



City of Austin

P.O. Box 1088, Austin, TX, 78767

AUSTIN **CODE** DEPARTMENT

NOTICE OF VIOLATION

Case Number: CV-2018-154559

via Certified Mail #7019 1640 0001 2755 4154

September 21, 2020

71 Rainey Street Austin LLC
217 REVEILLE ROAD
AUSTIN TX 78746-5335

RE: 71 RAINEY ST AUSTIN TX 78701
Locally known as 71 RAINEY ST AUSTIN TX 78701
Legally described as N 44.61FT OF LOT 18 BLK 1 OLT 72-73 DIV E DRISKILL & RAINEY SUBD
Zoned as CBD
Parcel Number 0203031003

Dear 71 Rainey Street Austin LLC:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at (512)420-6386 or Joseph.Yost@austintexas.gov. Please reference **case number** CV-2018-154559. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m. If I am unavailable, contact the Code Connect line at (512) 974-CODE (2633) or codeconnect@austintexas.gov.

Para obtener más información, llame al (512)420-6386 o envíe un correo electrónico a Joseph.Yost@austintexas.gov. Por favor, consulte **caso número** CV-2018-154559. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m. Si no estoy disponible, comuníquese con Code Connect marcando al (512) 974-CODE (2633) o por correo electrónico codeconnect@austintexas.gov.

Sincerely,

Joseph Yost, Austin Code Officer
City of Austin Code Department

VIOLATION REPORT

Date of Notice: September 21, 2020

Code Officer: Joseph Yost

Case Number: CV-2018-154559

Property Address: 71 RAINEY ST AUSTIN TX 78701
Locally known as 71 RAINEY ST AUSTIN TX 78701
Zoned as CBD

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

*Due to the ongoing Declaration of Local Disaster, the Austin Code Department understands that additional time may be required to comply with this notice. **If additional time is required, please contact your Code Officer to request an extension.** Extensions will be considered after evaluating the severity and frequency of the violation, available resources to correct the violation, and the impact of the continued violation on the public health and safety.*

Violation Type: STRUCTURE MAINTENANCE

Austin City Code Section: Unsafe Conditions (§304.1.1)

Description of Violation: The following exterior condition(s) are unsafe:

Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Date Observed: 12/27/2018

Timeframe to Comply: 30 Day(s)

Recommended Resolution: Provide a letter from an engineer stating that the structure is structurally sound.

Austin City Code Section: Roofs and Drainage (§304.7)

Description of Violation: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure.

Date Observed: 12/27/2018

Timeframe to Comply: 30 Day(s)

Recommended Resolution: Repair or replace the damaged roof. Obtain a building permit if required.

Notes: If the corrective action requires a permit or demolition, please contact the Development Services Department at 311. You can also visit <http://www.austintexas.gov/department/development-services> for more information.

In order to close the above code violation(s), an inspection will need to be conducted. Please contact Austin Code Department Officer Joseph Yost at (512)420-6386 or Joseph.Yost@austintexas.gov to schedule an inspection.

Si no puede leer esta notificación en inglés, pida una traducción en español.

Appeal: Any structure maintenance issue indicated in this report may be appealed to the Building and Standards Commission. The appeal must be filed no later than **20 days** after the date of this notice and contain **all** of the following information:

- a brief statement as to why the violation is being appealed
- any facts that support the appeal
- a description of the relief sought
- the reasons why the appealed notice or action should be reversed, changed, or set aside
- the name and address of the appellant

An appeal may be delivered in person to our office located at 5202 E. Ben White Blvd. Unit 5, Suite 550, Austin, TX 78741 or mailed to: **Building and Standards Commission, c/o Austin Code Department, P.O. Box 1088 Austin, Texas 78767.**

Violation Type: PROPERTY ABATEMENT

Austin City Code Section: Duty to Maintain Property in Sanitary Condition (§10-5-21)

Description of Violation: An owner, tenant, resident or person in charge of any property within the City of Austin must maintain said property free of grass and weeds over 12 inches tall, brush, garbage, rubbish, trash, debris, standing water or other objectionable, unsightly or unsanitary matter.

Date Observed: 09/18/2020

Timeframe to Comply: 7 Day(s)

Recommended Resolution: Remove and properly dispose of the accumulated tree trunks and branches located at the rear of the property.

Notes: Failure to correct this condition by the above deadline may result in City action to clean the property at your expense. **Should another violation occur within one year of the date of this notice, the City may take action to clean the property without further notice to you and at your expense.**

Appeal: An owner may appeal a notice of violation issued under this article by filing a written statement with the director of the designated department not later than the seventh day after the notice is given. An owner may only appeal on the following grounds:

- (1) The notice was not properly served; or
- (2) A violation did not exist on the property on the date the notice was issued.

An appeal may be delivered in person to the Austin Code Department located at 5202 E. Ben White Blvd. Unit 5, Suite 550, Austin, TX 78741 or mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

IMPORTANT INFORMATION

Failure to Correct

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancellation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.

- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

Ownership Information

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at www.austintexas.gov/code-resources, or at the office at 5202 E. Ben White Blvd. Unit 5, Suite 550, Austin, TX 78741. The completed affidavit should be mailed to: **City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.**

Complaints

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**



SANO y SALVO



CON AUSTIN CODE



Para reportar una propiedad con posibles violaciones

LLAME AL 3-1-1

¿Que verifica un inspector de codigo?

ESTRUCTURAS PELIGROSAS



- Edificios abandonados
- Edificios abiertos y accesibles
 - Daños graves a:
 - Techos
 - Grietas en la pared
- Fundaciones agrietadas

LLAME AL 3-1-1

CONDICIONES DE SUBSISTENCIA



- Fugas de agua
- Falta de agua caliente
- Cables eléctricos expuestos
 - Ventanas rotas
 - Puertas o ventanas que no abren

RECONOZCA • EVALUE • ACTUE!

EDIFICIOS DAÑADOS POR FUEGO



- Vidrios quebrados
- Paso inseguro
- Posible colapso
- Cables eléctricos expuestos
- Posibles fugas de gas
- Daño en la tubería de agua

RESPETE LA CINTA!



AUSTINCODE
DEPARTMENT

La División de Educación y Alcance del Código de Austin