



CITY OF GRAND PRAIRIE BUILDING ADVISORY AND APPEALS BOARD

NOTICE is hereby given that the Grand Prairie Building Advisory and Appeals Board will hold a meeting on May 18, 2020 at 6:00 PM. Due to an imminent threat to public health and safety arising from the COVID-19 pandemic, this meeting of the Commission shall be held via videoconference. The members of the Commission will participate remotely via Zoom videoconference. No facility shall be available for the public to attend in person.

Members of the public may participate in the meeting remotely via computer, telephone, or other electronic device through the following URL location/phone number:

When: May 18, 2020 06:00 PM Central Time (US and Canada)

Topic: City of Grand Prairie Building Advisory & Appeals Board

Please click the link below to join the webinar:

<https://gptx.zoom.us/j/92321561279?pwd=R1BKNVM1U1hEZkIbW5yL1B4RDhRQT09>

Password: 255173

Or iPhone one-tap :

US: +13462487799,,92321561279#,,1#,255173# or +14086380968,,92321561279#,,1#,255173#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

Webinar ID: 923 2156 1279

Password: 255173

International numbers available: <https://gptx.zoom.us/j/aedBrDdQ3K>

All meeting participants will be automatically muted until it is their turn to speak. To be recognized to speak, use the "raise hand" feature in the Zoom meeting platform. Those joining the meeting by phone may press *9 to raise your hand.

Any speaker wishing to submit documents to the commission for consideration must submit them in pdf or PowerPoint format to the Building Advisory and Appeals Board Secretary via e-mail at kwilkinson@gptx.org no later than May 17, 2020. The submission must include your name, address, and the property address which the submission is related to.

MONDAY, May 18, 2020 6:00 P.M. MEETING AGENDA

I. CALL TO ORDER 6:00p.m

Citizens may speak for five minutes on any item on the agenda when that item is called. Those with a legal interest in the property will be given additional time. (To request to speak, raise your hand in the zoom platform or by using *9 on your phone when the item is called).

II. APPROVAL OF MINUTES FROM MONDAY, JANUARY 13, 2020 BOARD MEETING

III. CASE RECAP FROM PRIOR BOARD MEETING

A. 7304 Estela

IV. PROPERTY THAT HAS BEEN DECLARED A NUISANCE AND REPRESENTS A SIGNIFICANT HEALTH AND SAFETY CONCERN TO THE COMMUNITY:

A. 1006 Shawnee Trace

V. ORDER FOR REHABILITATION OR DEMOLITION:

A. 3648 Bluegrass

VI. CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda. (To request to speak, raise your hand in the zoom platform or by using *9 on your phone).

VII. ADJOURNMENT

Posted in accordance with Chapter 551, Government Code, V.T.C.A as revised by the Governor's May 16, 2020 order suspending certain provisions of the Texas Open Meetings Act on this the ____ of _____, 2020 at _____.M.

Posted by: _____

If you plan to attend this public meeting and you have a disability that requires special arrangements, please call Code Compliance (972) 237-8296. Reasonable accommodation will be made to assist your needs.

MINUTES
CITY OF GRAND PRAIRIE
BUILDING ADVISORY AND APPEALS BOARD MTG
Monday January 13, 2020
6:00 P.M.

BOARD MEMBERS PRESENT

Wendell Davidson, Chairperson
 Michelle Madden, Vice-Chairperson
 Robert Adame
 Starling Oliver
 David Kasten
 Robert Mendoza
 Janie Mendez-Adhikari
 Ada French-Goring

ABSENT

David Pomerantz

STAFF

Tiffany Bull, Assistant City Attorney
 Steve Collins, Code Compliance Manager
 Allan Brown, Code Compliance Field Supervisor
 Greg New, GPPD
 Karen Wilkinson, Board Secretary

I. CALL TO ORDER 6:00pm

The meeting was called to order at 6:00pm by Chairperson Wendell Davidson. Welcomed new Board Member Ada French-Goring.

II. APPROVAL OF MINUTES

Wendell Davidson, Chairperson motioned for approval of minutes.
 Janie Mendez-Adhikari approved minutes and Robert Adame seconded the minutes. Motion Carries 8-0

III. CASE RECAP FROM MONDAY, AUGUST 12, 2019 BOARD MEETING**IV. ORDER FOR REHABILITATION OR DEMOLITION:****7304 Estela:**

Code Field Supervisor Allan Brown begins the power point presentation for this property. The issues are sub-standard structure. This structure was damaged in a fire back in March 2019 and is a public nuisance.

City recommendation: THIRTY (30) day to rehab or demolish sub-standard structure.

7304 Estela, Grand Prairie, Texas and more fully described in Exhibit "A". An inspection of the property revealed the single family residence, located on said property, to be a "dangerous structure" as that term is defined Section 29-28 of the Grand Prairie Code of Ordinances. Specifically, the violations include, but are not limited to, the following conditions:

- The structure, or a portion thereof, has been damaged by fire or 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 appropriate building code for new buildings of similar structure, purpose, or location;
- The structure is in such a condition as to constitute a public nuisance;

- The structure, which is intended to be used for dwelling purposes, is unsanitary and unfit for human habitation due to fire damage;
- The structure has faulty weather protection;
- The structure, or a portion thereof, is likely to fail, or to become detached or dislodged or to collapse and thereby injure persons or damage property;
- The structure, or portion thereof, is likely to collapse; and
- The structure is manifestly unsafe for its intended purpose.

To correct these violations, this structure must be repaired, removed, or demolished in accordance with the Grand Prairie Code of Ordinances and other applicable law. The structure must be secured from entry until such time as it is in compliance with applicable law.

The Following persons appears at the hearing, in the capacity shown:
Owner/Hugo Garcia and Lien-holder/Mustang Lending-Louis Presley

Mr. Louis Presley stated he is the Lender and Hugo Garcia is the owner who is doing the repair.

Mr. Presley stated this is a total re-do; the demolition almost completed and what's left is at the end of the demo and they will start building it back up and get it done.

Wendell Davidson, Chairperson asked when did Mustang do lien on property?

Hugo Garcia purchased property 4 to 5 months ago

Janie Mendez-Adhikari asked if Mustang Lending has been on this property this whole time since it burned?

Mr. Presley stated no not the whole time, and he will get it done and it will be beautiful. He also stated he framing has been bought and in the garage.

Chairperson Wendell Davidson asked Mr. Hugo Garcia to come up to the microphone.

Hugo Garcia stated he resides at 809 Aleta Street, Arlington Tx 76010 and he'll start framing this Monday.

Janie Mendez-Adhikari asked Mr. Garcia if he has a rough plan and deadlines of when everything will be completed?

Mr. Garcia stated yes he has worked on these type of houses for 22 years but he has never seen a structure like this but will have it completed.

Mr. Presley stated it may take about 3months.

Starling Oliver asked how long has Mr. Hugo Garcia owned the structure ?

Mr. Garcia stated four (4) or five (5) months.

Starling Oliver stated that Presley, the Lender gave Mr. Garcia a loan on a burnt down house ?

Mr. Presley stated yes and that this is Mr. Garcia's fourth house and he has a full crew.

Janie Mendez-Adhikari asked what is the construction loan ending date expecting payment back ?

Presley stated their loans are generally for one-year.

Janie Mendez-Adhikari asked Mr. Garcia if he was planning to live in it or sell?

Mr. Garcia stated sell it.

David Kasten asked Mr. Presley if the construction loan was a short-term loan?

Mr. Presley stated it is a hard-money loan and has had it 4-5 months.

Robert Adame asked how many meetings has Presley and Garcia had?

Mr. Presley stated this is the fourth.

Janie Mendez-Adhikari asked Garcia if he has any other homes and is this full-time business ?

Mr. Garcia stated no other homes in the works and this is his full-time business.

Starling Oliver stated the concern with this property is that it will sit like that; is there anything that can cover the house?

Mr. Garcia stated they will frame it and put on a tarp.

Vice-Chairperson Michelle Madden asked if bids already for electrical, plumbing and framing have been completed ?

Hugo Garcia stated yes permit is ready

David Kasten asked who Mr. Garcia's contractor is ?

Mr. Garcia stated he doesn't have any company names ?

Mr. Kasten asked if he just hires laborers ?

Mr. Garcia stated the guy is from Madres? and has a crew and suppose to finish frame in one week.

Mr. Adame asked how reliable the sub-contractors ?

Mr. Garcia stated he has used the company before and he tells them what days and they start and finish.

Vice-Chairperson Michelle Madden asked Mr. Garcia why did it take so long to get it started ?

Mr. Garcia stated money.

Chairperson Wendell Davidson asked Mr. Garcia if he's had a structural Engineer look at it?

Mr. Garcia stated yes

Code Manager Steve Collins stated they have completed the process with Building Inspection on a structure permit.

Mr. Adame asked if Mr. Garcia's plan to replace all the charred wood sections ?

Mr. Garcia stated yes

The Board makes the following **FINDINGS** by a vote of: **8-0**

- The residential structure located at 7304 Estela., Grand Prairie, Texas ("the structure") is a dangerous structure as that term is defined in Grand Prairie Code of Ordinances Section 29-28 (4), (5), (8), (9), (13), (14), (15), and (17).
- The structure was severely fire damaged.
- The structure is in such a condition as to make it dangerous to the health, morals, safety or general welfare of its occupants and the community.
- The structure, which is intended to be used for dwelling purposes, is unsanitary and unfit for human habitation due to fire damage.
- The structure is a nuisance and should be secured from entry at all times for the safety of the public.
- The structure, in its current condition, is likely to endanger persons or property.
- The structure, or a portion thereof, has been damaged by fire or 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 appropriate building code for new buildings of similar structure, purpose, or location;
- The structure has faulty weather protection;
- The structure, or a portion thereof, is likely to fail, or to become detached or dislodged or to collapse and thereby injure persons or damage property;
- The structure, or portion thereof, is likely to collapse;
- Thirty (30) days is not sufficient time for the owner to complete the required work; and
- The owner has provided a detailed plan and time schedule for the work

Based upon the evidence and arguments of the parties, **IT IS ORDERED** that owner, occupant, mortgagee, lessee, agent, and/or all other persons having an interest in the property known as **7304 Estela, Grand Prairie, Texas**, and more fully described in Exhibit A, shall:

- ENSURE THE STRUCTURE IS SECURED FROM ENTRY WITHIN TWENTY-FOUR (24) HOURS AND REMAINS SECURED FROM ENTRY UNTIL SUCH TIME AS THE REHABILITATION OR DEMOLITION OF THE STRUCTURE IS COMPLETED. IF THE DAMAGE MAKES SECURING THE STRUCTURE IMPRACTICAL, IT SHALL BE SECURED BY ERECTING A TEMPORARY FENCE AROUND THE STRUCTURE IN COMPLIANCE WITH APPLICABLE LAW UNTIL SUCH TIME AS THE STRUCTURE IS DEMOLISHED OR REHABILITATED TO AN EXTENT IT CAN BE SECURED IN ANOTHER MANNER.
- ENSURE THE STRUCTURE IS REPAIRED, REMOVED, OR DEMOLISHED WITHIN NINETY (90) DAYS OF THE DATE OF THIS ORDER IN ACCORDANCE WITH APPLICABLE LAW.
- SUBMIT A PROGRESS REPORT TO THE BUILDING ADVISORY AND APPEALS BOARD THROUGH **GRAND PRAIRIE CODE COMPLIANCE, ATTN: BUILDING ADVISORY AND APPEALS BOARD SECRETARY, 300 W. MAIN, GRAND PRAIRIE, TX 75050** NO LATER THAN THE FIRST MONDAY OF EVERY MONTH UNTIL THE REQUIRED WORK IS COMPLETED.

IT IS PROVIDED BY THE ORDER THAT ANY PERSON HAVING AN INTEREST IN SAID BUILDING OR STRUCTURE MAY DEMOLISH SAID DANGEROUS STRUCTURE AT SUCH PERSON'S OWN RISK TO PREVENT THE ACQUIRING OF A LIEN AGAINST THE LAND UPON WHICH SAID DANGEROUS STRUCTURE STANDS BY THE CITY.

IT IS FURTHER ORDERED THAT:

- IF THE OWNER FAILS TO KEEP THE STRUCTURE SECURED FROM ENTRY, THE CITY IS AUTHORIZED TO SECURE OR RE-SECURE THE STRUCTURE AT THE PROPERTY OWNER'S EXPENSE.

- SHOULD THE OWNER FAIL TO COMPLY WITH THE ORDER, THE CITY IS AUTHORIZED, AT ITS DISCRETION, TO DEMOLISH THE STRUCTURE AND ANY ACCESSORY STRUCTURE REQUIRED TO BE DEMOLISHED AT THE OWNER'S EXPENSE OR, IN THE ALTERNATIVE, ASSESS A CIVIL PENALTY IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) PER DAY FOR EACH DAY THAT THE STRUCTURE CONTINUES TO BE IN VIOLATION.
- ANY EXPENSES OWED TO THE CITY BY THE OWNER WILL BE BILLED TO THE OWNER. FAILURE TO PAY THE CHARGES WILL RESULT IN A LIEN PLACED ON THE PROPERTY. SUCH COSTS, PENALTIES, OR EXPENSES SHALL ACCRUE INTEREST AT A RATE OF TEN PERCENT (10%) PER ANNUM. THE CITY SHALL HAVE ALL REMEDIES PROVIDED BY LAW TO RECOVER MONEY OWED THE CITY INCLUDING THE RIGHT TO PLACE A LIEN ON THE PROPERTY UNLESS IT IS A HOMESTED PROTECTED BY THE TEXAS CONSTITUTION.
- ANY SUBSEQUENT PURCHASER OF THE PROPERTY IS REQUIRED TO COMPLY WITH THIS ORDER.

IT IS FURTHER ORDERED, AND THE OWNER OF THE PROPERTY IS NOTIFIED, that in the event of an order of demolition, there is a right of appeal by filing suit in a court of appropriate jurisdiction within thirty (30) days of the date of this order, with notice sent to the City of such suit;

IT IS FURTHER ORDERED that notice of this order and of the action to be taken by the City of Grand Prairie is to be sent, certified mail, to the owners and interested parties of record of this property shown in Exhibit "B" unless such party has filed an affidavit designating a specific address or denying interest in said property with the Secretary of the Building Advisory and Appeals Board. If a designation of address is filed, notice shall be sent to the address shown in the most recently filed affidavit for that person. If an affidavit denying interest is received, that party submitting the affidavit shall be deemed to have waived receipt of any future notices related to the property.

EXHIBIT "A" – PROPERTY LEGAL DESCRIPTION

Lot 8, in Block A, of Mira Lagos East, Phase B, an Addition in the City of Grand Prairie, Tarrant County, Texas, according to the map of plat thereof recorded in Cabinet A, Slide 12149, of the Plate Records of Tarrant County, Texas

EXHIBIT "B" – INTERESTED PARTIES

Name	Registered Agent/Trustee	Address City	Certified Mail No
Hugo Garcia	809 Aleta St	Arlington, Tx 76010	7017 1450 0001 3886 4304
Texan Mutual LLC c/o Acquisition Holdings, LLC	5000 Riverside Dr., Bldg 5, Ste 100W	Irving, Tx 75039	7017 1450 0001 3886 4311
Mustang Lending High Yield Fund I, LLC c/o Mustang Lending, LLC	13,300 N Hwy 171	Cresson, Tx 76035	70171450000138864328
Mustang Lending, LLC c/o C. Bryan Dunklin, Trustee	2707 Cole Ave, Ste 746	Dallas, Tx 75204	7017 1450 0001 3886 4335

Vice-Chairperson Michelle Madden motioned for (90) days to rehab/demolish and during framing process the structure be covered and continued on with City recommendation of failure to comply will result in the issuance of an Administrative Warrant along with monthly written progress reports.

David Kasten seconded motion.

Motion Carries 8-0

V. ADJOURNMENT:

With no other business brought before the Board, Wendell Davidson, Chairperson asked for a motion to adjourn. David Kasten made a motion to adjourn and Robert Adame seconded motion approved with all members present voting aye.

Motion Carries 8-0

1006 SHAWNEE TRC

NUISANCE

BUILDING ADVISORY & APPEALS BOARD DATE:

May 18, 2020

OWNER and/or TENANT'S NAME: Clark Pannier

SUMMARY:

This property has a long history of violations which include running an appliance repair business out of a home, accumulations of trash and debris, and outside storage. It has previously been presented to the board in 2017 and 2018. After going to the board, the issues were resolved, but started again. This time a letter was issued on 9-25-2019 directing the owner to remove all appliances and clear the premises of all improperly stored items within three (3) days. The owner failed to comply and citations were issued. A search warrant was obtained in March 2020 to inspect the backyard at 1006 Shawnee Trc. There was a significant amount of trash/debris and other outside storage observed on the premises.

HAND NOTICES 2019 TO PRESENT:

2/26/2019: unattended vehicle, trailer parked on street
4/24/2019: outside storage, trash/debris, inoperable vehicle
9/25/2019: outside storage, trash/debris, inoperable vehicle

VIOLATION LETTER 2019 TO PRESENT:

8/23/19: open storage, trash and debris
9/25/19: open storage

CITATIONS 2019 TO PRESENT:

02/26/2019: K0563026A01: Open storage **Warrant Total \$452**
04/23/2019: K0563062A- Outside storage **Warrant status**
08/05/2019: K0633075: Inoperable Vehicle, Parking on yard
08/05/2019: K0621499: Open storage, Trash & Debris, Home occupation
10/16/2019: K0633705: Open Storage **Release to Appear Prior Capias**
12/06/2019: K0633716: Open storage **Warrant Status**

ISSUES:

- Outside storage
- Numerous Citizen complaints

CITY RECOMMENDATION:

- Ten (10) days to remove outside storage from the premises, including the front and backyard
- Failure to comply will result in the issuance of an administrative warrant to remove all outside storage and issue additional citations
- The owner will be billed for the charges. Failure to pay the charges will result in a lien placed on the property.

MAIL ALL BOARD NOTICE(S) TO:

CLARK PANNIER
1006 SHAWNEE TRCE
GRAND PRAIRIE, TEXAS 75051

BUILDING ADVISORY AND APPEALS BOARD ORDER TO ABATE NUISANCE

1006 Shawnee Trace, Grand Prairie, Texas

BE IT REMEMBERED that on May 18, 2020, a meeting of the Building Advisory and Appeals Board of the City of Grand Prairie was held, with notice having been mailed to the property owner.

The Board considered a request by the code enforcement officials of the City of Grand Prairie that certain nuisances be ordered abated, and/or for an order authorizing the City to abate the nuisance if the abatement is not done.

A quorum of the Board was present as indicated below:

(P=Present, A= Absent, N=Present, but not voting)

_____ Wendell Davidson, Chairperson
_____ Michelle Madden, Vice Chairperson
_____ Robert Adame
_____ Robert Mendoza
_____ Janie Mendez-Adhikari

_____ David Pomerantz,
_____ Ada French-Goring
_____ David Kasten
_____ Starling Oliver

The Board called into consideration the property at 1006 Shawnee Trace, within the City of Grand Prairie.

The Board reviewed a presentation of evidence by the City Code Enforcement Officers, including Allan Brown, and testimony concerning the dangers of the property and/or the use of the property for criminal activities. The testimony detailed the following deficiencies in the property:

- There is a significant accumulation of trash, rubbish, brush, or debris in the yard;
- Outside open storage is occurring on the premises.
- After receiving notice and an opportunity to correct the violations, the owner failed to discontinue the outside open storage through the removal of improperly stored items.

The Board finds that notice was sent to the following persons, who claim or who are shown of record to be the owner or persons with an interest in the property as shown in Exhibit B.

The following persons appeared at the hearing, in the capacity shown:

The Board, by a vote of _____ to _____, makes the following **FINDINGS** and **ORDERS**:

FINDINGS

- There is an accumulation of trash, rubbish, and debris on the property

- The owner has allowed outside open storage to occur on the premises.
- The owner was previously given notice to discontinue the open outside storage and has failed to do so.
- The presence of the open outside storage is a violation of section 29-68(30) of the Grand Prairie Code of Ordinances.

ORDERS

Based upon the evidence and arguments of the parties, **IT IS ORDERED** that the owner, occupant, mortgagee, lessee, agent, and/or all other persons having an interest in the property known as **1006 Shawnee Trace, Grand Prairie, Texas**, and more fully described in Exhibit A, shall:

- ABATE THE NUISANCE BY REMOVING ALL IMPROPERLY STORED ITEMS FROM THE PROPERTY, INCLUDING THE BACK YARD, WITHIN TEN (10) DAYS OF THE DATE OF THIS ORDER IN ACCORDANCE WITH ALL APPLICABLE LAWS.

IT IS FURTHER ORDERED THAT:

- SHOULD THE OWNER FAIL TO COMPLY WITH THE ORDER AND TIMELY ABATE THE NUISANCE AS DESCRIBED ABOVE, THE CITY IS AUTHORIZED, AT ITS DISCRETION AND THE OWNER'S EXPENSE, TO CAUSE THE NUISANCE TO BE ABATED BY CITY FORCES OR PRIVATE CONTRACT.
- THE CITY IS FURTHER AUTHORIZED TO RECOVER EXPENSES THE CITY INCURS WHILE ABATING THE NUISANCE THROUGH THE PLACEMENT OF A LIEN IN ACCORDANCE WITH APPLICABLE LAW.

IT IS FURTHER ORDERED, AND THE OWNER OF THE PROPERTY IS NOTIFIED there is a right of appeal by filing suit in a court of appropriate jurisdiction within 30 days of the date of this order, with notice sent to the City of such suit;

IT IS FURTHER ORDERED that notice of this order and of the action to be taken by the City of Grand Prairie is to be sent, certified mail, to the owners of record of this property as shown in Exhibit "B" within five (5) days.

Ordered on May 18, 2020.

THE BUILDING ADVISORY AND APPEALS BOARD
OF THE CITY OF GRAND PRAIRIE, TEXAS

By: _____
Chairperson of the Building Advisory and Appeals Board
of the City of Grand Prairie, Texas

EXHIBIT “A” – PROPERTY LEGAL DESCRIPTION

LOT 13, BLOCK 8, OF INDIAN HILLS PARK, AN ADDITION TO THE CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 17, PAGE 365, OF THE MAP RECORDS OF DALLAS COUNTY, TEXAS, and more commonly known as 1006 Shawnee Trace, Grand Prairie, Texas

EXHIBIT B – INTERESTED PARTIES

Name/Company	Sent Care Of	Street Address	City, State Zip
Clark Pannier		1006 Shawnee Trace	Grand Prairie, Tx 75051

Supervisor Only: Title Work Yes or No

SUB-STANDARD STRUCTURE

BUILDING ADVISORY & APPEALS BOARD MTG DATE:

5/18/2020

OWNER/TENANT'S NAME: Neal & Ha Basgall

SUMMARY OF CASE:

The home built at 3648 Bluegrass is located with the rear of the property abutting Fish Creek and Grand Oaks Golf Club. In May 2019, a retaining wall which appeared to have been holding the soil supporting the home failed after heavy rain. The owner subsequently had supports added to help stabilize and preserve the structure. The owner vacated the property. All utility companies were notified of the condition so the utilities could be disconnected. In March 2020, after additional rain, there was an additional landslide at the location.

DATE OF LETTER(S) & VIOLATION(S):

10/08/2019 for Sub-standard Structure

ISSUES INCLUDE, BUT ARE NOT LIMITED TO:

- A portion of the soil supporting the structure has washed away.
- The structure is a dangerous structure which is likely to collapse.

CITY STAFF RECOMMENDATION:

FINDINGS:

- The residential structure located at 3648 Bluegrass, Grand Prairie, Texas ("the structure") is a dangerous structure as that term is defined in Grand Prairie Code of Ordinances Section 29-28 (4), (5), (8), and (15).
- The ground supporting the structure has moved or shifted to an extent the structure is likely to partially or completely collapse.
- Due to the instability of the soil supporting the structure, the structure cannot be used for its intended purpose or otherwise safely occupied.
- The structure is likely to endanger persons or property.

ORDERS:

- THE STRUCTURE SHALL REMAIN SECURED FROM ENTRY UNTIL SUCH TIME AS THE REHABILITATION OR DEMOLITION OF THE STRUCTURE IS COMPLETED.
- IF THE OWNER FAILS TO KEEP THE STRUCTURE SECURED FROM ENTRY, THE CITY IS AUTHORIZED TO RE-SECURE THE STRUCTURE AT THE PROPERTY OWNER'S EXPENSE.
- THE STRUCTURE SHALL BE REPAIRED, REMOVED, OR DEMOLISHED WITHIN THIRTY (30) DAYS IN ACCORDANCE WITH APPLICABLE LAW.
- SHOULD THE OWNER FAIL TO COMPLY WITH THE ORDER, THE CITY IS AUTHORIZED, AT ITS DISCRETION, TO REMOVE OR DEMOLISH THE STRUCTURE AT THE OWNER'S EXPENSE OR, IN THE ALTERNATIVE, ASSESS A CIVIL PENALTY IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) PER DAY FOR EACH DAY THAT THE STRUCTURE CONTINUES TO BE IN VIOLATION. HOWEVER, SHOULD THE PROPERTY BE A HOMESTEAD, SUCH CIVIL PENALTY ASSESSMENT SHALL BE LIMITED TO TEN DOLLARS (\$10) PER DAY FOR EACH THAT DAY THE STRUCTURE CONTINUES TO BE IN VIOLATION.

- ANY EXPENSES OWED TO THE CITY BY THE OWNER WILL BE BILLED TO THE OWNER. FAILURE TO PAY THE CHARGES WILL RESULT IN A LIEN PLACED ON THE PROPERTY. SUCH COSTS, PENALTIES, OR EXPENSES SHALL ACCRUE INTEREST AT A RATE OF TEN PERCENT (10%) PER ANNUM. THE CITY SHALL HAVE ALL REMEDIES PROVIDED BY LAW TO RECOVER MONEY OWED THE CITY INCLUDING THE RIGHT TO PLACE A LIEN ON THE PROPERTY UNLESS IT IS A HOMESTED PROTECTED BY THE TEXAS CONSTITUTION.
- ANY SUBSEQUENT PURCHASER OF THE PROPERTY IS REQUIRED TO COMPLY WITH THIS ORDER.

SEND BOARD NOTICE(S) TO:

Name/Company	Sent Care Of	Street Address	City, State Zip
Neal and Ha Basgell		2508 Carriage Pl.	Arlington, Tx 76014
Neal and Ha Basgell		3648 Bluegrass Dr.	Grand Prairie, Texas 75052
The Bartolomei Law Firm	c/o Luis Bartolomei, Atty for Mr. & Mrs. Basgall	3710 Rawlins St., Ste 1601	Dallas, Tx 75219
S-2 Properties, LP DBA Legacy Classic Homes	c/o Registered Agent Steven Sagerson	5751 Kroger Dr. Ste 293	Keller, Tx 76248
First United Bank & Trust Co		1400 W. Main St	Durant, Ok 74701
Greg Massey, Trustee for First United Bank		1400 W. Main St	Durant, Ok 74701
First United Bank & Trust Co		P.O. Box 130	Durant, Ok 74702
Mortgage Electronic Registration System		P.O. Box 2026	Flint, Mi 48501
Mortgage Electronic Registration System Inc.	c/o Corporation Trust Company	Corp. Trust Ctr. 1209 Orange St.	Wilmington, DE 19801

Local Government Code 214 Requirements for Dangerous Structure Orders

	Date	Required Findings	Required Orders
Hearing Date	5/18/2020		
30 Days	6/17/2020		
45 Days	7/2/2020	Work can't be completed in 30 days	
60 Days	7/17/2020	Work can't be completed in 30 days	
75 Days	8/1/2020	Work can't be completed in 30 days	
90 Days	8/16/2020	Work can't be completed in 30 days AND Owner presented detailed time schedule for the work	Owner must submit monthly progress report
105 Days	8/31/2020	Work can't be completed in 30 days AND Owner presented detailed time schedule for the work	Owner must submit monthly progress report
120 Days	9/15/2020	Work can't be completed in 30 days AND Owner presented detailed time schedule for the work	Owner must submit monthly progress report

ORDER OF BUILDING ADVISORY AND APPEALS BOARD TO REPAIR, REMOVE, OR
DEMOLISH A SUBSTANDARD STRUCTURE
3648 Bluegrass, Grand Prairie, Texas

BE IT REMEMBERED that on May 18, 2020, a meeting of the Building Advisory and Appeals Board of the City of Grand Prairie was held, with notice having been mailed to all known owners or tenants of the property, or to all persons with an interest in such property.

The Board considered a request by the code enforcement officials of the City of Grand Prairie that certain structures be ordered repaired, demolished, and/or a nuisance abated, and/or for an order authorizing demolition if the repairs and/demolition are not timely completed by the parties with an interest in the property.

A quorum of the Board was present as indicated below:

(P=Present, A= Absent, N=Present, but not voting)

_____ Wendell Davidson, Chairperson
_____ Michelle Madden, Vice Chairperson
_____ Robert Adame
_____ Robert Mendoza
_____ Janie Mendez-Adhikari

_____ David Pomerantz,
_____ Ada French-Goring
_____ David Kasten
_____ Starling Oliver

The Board called into consideration the property at 3648 Bluegrass, within the City of Grand Prairie.

The Board reviewed a presentation of evidence by the City Code Enforcement Officers, including Allan Brown, and testimony concerning the dangers of the property. The testimony detailed the following deficiencies in the property:

- The structure, or a portion thereof, has been damaged by fire or 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 appropriate building code for new buildings of similar structure, purpose, or location;
- The structure is in such a condition as to constitute a public nuisance;
- The structure, which is intended to be used for dwelling purposes, is unsanitary and unfit for human habitation due to fire damage;
- The structure has faulty weather protection;
- The structure, or a portion thereof, is likely to fail, or to become detached or dislodged or to collapse and thereby injure persons or damage property;
- The structure, or portion thereof, is likely to collapse; and
- The structure is manifestly unsafe for its intended purpose.

The Board finds that notice was sent to the following persons, who claim or who are shown of record to be the owner or persons with an interest in the property as shown in Exhibit B.

The following persons appeared at the hearing, in the capacity shown:

_____	_____
_____	_____
_____	_____

The Board makes the following **FINDINGS** by a vote of _____ to _____:

- The residential structure located at 3648 Bluegrass, Grand Prairie, Texas (“the structure”) is a dangerous structure as that term is defined in Grand Prairie Code of Ordinances Section 29-28 (4), (5), (8), and (15).
- The ground supporting the structure has moved or shifted to an extent the structure is likely to partially or completely collapse.
- Due to the instability of the soil supporting the structure, the structure cannot be used for its intended purpose or otherwise safely occupied.
- The structure is likely to endanger persons or property.

Based upon the evidence and arguments of the parties, **IT IS ORDERED** that owner, occupant, mortgagee, lessee, agent, and/or all other persons having an interest in the property known as **3648 Bluegrass, Grand Prairie, Texas**, and more fully described in Exhibit A, shall:

- ENSURE THE STRUCTURE IS SECURED FROM ENTRY UNTIL SUCH TIME AS THE REHABILITATION OR DEMOLITION OF THE STRUCTURE IS COMPLETED;
-
- ENSURE THE STRUCTURE IS REPAIRED, REMOVED, OR DEMOLISHED WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER IN ACCORDANCE WITH APPLICABLE LAW; and
- SUBMIT A PROGRESS REPORT TO THE BUILDING ADVISORY AND APPEALS BOARD

IT IS PROVIDED BY THE ORDER THAT ANY PERSON HAVING AN INTEREST IN SAID BUILDING OR STRUCTURE MAY REPAIR, REMOVE, OR DEMOLISH SAID DANGEROUS STRUCTURE AT SUCH PERSON’S OWN RISK TO PREVENT THE CITY FROM ACQUIRING A LIEN AGAINST THE LAND UPON WHICH SAID DANGEROUS STRUCTURE STANDS.

IT IS FURTHER ORDERED THAT:

- IF THE OWNER FAILS TO KEEP THE STRUCTURE SECURED FROM ENTRY, THE CITY IS AUTHORIZED TO SECURE OR RE-SECURE THE STRUCTURE AT THE PROPERTY OWNER’S EXPENSE.
- SHOULD THE OWNER FAIL TO COMPLY WITH THE ORDER, THE CITY IS AUTHORIZED, AT ITS DISCRETION, TO DEMOLISH THE STRUCTURE AND ANY

ACCESSORY STRUCTURE REQUIRED TO BE DEMOLISHED AT THE OWNER'S EXPENSE OR, IN THE ALTERNATIVE, ASSESS A CIVIL PENALTY IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) PER DAY FOR EACH DAY THAT THE STRUCTURE CONTINUES TO BE IN VIOLATION. HOWEVER, SHOULD THE PROPERTY BE A HOMESTEAD, SUCH CIVIL PENALTY ASSESSMENT SHALL BE LIMITED TO TEN DOLLARS (\$10) PER DAY FOR EACH THAT DAY THE STRUCTURE CONTINUES TO BE IN VIOLATION.

- ANY EXPENSES OWED TO THE CITY BY THE OWNER WILL BE BILLED TO THE OWNER. FAILURE TO PAY THE CHARGES WILL RESULT IN A LIEN PLACED ON THE PROPERTY. SUCH COSTS, PENALTIES, OR EXPENSES SHALL ACCRUE INTEREST AT A RATE OF TEN PERCENT (10%) PER ANNUM. THE CITY SHALL HAVE ALL REMEDIES PROVIDED BY LAW TO RECOVER MONEY OWED THE CITY INCLUDING THE RIGHT TO PLACE A LIEN ON THE PROPERTY UNLESS IT IS A HOMESTEAD PROTECTED BY THE TEXAS CONSTITUTION.
- ANY SUBSEQUENT PURCHASER OF THE PROPERTY IS REQUIRED TO COMPLY WITH THIS ORDER.

IT IS FURTHER ORDERED, AND THE OWNER OF THE PROPERTY IS NOTIFIED, that in the event of an order of demolition, there is a right of appeal by filing suit in a court of appropriate jurisdiction within thirty (30) days of the date of this order, with notice sent to the City of such suit;

IT IS FURTHER ORDERED that notice of this order and of the action to be taken by the City of Grand Prairie is to be sent, certified mail, to the owners and interested parties of record of this property shown in Exhibit "B" unless such party has filed an affidavit designating a specific address or denying interest in said property with the Secretary of the Building Advisory and Appeals Board. If a designation of address is filed, notice shall be sent to the address shown in the most recently filed affidavit for that person. If an affidavit denying interest is received, that party submitting the affidavit shall be deemed to have waived receipt of any future notices related to the property.

Ordered on May 18, 2020.

THE BUILDING ADVISORY AND APPEALS BOARD
OF THE CITY OF GRAND PRAIRIE, TEXAS

By: _____
Chairperson of the Building Advisory and Appeals Board
of the City of Grand Prairie, Texas

EXHIBIT “A” – PROPERTY LEGAL DESCRIPTION

Lot 13R, in Block B, of COUNTRY CLUB PARK, SECTION FOUR, PHASE 1, REPLAT, an Addition to the City of Grand Prairie, Dallas County, Texas, according to the Plat thereof recorded in Volume 85136, Page 5104, Map Records, Dallas County, Texas

EXHIBIT “B” – INTERESTED PARTIES

Name/Company	Sent Care Of	Street Address	City, State Zip
Neal and Ha Basgell		2508 Carriage Pl.	Arlington, Tx 76014
Neal and Ha Basgell		3648 Bluegrass Dr.	Grand Prairie, Texas 75052
The Bartolomei Law Firm	c/o Luis Bartolomei, Atty for Mr. & Mrs. Basgall	3710 Rawlins St., Ste 1601	Dallas, Tx 75219
S-2 Properties, LP DBA Legacy Classic Homes	c/o Registered Agent Steven Sagerson	5751 Kroger Dr. Ste 293	Keller, Tx 76248
First United Bank & Trust Co		1400 W. Main St	Durant, Ok 74701
Greg Massey, Trustee for First United Bank		1400 W. Main St	Durant, Ok 74701
First United Bank & Trust Co		P.O. Box 130	Durant, Ok 74702
Mortgage Electronic Registration System		P.O. Box 2026	Flint, Mi 48501
Mortgage Electronic Registration System Inc.	c/o Corporation Trust Company	Corp. Trust Ctr. 1209 Orange St.	Wilmington, DE 19801