

# CITY OF ALBUQUERQUE

## CODE ENFORCEMENT

Plaza Del Sol Building, Suite 500

600 2<sup>nd</sup> Street NW

Albuquerque, NM 87102

Tel: (505) 924-3850 Fax: (505) 924-3847



Jan 9, 2025

### NOTICE AND ORDER WITH APPEAL

**AA & S INC**  
**7503 CENTRAL AVE NE**  
**ALBUQUERQUE, NM 87108**

Dear Property Owner:

The City of Albuquerque Planning Department, Code Enforcement Division, made an inspection of the building or structure owned, occupied, or controlled by you at: **7503 CENTRAL AV NE, Albuquerque, NM**  
**UPC: 101905714811931202** on Jan 9, 2025

The Property is more particularly described as:

LTS 3, 4, 5, 6, 7, 14 & 15 THE E'LY 85FT OF LT A THE W'LY 35FT OF LT B & THE W'LY 35FT OF LTS 12 & 13 BLK 1 LOMA

Violations of the Uniform Housing Code, hereafter 'Code', City Council Enactment Ordinance No. 25-2018 and codified at 14-3-1-1 et seq ROA 1994, were found that must be corrected in order to maintain the accepted standards of health and safety provided for in the Code.

#### FINDINGS

The Code Enforcement Section has found the units to be substandard under the provisions of the Code. The findings of the inspection are as listed on the following page.

You may be eligible for assistance in resolving the noted violations. Please call 768-HELP for further information.

Sincerely,

  
Samuel Seay

Code Enforcement Specialist  
(505) 803-6425

File Number: CF-2025-000839

Job Number: 217851228-001

Initial Print Date: Jan 9, 2025

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Description of Violation(s) found on the property located at:

Address: **7503 CENTRAL AV NE, Albuquerque, NM UPC: 101905714811931202**

The above-described premises have been inspected and the following violations of City laws and regulations have been found:

Violation Type	Violation Description	Resolve By Date
14-3-4-8 Inadequate Weather Protection	<p>At time of inspection structure on west side has multiple spots where wire mesh is showing, and stucco is broken and or missing.</p> <p>*Unit 14 shows signs of roof leak. Due to evident water damage to the interior ceiling and walls in unit. A licensed contractor shall inspect and repair all roof leaks with required permits being attained and all required inspections conducted.</p> <p>*Doors in units 1, 4, 5, 8, 9, 7, 12, 10, 19, 20, 13, and 18 all have doors that will not close and or let outside elements into unit from lack of alignment of weather stripping. All doors and windows leading outside shall be properly weather protected with weather stripping to help keep the outside elements out..</p>	Jan 8, 2025
14-3-2-2 Light and Ventilation	<p>At time of inspection units 1, 2, 4, 5, 7, 8, 9, 10, 12, 14, 17, 18, 19, and 20 missing vents and or windows in bathroom area not allowing for property ventilation. Fix replace or repair4 all windows and or vents in all units to bring property back into compliance.</p>	Jan 8, 2025
14-3-4-7 Hazardous Mechanical Equipment	<p>At time of inspection units 1, 3, 4, 5, 6, 7, 8, 9, 10 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 found to have tampered or not functional heaters.</p> <p>*Water heater on west side of property not of adequate size for units needed. Water heater not plumbed correctly creating a life safety issue called New Mexico Gas Company to have them remove gas service from that side of property, but they refuse said only property Owner could have gas cut, informed property Owner to cut gas service or he is liable for any damaged or injury in result of explosion.</p> <p>*A licensed contractor shall inspect and test all mechanical equipment and make all necessary repairs with all required permits being attained and all required inspections conducted. This includes all gas lines.</p>	Jan 8, 2025

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14-3-3-3 Exits	At time of inspection units 19, and 20 lack adequate exits due to clutter and blockage of doors and windows leading to exterior. Clean, remove or clear all access to outside of structure.	Jan 8, 2025
14-3-4-5 Hazardous Wiring	At time of inspection units 2, 5, 8, 10, 19, 14, 17, all have electrical sockets missing, exposed or taped over. Missing lighting fixtures exposed wires in all above units. *All electrical wiring, wiring components and equipment shall be inspected by a licensed professional and all necessary repairs shall be made. All required permits shall be obtained prior to work commencing.	Jan 8, 2025
14-3-4-2 Inadequate Sanitation	At time of inspection units 3, 5, 8, 10 9, 14, 17, 19, 20, 18 have lack of maintenance from broken lighting fixtures, plumbing fixtures, flooring cracked or missing tiles, broken windows, infestation of Roches and general dilapidation. Repair property in full to bring property back into compliance.	Jan 8, 2025
14-3-4-4 Nuisance	Due to the violations listed in this Notice and Order, it has been determined that the structure is substandard and is creating a nuisance to the neighborhood and surrounding community. Structure has been in a dilapidated state for an extended period of time without adequate maintenance and is creating a nuisance to the neighborhood and surrounding community. *Property found to have needles throughout property, large number of APD and AFR calls creating a Nuisance to the surrounding community.	Jan 8, 2025
14-3-4-1 Substandard Building	Due to violations listed in this Notice and Order, your property is Substandard thereby creating a nuisance for the neighborhood and surrounding community. The property must be secured, brought up to code, and restored to a safe habitable condition. This property is to remain secured and clean at all times. A lien will be filed against the property for the securing and or cleaning of your property when necessary. The structure was secured and a lien will be filed for the costs.	Jan 8, 2025
14-3-2-1 Room Dimensions	Property being used as long-term residents when not certified to do so. Will need a chance of use for occupancy along with larger floor space and adequate living accommodations such as full bathroom, property lighting and ventilation, heat, and cooking appliances.	Jan 8, 2025

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14-3-5-12 Substandard Buildings	Section 14-3-5-12 All buildings or portions thereof which are determined to be substandard as defined in this code are hereby declared to be nuisances and shall be abated by repair or rehabilitate.	Jan 8, 2025
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Code Sections	Code Description
14-3-4-8(A)	Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows, doors and basement hatchways.
14-3-2-2(A)(1)	All guest rooms, dormitories and habitable rooms within a dwelling unit shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms with a minimum of 10 square feet. All bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than 1/20 of the floor area of such rooms with a minimum of 1½ square feet.
14-3-4-7	HAZARDOUS MECHANICAL EQUIPMENT shall include any mechanical equipment that does not conform to all applicable laws and codes in effect at the time of installation and which has been maintained in a good and safe condition. All dwellings and dwelling units that use gas shall be provided with gas service. Gas facilities connected to or in any building or structure are to be maintained hazard-free and in a state of good repair. All heating facilities shall be free from health hazards associated with ventilation, mounting, and gas connections and other defects. Unvented fuel-burning heaters must be of a listed and approved type and are prohibited as the sole source of heating. Ovens, stoves or ranges, or other cooking appliances shall not be used for the purpose of heating any portion of a dwelling. Listed, approved portable space heaters may only be used as the sole source of heating on a temporary basis when the permanent heating system is being repaired or replaced.
14-3-3-3(A)	Every dwelling unit or guest room shall have access directly to the outside or to a public corridor.
14-3-4-5	HAZARDOUS WIRING shall include all wiring except that which conformed with all applicable laws in effect at the time of installation and which has been maintained in good condition and is being used in a safe manner. All dwellings and dwelling units shall be provided with electrical service. Electrical facilities connected to or in any building or structure are to be maintained hazard-free and in a state of good repair. The electrical system shall be free from such hazards as bare wiring; overloaded circuits or services; equipment not properly grounded; over-fused circuits; misuse of wiring, including the use of extension cords

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	in lieu of permanent wiring; non-approved wiring; and wiring exposed to moisture or extreme heat. Broken, loose, frayed, inoperable, defective or missing portions of the electrical service, lines, switches, outlets, fixtures and fixture coverings shall be repaired or replaced.
14-3-4-2(L)	Lack of adequate maintenance or the presence of general dilapidation.
14-3-4-4(C)	Any property or condition meeting definition of a nuisance as described under § 14-3-1-4 of this code.
14-3-4-1(B)(1)	Notwithstanding any other provision in this code if, in the opinion of the inspector, the conditions at a property constitute an imminent hazard, the inspector may order immediate abatement of the hazard without notice. Such abatement of an imminent hazard shall be limited to the minimum work necessary to remove the hazard, and may include disconnection of utilities, securing of the structures or emergency cleaning of the property to abate any violations found.
14-3-2-1(B)(1)	Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.
14-3-5-12	<p>All buildings or portions thereof which are determined to be substandard as defined in this code are hereby declared to be nuisances and shall be abated by repair, rehabilitation, demolition, removal or securing all accessible openings and entrances to building in accordance with the procedure as provided herein.</p> <p>Any building that has been determined to be substandard and which has been abated by securing all accessible openings and entrances shall be repaired, rehabilitated, demolished or removed within 12 months of being secured. The failure to repair, rehabilitate, demolish or remove such building within 12 months shall be prima facie evidence that the building is a menace to the public comfort, health, peace or safety and should be condemned. At the first City Council meeting following the 12 month period the administration may present the City Council with a Resolution of Condemnation as provided for in Section 3-18-5 NMSA 1978 and proceed with condemnation as provided for under that statute.</p> <p>('74 Code, § 7-24-3B) (Ord. 34- 1986; Am. Ord. 2-2007; Am. Ord. 2018-025)</p>



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## NOTICE OF ADMINISTRATIVE REMEDIES

Pursuant to Section 14-3-5-4(A)(1), you or any person having any title or legal interest in the building or structure may dispute the violations and findings listed above by appealing this Notice and Order or any action of the Department to the Office of the City Clerk. In the case of demolition, the appeal procedure shall be as set forth in Section 3-18-5 NMSA 1978. The appeal must be in writing and filed with the City Clerk's Office prior to the effective date of this order. The effective date of this order is eight (15) days from Jan 9, 2025.

A form for filing an appeal is available in the City Clerk's Office at 600 2<sup>nd</sup> St. NW, Suite 720. The form is not necessary as long as the required information is included in the appeal. Pursuant to Section 14-3-5-4 ROA 1994, the required information includes: the names of all appellants participating in the appeal; a brief statement in ordinary and concise language of that specific order or action protested along with a copy of the order, notice, or action together with any material facts claimed to support the contentions of the appellant; a brief statement of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside; the signatures of all parties named as appellants and their official mailing addresses; and a verification, by declaration under penalty of perjury, of at least one appellant as to the truth of the matters stated in the appeal.

An appeal of the Notice and Order will stay enforcement of that Notice and Order. Failure to file an appeal, however, shall constitute a waiver of the right to an administrative hearing. Adjudication by the Office of Administrative Hearings shall schedule the hearing to a date and time not to exceed fifteen (15) business days from the date of the filing of the appeal. Written notice of the time and place of the hearing shall be given at least ten (10) business days prior to the date of the hearing to each appellant either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the appeal. Only those matters or issues specifically raised by the appellant shall be considered at the hearing.

The department may impose a civil fine, notice of which shall be appealable under the administrative appeal procedures of this article, of \$200 for a first violation of this article, and \$300 for a second violation of this article and \$500 for a third or subsequent violation of this article. Failure to pay the fine, appeal the fine, or prevail at an administrative hearing challenging the fine shall allow the Department to place a lien upon the subject property or any asset owned by the owner. The Department may also choose to collect on the fine through any other method allowed by law. Pursuant to Albuquerque, N.M., Rev. Ordinances §14-3-5-99.

A re-inspection fee shall be assessed failed inspections after the compliance date on the Notice and Order. This fee shall be \$50 per inspection pursuant to Albuquerque, N.M., Rev. Ordinances §14-3-5-8(B). Failure to pay the fine, appeal the fine, or prevail at an administrative hearing challenging the fine shall allow the Department to place a lien upon the subject

property or any asset owned by the owner. The Department may also choose to collect on the fine through any other method allowed by law.

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### ORDER

IF THE PROPERTY IS NOT VACATED, SECURED, AND THE VIOLATIONS LISTED ABOVE REMAIN OUTSTANDING BY 5:00 PM ON THE EFFECTIVE DATE OF THIS NOTICE AND ORDER, AND IF NO APPEAL IS FILED PRIOR TO THE EFFECTIVE DATE OF THIS NOTICE AND ORDER, THE CITY MAY CAUSE ANY STRUCTURES TO BE SECURED AS WELL AS ANY TRASH/DEBRIS REMOVED WITHOUT FURTHER NOTICE TO ANY PARTY, AND A LIEN WILL BE PLACED AGAINST THE PROPERTY FOR THE CITY'S COSTS ASSOCIATED WITH SECURING AND/OR CLEANING THE PROPERTY. THE REMEDIES CONTEMPLATED IN THIS PARAGRAPH ARE IN ADDITION TO ANY OTHER REMEDIES PROVIDED BY LAW.

ADDITIONALLY, A CERTIFICATE OF SUBSTANDARD BUILDING WILL BE FILED AT THE COUNTY CLERK'S OFFICE. A LIEN WILL BE PLACED AGAINST THE PROPERTY ASSOCIATED WITH THESE ACTIONS.

AS THE OWNER OF THE BUILDING OR STRUCTURE, YOU WILL HEREBY BE ORDERED TO SECURE THE BUILDING IN THE FOLLOWING MANNER SHOULD (1) YOU FAIL TO TIMELY APPEAL THIS NOTICE AND ORDER TO THE CITY CLERK'S OFFICE OR (2) THE OFFICE OF ADMINISTRATIVE HEARINGS AFFIRMS THIS NOTICE AND ORDER:

VACATE THE BUILDING OR STRUCTURE ON THE EFFECTIVE DATE OF THE ORDER. AFTER VACATING THE BUILDING OR STRUCTURE, YOU MUST THEN SECURE ALL ACCESSIBLE OPENINGS AND ENTRANCES TO THE BUILDING(S) WITHIN ONE (1) DAY OF THE EFFECTIVE DATE OF THE ORDER. FAILURE TO COMPLY WITH THIS ORDER WILL RESULT IN THE CITY SECURING THE BUILDING AND FILING A LIEN AGAINST THE PROPERTY FOR THE COST OF SECURING THE BUILDING. YOU MUST THEN REPAIR OR DEMOLISH THE BUILDING OR STRUCTURE. IN REPAIRING OR DEMOLISHING THE BUILDING OR STRUCTURE, OBTAIN ALL REQUIRED PERMITS AND PHYSICALLY COMMENCE WITHIN ONE (1) DAY(S) OF THE EFFECTIVE DATE OF THIS ORDER. THE REPAIRS MUST BE COMPLETED BY date **January 8, 2025**. A FINAL INSPECTION BY THIS DEPARTMENT IS REQUIRED PRIOR TO RE-OCCUPANCY OF THE BUILDING OR STRUCTURE. A FEE WILL BE ASSESSED FOR THE FINAL INSPECTION.

If you have any questions concerning this Notice and Order, or the cited violations, please call me at: (505) 803-6425. Please reference Notice and Order number CF-2025-000839.

  
Samuel Seay  
Code Enforcement Specialist  
(505) 803-6425

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Language Access Notice. We provide free interpretation services to help you communicate with us. If you need help, you can request interpretation at any service counter in our Department, located in the Plaza Del Sol building, 600 2nd Street NW, Albuquerque, NM 87102.

Notificación de Acceso Lingüístico. Ofrecemos servicios gratuitos de interpretación para ayudarlo a comunicarse con nosotros. Si necesita ayuda, puede solicitar servicios de interpretación en cualquier mostrador de servicio de nuestro Departamento, ubicado en el edificio Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

Saad Hadahwiis'a O'oolkaah bee dah na'astsooz. Nihi bik'inaasdzil t'aadoo baahilinigoo 'ata' hashne' tse'esgizii ach'i' dzaadi! Dzaadi! Danihi dahootahgoo bee nihi-. Daa' danihi bidin nishli dzaadi! Dzaadi! Danihi bineesh'a yinishkeed 'ata' hashne' -di t'aa biholniihgoo tse'esgizii ket'aaz -di nihihigii dah diikaah, -k'eh -di tsin Plaza Del Sol Kinit'aagoo, 600 2nd Kinit'aa NW, Albuquerque, NM 87102.

Thông báo về cách Tiếp cận Ngôn ngữ. Chúng tôi cung cấp các dịch vụ thông dịch miễn phí để giúp quý vị giao tiếp với chúng tôi. Nếu quý vị cần giúp đỡ, quý vị có thể yêu cầu thông dịch tại bất cứ quầy dịch vụ nào trong Sở của chúng tôi, tọa lạc tại tòa nhà Plaza Del Sol, 600 2nd Street NW, Albuquerque, NM 87102.

語言輔助通知。我們提供免費口譯服務，以幫助你與我們溝通。如果你需要幫助，你可以在我們部門的任何服務台請求口譯，服務台位於Plaza Del Sol大樓，600 2nd Street NW，阿爾伯克基，NM 87102。