the same to be done in violation of this Section 150.011.
- (4) Inspection Authorized. All buildings within the scope of this Section and all construction or work for which a permit is required shall be subject to inspection by the building official.

(D) Substandard Building Declared.

- (1) For the purposes of this Section, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:
- (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety and welfare in the opinion of the building official.
- (b) Whenever any building, regardless of its structural condition, is 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.
- (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
- 1. The building constitutes a danger to the public even though secured from entry; or
- 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (1)(b) of this Subsection.
- (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
- (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.
- (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building.
- (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

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- (h) Whenever any building is defined as substandard by any provision of the Building Code, Maintenance Code, Electric Code, Fire Code, Plumbing Code, Mechanical Code, Residential Code or other ordinance or regulation of the City of Mansfield, or constructed and still existing in violation of any provision of any of said Codes of the City of Mansfield to the extent that the life, health or safety of the public or any occupant is endangered.
- (2) For the purposes of this Section, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:
- (a) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
- (b) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- (c) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
- (d) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
- (e) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- (f) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
- (g) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- (h) Whenever the building, or any portion thereof, because of (1) dilapidation, deterioration or decay; (2) faulty construction; (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (4) the deterioration, decay or inadequacy of its foundation; or (5) any other cause, is likely to partially or completely collapse.

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- (i) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- (j) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
- (k) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- (l) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (1) an attractive nuisance to children; or, (2) a harbor for vagrants, criminals or immoral persons.
- (m) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of this jurisdiction, as specified in the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
- (n) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (1) strength, (2) fire-resisting qualities or characteristics, or (3) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- (o) Whenever a building, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the building official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease, but not limited to the following:
- 1. Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
- 2. Lack of, or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel.
 - 3. Lack of, or improper kitchen sink in a dwelling unit.
 - 4. Lack of hot and cold running water to plumbing fixtures in a hotel.

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- 5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
 - 6. Lack of adequate heating facilities.
 - 7. Lack of, or improper operation of, required ventilating equipment.
- 8. Lack of minimum amounts of natural light and ventilation required by this Section or the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or other ordinance or regulation of the City of Mansfield.
- 9. Room and space dimensions less than required by this Section or the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or other ordinance or regulation of the City of Mansfield.
 - 10. Lack of required electrical lighting.
 - 11. Dampness of habitable rooms.
 - 12. Infestation of insects, vermin or rodents.
 - 13. General dilapidation or improper maintenance.
 - 14. Lack of connection to required sewage disposal system.
 - Lack of adequate garbage and rubbish storage and removal facilities.
- (p) Whenever any building contains structural hazards, including but not limited to the following:
 - 1. Deteriorated or inadequate foundations.
 - 2. Defective or deteriorated flooring or floor supports.
- 3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
- 4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
- 5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
- 6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

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- 7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
- 8. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.
- 9. Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety.
- (q) Whenever any building is constructed or existing in violation of the Building Code, Fire Code, Plumbing Code, Mechanical Code, Electric Code, Residential Code, Maintenance Code or other ordinance or regulation of the City of Mansfield, or is defined as a dangerous building by any provision of said Codes of the City of Mansfield, or is constructed and still existing in violation of any provision of any of said Codes of the City of Mansfield to the extent that the life, health or safety of the public or any occupant is endangered.
- (E) Determination by Building Official. When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:
- (1) Issue notice to the record owner that the building is substandard and must be repaired or demolished; or
 - (2) Issue citation(s) for violation(s) of this Section; or
 - (3) Secure the building if permitted by Subsection (L)(1) of this Section; or
- (4) Recommend to the Board that abatement proceedings be commenced pursuant to Subsection (F) of Section.

(F) Public Hearing for Abatement of Substandard Buildings.

- (1) Commencement of Proceedings. When the building official has found and determined that a building is a substandard building, the building official shall commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.
- (2) Public Hearing to be Held. Except when the Council or the building official finds that a building is likely to immediately endanger persons or property, a public hearing before the Board shall be held to determine whether a building complies with the standards set out in Subsection (D) of this Section. If the Council or building official determines that the building constitutes an immediate danger, the procedures set forth in Subsection (L) of this Section shall be followed.
- (3) Notice. Not less than ten (10) days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the

identity and address of any owner, lienholder or mortgagee of the building through searching the county real property records of the county in which the building is located; appraisal district records of the appraisal district in which the building is located; records of the Secretary of State; assumed name records of the county in which the building is located; tax records of the city; and utility records of the city. The notice shall contain:

- (a) the name and address of the record owner;
- (b) the street address or legal description sufficient for identification of the premises upon which the building is located;
- (c) a statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of Subsection (D) of this Section;
- (d) a statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the Section, and the time it will take to reasonably perform the work;
 - (e) notice of the time and place of the public hearing; and
- (f) a statement that if the building is found to be in violation of this Section, the Board may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.
- (4) Additional Notice of Public Hearing. Prior to the public hearing, the City may file a copy of the notice mailed pursuant to Subsection (3) of this subsection in the official public records of real property in the county in which the property is located. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Board at the public hearing, prior to any remedial action by the City.
- (5) Burden of Proof. At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this Section, and the time it will take to reasonably perform the work.
- (6) Conduct of Public Hearing. At the public hearing, the owner of the building, and all other interested persons may make their appearance and be heard. Any evidence may be received and considered by the Board. The hearing may be adjourned from day to day or continued upon a majority vote of the Board, in compliance with the Open Meetings Act.

(G) Order of Board Regarding Substandard Building.

(1) Findings of the Board. If the Board, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of standards set out in Subsection (D) of this Section, the Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, by the owner, mortgagee or lienholder within a reasonable time as provided herein.

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(2) Time Allowed to Complete Work.

- (a) The order must require the owner, lienholder or mortgagee of the building to within 30 days:
 - 1. Secure the building from unauthorized entry; and/or
- 2. Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.
- (b) If the Board allows the owner, lienholder or mortgagee more than thirty (30) days to repair, remove or demolish the building, the Board shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Board.
- (c) The Board may not allow the owner, lienholder or mortgagee more than ninety (90) days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:
- 1. Submits a detailed plan and time schedule for the work at the hearing; and
- 2. Establishes at the hearing that the work cannot be reasonably completed within ninety (90) days because of the scope and complexity of the work.
- (d) If the Board allows the owner, lienholder or mortgagee more than ninety (90) days to complete any part of the work required to repair, remove or demolish the building, the Board shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Board or the building official to demonstrate compliance with the time schedules.
 - (3) Contents of order. The order of the Board must contain at minimum:
- (a) An identification which is not required to be a legal description, of the building and the property on which it is located; and
- (b) A description of the violation of minimum standards present in the building; and
- (c) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

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- (d) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and
- (e) If the Board has determined that the building will endanger persons or property and that the building is a dwelling with 10 or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(H) Notice of Order of the Board.

- (1) Order Shall be Mailed. After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.
- (2) Order Shall be Filed with City Secretary. Within ten (10) days after the date that the order is issued by the Board, the building official shall file a copy of the order in the office of the City Secretary.
- (3) Order Shall be Published. Within ten (10) days after the date the order is issued by the Board, the building official shall publish in a newspaper of general circulation within the City a notice containing:
 - (a) The street address or legal description of the property; and
 - (b) The date the hearing was held; and
 - (c) A brief statement indicating the results of the order; and
 - (d) Instructions stating where a complete copy of the order may be obtained.
- (4) The order may be filed in the official public records of real property in the county in which the property is located.

(I) Enforcement of the Order of the Board.

- (1) If order not complied with, City may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:
- (a) The city may not act to remove or demolish a building until after the Board has found:
- 1. That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

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- 2. The building is infeasible of repair; or
- 3. There is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.
- (b) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:
- 1. The Board has made a determination that the building is likely to endanger person or property; and
- 2. The building is a residential dwelling with ten (10) or fewer dwelling units.
- 3. In the event there are mortgagors or lienholders, the City may only repair, remove or demolish the building after allowing the lienholder or mortgagee on additional 30 days after the time prescribed in the order has expired to complete the required work.
- (2) Posting of Notice to Vacate Building. If the order requires vacation or if compliance is not had with the order within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and it shall be posted at or upon each entrance to the building and shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building or to remove or deface this notice.

Building Official
City of Mansfield"

- (3) Remedial Action by City. Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.
- (4) Failure to Obey Order. Any person to whom an order pursuant to Subsection (G) of this Section is directed who fails, neglects or refuses to comply with such order shall be guilty of a

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misdemeanor and may be prosecuted in municipal court in addition to any other remedies available to the City provided herein.

- (5) Interference Prohibited. No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this Section; or with any person to whom such building has been lawfully sold pursuant to the provisions of this Section, whenever such officer, employee, contractor or authorized representative of the City, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this Section, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this Section.
- (6) *Permit Required*. Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the City. All permits issued pursuant to an order of the Board shall expire upon expiration of the time for compliance set forth in the order.

(J) Performance of Work by the City.

- (1) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the City pursuant to the provisions of any order of the Board, the work may be accomplished by City personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.
- (2) Costs. The cost of such work shall be paid from City funds and shall constitute a special assessment and a lien against such property to secure payment thereof, together with ten percent (10%) interest on such amount from the date on which the work is performed.
- (3) Repair to Minimum Standards Only. The City may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with minimum standards.

(K) Recovery of Cost of Securing, Repair, Removal or Demolition.

- (1) Itemized Account and Notice of Lien. The building official shall keep an itemized account of the expenses incurred by the City in the securing, repair, removal or demolition of any building pursuant to this Section. Upon completion of the work, the Building Official shall prepare and file with the City Secretary a sworn account and Notice of Lien containing the following information:
- (a) The name and address of the owner if that information can be determined with a reasonable effort;

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- (b) A legal description of the real property on which the building is or was located;
 - (c) The type of work performed; and
- (d) The amount of expenses incurred by the city in performing the work and the balance due.
- (2) Notice Filed in County Records. The City Secretary shall file the Notice of Lien along with a copy of the order of abatement issued by the Board in the deed records of the county in which the premises are located.
- (3) Personal Obligation of Property Owner. The expenses incurred by the City as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property. The City Attorney may bring an action in any court of proper jurisdiction against the owner or property to recover the costs incurred by the City.
- (4) Lien Shall be Valid and Privileged. Upon filing of the Notice of Lien in the Deed Records of Tarrant, Ellis, or Johnson County, Texas, as applicable, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens, existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.
- (5) Assessment Must be Paid. No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the City.
- (6) Release of Lien. After the expenses incurred by the City, as set forth in the sworn account of the building official, have been fully paid with interest of ten percent (10%) per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the Deed Records of Tarrant, Ellis, or Johnson County, Texas, as applicable.

(L) Additional Authority to Secure Certain Substandard Buildings Prior to Public Hearing and Secure, Demolish, Repair or Remove Certain Dangerous Buildings.

- (1) Securing of Unoccupied, Substandard Building. Notwithstanding any other provisions of this Section the City may secure a building if the building official determines:
- (a) That the building violates the minimum standards set forth in Subsection (D) of this Section; and
- (b) That the building is unoccupied or is occupied only by persons who do not have the right of possession to the building.
- (2) If Building Creates Immediate Danger. Notwithstanding any other provisions of this Section, if the Board finds that a building is likely to immediately endanger persons or property the Board may:

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- (a) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or
- (b) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.
- (3) Before the eleventh (11th) day after the date the building is secured pursuant to Subsection (1) of this section, or action is ordered pursuant to Subsection (2)(a) of this subsection, or the building is repaired, removed or demolished pursuant to Subsection (2)(b) of this subsection, the building official shall give notice to the owner by:
 - (a) Personally serving the owner with written notice; or
- (b) Depositing the notice in the United States mail addressed to the owner at the owner's post office address; or
- (c) Publishing the notice at least twice within a ten (10) day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or
- (d) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and
- (e) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the county clerk.

(4) The notice must contain:

- (a) An identification, which is not required to be a legal description, of the building and the property on which it is located;
- (b) A description of the violation of the minimum standards present in the building;
- (c) A statement that the city will secure or has secured, as the case may be, the building, or that the City has taken or will take the action ordered pursuant to Subsection (2) of this subsection:
- (d) An explanation of the owner's entitlement to request a hearing about any matter relating to the City's securing, removing, demolishing or repairing of the building.

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- (5) The Board shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the City's securing, repairing, removing or demolishing of the building, if, within thirty (30) days after the date the City has taken action pursuant to Subsections (2)(a) or (2)(b) of this subsection, the owner files with the City a written request for the hearing. The hearing shall be conducted within twenty (20) days after the date the request is filed.
- (6) If the City incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by Subsections (J) and (K) of this Section.
 - (7) It shall be unlawful to fail to comply with an order issued pursuant to this Section.

(M) Civil Penalty.

- (1) Civil Penalty Authorized. In addition to any other enforcement authority provided for by law, the Board may, by order, at an administrative hearing assess a civil penalty against a property owner as provided for herein for failure to comply with an order issued by the Board pursuant to Subsection (G) of this Section.
- (2) Showing Required. The civil penalty may be assessed if it shown at the administrative hearing that:
- (a) the property owner was notified of the contents of the order issued pursuant to Subsection (G) of this Section; and
- (b) the property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.
- (3) Amount of Penalty. The civil penalty may be assessed in an amount not to exceed \$1000.00 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed \$10.00 a day for each violation.
- (4) Notice of Administrative Hearing. Not less than ten (10) days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail/return receipt requested. The notice shall contain:
- (a) a copy of the order issued by the Board pursuant to Subsection (G) of this Section;
- (b) a statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;
- (c) a statement that at the administrative hearing the Board may assess a civil penalty not to exceed \$1000.00 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed \$10.00 a day for each violation; and

Ordinance No.	OR-2050-17	17-
Page 17 of 18		17-2
Ü		17-2

- (d) notice of the time and place of the hearing.
- (5) Copy of Order Filed with District Clerk. After the civil penalty is assessed, the city secretary shall file with the district clerk of the county in which the property is located, a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.
- (6) *Enforcement*. The civil penalty may be enforced by the city in a suit brought by the City in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this subsection is final and binding and constitutes prima facie evidence of the penalty in any suit.
- (N) Authority Not Limited. Notwithstanding all other provisions of this Section, nothing herein shall be deemed a limitation on the duty of the City to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Mansfield, Texas except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances and such ordinances are hereby repealed. Ordinance No. 1143 is specifically repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Mansfield are expressly saved as to any and all violations of the provisions of any ordinance related to substandard or dangerous buildings as they may have been amended or any other ordinance or code provision which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation,

 Ordinance No. OR-2050-17
 17-2206

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 17-2323

 17-2324
 17-2324

both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Mansfield is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

SECTION 7.

The City Secretary of the City of Mansfield is hereby directed to publish the caption, penalty clause, publication clause and effective date clause of this ordinance at least once in the official newspaper of the City of Mansfield.

SECTION 8.

This ordinance shall be in full force and effect after its passage and publication as required by law, and it is so ordained.

FIRST READING APPROVED ON THE 22ND DAY OF MAY, 2017.

SECOND READING APPROVED ON THE 23RD DAY OF MAY, 2017.

DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS 24^{TH} DAY OF MAY, 2017.

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney

Home » Code Enforcement » Active Cases » Active Case

CCBAA: Dangerous Structures





Overviews: Results | Documents | Inspections

ID#	Start Date 🍮	Work Days Elapsed
22-00213	Feb 17, 2022	319d 17h



Case Description (edit)

FINAL NOTICE

The structure on this property is substandard, creates a public nuisance, and will need to be demolished.

(D) Substandard building declared. (1) For the purposes of this section, any building, regardless of the date of its construction, having any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance: (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety, and welfare, in the opinion of the Building Official. (b) Whenever any building, regardless of its structural condition, is 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. (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if: 1. The building constitutes a danger to the public even though secured from entry; or 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (I)(b) of this division. (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard. (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence. (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building. (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

Address (view) (show more)





304 E KIMBALL St. MANSFIELD, TX 76063

CE Histor	у	(hide 24 records) (property h	istory)	
id	status	subcategory	age	
22-02765	OPEN	Trash and Debris	203d	
22-00342	CLOSED	Trash and Debris	426d	
22-00341	CLOSED	Trailers	426d	
22-00137	CLOSED	Outside Storage Violation	470d	
22-00136	CLOSED	Trash and Debris	470d	
21-01117	CLOSED	Trash and Debris	699d	
21-01113	CLOSED	Outside Storage Violation	699d	
19-01234	CLOSED	Outside Placement of Airtight Appliance	1430d	
19-01233	CLOSED	Outside Storage Violation	1430d	
19-01232	CLOSED	Trash and Debris	1430d	
18-00926	CLOSED	Trash and Debris	1821d	

STEPS 🐺





Inspector: Narada Lee

Notification Letter Mailed

Ready

Initial Inspection

Mail Notice of Violation

Second Inspection	Extension Granted	ē
Mail Final Notice	Final Notice Mailed	ē

Final Inspection Issue Citation

Select Contractor

Pre-Warrant Inspection	Violation Exists	-
Obtain Warrant	Warrant Issued	4

Cancel Contractor Abatement

Confirm Abatement

Invoice / Payment Authorization

Add Fees

Mail Owner's Invoice

Payment Due

Print / File Lien

Record Filing Information

Court Results

Archive Case

Modules

- Assign Contractor
- Add Fees
- Enter Owner's Payment
- Lien Filling Information
- Set Correction Items

Documents

- Notification Letter
- Violation Notice
- Contractor Notification
- Owners' Invoice
- Lien

id	status	subcategory	age
18-00382	CLOSED	Trash and Debris	1888d
18-00197	CLOSED	Trash and Debris	1945d
18-00196	CLOSED	Junk Motor Vehicles	1945d
17-01413	CLOSED	Outside Storage Violation	2122d
17-00996	CLOSED	Trash and Debris	2169d
16-01307	CLOSED	Property Maintenance	2556d
16-01219	CLOSED	Trash and Debris	2565d
16-01218	CLOSED	Junk Motor Vehicles	2565d
16-00560	CLOSED	Fence Violations	2645d
16-00559	CLOSED	Trash and Debris	2645d
16-00558	CLOSED	BOATS/TRAILERS/RV	2645d
16-00547	CLOSED	Parking on the Grass	2647d
15-01557	CLOSED	Trash and Debris	2828d

Key Dates and Information (edit)		
Initial Inspection Date	02/18/2022	
Last Inspection Date	03/07/2022	
Total # of Inspections	3	
Initial Comply By Date	02/27/2022	
Last Comply By Date	12/10/2022	
Total # of Comply By	4	
Total # of Publish	0	
Abatement Date	03/03/2022	

Total uploaded files: 143 (view all)

Case Notes

Add Note
Set up Standard Notes

▶ Initial Observation

Last Update by Justin Bradford on Feb 17, 2022

(edit) (delete)

Dangerous structure violation on the property. I have attached pictures of the condition of the structure from the outside as well as the re-wiring of the electrical box (not permitted). Paul (Building Safety) has contacted Oncor and will have them remove the electrical meter from the structure (Confirmation #T5721637). The water service has been discontinued and locked off as of 6/12/2017.

Photos







Documents

▶ Water service discontinued 2017





► Contact Information

Last Update by Justin Bradford on Feb 18, 2022

(edit) (delete)

Owner of Patronus LLC

Ryan Lane 1935 Kentwood Ln Carrolton, TX 75007

Registered Agent of Patronus LLC Law Office of Victor D. Walker, P.C. Houston, TX 77056

Documents

- ▶ Patronus LLC (Dallas)
- Ryan Lane (Owner of Patronus LLC)
- Victor Walker (Registered Agent)

▶ Follow Up

Added by Justin Bradford on Feb 19, 2022

(edit) (delete)

James reached out to Oncor to get the meter pulled and they will not pull the meter. Email attached with an explanation.

James Triplett Attachments Fri, Feb 18, 2:44 PM (20 hours ago) to Cliff, Narada, me

I spoke with Mr. Lindsey a few minutes ago. He indicated that Oncor is not permitted to remove the meter because the wiring is only connected to the breaker box and not the actual meter.

▶ Personal Contact (phone call)

Added by Justin Bradford on Feb 28, 2022

(edit) (delete)

Spoke with Mr. Lane regarding this property. He wants the tenant gone and for the city to email him a quote to get this structure demolished. I also notified him that we will do an inside inspection once a warrant is obtained on 2/28.

Mr. Lane #(214) 223-1619

Certified Mail

Last Update by Justin Bradford on Mar 2, 2022

(edit) (delete)

Signed and Returned. Attached.

Documents

▶ Certified Mail Signed & Returned

▶ Follow Up Inspection

Last Update by Justin Bradford on Mar 2, 2022

(edit) (delete)

Will submit a warrant for a dangerous structure on the property.

Photos









▶ Administrative Search Warrant

Last Update by Justin Bradford on Mar 3, 2022

(edit) (delete)

Signed & Attached.

Documents

▶ Signed Search Warrant

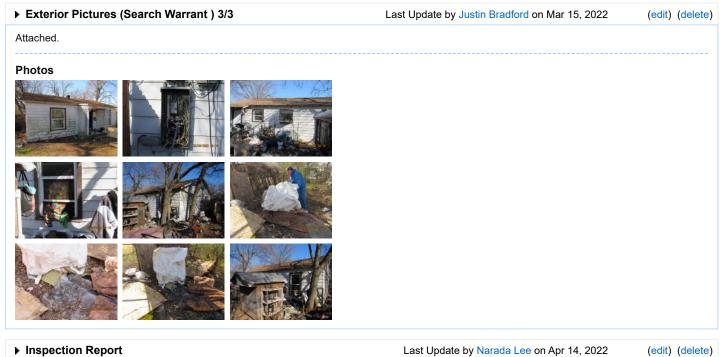
▶ Search Warrant Inspection

Last Update by Justin Bradford on Mar 3, 2022

(edit) (delete)

Pictures and video are attached to the case file.





Documents
► Inspection Report

▶ Final notice of violation sent by Certified Mail

Last Update by Cliff Griffin on May 16, 2022

(edit) (delete)

Photos





Documents

▶ Final Notice of Violation

▶ Personal Contact (email)

Added by Justin Bradford on Sep 19, 2022

(edit) (delete)

Corresponded with Mr. Lane (property owner), and he wants to meet with our dept to discuss condemnation plans for the structure. I will update the case after the meeting.

▶ Personal Contact (Service Center)

Added by Justin Bradford on Sep 19, 2022

(edit) (delete)

Met with Mr. Lane (property owner) to discuss this property and the next steps in bringing this property into compliance. Mr. Lane, Narada, and I were all present during the meeting, and listed below is the recap of our discussion.

Mr. Lane and the previous owner (squatter), Mr. Chad Speer, previously had a hearing that was canceled on 9/14/22.

Mediation is scheduled for 10/28/22

There are two options that will come from this mediation session>

- (A) Come to a final agreement between both parties
- (B) Set a trial date for a district judge to review the civil case

Historical Background:

Mr. Lane obtained possession of 304 E Kimball through an \$8,000 loan that was made to Mr. Speers to pay his property taxes. Mr. Speers failed to pay this loan back to Mr. Lane, and the property was taken as collateral.

Mr. Lane is/has/willing to offer the tenant \$5,000 to relocate and leave the property.

Mr. Lane would like for us to revisit why the property was not condemned or determined to be unfit for human habitation after our interior/exterior warrant-approved inspection on 3/3/22.

▶ Follow Up Inspection

Last Update by Justin Bradford on Oct 24, 2022

(edit) (delete)

Will work on a search warrant to gain access to conduct an interior inspection of the structure on this property. I have attached updated pictures.

Photos









Search Warrant Obtained

Last Update by Justin Bradford on Oct 29, 2022

(edit) (delete)

Attached.

Documents

Signed Abatement Warrant Obtained

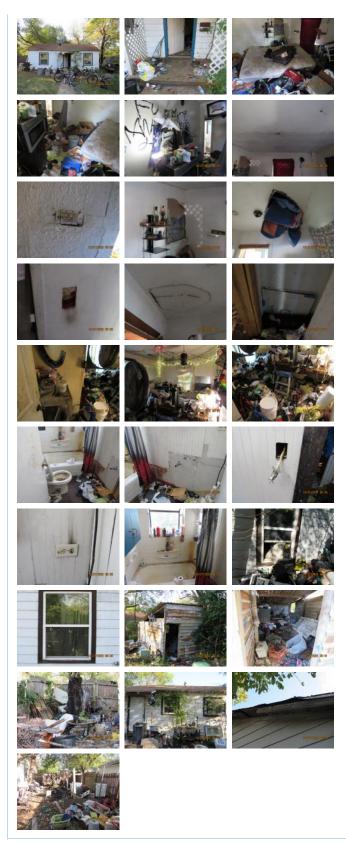
▶ Follow Up Inspection 10/27

Last Update by Justin Bradford on Oct 29, 2022

(edit) (delete)

Interior/Exterior Inspection completed. Pictures attached.

Photos



▶ Inspection Report	Last Update by Narada Lee on Nov 9, 2022	(edit) (delete)
	Documents	
	► Inspection Report	
▶ Certified Mail Receipts	Last Update by Cliff Griffin on Jan 19, 2023	(edit) (dele

Certified mail receipts and return receipts from Notice of Violation mailed on Nov. 10, 2022. Notice sent to Chad Geyer Speer at 304 E Kimball received. Notice to Patronus LLC at 304 E Kimball signed and received by Chad Speer. The notice sent to Patronus LLC at the P.O. Box in Dallas apparently was not delivered. USPS tracking is not complete.

Documents

Certified Mail Signed & Returned

▶ Notice of Public Hearing

Last Update by Cliff Griffin on Jan 20, 2023

(edit) (delete)

Notice of Public Hearing was sent to CHad Geyer Spear and Patronus LLC on 01/13/2023.

Documents

- Notice of Public Hearing
- Certified Mail Receipt

▶ Notice of Public Hearing Posted on Structure

Last Update by Cliff Griffin on Jan 20, 2023

(edit) (delete)

Notice of Public Hearing posted on the structure on 01/14/2023.

Photos







▶ Follow Up

Added by Justin Bradford on Mar 3, 2023

(edit) (delete)

Narada spoke with Mr. Lane and informed him that the property/structure has not progressed to being condemned officially, but it will be taken to the Construction Board at a later date (TBD). A couple wants to buy the property and rehab it for their mother, per Mr. Lane.

Signed Search Warrant Obtained

Last Update by Justin Bradford on Mar 30, 2023

(edit) (delete)

▶ Search Warrant Inspection

Last Update by Narada Lee on Mar 30, 2023

(edit) (delete)

Pictures attached from the search warrant inspection today (3/30/23). The building inspection report is in the process of being filled out and attached to the case file as well.

Photos





















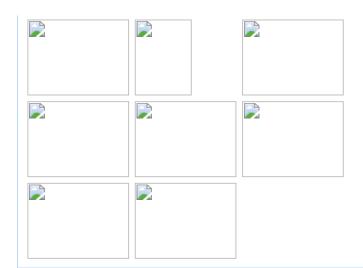




Documents

- Signed warrant
- ► Inspection Report





▶ Referred to CCBAA

Last Update by Narada Lee on Apr 4, 2023

(edit) (delete)

Sent a (2) certified notices to the owner and tenant with the inspection report from the Building Official.

Documents

- ▶ Certified Notice Inspection Rpt
- ► Chad Speer Building Notice
- ▶ Patronus LLC Building Notice

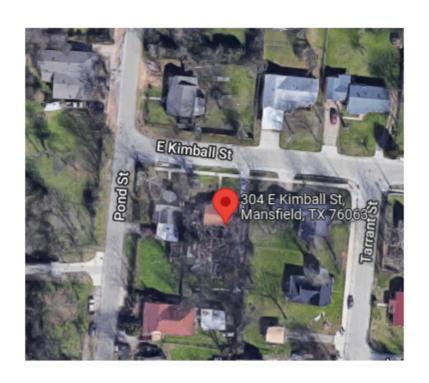


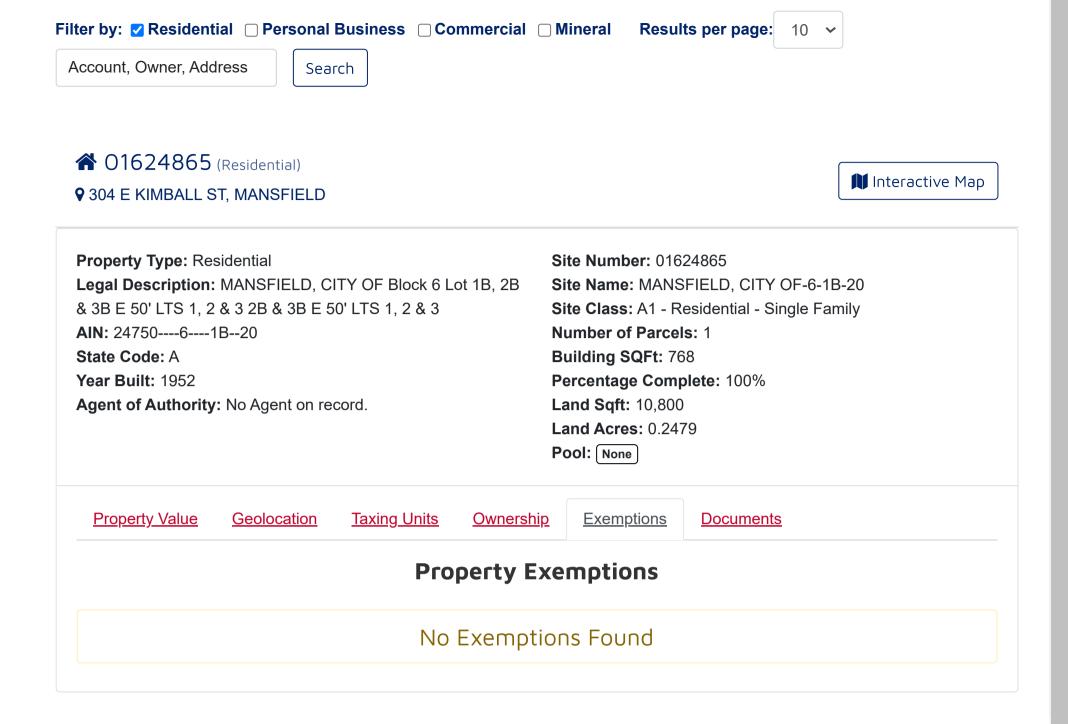
Nicolette Ricciuti
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Version 4.0

May 18, 2023

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Property Type: Residential

Legal Description: MANSFIELD, CITY OF Block 6 Lot 1B, 2B

& 3B E 50' LTS 1, 2 & 3 2B & 3B E 50' LTS 1, 2 & 3

AIN: 24750----6----1B--20

State Code: A Year Built: 1952

Agent of Authority: No Agent on record.

Site Number: 01624865

Site Name: MANSFIELD, CITY OF-6-1B-20 **Site Class:** A1 - Residential - Single Family

Number of Parcels: 1 Building SQFt: 768

Percentage Complete: 100%

Land Sqft: 10,800 **Land Acres:** 0.2479

Pool: None

Property Value

Geolocation

Taxing Units C

<u>Ownership</u>

Exemptions

Documents

Property GeoLocation Data

Address: 304 E KIMBALL ST

City: MANSFIELD

Subdivision Name: MANSFIELD, CITY OF

Neighborhood Code: 1M800L

Latitude: 32.5620012464

Longitude: -97.1396242994 **Georeference:** 24750-6-1B

TAD Map: 2108-324 **Mapsco:** TAR-124T

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Tarrant Appraisal District

2500 Handley-Ederville Road Fort Worth, Texas 76118-6909 United States

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Account, Owner, Address

Search

★ 01624865 (Residential)

♀ 304 E KIMBALL ST, MANSFIELD

■ Interactive Map

Property Type: Residential

Legal Description: MANSFIELD, CITY OF Block 6 Lot 1B, 2B

& 3B E 50' LTS 1, 2 & 3 2B & 3B E 50' LTS 1, 2 & 3

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Percentage Complete: 100%

Land Sqft: 10,800 **Land Acres:** 0.2479

Pool: None

Property Value Geolocation Taxing Units Ownership Exemptions Documents

Current Ownership

Name: PATRONUS LLC

Address: 13901 MIDWAY RD STE 102-493, DALLAS, TX 75244

Address Recipient: PATRONUS LLC

Previous Ownership & Transfers

Document Number	Deeded Owner	Document Date	Book	Page
D221090757	PATRONUS LLC	01/20/2021		
D208357685	SPEER CHAD GEYER	09/11/2008	0000000	0000000
D208357684	JACKSON DAVID ALLEN ETAL	09/08/2008	0000000	0000000
0000000000000	SPEER GLENDA GEYER	12/31/1900	0000000	0000000

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Account, Owner, Address

Search

☆ 01624865 (Residential)

♀ 304 E KIMBALL ST, MANSFIELD

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& 3B E 50' LTS 1, 2 & 3 2B & 3B E 50' LTS 1, 2 & 3

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Agent of Authority: No Agent on record.

Site Number: 01624865

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Number of Parcels: 1 Building SQFt: 768

Percentage Complete: 100%

Land Sqft: 10,800 **Land Acres: 0.2479**

Pool: None

Property Value

Geolocation

Taxing Units

Ownership

Exemptions

Documents

5 Years historical Value

Year	Land Appr.	Imprv. Appr.	Total Appr.	Land Mkt.	Imprv. Mkt.	Total Mkt.
2023	\$21,600	\$154,182	\$175,782	\$21,600	\$154,182	\$175,782
2022	\$21,600	\$91,773	\$113,373	\$21,600	\$91,773	\$113,373
2021	\$21,600	\$69,889	\$91,489	\$21,600	\$69,889	\$91,489
2020	\$21,600	\$69,978	\$91,578	\$21,600	\$69,978	\$91,578
2019	\$21,600	\$64,874	\$86,474	\$21,600	\$64,874	\$86,474
2018	\$21,600	\$55,599	\$77,199	\$21,600	\$55,599	\$77,199



Information: Information relating to the current year should be considered a "work in progress".

Prior year data is informational only and does not necessarily replicate the values <u>published by Tarrant County Tax</u> Office.

The information provided is purely for ad valorem taxation purposes.

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↑ 01624865 (Residential)

♀ 304 E KIMBALL ST, MANSFIELD

■ Interactive Map

Property Type: Residential

Legal Description: MANSFIELD, CITY OF Block 6 Lot 1B, 2B

& 3B E 50' LTS 1, 2 & 3 2B & 3B E 50' LTS 1, 2 & 3

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Number of Parcels: 1 Building SQFt: 768

Percentage Complete: 100%

Land Sqft: 10,800 **Land Acres: 0.2479**

Pool: None **Taxing Units Property Value** Geolocation <u>Ownership</u> **Exemptions Documents Taxing Units** Name: Code: 017 CITY OF MANSFIELD 220 TARRANT COUNTY TARRANT COUNTY HOSPITAL 224 225 TARRANT COUNTY COLLEGE MANSFIELD ISD 908

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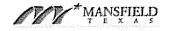
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	R	eading His	tory	Notice His	tory New	Connec	t Accou	nt Like	Addre	255	Meter(s)	Reset	Pwd		
Account#	004-00)25340-()10	Name	SPEER, CHA	\D			Addr	ess	304 E	KIMBAL	L ST		
Customer#	05229	901							Subd	ivision					
Override Addı	ess:(m	ust have	addr	ess + cit	y)		Account	Statu	s: Inactiv	ve	Bill	This Acc	ount	Yes	
Override Addı	ess Da	te:					Class Cod	e:	Residen	itial	Senio	r Citize	n:	No	
					_		Start Date	e :	03/16/	2017	End D	ate:		06/12/	2017
					Cust Do	cs	Cycle:		1	,	City I	imit cod	le	Inside	
							District:				Pena	lty Exen	npt:	No	
											Tax E	xempt:		No	
Total Due	Curre	nt Due	30-6	0 Days	60-90 Day	s 90	Plus Days				Cutof	f Exem	ot:	No	
231.87		0.00		0.00	0.0	0	231.87	•			Custo	mer Ty	pe:	Owner	
											Colle	ction Ag	ency	: CSI	
Last Bill Date:		06/14/	2017	Last Bil	l Amount:		84.24	Due	Date:		07/0	5/2017			
Last Pmt Date	ast Pmt Date: 03/16/2017 Last Pm		nt Amount:		60.00	Ban	k Draft:		No						
Home Phone:	(8:	17) 449-	7152	Imperv	ious Area:		0.00000	Win	ter Avera	ge:		0	AV	ERAGE	Google
Work Phone:	(0	00) 000-	0000	2nd Ad	dr ID:			Well	/Spr/Bo	th:	?				<u></u>
Cell Phone:	(0	00) 000-	0000	•				Prin	t or Emai	il Bill:	Email	& Pr			
SMS Message:	s:	No			М	lore		Ren	tal Prope	rty?	No				Ø Draft
					Jacobs										y C.

Has been a vacant since 6/12/2017.







9675 Camp Bowie West Blvd, Fort Worth, TX 76116

P: 817-335-5082 F: 817-334-9687 www.ReisResearch.com

REIS File No. 2022-13999 Client File No. 304 E Kimball St. February 28, 2022

ABSTRACTOR'S INFORMATION LETTER TITLE SEARCH

Cliff Griffin City of Mansfield 1200 E. Broad St. Mansfield, Texas 76063

In compliance with your request for information with reference to the following described property, our search from September 15, 2008 (commencement date) to February 14, 2022 (certification date) reflects:

LEGAL DESCRIPTION:

THE EAST 50 FEET OF LOTS 1, 2, 3, BLOCK 6, ORIGINAL TOWN OF MANSFIELD, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 63, PAGE 53 OF THE DEED RECORDS, TARRANT COUNTY, TEXAS.

NAME(S) SEARCHED FOR INVOLUNTARY LIENS AND BANKRUPTCIES:

Patronus, LLC

LAST DEED(S) IN CHAIN OF TITLE:

(Grantor/Grantee shown as indexed and may be abbreviated. Please refer to document for full name)

SPECIAL WARRANTY DEED

Grantor: DAVID A JACKSON
Grantee: CHAD GEYER SPEER

Filed: 9/15/2008 Instrument Number: 208357685

GENERAL WARRANTY DEED (CASH)

Grantor: CHAD GEYER SPEER
Grantee: PATRONUS LLC
Filed: 4/5/2021

Instrument Number: 221090757

LIENS FOR WHICH WE FIND NO RELEASE OR ATTEMPTED RELEASE OF RECORD:

NOTICE OF LIS PENDENS

Grantor: PATRONUS LLC
Grantee: CHAD GEYER SPEER

Filed: 7/2/2021 Instrument Number: <u>221190881</u>

Notes: References Cause No. 017-326294-21.

LIEN

Grantor: CITY OF MANSFIELD
Grantee: PATRONUS LLC
Filed: 9/30/2021
Instrument Number: 221285598

LIEN

Grantor: CITY OF MANSFIELD
Grantee: PATRONUS LLC
Filed: 10/19/2021
Instrument Number: 221305447

ABSTRACT OF JUDGMENTS, CHILD SUPPORT LIENS, STATE TAX LIENS AND FEDERAL TAX LIENS FOR WHICH WE FIND NO RELEASE OR ATTEMPTED RELEASE OF RECORD FILED OF RECORD FROM February 14, 2012 (commencement date) to February 14, 2022 (certification date):

WE FIND NONE.

<u>PENDING BANKRUPTCIES FILED IN TEXAS FROM February 14, 2017 (commencement date) to February 14, 2022 (certification date):</u>

WE FIND NONE.

EXCEPTIONS AND REMARKS:

TAX SUIT

Plaintiff: TARRANT COUNTY; ETAL. vs.

Defendant: CHAD GEYER SPEER

Filed: 10/18/2019 Case Number: 141-D22731-19

Notes: Case was not reviewed. Copy may be available upon request, if so extra copy fees will apply. Please

see information provided.

NOTICE TO PURCHASER(S)

Grantor: PATRONUS LLC
Grantee: CHAD GEYER SPEER

Filed: 1/20/2021 Instrument Number: 221016230

Notes: Provided for reference.

CIVIL SUIT

Plaintiff: CHAD GEYER SPEED vs.

Defendant: PATRONUS LLC Filed: 7/1/2021

Case Number: <u>017-326294-21</u>

Notes: Case was not reviewed. Copy may be available upon request, if so additional copy fees will apply.

Please see information provided.

Hyperlinks may terminate after four years.

ITEMS SHOWN ON LETTER ARE BASED UPON INFORMATION PROVIDED BY CLIENT, AND ARE SHOWN AS THE RESULT OF A PROPERTY/NAME SEARCH AND MAY OR MAY NOT BE ONE IN THE SAME PERSON(S) AND MAY OR MAY NOT AFFECT THE PROPERTY.

This Abstractor's Information Letter does not include any of the following matters:

- (1) Bankruptcies which are closed, terminated, filed out of the State of Texas, or antedate the certification date of this letter by more than five (5) years.
- (2) Abstract of Judgments, which from date of filing, antedate the certification date of this letter by more than ten (10) years.
- (3) Child Support Liens which from the date of filing, antedate the certification date of this letter by more than ten (10) years.
- (4) Suits affecting the property which are closed or dismissed or antedate the certification date of this letter by more than 5 years or suits that do not affect the subject property.
- (5) Unpaid State and Federal Tax Liens which, from date of filing, antedate the certification date of this letter by more than ten (10) years.
- (6) Any unpaid ad valorem property taxes, real or personal, affecting the above described real property.
- (7) Liens which have been barred by the statute of limitations. Please click <u>here</u> for more information.
- (8) Voluntary Liens which from the date of filing antedate the certification of this letter by more than thirty-four (34) years.
- (9) Easements and Restrictions.
- (10) Oil, Gas or Mineral interests.

It is understood by City of Mansfield (Benefited Party) that the above information was secured by REIS, Inc. through the use of the real estate title records of the county where the property is located and/or from various title evidence providers. REIS, Inc. does not and will not assume any liability, financially or otherwise, to Benefited Party, or any other party, in a total amount in excess of the amount paid for the information contained herein.

This report was prepared from the results of a search of name(s) supplied by the Benefited Party. This report may not reveal holders of outstanding interest such as assignees of mortgages, liens, leases or other matters not indexed under the names searched. No variations of names have been searched unless otherwise indicated.

The above Abstractor's Information Letter is issued for the use of, and shall inure to the benefit of the Benefited Party, and is issued in consideration of \$135.00 paid by the Benefited Party, and to whom said sum shall be returned as liquidated damages in the event the Information Letter contains an error or errors that cause Benefited Party loss or damage due to such errors. Such sum shall constitute the full measure of damages against REIS, Inc., its officers, employees and staff, as well as any other title evidence provider used in the research process.

The information set out in this Information Letter is not an opinion of title, guarantee of title, or a title insurance product of any kind, and any use or reliance on the information reported herein, for any purpose whatsoever, is taken at the sole risk and responsibility of the Benefited Party.



9675 Camp Bowie West Blvd, Fort Worth, TX 76116

P: 817-335-5082 F: 817-334-9687 www.ReisResearch.com

REIS File No. 27504 November 18, 2022

Client File No. 304 E Kimball

ABSTRACTOR'S INFORMATION LETTER TITLE SEARCH

Cliff Griffin City of Mansfield 1200 E. Broad St. Mansfield, Texas 76063

In compliance with your request for information with reference to the following described property, our search from September 15, 2008 (commencement date) to November 7, 2022 (certification date) reflects:

LEGAL DESCRIPTION:

THE EAST 50 FEET OF LOTS 1, 2, 3, BLOCK 6, ORIGINAL TOWN OF MANSFIELD, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 63, PAGE 53 OF THE DEED RECORDS, TARRANT COUNTY, TEXAS.

BASED ON THE INSTRUMENTS FILED OF PUBLIC RECORD, TITLE APPEARS TO BE VESTED IN:

PATRONUS, LLC, a Texas Limited Liability Company

NAME(S) SEARCHED FOR INVOLUNTARY LIENS AND BANKRUPTCIES:

Patronus, LLC

LAST DEED(S) IN CHAIN OF TITLE:

(Grantor/Grantee shown as indexed and may be abbreviated. Please refer to document for full name)

SPECIAL WARRANTY DEED

Grantor: DAVID A JACKSON
Grantee: CHAD GEYER SPEER

Filed: 9/15/2008 Instrument Number: 208357685

GENERAL WARRANTY DEED (CASH)

Grantor: CHAD GEYER SPEER
Grantee: PATRONUS LLC
Filed: 4/5/2021

Instrument Number: 221090757

<u>LIENS FOR WHICH WE FIND NO RELEASE OR ATTEMPTED RELEASE OF RECORD:</u>

NOTICE OF LIS PENDENS

Grantor: PATRONUS LLC
Grantee: CHAD GEYER SPEER

Filed: 7/2/2021 Instrument Number: 221190881

Notes: References Cause No. 017-326294-21.

LIEN

Grantor: CITY OF MANSFIELD
Grantee: PATRONUS LLC
Filed: 9/30/2021
Instrument Number: 221285598

LIEN

Grantor: CITY OF MANSFIELD
Grantee: PATRONUS LLC
Filed: 10/19/2021
Instrument Number: 221305447

ABSTRACT OF JUDGMENTS, CHILD SUPPORT LIENS, STATE TAX LIENS AND FEDERAL TAX LIENS FOR WHICH WE FIND NO RELEASE OR ATTEMPTED RELEASE OF RECORD FILED OF RECORD FROM November 7, 2012 (commencement date) to November 7, 2022 (certification date):

WE FIND NONE.

<u>PENDING BANKRUPTCIES FILED IN TEXAS FROM November 7, 2017 (commencement date) to November 7, 2022 (certification date):</u>

WE FIND NONE.

EXCEPTIONS AND REMARKS:

TAX SUIT

Plaintiff: TARRANT COUNTY; ETAL. vs.

Defendant: CHAD GEYER SPEER

Filed: 10/18/2019 Case Number: 141-D22731-19

Notes: Case was not reviewed. Copy may be available upon request, if so extra copy fees will apply. Please

see information provided.

NOTICE TO PURCHASER(S)

Grantor: PATRONUS LLC
Grantee: CHAD GEYER SPEER

Filed: 1/20/2021 Instrument Number: 221016230

Notes: Provided for reference.

CIVIL SUIT

Plaintiff: CHAD GEYER SPEED vs.

Defendant: PATRONUS LLC Filed: 7/1/2021 Case Number: 017-326294-21

Notes: Case was not reviewed. Copy may be available upon request, if so additional copy fees will apply.

Please see information provided.

Hyperlinks may terminate after four years.

ITEMS SHOWN ON LETTER ARE BASED UPON INFORMATION PROVIDED BY CLIENT, AND ARE SHOWN AS THE RESULT OF A PROPERTY/NAME SEARCH AND MAY OR MAY NOT BE ONE IN THE SAME PERSON(S) AND MAY OR MAY NOT AFFECT THE PROPERTY.

This Abstractor's Information Letter does not include any of the following matters:

- (1) Bankruptcies which are closed, terminated, filed out of the State of Texas, or antedate the certification date of this letter by more than five (5) years.
- (2) Abstract of Judgments, which from date of filing, antedate the certification date of this letter by more than ten (10) years.
- (3) Child Support Liens which from the date of filing, antedate the certification date of this letter by more than ten (10) years.
- (4) Suits affecting the property which are closed or dismissed or antedate the certification date of this letter by more than 5 years or suits that do not affect the subject property.
- (5) Unpaid State and Federal Tax Liens which, from date of filing, antedate the certification date of this letter by more than ten (10) years.
- (6) Any unpaid ad valorem property taxes, real or personal, affecting the above described real property.
- (7) Liens which have been barred by the statute of limitations. Please click <u>here</u> for more information.
- (8) Voluntary Liens which from the date of filing antedate the certification of this letter by more than thirty-four (34) years.
- (9) Easements and Restrictions.
- (10) Oil, Gas or Mineral interests.

It is understood by City of Mansfield (Benefited Party) that the above information was secured by REIS, Inc. through the use of the real estate title records of the county where the property is located and/or from various title evidence providers. REIS, Inc. does not and will not assume any liability, financially or otherwise, to Benefited Party, or any other party, in a total amount in excess of the amount paid for the information contained herein.

This report was prepared from the results of a search of name(s) supplied by the Benefited Party. This report may not reveal holders of outstanding interest such as assignees of mortgages, liens, leases or other matters not indexed under the names searched. No variations of names have been searched unless otherwise indicated.

The above Abstractor's Information Letter is issued for the use of, and shall inure to the benefit of the Benefited Party, and is issued in consideration of \$135.00 paid by the Benefited Party, and to whom said sum shall be returned as liquidated damages in the event the Information Letter contains an

error or errors that cause Benefited Party loss or damage due to such errors. Such sum shall constitute the full measure of damages against REIS, Inc., its officers, employees and staff, as well as any other title evidence provider used in the research process.

The information set out in this Information Letter is not an opinion of title, guarantee of title, or a title insurance product of any kind, and any use or reliance on the information reported herein, for any purpose whatsoever, is taken at the sole risk and responsibility of the Benefited Party.



9675 Camp Bowie West Blvd, Fort Worth, TX 76116

P: 817-335-5082 F: 817-334-9687 www.ReisResearch.com

REIS File No. 28516 May 17, 2023 Client File No. 304 E Kimball

ABSTRACTOR'S INFORMATION LETTER UPDATE

Nicolette Ricciuti City of Mansfield 1200 E. Broad St. Mansfield, Texas 76063

In compliance with your request for an Update to Prior REIS File Number 27504 with reference to the following described property, our search from November 7, 2022 (commencement date) to May 8, 2023 (certification date) reflects:

LEGAL DESCRIPTION:

THE EAST 50 FEET OF LOTS 1, 2, 3, BLOCK 6, ORIGINAL TOWN OF MANSFIELD, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 63, PAGE 53 OF THE DEED RECORDS, TARRANT COUNTY, TEXAS.

NAME(S) SEARCHED FOR INVOLUNTARY LIENS AND BANKRUPTCIES:

Patronus, LLC

LIMITED DOCUMENT LISTING:

(Grantor/Grantee shown as indexed and may be abbreviated. Please refer to document for full name)

WE FIND NONE.

ABSTRACT OF JUDGMENTS, CHILD SUPPORT LIENS, STATE TAX LIENS, FEDERAL TAX LIENS AND RELEASES OF THESE INSTRUMENTS FILED OF RECORD FROM November 7, 2022 (commencement date) to May 8, 2023 (certification date):

WE FIND NONE.

BANKRUPTCIES FILED IN TEXAS FROM November 7, 2022 (commencement date) to May 8, 2023 (certification date):

WE FIND NONE.

EXCEPTIONS AND REMARKS:

TAX SUIT

Plaintiff: TARRANT COUNTY; ETAL. vs.

Defendant: PATRONUS LLC Filed: 12/13/2022 Case Number: 236-D34800-22

Notes: Case was not reviewed. Copy may be available upon request, if so extra copy fees will apply. Please

see information provided.

NOTE: Hyperlinks may terminate after four years.

ITEMS SHOWN ON LETTER ARE BASED UPON INFORMATION PROVIDED BY CLIENT, AND ARE SHOWN AS THE RESULT OF A PROPERTY/NAME SEARCH AND MAY OR MAY NOT BE ONE IN THE SAME PERSON(S) AND MAY OR MAY NOT AFFECT THE PROPERTY.

This Abstractor's Information Letter Update does not include any of the following matters:

- (1) Bankruptcies which are filed out of the state of Texas.
- (2) Suits which are not posted to the subject property.
- (3) Any unpaid ad valorem property taxes, real or personal, affecting the above described real property.
- (4) Easements and Restrictions.
- (5) Oil, Gas or Mineral interests.

REIS, Inc. was only requested to provide a Limited Document Listing for the subject property. No other matters were searched.

It is understood by City of Mansfield (Benefited Party) that the above information was secured by REIS, Inc. through the use of the real estate title records of the county where the property is located and/or from various title evidence providers. REIS, Inc. does not and will not assume any liability, financially or otherwise, to Benefited Party, or any other party, in a total amount in excess of the amount paid for the information contained herein.

This report was prepared from the results of a search of name(s) supplied by the Benefited Party. This report may not reveal holders of outstanding interest such as assignees of mortgages, liens, leases or other matters not indexed under the names searched. No variations of names have been searched unless otherwise indicated.

The above Abstractor's Information Letter Update is issued for the use of, and shall inure to the benefit of the Benefited Party, and is issued in consideration of \$85.00 paid by the Benefited Party, and to whom said sum shall be returned as liquidated damages in the event the Information Letter contains an error or errors that cause Benefited Party loss or damage due to such errors. Such sum shall constitute the full measure of damages against REIS, Inc., its officers, employees and staff, as well as any other title evidence provider used in the research process.

The information set out in this Information Letter is not an opinion of title, guarantee of title, or a title insurance product of any kind, and any use or reliance on the information reported herein, for any purpose whatsoever, is taken at the sole risk and responsibility of the Benefited Party.

Case Chronology

- February 17, 2022, the exterior was inspected by the Code Compliance Department.
 - It was determined that violations of various provisions of the City's Substandard
 Ordinance (OR-2050-17) exist.
- February 18, 2022, notice of violation sent to property owner, Patronus LLC (owner),
 Ryan Lane (owner), and Victor Walker (Registered Agent). Noticed possible
 re-wiring/unsafe connection to the electrical meter. Notified the Building Official, Paul Coker.
- February 19, 2022, Paul Coker contacted ONCOR and asked that they remove the meter. ONCOR was unable to remove the meter because it had been bypassed.
- February 28, 2022, Justin Bradford called Mr. Lane regarding the status of the property and discussed possible demolition.
- March 3, 2022, Administrative warrant obtained and an inspection was performed.
- March 3, 2022, Inspection of the property was conducted. Numerous violations/condition render the building substandard and/or dangerous.
- April 14, 2022, Inspection Report finalized.
- May 16, 2022, Final notice of violation mailed by certified mail to Patronus LLC.
- September 19, 2022, Held a meeting with Mr. Lane to discuss the status of the property. Mr. Lane asked use to proceed with condemnation and move forward with demolition.
- October 27, 2022, Obtained a warrant to inspect the structure for health and safety violations. Numerous violations were observed during the inspection. An inspection report was created after the warrant was executed.

- November 10, 2022, The inspection report and notice of violation was sent by certified mail to Patronus LLC, and to Chad Speer.
- November 11, 2022, Ordered a title search from Real Estate Information Services (REIS).
- November 18, 2022, Received the title search from REIS. Title search revealed nothing
 has changed in ownership, and according to the Tarrant County Central Appraisal
 District, the owner is Patronus LLC. Title search shows a civil suit and a tax suit
 between Patronus LLC and Chad Geyer Speer. It also shows the City of Mansfield as a
 lien holder.
- January 13, 2023, Notice of Public Hearing with attachments was sent to the record owner (Patronus LLC), Chad Geyer Speer, and entities in control or that have an interest in the property mentioned.
- January 14, 2023, Notice of Public Hearing posted on the structure at 304 E. Kimball Street.
- January 19, 2023, The posting of the meeting agenda was delayed to provide additional time requested by Kricken Law Firm.
- March 29, 2023, Obtained a warrant to inspect the structure for health and safety violations. Numerous violations were observed during the inspection with Building Official Serena Smith. An inspection report was created after the warrant was executed.
- March 30, 2023, The inspection report and notice of violation was sent by certified mail to Patronus LLC and to Chad Geyer Speer.

- April 4, 2023, Two certified notices were sent to the Owner and the Tenant with the Inspection Report indicating the violations observed and outlining what the adopted codes will require to correct them.
- May 15, 2023, Notice of public hearing with attachments sent to the record owner
 (Patronus LLC), Chad Geyer Speer, and entities in control or that have an interest in the property mentioned.
- May 19, 2023, The meeting agenda was posted at City Hall.
- May 25, 2023, Public Hearing with the CCBAA.

Inspection Photos – February 17, 2022

No water service in past 5 years









Electrical meter bypassed



NOTICE OF VIOLATION

February 18, 2022

PATRONUS LLC PO BOX 701298 DALLAS, TX 75370

Certified Mail

Re: Dangerous Structures at 304 E KIMBALL St. ORIGINAL TOWN OF MANSFIELD Blk 6 Lot 1B

Dear PATRONUS LLC:

This Notice of Violation is in reference to the above-described property (the "Property"). Our research shows that you are the record owner of the Property. As the Code Official for the City of Mansfield, I inspected the structure(s) on the Property on February 17, 2022 and determined that it is in violation of various provisions of the City's Substandard Building Ordinance. The specific violations are as follows:

Condition: The structure on this property is substandard, creates a public nuisance, and may need to be demolished.

(D) Substandard building declared. (1) For the purposes of this section, any building, regardless of the date of its construction, having any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance: (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety, and welfare, in the opinion of the Building Official. (b) Whenever any building, regardless of its structural condition, is 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. (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if: 1. The building constitutes a danger to the public even though secured from entry; or 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (I)(b) of this division. (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard. (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence. (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building. (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

Please note that this list only includes violations existing to the exterior of the structure(s) on the property. Due to



the condition of the exterior of the structure(s) on the Property, the City has cause to believe that there are code violations existing inside the structure(s) on the Property as well. The City is requesting authorization to conduct an inspection of the interior of the structure(s) on the Property within ten (10) calendar days of the date of this letter. If, within ten (10) days, no response to this letter has been received, the City will be required to seek an administrative search warrant in order to evaluate the condition of the interior of the structure(s) on the Property.

Additionally, within thirty (30) days from the date of this letter, you must repair or demolish the structure(s) on the Property, or contact the City with a detailed plan and time schedule for the performance of work necessary to make the Property habitable and to bring the Property (interior and exterior) into compliance with the City's Code of Ordinances. Failure to respond to this letter in a timely fashion may result in the issuance of citations and / or the initiation of proceedings before the Construction Codes Board of Appeals. The Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, as applicable.

Should you have any questions regarding this issue, please feel free to contact me at the telephone number or e-mail address listed below.

Sincerely,

Justin Bradford

Code Enforcement Officer

(817) 728-3620

justin.bradford@mansfieldtexas.gov



NOTICE OF VIOLATION

February 18, 2022

ID #: 22-00213

Patronus LLC 304 E KIMBALL St. MANSFIELD, TX 76063

Certified Mail #

Re: Dangerous Structures at 304 E KIMBALL St. ORIGINAL TOWN OF MANSFIELD Blk 6 Lot 1B

Dear Patronus LLC:

This Notice of Violation is in reference to the above-described property (the "Property"). Our research shows that you are the record owner of the Property. As the Code Official for the City of Mansfield, I inspected the structure(s) on the Property on February 17, 2022 and determined that it is in violation of various provisions of the City's Substandard Building Ordinance. The specific violations are as follows:

Condition: The structure on this property is substandard, creates a public nuisance, and may need to be demolished.

(D) Substandard building declared. (1) For the purposes of this section, any building, regardless of the date of its construction, having any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance: (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety, and welfare, in the opinion of the Building Official. (b) Whenever any building, regardless of its structural condition, is 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. (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if: 1. The building constitutes a danger to the public even though secured from entry; or 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (I)(b) of this division. (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard. (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence. (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building. (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

Please note that this list only includes violations existing to the exterior of the structure(s) on the property. Due to



the condition of the exterior of the structure(s) on the Property, the City has cause to believe that there are code violations existing inside the structure(s) on the Property as well. The City is requesting authorization to conduct an inspection of the interior of the structure(s) on the Property within ten (10) calendar days of the date of this letter. If, within ten (10) days, no response to this letter has been received, the City will be required to seek an administrative search warrant in order to evaluate the condition of the interior of the structure(s) on the Property.

Additionally, within thirty (30) days from the date of this letter, you must repair or demolish the structure(s) on the Property, or contact the City with a detailed plan and time schedule for the performance of work necessary to make the Property habitable and to bring the Property (interior and exterior) into compliance with the City's Code of Ordinances. Failure to respond to this letter in a timely fashion may result in the issuance of citations and / or the initiation of proceedings before the Construction Codes Board of Appeals. The Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, as applicable.

Should you have any questions regarding this issue, please feel free to contact me at the telephone number or e-mail address listed below.

Sincerely,

Justin Bradford

Code Enforcement Officer

(817) 728-3620

justin.bradford@mansfieldtexas.gov



FINAL VIOLATION NOTICE

February 18, 2022

ID #: 22-00213

PATRONUS LLC PO BOX 701298 DALLAS, TX 75370

Re: Dangerous Structures at 304 E KIMBALL St. ORIGINAL TOWN OF MANSFIELD Blk 6 Lot 1B

Dear PATRONUS LLC:

An inspection of the above referenced property was made on February 17, 2022. As a result of this inspection, the condition described below was observed:

Condition: The structure on this property is substandard, creates a public nuisance, and may need to be demolished.

- (D) Substandard building declared.
- (1) For the purposes of this section, any building, regardless of the date of its construction, having any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:
- (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety, and welfare, in the opinion of the Building Official. (b) Whenever any building, regardless of its structural condition, is 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. (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if: 1. The building constitutes a danger to the public even though secured from entry; or 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (l)(b) of this division. (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard. (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence. (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building. (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

The condition described above is in violation of Ordinance No. 2050-17 of the Code of Ordinances, which states, This Notice of Violation is in reference to the above-described property (304 E. Kimball St). Our research shows that you are the record owner of the Property. As the Code Official for the City of Mansfield, I inspected the structure(s) on the Property on (2/17/2022) and determined that it is in violation of various provisions of the City of Mansfield Substandard Building Ordinance. The specific violations are included in this notice.



This is your official notice that you will need to bring the property into compliance by Feb 28, 2022. Please note that this list only includes violations existing to the exterior of the structure(s) on the Property. Due to the condition of the exterior of the structure(s) on the Property, the City has cause to believe that there are code violations existing inside the structure(s) on the Property as well. The City is requesting authorization to conduct an inspection of the interior of the structure(s) on the Property within ten (10) calendar days of the date of this letter. If, within ten (10) days, no response to this letter has been received, the City will be required to seek an administrative search warrant in order to evaluate the condition of the interior of the structure(s) on the Property.

Additionally, within thirty (30) days from the date of this letter, you must repair or demolish the structure(s) on the Property, or contact the City with a detailed plan and time schedule for the performance of work necessary to make the Property habitable and to bring the Property (interior and exterior) into compliance with the City of Mansfield Code of Ordinances. Failure to respond to this letter in a timely fashion may result in the issuance of citations and/or the initiation of proceedings before the Construction Codes Board of Appeals. The Board may order that the building be repaired, vacated, removed, demolished, secured, or the occupants relocated, as applicable.

Should you have any questions regarding this issue, please feel free to contact me at the telephone number or e-mail address listed below.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (817) 728-3620.

Sincerely,

Justin Bradford

Code Enforcement Officer

justin.bradford@mansfieldtexas.gov

RECIPIENTS: PATRONUS LLC (Owner)

Certified Mail # 7020 1290 0001 5202 1640









CAUSE NUMBER NA-2022-004

STATE OF TEXAS	2	RESIDENTIAL LOT WITH AN
STATE OF TEXAS	8	OCCUPIED STRUCTURE
	§	
	8	LOCATED AT:
	Š	
	•	304 EAST KIMBALL STREET
COUNTY OF TARRANT	9	MANSFIELD, TEXAS 76063

ADMINISTRATIVE SEARCH WARRANT TO ENTER PROPERTY TO CONDUCT HEALTH AND SAFETY INSPECTION OF THE PREMISES

To the sheriff, any peace officer of Tarrant County or the State of Texas, and/or City of Mansfield, Texas ("City"), and/or a code enforcement official, and/or a building official of the City or a designee thereof as provided by ordinance:

WHEREAS, TEXAS CODE OF CRIMINAL PROCEDURE Article 18.05 and the Mansfield Code of Ordinances, Section 150.011(c) provide legal authority for the issuance of this warrant:

WHEREAS, Mansfield Code Compliance Officer Justin Bradford ("Affiant"), whose signature is affixed to and sworn to an affidavit filed with the court ("Affidavit"), is attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing the laws of the State of Texas, the municipal codes of the City of Mansfield, adopted international fire codes, and all other regulations and laws in existence which promote the health and safety of the public and promote fire safety of properties and buildings/structures within the City, and to abate any known violation or fire safety or hazardous condition;

WHEREAS, Affiant did subscribe and swear to said Affidavit before a notary public, duly authorized by the State of Texas or before a Texas commissioned peace officer in their capacity as a notary, or by a duly authorized judge or magistrate; and

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this warrant.

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the residential lot with an occupied structure at 304 East

<u>Kimball Street</u>, Mansfield, Tarrant County, Texas, 76063 (**Tarrant County Appraisal District Account No. 01624865**) to which the City requires access to conduct an inspection to determine the health and safety of the premises.

NOW, THEREFORE, you are hereby commanded to enter upon, through necessary means, and search the front yard, side yard, and backyard, and to enter upon the suspected place and premises described in the Affidavit, including any and all structures described therein, and there to determine whether conditions contrary to Section 150.011 or in violation of that section and located therein make the building unsafe, dangerous, or hazardous. This warrant shall only include entry and access to the premises to accomplish the purpose of this warrant, and no other. And no seizure of personal property shall occur or is authorized by this warrant.

HEREIN FAIL NOT, but you have then and there this warrant for execution within three (3) days after the date of issuance and exclusive of the date of execution with your return thereon, showing how you have executed the same.

WITNESS my signature on this the 2nd day of March 2022 at 5:46PM CST.

Can Robert Callaway

Digitally signed by Cass Robert Callaway Date: 2022.03.02 17:47:25

-06'00'

HONORABLE CASS ROBERT CALLAWAY

Magistrate – Tarrant County, Texas Presiding Judge Mansfield Municipal Court of Record

CAUSE NUMBER NA-2022-004

STATE OF TEXAS	§	RESIDENTIAL LOT WITH AN OCCUPIED STRUCTURE
	<i>യ യ യ</i>	LOCATED AT:
COUNTY OF TARRANT	§ §	304 EAST KIMBALL STREET MANSFIELD, TEXAS 76063
	RETURN	
The undersigned affiant, being	g a peace offi	cer/code enforcement officer under the
laws of Texas and being fully sworn	, under oath o	certifies that this warrant was executed
on the day of	_,	, by entering said premises and
performing an exterior and interior in	spection of the	e hazardous condition.
		AFFIANT – JUSTIN BRADFORD
SUBSCRIBED AND SWORN	to before me	, the undersigned authority, on this the
day of March 2022 at	_ a.m./p.m.	
	NOT	ARY PUBLIC IN AND FOR
		STATE OF TEXAS

Inspection Photos – March 3, 2022













Inspection Photos – March 3, 2022













Inspection Photos – March 3, 2022















(b)

SUBSTANDARD BUILDING INSPECTION REPORT

Inspection Date	: <u>03/03/2022</u> Case No.: <u>22-00213</u>
Property Addre	ess: 304 E Kimball Street, Mansfield, Texas 76063 County: <u>Tarrant</u>
Lot: 6	Block: 1B, 2B, & 3B Sub-Division: Original Town of Mansfield
Year Built: 1952	2 Approximate Size: <u>768</u> Property State of Occupancy: <u>Residential SF</u>
Property Owner	r: Patronus LLC, PO Box 701298, Dallas, TX 75370
Property Occup	pant: Chad Geyer Speer, 304 E Kimball St, Mansfield, TX 76063
Inspector: Just	in Bradford
Other Documen	ntation Referenced: See attached photos
` '	e above-referenced building, regardless of the date of its construction, is deemed and ed to be substandard and a nuisance because it has the conditions or defects hereinafter
ha	dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human abitation and a hazard to the public health, safety, and welfare in the opinion of the uilding official.
<u>o</u>	bserved on the Exterior:
1.	Rotted siding, specifically exterior walls
2.	Roof appears to warp outward
3.	Missing cover on electrical breaker and unsafe wiring of water well
4.	Other violations include paint peeling on all sides of the exterior wall, fence is deteriorated, and missing pickets, trash and debris is excessive in front/backyard, and broken glass window at front of house
1. 2. 3. 4.	Ceiling drywall detached from ceiling joists and insulation falling from attic throughout the house due to wet conditions caused by roof leaking. Uneven floor with slope of 3/8"- ½" per foot throughout the house, the uneven floor slope restricts closet door at front entry from opening/closing. Most doors are out of square in their jambs. Cracks in walls in numerous locations throughout the house. Other violations included, unsafe wiring throughout the interior structure, unsanitary. Conditions, and pest control issues.

Regardless of its structural condition, is 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

UBSTANDA	RD BUILDING INSPECTION REPORT	Case No.: <u>22-00213</u>
	or used by children.	
(c)	Is boarded up, fenced or otherwise secured in any manner if:	
	1. The building constitutes a danger to the public even the entry; or	nough secured from
	2. The means used to secure the building are inadequate to entry or use of the building in the manner described this Subsection.	
(d)	Because of obsolescence, dilapidated condition, deterioration, dalack of sufficient fire-resistive construction, faulty electric wiri heating apparatus, or other cause, is determined by the fire marsh	ng, gas connections or
<u>X</u> (e)	Is in such a condition as to make a public nuisance known to the cojurisprudence.	ommon law or in equity
(f)	Any portion of the building remains on a site after the demol destruction of the building.	lition or destruction or
(g)	Is abandoned so as to constitute so as to constitute such buildin attractive nuisance or hazard to the public.	g or portion thereof an
<u>X</u> (h)	Is defined as substandard by any provision of the Building Code. Code, Electric Code, Fire Code, Plumbing Code, Mechanical Coother ordinance or regulation of the City of Mansfield or construction of any provision of any of said Codes of the City of Mansfield or construction of the City of Mansfield or safety of the public or any occupant is endanged.	de, Residential Code or cted and still existing in asfield to the extent that
	Violation to 2018 IPMC :	
	1. 302.1 Sanitation	
	2. 302.5 Rodent harborage	
	3. 304.1.1 Unsafe conditions (exterior)	
	4. 304.2 Protective treatment	

- 5. 304.6 Exterior walls
- 6. 304.7 Roofs and drainage
- 7. 304.13.1 Glazing
- 8. 304.15 Doors
- 9. 305.1.1 Unsafe conditions (interior)
- 10. 308.1 Accumulation of rubbish or garbage
- 11. 309.1 Infestation
- 12. 505.1 Water system
- 13. 505.4 Water heating facilities

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14. 604.3 Electrical system hazards

property	the co	The above-referenced building, regardless of the date of its construction, which has any nditions or defects hereinafter described to an extent that endangers the life, limb, health, y or welfare of the public or the occupants thereof shall be deemed and hereby is declared ous and substandard building, and a nuisance:
<u>X</u>	(a)	One or more doors, aisles, passageways, stairways or other means of exit are not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.
X	(b)	The walking surface of one or more aisles, passageways, stairways or other means of exit are so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
	(c)	The stress in materials, or members or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
	(d)	A portion thereof has been damaged by fire, earthquake, and wind flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
	(e)	A portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
	(f)	A portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
	(g)	A portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
	(h)	The building, or a portion thereof, because of (1) dilapidation, deterioration or decay; (2) faulty construction; (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (4) the deterioration, decay or inadequacy of its foundation; or (5) any other cause, is likely to partially or completely collapse.
	(i)	The building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
	(j)	The exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
	(k)	The building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
	(1)	The building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (1) an attractive nuisance to children; or, (2) a harbor for vagrants, criminals or immoral persons.

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Case No.: 22-00213

	(m)	requirement regulations Code, Resid	ng has been constructed, exists or is maintained in violation of any specific or prohibition applicable to such building provided by the building of this jurisdiction, as specified in the Building Code, Electric Code, Fire dential Code, Mechanical Code, Plumbing Code, Maintenance Code or of any nance of this state or jurisdiction relating to the condition, location or structure s.
	(n)	ordinances in any supp fire-resisting characteristic	ng which, whether or not erected in accordance with all applicable laws and has in any non-supporting part, member or portion less than 50 percent, or porting part, member or portion less than 66 percent of the (1) strength, (2) and qualities or characteristics, or (3) weather-resisting qualities or tics required by law in the case of a newly constructed building of like area, occupancy in the same location.
X	(0)	A building, used or intended to be used for dwelling purposes, because of inadequat maintenance, dilapidation, decay, damage, faulty construction or arrangemen inadequate light, air or sanitation facilities, or otherwise, is determined by the buildin official to be unsanitary, unfit for human habitation or in such a condition that is likel to cause sickness or disease for reasons including, but not limited to, the following:	
		<u>X</u> 1.	Lack of, or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
		2.	Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
		<u>X</u> 3.	Lack of, or improper kitchen sink in a dwelling unit.
		4.	Lack of hot and cold running water to plumbing fixtures in a hotel.
		5.	Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
		<u>X</u> 6.	Lack of adequate heating facilities.
		<u>X</u> 7.	Lack of, or improper operation of, required ventilating equipment.
		8.	Lack of minimum amounts of natural light and ventilation required by this Section or the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or other ordinance or regulation of the City of Mansfield.
		9.	Room and space dimensions less than required by this Section or the Building Code, Electric Code, Fire Code, Residential Code, Mechanical Code, Plumbing Code, Maintenance Code or other ordinance or regulation of the City of Mansfield.
		<u>X</u> 10.	Lack of required electrical lighting.
		<u>X</u> 11.	Dampness of habitable rooms.
		<u>X</u> 12.	Infestation of insects, vermin or rodents.
		<u>X</u> 13.	General dilapidation or improper maintenance.
		<u>X</u> 14.	Lack of connection to required sewage disposal system.
		<u>X</u> 15.	Lack of adequate garbage and rubbish storage and removal facilities.
X	(p)	Building contains structural hazards, including but not limited to the following:	

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Case No.: 22-00213

	1.	Deteriorated or inadequate foundations.
	<u>X</u> 2.	Defective or deteriorated flooring or floor supports.
	3.	Flooring or floor supports of insufficient size to carry imposed loads with safety.
	4.	Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
	5.	Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
	<u>X</u> 6.	Members of ceilings, roofs, ceiling, and roof support, or other horizontal members that sag, split or buckle due to defective material or deterioration.
	7.	Members of ceilings, roofs, ceiling, and roof support, or other horizontal members that are of insufficient size to carry imposed loads with safety.
	8.	Fireplaces or chimneys that list bulge or settle due to defective material or deterioration.
	9.	Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety.
<u>X</u> (q)	The building, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.	
Other violati	ons of the p	rovisions of the City of Mansfield Codes and/or Ordinances:

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Case No.: <u>22-00213</u>



NOTICE OF VIOLATION

May 9, 2022 ID#: 22-00213

PATRONUS LLC PO BOX 701298 DALLAS, TX 75370

Re: Substandard Structure at 304 E KIMBALL ST.
ORIGINAL TOWN OF MANSFIELD Blk 6 Lot 1B

Dear PATRONUS LLC:

A Notice of Violation in reference to the above-described property (the "Property") was mailed to Patronus LLC (the "Owner") of said property. As the Code Official for the City of Mansfield, such Notice of Violation (ID#: 22-00213) was sent following inspections performed of the structure(s) on the Property on February 17, 2022 and was determined to be in violation of various provisions of the City's Substandard Building Ordinances. Please note that this included violations existing to the exterior structure(s) on the Property.

An official notice to bring the property into compliance by February 27, 2022 was sent to the Owner in accordance with Ordinance No. 2050-17 including a request for authorization to conduct an inspection of the interior of the structure(s) on the Property. An administrative search warrant was obtained in order to evaluate the condition of the interior structure(s) of the property and such inspection was conducted on March 3, 2022.

As a result of the interior and exterior inspection the following conditions were observed in violation with the City of Mansfield Code of Ordinances.

150.011 DANGEROUS AND SUBSTANDARD STRUCTURES

150.011(D)(o)

Whenever a building, used or intended for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Code Official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease, including, but not limited to, the following subsections:

- 1. Lack of, or improper water closet, lavatory or shower in a dwelling unit or lodging house.
- 3. Lack of, or improper kitchen sink in a dwelling unit.



- 5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
- 12. Infestation of insects, vermin or rodents.
- 14. Lack of connection to required sewage disposal system.
- 15. Lack of adequate garbage and rubbish storage and removal facilities.

The above referenced violations, defined as substandard by the City of Mansfield, through any provision of the International Property Maintenance Code or other ordinance or regulation of the City, are considered to be in violation and substandard to the extent that the life, health or safety of the public or any occupant is endangered.

This is your official notice that these violations observed on the Property constitute an immediate life-safety hazard and will need to be brought into compliance within ten (10) calendar days of the date of this letter. Failure to respond to this letter in a timely fashion may result in the issuance of citations and/or the initiation of proceedings by the City. The City may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, potentially at the expense of the property owner, as applicable.

150.011(D)(o)

Whenever a building, used or intended for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the Building Official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease, including, but not limited to, the following subsections:

13. General dilapidation or improper maintenance.

Observed on the Exterior:

- a. Rotted siding, specifically exterior walls
- b. Roof appears to warp outward
- c. Missing cover on electrical breaker and unsafe wiring of water well
- d. Other violations observed include paint peeling on all sides of exterior wall, fence is deteriorated, and missing pickets, trash and debris is excessive in front/backyard, and there is a broken glass window at the front of house

Observed on the Interior:

- a. Ceiling drywall detached from ceiling joists and insulation falling from attic throughout the house due to wet conditions caused by the roof leaking
- b. Uneven floor with slope of 3/8"-1/2" per foot throughout the house, the uneven floor slope restricts the closet door at front entry from opening/closing
- c. Most doors are out of square in jambs
- d. Cracks in walls in numerous locations throughout the house
- e. Other violations included, unsafe wiring throughout the interior structure, unsanitary conditions, and pest control issues



The above referenced violations, defined as substandard by the City of Mansfield, through any provision of the International Property Maintenance Code or other ordinance or regulation of the City, are considered to be in violation and substandard to the extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof and shall be deemed and declared to be a substandard structure and a nuisance.

This is your official notice that these violations observed on the Property will need to be brought into compliance within sixty (60) calendar days of the date of this letter. Failure to respond to this letter in a timely fashion may result in the issuance of citations and/or the initiation of proceedings by the City. The City may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, potentially at the expense of the property owner, as applicable.

Should you have any questions regarding this notice, please contact the Department of Regulatory Compliance at the telephone number or e-mail address listed below.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or you can provide us with information regarding this matter, please contact this office at (817) 728-3620.

Sincerely,

Narada Lee

Regulatory Compliance Supervisor

Marada Lee

narada.lee@mansfieldtexas.gov



FINAL NOTICE OF VIOLATION

May 16, 2022 ID#: 22-00213

PATRONUS LLC PO BOX 701298 DALLAS, TX 75370

RE: Final Notice of Violation

Address: 304 E. Kimball Street Mansfield, Texas

Legal Description: Lot 1B, Block 6 ORIGINAL TOWN OF MANSFIELD

Dear PATRONUS LLC:

This Notice of Violation in reference to the above-described property (the "Property"). Our records indicate that you are the record owner of the Property. You did not respond to a previous Notice of Violation sent to you on February 27, 2022. An administrative search warrant was obtained in order to more fully evaluate the condition of the Property, including the interior, and this inspection was conducted on March 3, 2022. The Property was again determined to be substandard. The specific violations found are detailed in the attached Substandard Building Inspection Report.

These violations are a hazard to the public health and safety. You must either remedy these violations or contact the City to discuss a solution within ten (10) calendar days of the date of this letter. Failure to remedy these issues or respond to this letter in a timely fashion may result in the issuance of citations and/or the initiation of proceedings before the City of Mansfield Construction Codes Board of Adjustments and Appeals ("the Board").

The Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, as applicable, and may authorize the City to demolish the Property if you fail to comply with the Board's order.

Should you have any questions regarding this notice, please contact me, Narada Lee, at (817) 728-3620 or narada.lee@mansfieldtexas.gov.

Sincerely,

Narada Lee

Regulatory Compliance Supervisor

narada.lee@mansfieldtexas.gov

Marada Lee



Follow up Inspection - October 24, 2022 (property is still in non-

compliance)









CAUSE NUMBER NA-2022-043

STATE OF TEXAS	2	RESIDENTIAL LOT WITH AN
STATE OF TEXAS	8	OCCUPIED STRUCTURE
	§	
	8	LOCATED AT:
	Š	
	•	304 EAST KIMBALL STREET
COUNTY OF TARRANT	8	MANSFIELD, TEXAS 76063

ADMINISTRATIVE SEARCH WARRANT TO ENTER PROPERTY TO CONDUCT HEALTH AND SAFETY INSPECTION OF THE PREMISES

To the sheriff, any peace officer of Tarrant County or the State of Texas, and/or City of Mansfield, Texas ("City"), and/or a code enforcement official, and/or a building official of the City or a designee thereof as provided by ordinance:

WHEREAS, TEXAS CODE OF CRIMINAL PROCEDURE Article 18.05 and the Mansfield Code of Ordinances, Section 150.011(c) provide legal authority for the issuance of this warrant:

WHEREAS, Mansfield Code Compliance Officer Justin Bradford ("Affiant"), whose signature is affixed to and sworn to an affidavit filed with the court ("Affidavit"), is attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing the laws of the State of Texas, the municipal codes of the City of Mansfield, adopted international fire codes, and all other regulations and laws in existence which promote the health and safety of the public and promote fire safety of properties and buildings/structures within the City, and to abate any known violation or fire safety or hazardous condition:

WHEREAS, Affiant did subscribe and swear to said Affidavit before a notary public, duly authorized by the State of Texas or before a Texas commissioned peace officer in their capacity as a notary, or by a duly authorized judge or magistrate; and

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this warrant.

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the <u>residential lot with an occupied structure</u> at <u>304 East</u>

<u>Kimball Street</u>, Mansfield, Tarrant County, Texas, 76063 (**Tarrant County Appraisal District Account No. 01624865**) to which the City requires access to conduct an inspection to determine the health and safety of the premises.

NOW, THEREFORE, you are hereby commanded to enter upon, through necessary means, and search the front yard, side yard, and backyard, and to enter upon the suspected place and premises described in the Affidavit, including any and all structures described therein, and there to determine whether conditions contrary to Section 150.011 or in violation of that section and located therein make the building unsafe, dangerous, or hazardous. This warrant shall only include entry and access to the premises to accomplish the purpose of this warrant, and no other. And no seizure of personal property shall occur or is authorized by this warrant.

HEREIN FAIL NOT, but you have then and there this warrant for execution within three (3) days after the date of issuance and exclusive of the date of execution with your return thereon, showing how you have executed the same.

WITNESS my signature on this the 26th day of October 2022 at 12:39PM CST.

Can Robert Callaway

Digitally signed by Cass Robert Callaway Date: 2022.10.26 12:39:07

-05'00'

HONORABLE CASS ROBERT CALLAWAY

Magistrate – Tarrant County, Texas Presiding Judge Mansfield Municipal Court of Record

CAUSE NUMBER NA-2022-043

STATE OF TEXAS	§	RESIDENTIAL LOT WITH AN OCCUPIED STRUCTURE
	999	LOCATED AT:
COUNTY OF TARRANT	9 §	304 EAST KIMBALL STREET MANSFIELD, TEXAS 76063
	RETURN	
The undersigned affiant, bei	ng a peace offic	er/code enforcement officer under the
laws of Texas and being fully swor	n, under oath ce	ertifies that this warrant was executed
on the day of October 2022 k	by entering said	premises and performing an exterior
and interior inspection of the hazard	dous condition.	
		AFFIANT – JUSTIN BRADFORD
SUBSCRIBED AND SWOR	N to before me,	the undersigned authority, on this the
day of October 2022 at	a.m./p.m.	
	NOTA	RY PUBLIC IN AND FOR
		STATE OF TEXAS









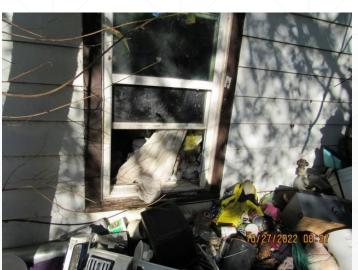


Exterior Structure – October 27, 2022









Bathroom – October 27, 2022













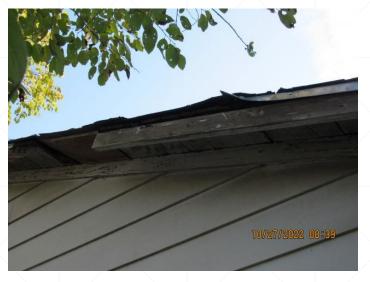






Exterior Structure – October 27, 2022









Bathroom – October 27, 2022

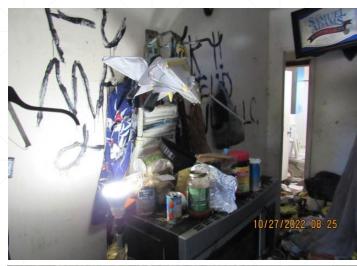












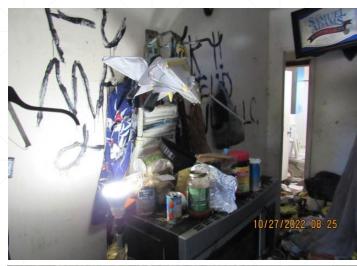




































REGULATORY COMPLIANCE SUBSTANDARD BUILDING INSPECTION REPORT

Date: 10/27/2022	Case No.: CE22-00213	
Property Address: 304 E Kimball St., Mansfield, TX 76063		
County: Tarrant	Property Owner: Patronus LLC, POB 701298, Dallas, TX 75370	
Year Built: 1952	Approx. Size: 768 sq ft	State of Occupancy: Occupied
Inspector: Justin Bradford		

GENERAL ITEMS	OBSERVATIONS
Front Exteriorx_ Sanitary Condition Door Entry	Damaged Soffit. Accumulation of refuse and debris.
x_ Trip Hazards	
x_Trash & Debris Roof Leaks	Accumulation of outside storage.
x_ Infestation Windowsx_ Window Screens Breaker Box Exposed Smoke Damage Water Heaterx_ Outside Storage Propane Storage Fence Landscaping Junk Vehiclesx_ Dilapidation	Unauthorized number of animals (Animal Control notified).
Living Roomx_ Doorwaysx_ Sanitary Condition x Trash & Debris	Estimated SQ. FT. habitable floor space: 10 sq ft habitable of the estimated 150 total sq ft.
x_ Infestationx_ Floor Structural/Covering	Accumulation of refuse and debris covered majority of the floor space in this room.
x_ Sheetrock - wall Sheetrock - ceiling Windows/Screensx_ Electrical/Outlets/GFCIs Lighting/Ventilationn/a Fireplace/Chimney	Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.

x_ Fire Safety	
Bedroom A (Left Front) Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation Fireplace/Chimneyx_ Fire Safety	Estimated SQ. FT. habitable floor space: 5 sq ft habitable of the estimated 120 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
Bedroom B (Left Rear) x_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Coveringx_ Sheetrock - wall Sheetrock - ceilingx_ Windows/Screensx_ Electrical/Outlets/GFCIsx_ Lighting/Ventilation Fireplace/Chimneyx_ Fire Safety	Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 120 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
Bedroom C Doorways Sanitary Condition Trash & Debris Infestation Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation	Estimated SQ. FT. habitable floor space: N/A

Fireplace/Chimney Fire Safety	
Bathroom #1x_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screensx_ Electrical/Outlets/GFCIs Lighting/Ventilationx_ Fire Safety Water Leak Sewer Leak Operable/Accessible	Location: In between the Kitchen space and Bedroom (B) Accumulation of refuse and debris. Fire Safety hazards in the bathroom.
Bathroom #2 Doorways Sanitary Condition Trash & Debris Infestation Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation Fire Safety Water Leak Sewer Leak Operable/Accessible	Location: N/A
Kitchenx_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Coveringx_ Sheetrock - wall Sheetrock - ceiling Windows/Screensx_ Electrical/Outlets/GFCIs Lighting/Ventilationx_ Fire Safety	Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 150 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.

Water Leak Sewer Leak Operable/Accessible Kitchen Appliances	
Hallways/Passageways Doorwaysx Sanitary Condition _x Trash & Debris _x Infestation _x Floor Structural/Covering _x Sheetrock - wall _x Sheetrock - ceiling _x Electrical/Outlets/GFCIs _x Lighting/Ventilation _x Fire Safety	Estimated Passage Clearance Width: 3ft Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 20 sq ft Accumulation of refuse and debris covered majority of the floor space in this area. Large hole in the ceiling.
Garage Sanitary Condition Door Entry Trip Hazards Trash & Debris Roof Leaks Infestation Windows Window Screens Breaker Box Exposed Smoke Damage Storage Dilapidation	Estimated SQ. FT. habitable floor space: N/A
Back Exteriorx_ Sanitary Condition Door Entryx_ Trip Hazardsx_ Trash & Debris Roof Leaksx_ Infestationx_ Windowsx_ Window Screens Breaker Box Exposed Smoke Damage Water Heaterx_ Outside Storage Propane Storage Fencex_ Landscaping Junk Vehicles	Estimated SQ. FT: 6800 sq ft

Dilapidation	
OTHER	



0 0640 0000 9506 9978

SPURO A MOORE



7020 0640 0000 9508 9936

217



FINAL VIOLATION NOTICE

November 10, 2022

PATRONUS LLC PO BOX 701298 DALLAS, TX 75370

Re: Dangerous Structures at 304 E KIMBALL St. ORIGINAL TOWN OF MANSFIELD Blk 6 Lot 1B

Dear PATRONUS LLC:

An inspection of the above referenced property was made on March 7, 2022. As a result of this inspection, the condition described below was observed:

Condition: FINAL NOTICE

The structure on this property is substandard, creates a public nuisance, and will need to be demolished.

(D) Substandard building declared. (1) For the purposes of this section, any building, regardless of the date of its construction, having any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance: (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety, and welfare, in the opinion of the Building Official. (b) Whenever any building, regardless of its structural condition, is 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. (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if: 1. The building constitutes a danger to the public even though secured from entry; or 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (I)(b) of this division. (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard. (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence. (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building. (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

The condition described above is in violation of Ordinance No. 2050-17 of the Code of Ordinances, which states, This Notice of Violation is in reference to the above-described property (the ###Property###). Our research shows that you are the record owner of the Property. As the Code Official for the City of Mansfield, I inspected the



structure(s) on the Property on (date) and determined that it is in violation of various provisions of the City###s Substandard Building Ordinance. The specific violations are as follows: [or The specific violations are set forth in the attached Inspection Report.]

[list violations and state conditions that cause the property to be in violation]

or

[attach detailed inspection report lists the violations and states the conditions that cause the property to be in violation]

This is your official notice that you will need to bring the property into compliance by Dec 10, 2022. Please note that this list only includes violations existing to the exterior of the structure(s) on the Property. Due to the condition of the exterior of the structure(s) on the Property, the City has cause to believe that there are code violations existing inside the structure(s) on the Property as well. The City is requesting authorization to conduct an inspection of the interior of the structure(s) on the Property within ten (10) calendar days of the date of this letter. If, within ten (10) days, no response to this letter has been received, the City will be required to seek an administrative search warrant in order to evaluate the condition of the interior of the structure(s) on the Property.

Additionally, within thirty (30) days from the date of this letter, you must repair or demolish the structure(s) on the Property, or contact the City with a detailed plan and time schedule for the performance of work necessary to make the Property habitable and to bring the Property (interior and exterior) into compliance with the City###s Code of Ordinances. Failure to respond to this letter in a timely fashion may result in the issuance of citations and/or the initiation of proceedings before the Construction Codes Board of Appeals. The Board may order that the building be repaired, vacated, removed or demolished, secured, or the occupants relocated, as applicable.

Should you have any questions regarding this issue, please feel free to contact me at the telephone number or e-mail address listed below.

Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (817) 728-3637.

Sincerely,

Narada Lee Code Compliance Supervisor narada.lee@mansfieldtexas.gov

RECIPIENTS: PATRONUS LLC (Owner), Patronus LLC (Tenant)

Certified Mail # 7020 0640 0000 9508 9961



FINAL VIOLATION NOTICE

November 10, 2022

Patronus LLC 304 E KIMBALL St. MANSFIELD, TX 76063

Re: Dangerous Structures at 304 E KIMBALL St. ORIGINAL TOWN OF MANSFIELD Blk 6 Lot 1B

Dear Patronus LLC:

An inspection of the above referenced property was made on March 7, 2022. As a result of this inspection, the condition described below was observed:

Condition: FINAL NOTICE

The structure on this property is substandard, creates a public nuisance, and will need to be demolished.

(D) Substandard building declared. (1) For the purposes of this section, any building, regardless of the date of its construction, having any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance: (a) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation and a hazard to the public health, safety, and welfare, in the opinion of the Building Official. (b) Whenever any building, regardless of its structural condition, is 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. (c) Whenever any building is boarded up, fenced or otherwise secured in any manner if: 1. The building constitutes a danger to the public even though secured from entry; or 2. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by paragraph (I)(b) of this division. (d) Whenever any building, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the Fire Marshal to be a fire hazard. (e) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence. (f) Whenever any portion of a building remains on a site after the demolition or destruction of the building. (g) Whenever any building is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

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[list violations and state conditions that cause the property to be in violation]

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[attach detailed inspection report lists the violations and states the conditions that cause the property to be in violation]

This is your official notice that you will need to bring the property into compliance by Dec 10, 2022. Please note that this list only includes violations existing to the exterior of the structure(s) on the Property. Due to the condition of the exterior of the structure(s) on the Property, the City has cause to believe that there are code violations existing inside the structure(s) on the Property as well. The City is requesting authorization to conduct an inspection of the interior of the structure(s) on the Property within ten (10) calendar days of the date of this letter. If, within ten (10) days, no response to this letter has been received, the City will be required to seek an administrative search warrant in order to evaluate the condition of the interior of the structure(s) on the Property.

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Your cooperation in this matter is greatly appreciated. If we can be of further assistance to you, or can answer any questions regarding this matter, please contact this office at (817) 728-3637.

Sincerely,

Narada Lee Code Compliance Supervisor narada.lee@mansfieldtexas.gov

RECIPIENTS: PATRONUS LLC (Owner), Patronus LLC (Tenant)

Certified Mail # 7020 0640 0000 9508 9978



Grand Total





From: Linda Rougeux < linda@krickenlawfirm.com>

Sent: Thursday, January 19, 2023 9:56 AM **To:** Drew Larkin <dlarkin@toase.com>

Subject: Re 304 E. Kimball St. Mansfield Texas property Code violations

Good Morning, Attorney Larkin,

We are Inquiring with you today about a property that is currently in process of litigation. Our client asserts that a deed filed by the defendant is invalid and was obtained deceptively, among other things.

The building, our client's home, is structurally out of compliance. A hearing is set by the City id scheduled for 1/24 at 6 pm, to move forward with repairs, and possibly demolition.

Our client, Mr. Chad Geyer Speer, is a day laborer, low income, and therefore unable to obtain funds to bring the structure into code compliance.

Mr. Speer is not intending to stand in the way of the implementation of any steps City deems necessary to bring property up to code. To resolve the matters with the code violations, we obtained a written agreement from our client to sell the property.

Accordingly, KRICKEN Law Firm is in settlement talks, a continuum after courtappointed mediation, with Attorney Cuccia, who represents the defendant, Patronus, LLC/William Lane.

We anticipate obtaining an agreement in the next 7-10 business days.

However, so Mr.. Speer will not be left homeless, we are requesting time to sell the property, 60-90 days, providing our client the funds to relocate.

Please advise.

Thank you for your attention to this impending matter.

Regards, Linda Rougeux Senior Case Manager Legal Consultant 692-916-5777

Kricken Law Firm.

CAUSE NUMBER NA-2023-017

STATE OF TEXAS	§	A RESIDENTIAL LOT WITH AN OCCUPIED STRUCTURE
	§ §	LOCATED AT:
COUNTY OF TARRANT	§ §	304 EAST KIMBALL ST MANSFIELD, TEXAS 76063

ADMINISTRATIVE WARRANT

To the sheriff, any peace officer of Tarrant County or the State of Texas, and/or City of Mansfield, Texas ("City"), and/or any code enforcement officer, or any animal control officer of the City:

WHEREAS, TEXAS CODE OF CRIMINAL PROCEDURE Article 18.05 provides legal authority for the issuance of this warrant;

WHEREAS, the City adopted the 2018 edition of the International Property Maintenance Code per Ordinance OR-2138-19 on June 10, 2019 and is codified as Section 150.012 of the City of Mansfield Municipal Code of Ordinances;

WHEREAS, the 2018 edition of the INTERNATIONAL PROPERTY MAINTENANCE CODE, Section 104.3 authorizes the City to enter premises when it is "necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premise a condition in violation of this code";

WHEREAS, Mansfield Code Compliance Supervisor Narada Lee ("Affiant"), whose signature is affixed to and sworn to an affidavit filed with the court ("Affidavit"), is attached hereto (which said Affidavit is by this reference incorporated herein for all purposes), is a person duly authorized by law to make inspections of premises for the purpose of enforcing the laws of the State of Texas, the municipal codes of the City of Mansfield, adopted international codes, and all other regulations and laws in existence which promote the health and safety of the public and preserve maintenance and integrity standards for properties and buildings/structures within the City of Mansfield, and to abate any known nuisance in non-compliance;

WHEREAS, Affiant did subscribe and swear to said Affidavit before a notary public, duly authorized by the State of Texas; and

WHEREAS, I find that the verified facts stated by Affiant in said Affidavit show that Affiant has probable cause for the belief he expresses therein and establishes the existence of proper grounds for the issuance of this warrant. The conditions of this structure constitute a dangerous and unsanitary condition and require an inspection to determine the extent of the dangerous and unsanitary conditions; and violations of the 2018 International Property Maintenance Code, state law, and/or the Mansfield Municipal Code of Ordinances;

NOW, THEREFORE, you are hereby commanded to enter the location set forth in the Affidavit as the location of the residential lot with an occupied structure at 304 East Kimball Street, Mansfield, Tarrant County, Texas, 76063 (Tarrant Appraisal District Property ID: 01624865), said premises being described as a residential lot with an occupied structure to which the City requires access to perform an inspection pursuant to the 2018 edition of the INTERNATIONAL PROPERTY MAINTENANCE CODE, Section 104.3. Entry to perform said inspection shall be allowed/permitted even over objection of the owner and/or occupant provided as: Patronus LLC, 13901 Midway Road, Suite 102-493, Dallas, Texas 75244.

This warrant permits entry into any building, accessory building, or habitation on said premises, only to perform an inspection of the dangerous and unsanitary conditions, any violation of the 2018 edition of the International Property Maintenance Code, state law, and the Mansfield Municipal Code of Ordinances. This warrant shall only include entry and access to the premises to accomplish the purpose of this warrant, and no other. And, all efforts to secure the premises after the execution of this warrant shall be achieved to preserve the real and personal property of the premises.

HEREIN FAIL NOT, but you have then and there this warrant for execution within three (3) days after the date of issuance and exclusive of the date of execution with your return thereon, showing how you have executed the same.

WITNESS my signature on this the 29th day of March 29, 2023 at 4:30PM CST.



Can Robert Callaway Date: 2023.03.29

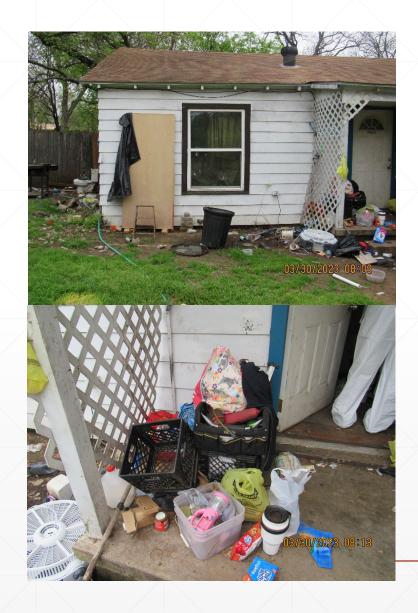
Digitally signed by 16:30:02 -05'00'

HONORABLE CASS ROBERT CALLAWAY

Magistrate - Tarrant County, Texas Presiding Judge Mansfield Municipal Court of Record

CAUSE NUMBER NA-2023-017

STATE OF TEXAS	§		ENTIAL LOT WITH PIED STRUCTURE
COUNTY OF TARRANT	9999		LOCATED AT: AST KIMBALL ST LD, TEXAS 76063
	RETURN		
The undersigned affiant, being a	peace office	er/code enforcement office	er under the
laws of Texas and being fully sworn, u			
on the day of			
inspection of the premises to assess for			
PROPERTY MAINTENANCE CODE, state	law, and t	he Mansfield Municipa	L CODE OF
ORDINANCES.			
		AFFIANT –	Narada Lee
SUBSCRIBED AND SWORN to	before me, tl	ne undersigned authority	, on this the
day of	, 2023 at	a.m./p.m.	
	NOTARY DI	JBLIC IN AND FOR	
		OF TEXAS	











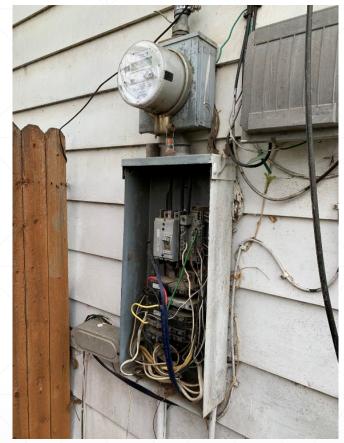
Exterior Structure – March 30, 2023





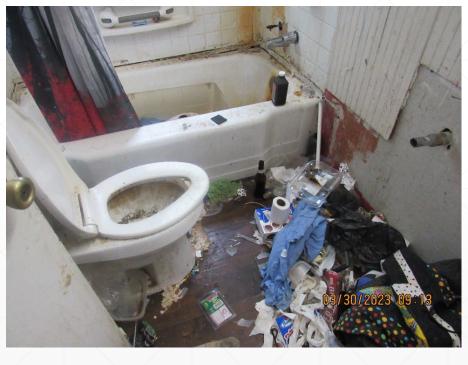








Bathroom – March 30, 2023





















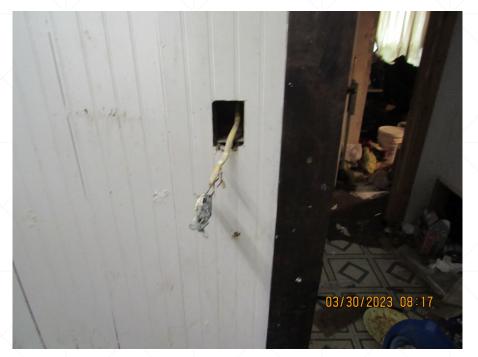




























REGULATORY COMPLIANCE SUBSTANDARD BUILDING INSPECTION REPORT

Date: 03/30/2023	Case No.: CE22-00213	
Property Address: 304 E Kimball St., Mansfield, TX 76063		
County: Tarrant	Property Owner: Patronus LLC, 13901 Midway Rd Ste 102, Dallas, TX 75370	
Year Built: 1952	Approx. Size: 768 sq ft	State of Occupancy: Occupied
Inspector: Narada Lee		

GENERAL ITEMS	OBSERVATIONS
Front Exterior x Sanitary Condition	Damaged Soffit.
Door Entry x_ Trip Hazards	Accumulation of refuse and debris.
x_ Trash & Debris Roof Leaks	Accumulation of outside storage.
x_ Infestation Windowsx_ Window Screens Breaker Box Exposed Smoke Damage Water Heaterx_ Outside Storage Propane Storage Fence Landscaping Junk Vehiclesx_ Dilapidation	Unauthorized number of animals.
Living Roomx_ Doorwaysx_ Sanitary Condition x Trash & Debris	Estimated SQ. FT. habitable floor space: 10 sq ft habitable of the estimated 150 total sq ft.
x_ Infestationx_ Floor Structural/Covering	Accumulation of refuse and debris covered majority of the floor space in this room.
x_Sheetrock - wall Sheetrock - ceiling Windows/Screens	Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
x_ Electrical/Outlets/GFCIs Lighting/Ventilation _n/a Fireplace/Chimney	Observed several animals and fecal matter in the front living room area

x_ Fire Safety	
Bedroom A (Left Front) Doorways x_ Sanitary Condition x_ Trash & Debris x_ Infestation x_ Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation Fireplace/Chimney x_ Fire Safety	Estimated SQ. FT. habitable floor space: 5 sq ft habitable of the estimated 120 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
Bedroom B (Left Rear) _x_ Doorways _x_ Sanitary Condition _x_ Trash & Debris _x_ Infestation _x_ Floor Structural/Covering _x_ Sheetrock - wall _ Sheetrock - ceiling _x_ Windows/Screens _x_ Electrical/Outlets/GFCIs _x_ Lighting/Ventilation _ Fireplace/Chimney _x_ Fire Safety	Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 120 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
Bedroom C Doorways Sanitary Condition Trash & Debris Infestation Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation	Estimated SQ. FT. habitable floor space: N/A

Fireplace/Chimney Fire Safety	
Bathroom #1x_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screensx_ Electrical/Outlets/GFCIs Lighting/Ventilationx_ Fire Safety Water Leak Sewer Leak Operable/Accessible	Location: In between the Kitchen space and Bedroom (B) Accumulation of refuse and debris. Fire Safety hazards in the bathroom.
Bathroom #2 Doorways Sanitary Condition Trash & Debris Infestation Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation Fire Safety Water Leak Sewer Leak Operable/Accessible	Location: N/A
Kitchenx_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Coveringx_ Sheetrock - wall Sheetrock - ceiling Windows/Screensx_ Electrical/Outlets/GFCIs Lighting/Ventilationx_ Fire Safety	Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 150 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets. There was a large cut hole in the floor that is considered a trip hazard Kitchen appliances were inoperable and covered with flammable items.

Water Leak Sewer Leak Operable/Accessible Kitchen Appliances	
Hallways/Passageways Doorwaysx Sanitary Condition _ x_ Trash & Debris _ x_ Infestation _ x_ Floor Structural/Covering _ x_ Sheetrock - wall _ x_ Sheetrock - ceiling _ x_ Electrical/Outlets/GFCIs _ x_ Lighting/Ventilation _ x_ Fire Safety	Estimated Passage Clearance Width: 3ft Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 20 sq ft Accumulation of refuse and debris covered majority of the floor space in this area. Large hole in the ceiling.
GarageSanitary ConditionDoor EntryTrip HazardsTrash & DebrisRoof LeaksInfestationWindowsWindow ScreensBreaker Box ExposedSmoke DamageStorageDilapidation	Estimated SQ. FT. habitable floor space: N/A
Back Exterior _x_ Sanitary Condition Door Entry _x_ Trip Hazards _x_ Trash & Debris Roof Leaks _x_ Infestation _x_ Windows _x_ Window Screens Breaker Box Exposed Smoke Damage Water Heater _x_ Outside Storage Propane Storage Fence _x_ Landscaping Junk Vehicles	Estimated SQ. FT: 6800 sq ft

Dilapidation	
OTHER	



1200 E. Broad Street Mansfield, Texas 76063 817-276-4200

March 30, 2023

Owner: Patronus LLC

13901 Midway Rd Ste 102

Dallas TX 75244

Address of Subject Property: 304 E Kimball St, Mansfield Texas 76063

Legal: Mansfield, City of Block 6 Lot 1B, 2B &3B E 50' LTS 1, 2, & 3

Site #01624865

Subject: Inspection Results of an Existing Structure

An inspection was conducted on March 30, 2023 at the above address which identified items that are in violation of the 2018 International Property Maintenance Code (IPMC), the 2018 International Building Code, and the 2018 International Residential Code. This letter is being sent to you to summarize the existing violations and outline what the adopted codes will require to correct them.

Inspection Observations:

The existing structure displays signs of wood rot and decay, inadequate weather protection at the roof, windows, and doors, unsafe wiring, burned electrical outlets, detached light fixtures, unsafe and unapproved additions to the wiring without protection, no operative smoke or fire alarms, damaged flooring, missing plumbing fixtures, and unhealthy living conditions. Holes in the walls, ceiling, and floor were observed, and many cats where entering and exiting the structure through openings that communicated from the outside. Fecal matter, discarded items, and debris were present inside and outside the structure, the floors and walls not fully visible due to the accumulation of items.

The 2018 IPMC Section 108.1.1 states that a structure is unsafe when such structure 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.

The 2018 IPMC Section 108.1.3 states that a structure is unfit for human occupancy whenever the code official 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 and 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 2018 IBC Section 116.1 states that structures that become unsafe, insanitary, or deficient that are a danger to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe.

The 2018 IBC Section 105.1 states that any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, a structure or electrical, gas, mechanical or plumbing system which is regulated by this code, or to cause any such work to be performed shall make application to obtain required permits.

Please Take Further Notice: As the owner or person in control of the property mentioned, it is your responsibility to correct the existing violations on the property as outlined in this letter. Any structural repair work on the structure must be evaluated by a structural engineer, a letter of recommendation and supporting drawings by the engineer must be submitted to the City clearly outlining corrective action needed to bring structure into compliance, all required permits are submitted to the City accompanied by the required submittal documents and all permits are approved and issued.

Minimum Building Permit Submittal Requirements:

Adopted codes with local amendments

2018 International Building Code

2018 International Residential Code

2018 International Energy Conservation Code

2017 National Electrical Code (2020 NEC per State adoption)

Note: To obtain a building permit; at a minimum the following items listed below must be submitted for review and approval:

- 1. Building permit application
- 2. Sub-contractors permit applications/validations (electrical, plumbing and mechanical)
- 3. Energy Compliance Report from an independent third party registered with the City of Mansfield for any building envelope changes, and
- 4. One set of plans drawn to scale which includes at a minimum:
 - **A. Site plan** with lot dimensions, distance from property lines to structure, lot drainage directed away from structure and all easements noted
 - B. Construction plans which shall include at a minimum
 - a. Floor plan dimensioned, with ceiling height noted and all rooms labeled,
 - b. Exterior elevation drawings indicating type of material proposed on exterior walls.
 - c. Door and window schedule keyed to the floor plan with U-factor and SHGC noted.
 - d. Table identifying wall and ceiling insulation type and R-value.

C. Engineered plans

a. Foundation (or pier) plan and details prepared by a Texas Licensed Professional Engineer noting compliance with the 2018 IRC and the letter from the Engineer outlining corrective action needed to repair or remove the existing structure must be submitted with the plan.

If you have any questions or would like to schedule a meeting to discuss items listed above, please contact me at (817) 276-4224. Also, please provide the City with a timeline of when all repairs and/or abatement of the structure will be completed. Thank you for help and cooperation with this matter.

Sincerety

Serena Smith, CBO I-3563

Chief Building Official



1200 E. Broad Street Mansfield, Texas 76063 817-276-4200

March 30, 2023

Tenant: Chad Geyer Speer

304 E Kimball Street Mansfield, Texas 76063

Address of Subject Property: 304 E Kimball St, Mansfield Texas 76063

Legal: Mansfield, City of Block 6 Lot 1B, 2B &3B E 50' LTS 1, 2, & 3

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Inspection Observations:

The existing structure displays signs of wood rot and decay, inadequate weather protection at the roof, windows, and doors, unsafe wiring, burned electrical outlets, detached light fixtures, unsafe and unapproved additions to the wiring without protection, no operative smoke or fire alarms, damaged flooring, missing plumbing fixtures, and unhealthy living conditions. Holes in the walls, ceiling, and floor were observed, and many cats where entering and exiting the structure through openings that communicated from the outside. Fecal matter, discarded items, and debris were present inside and outside the structure, the floors and walls not fully visible due to the accumulation of items.

The 2018 IPMC Section 108.1.1 states that a structure is unsafe when such structure 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.

The 2018 IPMC Section 108.1.3 states that a structure is unfit for human occupancy whenever the code official 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 and 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 2018 IBC Section 116.1 states that structures that become unsafe, insanitary, or deficient that are a danger to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe.

The 2018 IBC Section 105.1 states that any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, a structure or electrical, gas, mechanical or plumbing system which is regulated by this code, or to cause any such work to be performed shall make application to obtain required permits.

Please Take Further Notice: As the owner or person in control of the property mentioned, it is your responsibility to correct the existing violations on the property as outlined in this letter. Any structural repair work on the structure must be evaluated by a structural engineer, a letter of recommendation and supporting drawings by the engineer must be submitted to the City clearly outlining corrective action needed to bring structure into compliance, all required permits are submitted to the City accompanied by the required submittal documents and all permits are approved and issued.

Minimum Building Permit Submittal Requirements:

Adopted codes with local amendments

2018 International Building Code

2018 International Residential Code

2018 International Energy Conservation Code

2017 National Electrical Code (2020 NEC per State adoption)

Note: To obtain a building permit; at a minimum the following items listed below must be submitted for review and approval:

- 1. Building permit application
- 2. Sub-contractors permit applications/validations (electrical, plumbing and mechanical)
- 3. Energy Compliance Report from an independent third party registered with the City of Mansfield for any building envelope changes, and
- 4. One set of plans drawn to scale which includes at a minimum:
 - **A. Site plan** with lot dimensions, distance from property lines to structure, lot drainage directed away from structure and all easements noted
 - B. Construction plans which shall include at a minimum
 - a. Floor plan dimensioned, with ceiling height noted and all rooms labeled,
 - b. Exterior elevation drawings indicating type of material proposed on exterior walls.
 - c. Door and window schedule keyed to the floor plan with U-factor and SHGC noted.
 - d. Table identifying wall and ceiling insulation type and R-value.

C. Engineered plans

a. Foundation (or pier) plan and details prepared by a Texas Licensed Professional Engineer noting compliance with the 2018 IRC and the letter from the Engineer outlining corrective action needed to repair or remove the existing structure must be submitted with the plan.

If you have any questions or would like to schedule a meeting to discuss items listed above, please contact me at (817) 276-4224. Also, please provide the City with a timeline of when all repairs and/or abatement of the structure will be completed. Thank you for help and cooperation with this matter.

Sincerety

Serena Smith, CBO I-3563

Chief Building Official





NOTICE OF PUBLIC HEARING TO BE HELD BEFORE THE CONSTRUCTION CODES BOARD OF ADJUSTMENT AND APPEALS ON MAY 25, 2023 AT 6:00 P.M. IN THE COUNCIL CHAMBERS LOCATED AT MANSFIELD CITY HALL, 1200 E. BROAD STREET, MANSFIELD, TEXAS 76063.

Name and Address of Record Owner:

Name and Address of all Lienholders, Mortgagees or Other Persons with Interest:

PATRONUS LLC 13901 MIDWAY RD STE 102-493 DALLAS, TX 75244 CHAD GEYER SPEER 304 E KIMBALL ST MANSFIELD, TX 76063

CITY OF MANSFIELD 1200 E BROAD STREET MANSFIELD, TX 76063

According to the records of Tarrant County Appraisal District, you are the owner, lienholder or mortgagee of property described as:

MANSFIELD, CITY OF Block 6 Lot 1B, 2B & 3B E 50' LTS 1, 2 & 3

Commonly known as: 304 E KIMBALL ST. MANFIELD, TX 76063 (the "Property".)

Please be advised that on 03/30/2023 the Building Official of the City of Mansfield has found and determined that the above-described Property is substandard and determined that proceedings shall commence to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the Property. Attached please find a copy of the Substandard Building Inspection Report dated 03/30/2023, describing the conditions found to render the building substandard or dangerous pursuant to the minimum standards for continued use and occupancy set forth in Section 150.011(D) of the Code of Mansfield, Texas.

A Public Hearing will be held on the date noted above before the Construction Codes Board of Adjustment and Appeals (the "Board") to determine whether the Property complies with the standards set out in Section 150.011(D) of the Code of Mansfield, Texas.

According to law, the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance, and the time it will take to reasonably perform the work.

If the Property is found to be in violation of the standards set forth in Section 150.011(D) of the Code of Mansfield, Texas, the Board may order that the Property be repaired, vacated, removed or demolished, secured, or the occupants relocated, by the owner, mortgagee or lienholder within thirty days (30 days).

If the Order given to the owner, mortgagee, or lienholder is not complied within the allowed time, **the City** may vacate, secure, remove or demolish the Property or relocate the occupants of the building. The expenses incurred by the City shall be a personal obligation of the Property owner in addition to a priority lien being placed upon the Property to secure payment.

If you should have any questions regarding this notice, or you are not the owner, mortgagee, or lienholder please call the office of the Building Official at (817) 276-4223 or the Code Enforcement Officer at (817) 728-3636.

Attachments:

- Substandard Buildings Inspection Report Case No. CE22-002313 Dated 03/30/2023.
- Inspection Results Letter dated 03/30/23



REGULATORY COMPLIANCE SUBSTANDARD BUILDING INSPECTION REPORT

Date: 03/30/2023	Case No.: CE22-00213	
Property Address: 304	E Kimball St., Mansfield, TX 76063	
County: Tarrant	Property Owner: Patronus LLC, 13901 Midway Rd Ste 102, Dallas, TX 75370	
Year Built: 1952	Approx. Size: 768 sq ft	State of Occupancy: Occupied
Inspector: Narada Lee		

GENERAL ITEMS	OBSERVATIONS
Front Exterior _x_ Sanitary Condition _ Door Entry _x_ Trip Hazards _x_ Trash & Debris _ Roof Leaks _x_ Infestation _ Windows _x_ Window Screens _ Breaker Box Exposed _ Smoke Damage _ Water Heater _x_ Outside Storage _ Propane Storage _ Fence _ Landscaping _ Junk Vehicles _x_ Dilapidation	Damaged Soffit. Accumulation of refuse and debris. Accumulation of outside storage. Unauthorized number of animals.
Living Room _x_ Doorways _x_ Sanitary Condition _x_ Trash & Debris _x_ Infestation _x_ Floor Structural/Covering _x_ Sheetrock - wall Sheetrock - ceiling _ Windows/Screens _x_ Electrical/Outlets/GFCIs Lighting/Ventilation _n/a_ Fireplace/Chimney	Estimated SQ. FT. habitable floor space: 10 sq ft habitable of the estimated 150 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets. Observed several animals and fecal matter in the front living room area

x_ Fire Safety	
Bedroom A (Left Front) Doorwaysx Sanitary Conditionx Trash & Debrisx Infestationx Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation Fire Safety	Estimated SQ. FT. habitable floor space: 5 sq ft habitable of the estimated 120 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
Bedroom B (Left Rear) x_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Coveringx_ Sheetrock - wall Sheetrock - ceilingx_ Windows/Screensx_ Electrical/Outlets/GFCIsx_ Lighting/Ventilation Fireplace/Chimneyx_ Fire Safety	Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 120 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets.
Bedroom C Doorways Sanitary Condition Trash & Debris Infestation Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation	Estimated SQ. FT. habitable floor space: N/A

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Fireplace/Chimney Fire Safety	
Bathroom #1 _x_ Doorways x_ Sanitary Condition x_ Trash & Debris x_ Infestation x_ Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens x_ Electrical/Outlets/GFCIs Lighting/Ventilation x_ Fire Safety Water Leak Sewer Leak Operable/Accessible	Location: In between the Kitchen space and Bedroom (B) Accumulation of refuse and debris. Fire Safety hazards in the bathroom.
Bathroom #2 Doorways Sanitary Condition Trash & Debris Infestation Floor Structural/Covering Sheetrock - wall Sheetrock - ceiling Windows/Screens Electrical/Outlets/GFCIs Lighting/Ventilation Fire Safety Water Leak Sewer Leak Operable/Accessible	Location: N/A
Kitchenx_ Doorwaysx_ Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Coveringx_ Sheetrock - wall Sheetrock - ceiling Windows/Screensx_ Electrical/Outlets/GFCIs Lighting/Ventilationx_ Fire Safety	Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 150 total sq ft. Accumulation of refuse and debris covered majority of the floor space in this room. Due to the overwhelmingly amount of refuse and debris in the room, I was not able to locate the electrical outlets. There was a large cut hole in the floor that is considered a trip hazard Kitchen appliances were inoperable and covered with flammable items.

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Water Leak Sewer Leak Operable/Accessible Kitchen Appliances	
Hallways/Passageways Doorwaysx Sanitary Conditionx_ Trash & Debrisx_ Infestationx_ Floor Structural/Coveringx_ Sheetrock - wallx_ Sheetrock - ceilingx_ Electrical/Outlets/GFCIsx_ Lighting/Ventilationx_ Fire Safety	Estimated Passage Clearance Width: 3ft Estimated SQ. FT. habitable floor space: 0 sq ft habitable of the estimated 20 sq ft Accumulation of refuse and debris covered majority of the floor space in this area. Large hole in the ceiling.
GarageSanitary ConditionDoor EntryTrip HazardsTrash & DebrisRoof LeaksInfestationWindowsWindow ScreensBreaker Box ExposedSmoke DamageStorageDilapidation	Estimated SQ. FT. habitable floor space: N/A
Back Exterior _x_ Sanitary Condition _ Door Entry _x_ Trip Hazards _x_ Trash & Debris _ Roof Leaks _x_ Infestation _x_ Windows _x_ Window Screens _ Breaker Box Exposed _ Smoke Damage _ Water Heater _x_ Outside Storage _ Propane Storage _ Fence _x_ Landscaping _ Junk Vehicles	Estimated SQ. FT: 6800 sq ft

Page 4 of 5

Dilapidation	
OTHER	
OTTLIK	



1200 E. Broad Street Mansfield, Texas 76063 817-276-4200

March 30, 2023

Patronus LLC Owner:

13901 Midway Rd Ste 102

Dallas TX 75244

Address of Subject Property: 304 E Kimball St, Mansfield Texas 76063

Legal: Mansfield, City of Block 6 Lot 1B, 2B &3B E 50' LTS 1, 2, & 3

Site #01624865

Subject: Inspection Results of an Existing Structure

An inspection was conducted on March 30, 2023 at the above address which identified items that are in violation of the 2018 International Property Maintenance Code (IPMC), the 2018 International Building Code, and the 2018 International Residential Code. This letter is being sent to you to summarize the existing violations and outline what the adopted codes will require to correct them.

Inspection Observations:

The existing structure displays signs of wood rot and decay, inadequate weather protection at the roof, windows, and doors, unsafe wiring, burned electrical outlets, detached light fixtures, unsafe and unapproved additions to the wiring without protection, no operative smoke or fire alarms, damaged flooring, missing plumbing fixtures, and unhealthy living conditions. Holes in the walls, ceiling, and floor were observed, and many cats where entering and exiting the structure through openings that communicated from the outside. Fecal matter, discarded items, and debris were present inside and outside the structure, the floors and walls not fully visible due to the accumulation of items.

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- Sub-contractors permit applications/validations (electrical, plumbing and mechanical) 2.
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- One set of plans drawn to scale which includes at a minimum:
 - A. Site plan with lot dimensions, distance from property lines to structure, lot drainage directed away from structure and all easements noted
 - B. Construction plans which shall include at a minimum
 - a. Floor plan dimensioned, with ceiling height noted and all rooms labeled,
 - b. Exterior elevation drawings indicating type of material proposed on exterior walls.
 - c. Door and window schedule keyed to the floor plan with U-factor and SHGC noted.
 - d. Table identifying wall and ceiling insulation type and R-value.

C. Engineered plans

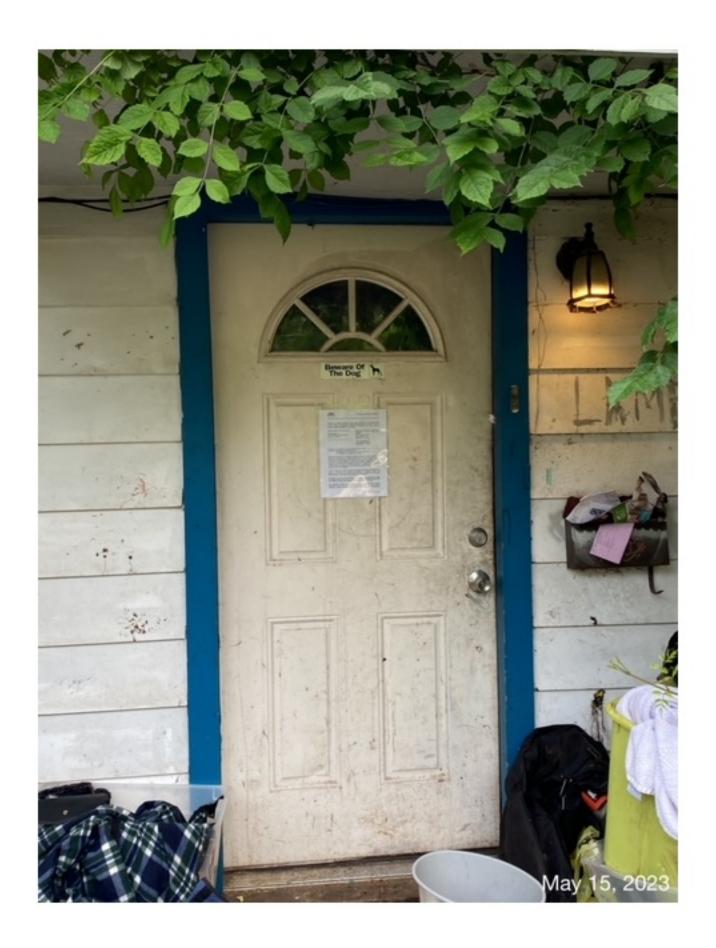
 a. Foundation (or pier) plan and details prepared by a Texas Licensed Professional Engineer noting compliance with the 2018 IRC and the letter from the Engineer outlining corrective action needed to repair or remove the existing structure must be submitted with the plan.

If you have any questions or would like to schedule a meeting to discuss items listed above, please contact me at (817) 276-4224. Also, please provide the City with a timeline of when all repairs and/or abatement of the structure will be completed. Thank you for help and cooperation with this matter.

Sincerety

Serena Smith, CBO I-3563 Chief Building Official





Staff Recommendations for 304 E. Kimball St.

IF THE BUILDING IS ORDERED TO BE DEMOLISHED BECAUSE THERE IS NO PROBABILITY THE BUILDINGS WILL BE REPAIRED WITHIN A REASONABLE PERIOD OF TIME.

Based on evidence presented at the hearing, I move that the Board find that the following facts exist:

- 1. That the building located at <u>304 E Kimball St</u> is substandard and a public nuisance; and
- 2. That the conditions set forth in the building official's report exist to the extent that the life, health, property, or safety of the public (and, if applicable, that occupants of the building(s)) are endangered; and
- 3. That the owner has been given a reasonable opportunity in the past to make the necessary repairs, and there is no reasonable probability that the building(s) will be repaired within a reasonable period of time if additional time is given.

Add, if applicable:

4. That the building is unfit for human habitation, and the life, health, property, and safety of the occupants are endangered, and that the building should be secured until the work is completed.

Continue:

I further move that the Board order:

- 1. The owner to demolish or remove the building and all debris within 30 days; and
- 2. If the owner fails to demolish or remove the building within 30 days, the City shall demolish the building at its expense and place a lien on the property to recover its costs.

Add, if applicable:

3. The building be immediately secured to prevent unauthorized entry until such repairs or demolition is completed.

Demolition is the recommended solution due to the time it would take to complete repairs and the projected cost of the repairs to the building systems that would be needed to bring the building into a safe and sanitary condition.

The building envelope requires correction, as the doors, floor, and ceiling have openings that do not keep out unconditioned air, water vapor, or insects. Holes in the floor, walls, and ceiling were observed.

Where the ceiling sheetrock was observed drooping, the ceiling joists need to be evaluated for sagging from deterioration.

The hazardous chemical fumes of ammonia from the concentrated feral cat urine has soaked into the floors and walls. Flooring and walls would need replacement. Exposing the support framing of walls and floors may expose additional required repairs.

Water service and plumbing sewer require repair or replacement. Fixtures require installation where missing and replacement of fixtures where damaged.

Electrical panel has been tampered with. Electrical wiring has been added without proper safeguards. An electrical evaluation would be required and replacement of the service would be likely. Electrical outlets are missing, burned, and damaged and wiring was observed suspended from the ceiling. Exterior outlets are uncovered and exposed. Extension cords are being used where permanent wiring should be operable. Exposed wires were inside the house with only wire nuts at the live ends. Electrical outlet covers are missing. Since there are openings into the attic where the cats may have been, the condition of the whole house wiring is questionable.

Smoke alarms were not present.

Roof drip edge was missing in some areas, as was pieces of fascia. Deteriorated exterior cladding was observed.

Accumulation of debris inside and outside of the structure and the accessory structure prevent safe egress as well as sanitary utilization of the building.

A reasonable time period to resolve these violations so that the building may be safely occupied and would not present a hazard would be 60 days, it is not likely that these repairs would be completed in this time frame.