

**BUILDING AND STANDARDS COMMISSION
STAFF REPORT**

July 25, 2016



Case # 2176 – 515 Legion Court, Lot 55



LEGAL DESCRIPTION: Stephan F. Austin League A-63 #10
STRUCTURE(S): single-family residence
PROPERTY OWNER(S): Yolanda Tennell
**LIENHOLDER(S)/
MORTGAGEE(S):** none
ACTIVE UTILITIES: yes no **DISCONNECTED ON:** N/A

BRAZOS COUNTY APPRAISAL DISTRICT/TAX OFFICE INFORMATION:

PROPERTY ID: 31415
IMPROVEMENT VALUE: \$4,550
YEAR BUILT: N/A
SF OF LIVING AREA: N/A
CURRENT OWNER SINCE: 1/11/1996
PROPERTY TAXES OWED: None

BACKGROUND:

- Permit History:
 - Permit to install 1993 manufactured home was issued and Certificate of Occupancy issued 6-19-98.
 - Electrical permit issued to change out electrical service, approved 8-25-06.
 - Electrical permit issued to fix meter can, approved 7-23-09.
 - Plumbing permit issued to repair drain, approved 12-20-2011.
 - Electrical permit issued 8-09-13 for electrical repairs and to install smoke detectors in the house, the electrical repairs were done and approved but the city was never called back out for smoke detector verification, last inspection on 8-16-13.
- The Chief Building Official and Assistant Fire Marshal received a complaint from the Bryan Police Department after responding to a disturbance on or around March 28, 2016. Conditions were noted as non-habitable and CPS was notified.
- The structure is occupied by a tenant family. The structure was inspected by the Chief Building Official and Assistant Fire Marshal on April 5, 2016 and the home was found to be in violation of electrical / plumbing codes and the dangerous structures ordinance.
- Per the tenant, it was reported that the owner replaced the water heater, but there are no plumbing permits on file for a water heater replacement.
- Notices that the property would be scheduled for consideration by the Building and Standards Commission were mailed to the property owner on May 23, 2016, and June 17, 2016.

- To date, the owner has not contacted the City about repairs needed nor has the owner applied for any permits. There has been some discussions about permits and repairs needed including a licensed engineer needed to oversee structural repairs with a relative of the owner who has contacted the City.
- The attached letter was mailed to the owner on or around 7-7-16 on what all needed repairs and steps outlining the structural repairs.

ATTACHMENTS:

1. staff recommendation
2. pictures
3. dangerous structures survey reports
4. repair list sent to owner by Chief Building Official

**BUILDING AND STANDARDS COMMISSION
STAFF RECOMMENDATION**



July 25, 2016

Case #: 2176

Building Address: 515 Legion Court

Record Owner(s): Yolanda Tennell

The City's Chief Building Official has requested this Commission hearing to discuss the building on this property, and all legal notices of the hearing were provided to record owners, lienholders, and mortgagees. They were also notified that if they wanted to repair the building they needed to meet with City staff and come to the hearing with a detailed plan for repairs, including cost estimates. Based on the surveys, reports, photographs, and other evidence provided to the Commission, the City recommends that the Commission find the building unsafe based on the standards set forth in Bryan Code of Ordinances Section 14-224 subsection(s):

- 1) The building, structure, or any part thereof is likely to partially or fully collapse.
- 2) The structure or any part thereof was constructed or maintained in violation of any provision of the City's Building Code, or any other applicable ordinance or law of the city, county, state or federal government.
- 3) One or more walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third or its base.
- 4) The foundation or the vertical or horizontal supporting members are twenty five percent (25%) or more damaged or deteriorated.
- 5) The non supporting coverings of walls, ceilings, roofs, or floors are fifty percent (50%) or more damaged or deteriorated.
- 6) The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used.
- 7) The structure or any part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public health, safety and welfare.
- 8) The structure or any part thereof has inadequate means of egress as required by the City's Building Code.
- 9) The structure does not have adequate light ventilation, or sanitation facilities as required by the City's Building Codes and Plumbing Code.

The City further recommends that the Commission find that:

- the building is occupied and poses a hazard to health, safety, or general welfare of the occupants and/or the general public and must be vacated.**
- the building may not be feasibly repaired in compliance with City ordinances. Due to the condition of the home and lack of maintenance by the owner, City staff believes the home will continue to fall into disrepair even if repaired this time. If repaired, a licensed structural engineer would need to be involved increasing the cost of repairs.**

The City recommends that the Commission issue an order to the owner, lienholder, or mortgagee to:

- vacate the building within 30 days.**
- secure the building from unauthorized entry within 30 days.**
- demolish the building and all remove all the debris within 60 days.**

The City recommends that the Commission orders that the City may:

- disconnect water and electric utilities to the building.**
- secure the structure, demolish the building and remove the debris in accordance with Chapter 14 of the City of Bryan's Code of Ordinances if the owner, lienholder, or mortgagee fails to comply with the Commission's order.**

PICTURES:



Front of home from legion Court



Front, only window in bedroom blocked by Window a/c unit



Damaged skirting, and rotten walls



More damaged/missing skirting



Damaged skirting and torn/dented metal siding



Standing water under home, water leaks



Standing water from water leaks under home



Rotten/hazardous steps at back door, no landing, And missing handrails/guardrails



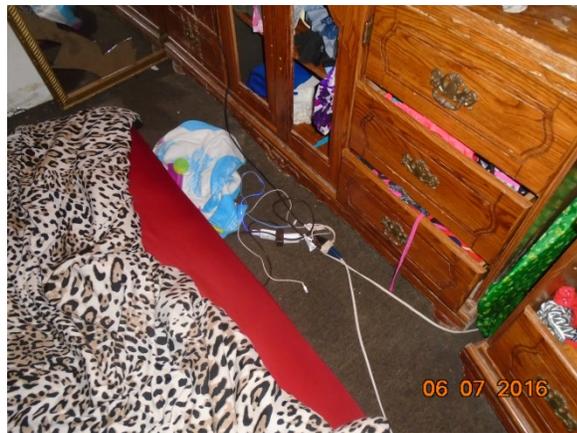
Missing skirting, damaged metal siding



Damaged walls in bathroom, mold



Damaged sheetrock throughout



Extension cords being used throughout



Missing light fixtures in bedrooms



Missing plate covers over light switches



Damaged floor and rotten wall around back door



Damaged wall finishes, mold, missing floor finishes



Missing outlet cover, missing floor finish



Missing sheetrock behind oven, missing insulation in wall, exposed Romex wiring, missing plate cover at outlets



Hole in wall behind oven, exposed Romex, etc.



Missing plate covers at switch and outlet in kitchen



Damaged tub surround finishes



Damaged ceiling finishes, evidence of roof leaks



Dangerous Structures Survey Report

Chief Building Official

Case #2176

A. PROPERTY ADDRESS: 515 Legion Ct, Legion, Lot 55

B. SPECIFICATIONS: No. Rooms 5 No. Stories 1 No. Structures 1

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

- Residential/Single Family
- Mixed Use
- Commercial
- Residential/Multi Family
- Accessory Structure(s)

- Box
- Frame
- Masonry
- Mobile Home

- Occupied
- Vacant
- Open

C. FINDINGS

01. The structure or a part thereof was constructed or maintained in violation of a provision of the City's building code, other applicable ordinance, state law, or federal law. Specifically, the following:

2009 IRC / 2011 NEC

Main structure? Accessory structure?

02. Any wall or other vertical structural members list, lean, or buckle to an extent that a plumbline passing through the center of gravity falls outside of the middle third of its base. Main structure? Accessory structure?

03. The foundation or the vertical or horizontal supporting members are materially damaged or deteriorated. Main structure? Accessory structure?

04. The non-supporting coverings of walls, ceilings, roofs, or floors are materially damaged or deteriorated. Main structure? Accessory structure?

05. The structure has improperly distributed loads upon the structural members, or they have insufficient strength to be reasonably safe for the purpose used. Main structure? Accessory structure?

06. The structure or any part thereof has inadequate means of egress as required by the city's building code. Main structure? Accessory structure?

07. The structure is unsanitary, unfit for human habitation, or likely to cause sickness due to damage, deterioration, or inadequate design/construction. Specifically the structure does not meet the city's requirements for:

- light
- ventilation
- sanitation facilities

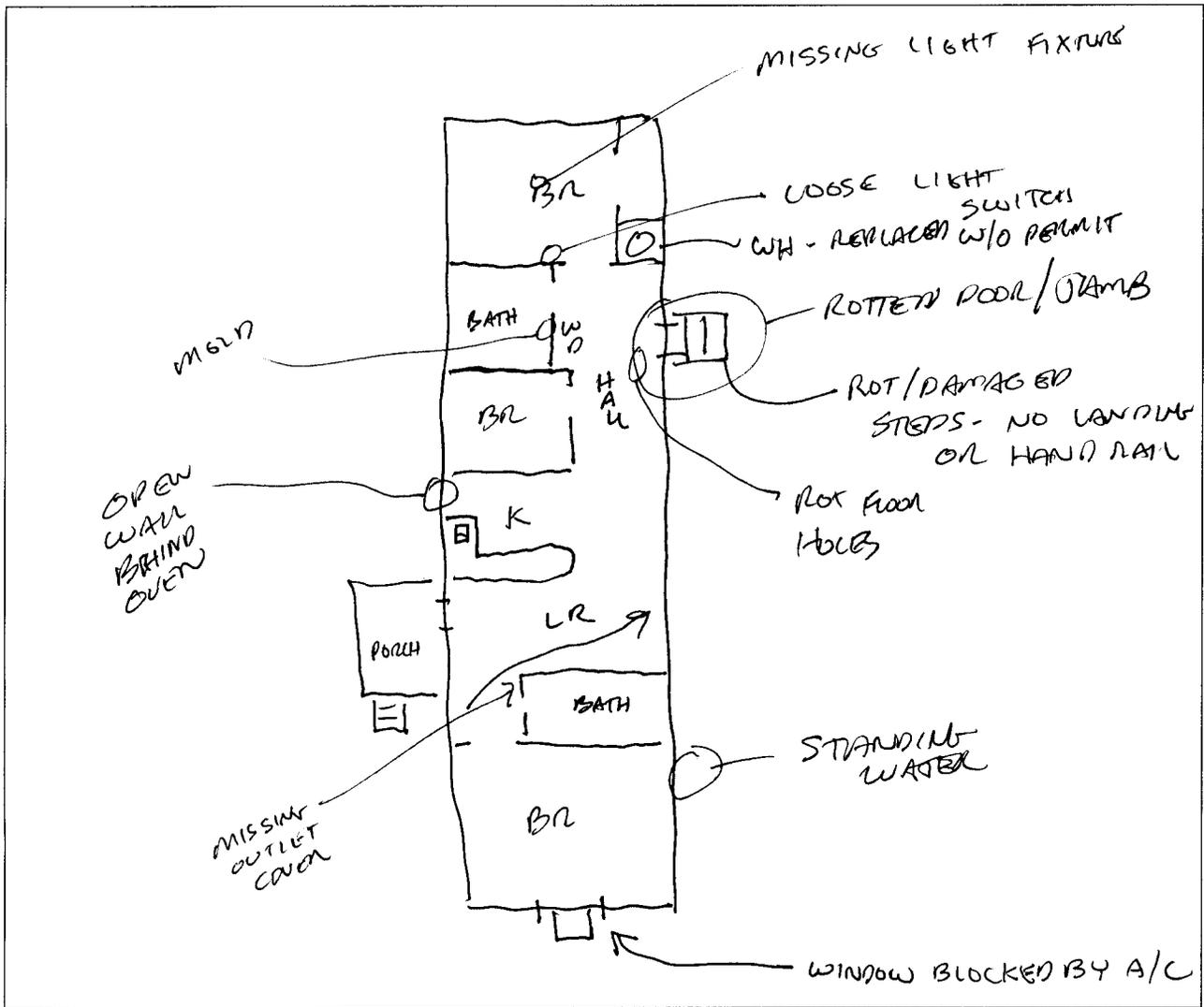
Main structure? Accessory structure?

08. Injury to persons or damage to property will result because portion, member or appurtenance is likely to fail, become detached or dislodged, or collapse.
Main structure? Accessory structure? _____
09. Unable to give reasonable protection to any occupants from weather elements or danger of collapse because of:
 Holes or cracks in the floor, exterior wall or roof
 Loose, rotten, warped or protruding boards
Main structure? Accessory structure? _____
10. Is manifestly unsafe for the purpose for which it is being used or so as not to give reasonable protection from danger of collapse or fire because of:
 Defective materials
 Structural deterioration
 Interior walls or ceilings with holes, cracks or loose plaster
Main structure? Accessory structure? _____
- _____ 11. The building, structure, or a part thereof, is unsecured and open.
Main structure? _____ Accessory structure? _____

COMMENTS: Tenant occupied 1993 manufactured home. Missing smoke detectors in bedrooms. Open wall (missing sheetrock and insulation behind oven/range, exposed wires. Missing electrical outlet covers. Mold on walls in various places. Missing floor finishes. Soft floors around doors. Holes/gaps in floor by back door. Wall/jamb around back door is rotten and loose. Loose light switch in wall at rear bedroom. Missing light fixtures. Multiple extension cords in use through out. Damaged interior finishes. Damaged exterior siding with holes, dents, etc. Standing water underneath home. Damaged or missing crawl space skirting. no landing at back door, steps and back door are rotten/in need of replacement, no handrails. Trash and debris under home. Front bedroom has one window that is blocked by a window a/c unit.

TENANT REPORTED THAT WATER HEATER WAS REPLACED —
NO PERMIT ON FILE.

FLOOR PLAN (if necessary)



D. DETERMINATION

 X 1. It has been determined upon inspection and investigation that the structure is dangerous, unsafe, or a hazard to public health and must be secured and:

A. X Be vacated OR remain unoccupied; and

B. X Be repaired OR X be demolished.

 2. It has been determined upon inspection and investigation that the structure is not dangerous, unsafe, or a hazard to public health as defined by the City's Code of Ordinances.

Gregory S. Cox
Signature

Gregory S. Cox
Printed Name

6-10-16
Date



CITY OF BRYAN
The Good Life, Texas Style.

Dangerous Structures Survey Report

Fire Marshal

Case #2176

TRER ON END

A. PROPERTY ADDRESS: 515 Legion Ct, Legion, Lot 55

B. SPECIFICATIONS: No. Rooms _____ No. Stories 1 No. Structures 1

STRUCTURAL USE

CONSTRUCTION

OCCUPANCY

- Residential/Single Family
- Mixed Use
- Commercial
- Residential/Multi Family
- Accessory Structure

- Box
- Frame
- Masonry
- Mobile Home

- Occupied
- Vacant
- Open

C. FINDINGS

01. The structure or a part thereof has been damaged by fire, water, earthquake, wind, vandalism, or other cause to such an extent that it has become dangerous to the public health, safety, and welfare.
I estimate that 70% of the main structure is considered a loss.
I estimate that —% of the accessory structure is considered a loss.

02. The structure or a part thereof has deteriorated to such an extent that it has become dangerous to the public health, safety, and welfare.
Main Structure? Accessory Structure?

03. The structure or a part thereof does not have adequate means of egress as required by the City's building code, and poses a danger in case of fire or panic.
Main Structure? Accessory Structure?

04. The structure or a part thereof lacks necessary fire-resistive construction, and the threat of a fire in the structure poses a risk to inhabitants, neighboring structures, and fire department personnel.
Main Structure? Accessory Structure?

05. Obsolete, damaged, or deteriorated electric wiring, gas connections, heating apparatus, or other mechanical infrastructure present a risk of fire.
Main Structure? Accessory Structure?

06. The proximity of the structure or a part thereof to other structures on this or neighboring properties constitutes a fire hazard for the other structures.
Main Structure? Accessory Structure?

07. The structure or a part thereof is in violation of the City's fire code.
Main Structure? Accessory Structure?

08. The building, structure, or a part thereof is being used by criminals, vagrants, or squatters for the purpose of suspected illegal activity.
Main Structure? Accessory Structure?

09. The building, structure, or a part thereof presents an attractive nuisance to children.
Main Structure? Accessory Structure?

COMMENTS open wires
open interior walls
no smoke Detectors
soft floors
soft walls
extension cords throughout
incense stuck in holes in walls
throughout house & burned

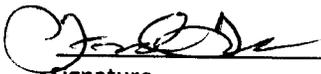
D. DETERMINATION

1. It has been determined upon inspection and investigation that the structure is dangerous, unsafe, or a hazard to public health and must be secured and:

A. Be vacated OR remain unoccupied; and

B. Be repaired OR be demolished.

2. It has been determined upon inspection and investigation that the structure is not dangerous, unsafe, or a hazard to public health as defined by the City's Code of Ordinances.


Signature

Fred Taylor / DEM
Printed Name/Title

6-7-16
Date

July 6, 2016

TO: Charles Nowlin
408 E 17th
Bryan, Texas 77803-2801

Yolanda Tennell
PO BOX 9312
Bryan, TX 77806-0932

RE: 515 Legion Court

Dear Owner,

The following are items you will need to use in preparing estimates, plans and timeline for repairs for the upcoming Building and Standards Commission Hearing:

1. Bid Estimate for Structural framing damage (replace all framing with rot/decay/damage) around back door and windows, check floor below water heater, and rim boards at front and back door:
 - A structural engineer will need to be hired to provide an initial report and a follow up report. Initial report will need to identify all the areas on the home where the structural framing needs to be repaired. The follow up report is needed to detail that the home has been repaired as designed and is safe to occupy. Each report from the Texas licensed engineer needs to be sealed and signed as per license requirements by the Engineering Act. Reason for this requirement is that manufactured homes are not built as site built homes per the adopted codes and have special engineered framing systems and wall bracing systems.
2. Licensed Electrician:
 - Licensed electrician will need to prepare estimates to repair all damaged electrical fixtures (missing fixtures, damaged or loose light switches and outlets). Electrician will need to inspect under house wiring and systems, and all interior systems, electrical panel, HVAC electrical connections, and service disconnect.
 - Cost estimate for electrician to repair all smoke detectors and add where one was not installed originally in all bedrooms and areas outside bedrooms.
3. Cost estimate to repair all damaged interior finishes, including to adding insulation where missing (behind oven). Including replacing sheetrock or other finishes where torn, damaged, mold, etc.
4. Cost estimate to repair / replace all damaged exterior siding (replace where dented/torn with new metal siding in matching colors)
5. Cost estimate to repair all bath room finishes where damaged.
6. Cost estimate from licensed plumber:
 - to repair all plumbing systems (water standing under house) there appears to be several areas where water is leaking, this will include properly insulating all under house water supply
 - to obtain plumbing permit for water heater replacement done without a permit and to repair to code.
7. Cost estimate to repair / replace loose insulation under home and belly pan lining.

8. Replace all crawl space skirting with approved skirting after repairs to under home are done and inspected by the city.
9. Cost estimate to install a 3X3 landing level with back door threshold, new steps, handrails and guardrails at back door in treated lumber
10. Cost estimate from licensed mechanical contractor to repair existing HVAC system (front bedroom is blocked by window A/C unit – cannot block windows with HVAC units)

Please know this list was quickly generated for your use to prepare plans, estimates, and timeline for the Building and Standards Commission hearing. There may be additional repairs needed and items needing replacing pending inspections by licensed professionals and a repair order is obtained by the Commission, additional items may be found needing repairs or replacement after permits are obtained, items uncovered, for inspections, etc.

Again, a repair order has to be obtained from the Commission before permits can be obtained and work begins, the structure most likely should be vacated for repairs. Please call or email 979-209-5031 / gcox@bryantx.gov if any questions.

Sincerely,

Gregory S. Cox, CBO
Chief Building Official
Development Services, City of Bryan
www.bryantx.gov
gcox@bryantx.gov
979-209-5031 office
979-209-5035 fax

Please know the sender of this notice strives to provide only factual and accurate information. Any errors or omissions not identified, as a result of the contents of this email, does not relieve full compliance with all City of Bryan adopted Codes and Ordinances, State, and Federal laws.

Attachment: Building and Standards Commission Contractor Checklist