

CITY OF ALBUQUERQUE

CODE ENFORCEMENT

Plaza Del Sol Building, Suite 500
600 2nd Street NW
Albuquerque, NM 87102
Tel: (505) 924-3850 Fax: (505) 924-3847



February 21, 2025

NOTICE AND ORDER WITH APPEAL

ROSHYOGI LLC
8300 CENTRAL AVE SE
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:
8300 CENTRAL AVE SE, Albuquerque, NM 87108 (UPC): 101905741203640502 on February 19, 2025.

The Property is more particularly described as:

LT 4-A BLK 5 PLAT OF LTS 4-A & 8-A BLK 5 UNITY ADDN CONT 1.3070 AC M/L OR 56,933 SF
M/L

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
Senior Code Enforcement Specialist
505-803-6425
sseay@cabq.gov

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

Address: **8300 CENTRAL AVE SE, Albuquerque, NM 87108 (UPC): 101905741203640502**

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
14-3-4-7 Hazardous Mechanical Equipment	At time of inspection gas heater in laundry room had improper and unsafe venting creating a life safety issue. The water heater in Owner living space was leaking and improperly vented creating a life safety concern. 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.	Mar 7, 2025
14-3-4-1 Substandard Building	It is the opinion of this inspector 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.	
14-3-2-3 Sanitation	At time of inspection units 23,26,27, and 29 all being use as long term stat without property kitchen for each dwelling unit. Resolve all violations to bring property back into compliance. All permits required must be pulled by licensed contractor prior to work being started.	Mar 7, 2025
14-3-2-3 Sanitation	At time of inspection units 26,27 and 29 all without adequate maintenance for an extended period of time which has allowed for an accumulation of animal waste and trash to build up throughout dwelling creating unsanitary conditions. All waste (feces, urine) and trash shall be removed from dwelling prior to dwelling being occupied.	Mar 7, 2025
14-3-3-3 Exits	At time of inspection units 2,17,20,21,23,26,27, and 29 all had an accumulation to clutter (storage) blocking egress from Dwelling unit creating a life safety issues. Remove all clutter (storage) from all units to clear the egress path.	Mar 7, 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 contained what appeared to be drugs and drug paraphernalia in multi units 8, 11,23.26, and 27.	

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14-3-4-8 Inadequate Weather Protection	<p>At time of inspection all units have missing weather stripping along doors and windows allowing outside elements into dwelling units. All doors and windows leading outside shall be properly weather protected with weather stripping to help keep the outside elements out.</p> <p>All units have window panes that have been replace with plexiglass. Replace all plexiglass with proper materials. All broken and or missing windows shall be repaired or replaced. All units have damaged door jams that will not seal from out side or allow doors to close as designed. All broken and or missing windows and doors shall be repaired or replaced to open close and lock as designed.</p> <p>Units 7,26, and 29 all had signs of leaking roof allowing ceiling drywall to bubble or crack.</p> <p>Unit 8 Door was off hinges and will need replaced.</p> <p>A licensed contractor shall inspect and repair roof with all required permits being attained and all required inspections conducted. All missing wall coverings shall be repaired.</p>	Mar 7, 2025
14-3-4-2 Inadequate Sanitation	<p>At time of inspection all units lacking property heating facility all heaters must be a permanent appliance and hard wired into units or on a separate circuit braker.</p> <p>Units 5,7,8,9,17,19,26,27, and 29 all have tampered, broken or damaged, inoperative heaters.</p> <p>All heating units must be inspected and brought up to todays code with a licensed contractor and repaired and/or replaced as required. All permits must be pulled prior to work being started.</p>	Mar 7, 2025
14-3-4-10 Inadequate Maintenance	<p>At time of inspection property was found to have a lack of maintenance units</p> <p>1,3,4,5,7,8,9,10,11,12,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,and 29. Loose of missing outlet covers, tampered with, missing light covers, paint peeling from walls, broken tile in bathroom and kitchen areas.</p> <p>Repair, replace or resolve all violations to bring property back into compliance. All permits must be pulled when required by a licensed contractor.</p>	Mar 7, 2025
14-3-4-5 Hazardous Wiring	<p>At time of inspection all units with out property GFI plugs in bathroom. Units</p> <p>1,2,3,4,7,8,14,15,17,19,20,21,22,23,24,25,26,27,28,and 29 have exposed wiring, loose switch covers, missing conduit, receptacles wired incorrectly, and over loaded circuits.</p> <p>Resolve all violations to bring property back into compliance.</p> <p>All units had heaters not hard wired in or on a separate circuit braker.</p> <p>* 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.</p>	Mar 7, 2025

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14-3-2-2 Light and Ventilation	At time of inspection units 1,3,4,5,6,7,10,12,14,15, 16,17,18,19,20,21,22,23,24,25,26,27,28, and 29. All had windows that would not open or close properly. All broken and or missing windows and doors shall be repaired or replaced to open close and lock as designed. All permits must be pulled by licensed contractor prior to work being started.	Feb 19, 2025
14-3-4-2 Inadequate Sanitation	At time of inspection units 5,14,15,16,17,19,20,21,22,23,24,25,26,27,28, and 29 lacking hot water. Water temp required to reach 110 Degrees Fahrenheit to be within code. Property is without or lacking and approved hot water supply. All units heed a permanent heat source that is correct for square footage of dwelling unit and bring temp up to 68 Degrees Fahrenheit. Property shall be inspected by a licensed professional and all necessary repairs shall be made. If permits are required they shall be obtained prior to work commencing.	Mar 7, 2025
UHC	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, rehabilitation, demolition, removal or securing all accessible openings and entrances to building in accordance with the procedure as provided herein. Any building that has been determined to be substandard and which has been abated by securing all accessible openings and entrances shall be repaired, or rehabilitate.	
14-3-4-6 Hazardous Plumbing	At time of inspection units 1,4,5,6,7,8,10,11,12,14,15,16,17,18,19,20,21,22,23,24,25,26, 27,28,and 29 all have leaking, missing or broken shower, sink or kitchen fixtures. Units 2,4,14,15,16,17,18,19,20,21,22,23,25,26,27,28,and 29 all missing hot water creating a life safety and sanitation issue. Units 1,5,10,11,16,18,20,22,26 and 29 all had broken, loose, leaking or clogged toilets. Office unit has leaking water heater. Property is without or lacking and approved hot water supply. Property shall be inspected by a licensed professional and all necessary repairs shall be made. If permits are required they shall be obtained prior to work commencing.	Mar 7, 2025

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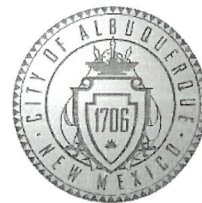
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Code Sections	Code Description
14-3-4-7	<p>HAZARDOUS MECHANICAL EQUIPMENT shall include any mechanical equipment that does not conform to all applicable laws and codes in effect at the time of installation and which has been maintained in a good and safe condition.</p> <p>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.</p>
14-3-4-1(B)	(B) Emergency abatement.
14-3-2-3(B)	(B) Kitchen. Each dwelling unit shall be provided with a kitchen. Every kitchen shall be provided with a kitchen sink. Wooden sinks or sinks of similarly absorbent material shall not be permitted.
14-3-2-3(H)	(H) Installation and Maintenance. All sanitary facilities shall be installed and maintained in a safe and sanitary condition and in accordance with all applicable laws.
14-3-3-3(A)	(A) Every dwelling unit or guest room shall have access directly to the outside or to a public corridor.
14-3-4-4(C)	(C) Any property or condition meeting definition of a nuisance as described under § 14-3-1-4 of this code.
14-3-4-8	INADEQUATE WEATHER PROTECTION shall include but not be limited to the following:
14-3-4-2(F)	(F) Lack of, or not properly operative adequate heating facilities.
14-3-4-10	INADEQUATE MAINTENANCE shall include any building or portion thereof which is determined to be an unsafe building in accordance with § 106 of the UAC - Unsafe Buildings, Structures, or Building Service Equipment.
14-3-4-5	<p>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 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.</p>
14-3-2-2(A)	(A) Natural Light and Ventilation.
14-3-4-2	INADEQUATE SANITATION shall include but not be limited to the following:

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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>
14-3-4-6	<p>HAZARDOUS PLUMBING shall include any plumbing that does not conform to all applicable laws in effect at the time of installation and which has been maintained in good condition and which is free of cross- connections and siphonage between fixtures.</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 fifteen (15) days from February 19, 2025.

A form for filing an appeal is available in the City Clerk Office at 600 2nd St. NW. Suite 720. The form is not necessary as long as the required information is included in the appeal. Pursuant to Section 14-3-54 RDA 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, 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 lay causing a copy of such notice to be delivered to the appellant personally or try 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(8). 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 ANOTHER 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) DAYS OF THE EFFECTIVE DATE OF THIS ORDER. THE REPAIRS MUST BE COMPLETED BY **February 19, 2025**. A FINAL INSPECTION BY THIS DEPARTMENT IS REQUIRED PRIOR TO RE-OCCUPANCY OF THE BUILDING STRUCTURE. A FEE WILL BE ASSESSED FOR THE FINAL INSPECTION.

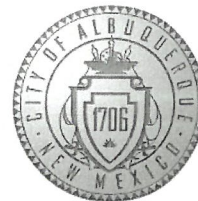
If you have any questions concerning this Notice and Order, or the cited violations, please call me at: 505-803-6425. Please reference Notice and Order number: UHC-2025-00100.


Samuel Seay
Senior Code Enforcement Specialist
505-803-6425
sseay@cabq.gov

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AFFIDAVIT OF SERVICE FOR POSTING AND MAILING OF NOTICE AND ORDER

STATE OF NEW MEXICO } SS
COUNTY OF BERNALILLO

I, Samuel Seay, being duly sworn upon Oath, state that on 2/21/2025, posted a copy of the Notice and Order at 8300 CENTRAL AVE SE, Albuquerque, NM 87108, and mailed a copy of the Notice and Order by certified mail to the owner on 2/21/2025.

Addressed to: **ROSHYOGI LLC**
8300 CENTRAL AVE SE
ALBUQUERQUE, NM 87108

Samuel Seay
Senior Code Enforcement Specialist
Code Enforcement Division
City of Albuquerque
505-803-6425
sseay@cabq.gov

SUBSCRIBED AND SWORN TO me on this 19 day of February 2025.

by Samuel Seay.

Notary Public

My commission expires

October 22, 2025

STATE OF NEW MEXICO
NOTARY PUBLIC
Geraldine Delgado
Commission No. 1135791
October 22, 2025

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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 Kiniit'aagoo, 600 2nd Kiniit'aa NW, Albuquerque, NM 87102.

Thông báo v? cách Ti?p c?n Ngôn ng?. Chúng tôi cung c?p các d?ch v? thông d?ch mi?n phí d? giúp quý v? giao ti?p v?i chúng tôi. N?u quý v? c?n giúp d?, quý v? có th? yêu c?u thông d?ch t?i b?t c? qu? y d?ch v? nào trong S? c?a chúng tôi, t?a l?c t?i 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。