

Date

Mr. Owner
1524 Holveck
City, Texas 75ZZZ
Via Certified Mail RRR: 7006 0100 0003 1294 9532

Re: Lot 1-B, City Block A/6035 (also known as 3314 Smith Drive, City, Texas)(commonly referred to as Kiest Manor)(“Property”)

Dear Mr. Owner:

I am writing to express our concern with the condition of the Property located at 3314 Smith Drive, City, Texas, commonly referred to as Kiest Manor (“Property”). As a person with an ownership interest in the Property, you are responsible for maintaining the Property in a safe and sanitary condition. The Property is in violation of numerous city ordinances, many of which may create health and safety problems to the neighbors and the general public. Ordinance violations existing on the Property are listed below. This letter does not purport to contain a complete list of all of the violations.

If you no longer own the Property, you must execute an affidavit stating that you no longer own the Property and stating the name and last known address of the person who acquired the Property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the Property described in this notice.

Violations of City Code:

1. Failure to eliminate a hole on the land that is reasonably capable of causing injury to a person in violation of Section 27-11(a)(1);
2. Failure to keep the doors and windows of a vacant structure or vacant portion of a structure securely closed to prevent unauthorized entry in violation of 27-11(a)(6);
3. Failure to protect the exterior surfaces of a structure that are subject to decay by application of paint or other coating in violation of Section 27-11(b)(1);
4. Failure to provide and maintain railings for stairs, steps, balconies, porches and elsewhere as specified in the Building Code in violation of Section 27-11(b)(3);

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5. Failure to repair holes, cracks, and other defects reasonably capable of causing injury to a person in stairs, porches, steps and balconies in violation of Section 27-11(b)(4);
6. Failure to maintain a structure intended for human occupancy in a weather-tight and water-tight condition in violation of Section 27-11(b)(5);
7. The floors, walls, ceilings and all supporting structural members are not in a sound condition capable of bearing imposed loads in violation of Section 27-11(b)(6);
8. Failure to repair holes, cracks, breaks, and loose surface materials that are health or safety hazards in or on floors, walls, and ceilings in violation of Section 27-11(b)(9);
9. Failure to provide and maintain in operating condition connections to discharge sewage from a structure or land into a public sewer system where available in violation of Section 27-11(c)(1);
10. Failure to provide and maintain in operating condition a toilet connected to a water source and to a public sewer in each structure intended for human habitation in violation of Section 27-11(c)(2);
11. Failure to provide and maintain in operating condition connections and pipes to supply potable water at adequate pressure to a structure intended for human occupancy in violation of Section 27-11(c)(3);
12. Failure to provide and maintain in operating condition a device to supply hot water of a minimum temperature of 120° F. within each structure intended for human habitation in violation of Section 27-11(c)(4);
13. Failure to provide and connect a kitchen sink, bathtub or shower, and lavatory to a cold and hot water source in each structure intended for human occupancy in violation of Section 27-11(c)(5);
14. Failure to connect plumbing fixtures and heating equipment that the owner supplies in accordance with the Plumbing Code and Mechanical Code in violation of Section 27-11(c)(6);
15. Failure to provide and maintain in operating condition, from April 1 through November 1, refrigerated air equipment capable of maintaining a maximum inside temperature that is 20 degrees lower than the outside temperature or 85°F, whichever is warmer, in each room of a structure intended for human occupancy in violation of Section 27-11(c)(8);

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16. Failure to provide and maintain in operating condition a supply line for electrical service to each structure intended for human occupancy if electrical service is available within 300 feet in violation of Section 27-11(c)(9);
17. Failure to provide and maintain in operating condition electrical circuits and outlets sufficient to safely carry a load imposed by normal use of appliances and fixtures in violation of Section 27-11(c)(11);
18. Failure to provide a structure intended for human habitation with a screen for keeping out insects at each opening of the structure if the structure is not cooled with refrigerated air in violation of section 27-11(d)(2);
19. Failure to maintain the interior of a vacant structure or vacant portion of a structure free from rubbish and garbage in violation of Section 27-11(d)(3);
20. Failure to provide and maintain security devices in each dwelling unit as required by Sections 92.153, 92.154, and 92.155 of the Texas Property Code, as amended in violation of Section 27-11(e)(1);
21. A current Master Meter Notice has not been obtained and properly displayed in violation of Section 27-26(b);
22. Failure to install and maintain smoke alarms in required areas in violation of 907.2.10.1.2;
23. There are accumulations of litter on the premises that are not in an authorized private receptacle for collection in violation of Section 7A-18;
24. There are weeds and grass located on the premises that have grown to a height of greater than 12 inches in violation of Section 18-13(a)(1);
25. Failure to remove graffiti from the Property in violation of Section 31-38(b);
26. Items which are not customarily stored outside have been left outside for a period in excess of 24 hours in violation of Section 51A-4.217(b)(6)(A);
27. Failure to construct and maintain screening around garbage storage areas in violation of Section 51A-4.602(b)(1)(6); and
28. Failure to obtain a permit from the Building Official in violation of Section 52-301.1.1.

Copies of the ordinances cited above have been attached to this letter.

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Please note that a suit may be filed in district court requesting injunctive relief if you fail to take all actions necessary to remedy the ordinance violations on your Property. This suit will ask the court to order repair and additional relief. Also, note that we may seek civil penalties of up to \$1,000 a day for each violation. Remedies may be requested under other law if necessary and appropriate. We may, additionally or in lieu of a civil suit, file class C misdemeanor complaints for all of the violations existing on the Property.

Nothing in this letter should be construed as legal advice to you. Consult your own attorney. If you have any questions or reasonable offers as to a prompt resolution of all of these matters, I can be reached at XXX-XXX-XXXX. Failure to contact the City or to remedy the ordinance violations cited above will result in further enforcement action against you by the City in order to obtain compliance.

Sincerely,

Sally Attorney
Assistant City Attorney
City Attorney's Office

ENCLOSURES

c: Client