NOTICE OF MEETING OF THE BUILDING STANDARDS COMMISSION OF THE CITY OF HARKER HEIGHTS, TEXAS

Notice is hereby given that immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m. on Wednesday, October 28, 2026, and continuing from day to day thereafter, if necessary, the Building Standards Commission (BSC) of the City of Harker Heights, Texas, will conduct a regular meeting. The meeting will be held in the Kitty Young Council Chamber of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

I. **CALL TO ORDER:**
Convene Regular Meeting of the Building Standards Commission and establish a quorum.

II. **PUBLIC COMMENTS:**
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Building Standards Commission, please clearly state your name and address prior to making a comment. ***No action may be taken by the Building Standards Commission during Public Comments.***

III. **ROLL CALL:**
Roll call for regular meeting of the Building Standards Commission.

IV. **APPROVAL OF AGENDA:**

1. Discuss and consider approval of the agenda for the regular meeting of the Building and Standards Commission meeting held on October 28, 2026.

V. **CONSENT AGENDA:**

1. Discuss and consider approval of the minutes from the regular meeting of the Building Standards Commissions held on August 26, 2026.
Building Standards Commission: Meeting - 26 Aug 2026 - Minutes - Pdf

VI. **RECOGNITION OF AFFIDAVITS FOR CONFLICT OF INTEREST:**

VII. **PUBLIC HEARINGS:**

1. CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS 116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548), IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).
116 E Valley Road - Pdf

2. CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO

COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)), IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

1801 Verna Lee Blvd. - Pdf

VIII. **REPORTS FROM COMMISSIONERS:**

IX. **STAFF COMMENTS:**

X. **ADJOURNMENT:**

I, the undersigned authority, do hereby certify that pursuant to the Texas Open Meetings Act, the above Notice of Meeting of the Building Standards Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building bulletin board and the City of Harker Heights website which is readily accessible to the public at all times, by 6:00 P.M. on _____. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Andrea Contreras, Permit Technician

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5605, or email planning@harkerheights.gov for further information.

Minutes of the City of Harker Heights Building Standard Commission Meeting that was called to order on Wednesday, August 26, 2026, at 5:30 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Vice Chairman Bary Heidtbrink
Secretary Geri Schwartzman
Commissioner Frank Stewart
Commissioner Trisha Ratliff
Alternate Commissioner Angelina Seyler
Alternate Commissioner Claudette Morgan-Scott
Chairman Rodney Shine
Planning Coordinator Richelle Otero
Permit Technician Andrea Contreras

EXCUSED: Commissioner Elizabeth McDaniel
Commissioner Sharan Dockery
Commissioner Natalie Austin
Commissioner Joshua McCann
Alternate Commissioner Greg Dow

CALL TO ORDER:
Convene regular meeting of the Building Standards Commission and establish a quorum.

1. Chairman Rodney Shine called to order the regular meeting of the Building Standards Commission at 5:31 p.m.

   Chairman Rodney Shine called upon Alternate Commissioner Dr.Claudette Morgan-Scott and Alternate Commissioner Angelina Seyler to act as voting members for this meeting.

PUBLIC COMMENTS:
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Building Standards Commission, please clearly state your name and address prior to making a comment. ***No action may be taken by the Building Standards Commission during Public Comments.***

APPROVAL OF AGENDA:

1. Discuss and consider approval of the agenda for the regular meeting of the Building Standards Commission for August 26, 2026.

Vice-Chairman Bary Heidtbrink made a motion Approved agenda for August 26, 2026. Secretary Geri Schwartzman seconded the motion. Carried unanimously.

CONSENT AGENDA:

1. Discuss and consider approval of the minutes from the regular meeting of the Building Standards Commission held on July 30, 2025.
2. Discuss and consider approval of the minutes from the Building Standards Commission training meeting held on January 7, 2026.
3. Discuss and consider approval of the minutes from the regular meeting of the Building Standards Commission held on April 29, 2026.

Vice-Chairman Bary Heidtbrink made a motion to approve the consent agenda as presented. Secretary Geri Schwartzman seconded the motion. Carried unanimously.

RECOGNITION OF AFFIDAVITS FOR CONFLICTS OF INTEREST:

1. None received.

PUBLIC HEARINGS:

1. CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS WALL ADDITION, BLOCK 001, LOT 0005 AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1605 PIMA TRAIL, HARKER HEIGHTS, TEXAS, IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

   No public hearing was conducted as the owner came into compliance prior to consideration by the Building Standards Commission.

REPORTS FROM COMMISSIONERS:

1. None.

STAFF COMMENTS:

1. None.

ADJOURNMENT:

1. Chairman Rodney Shine adjourning the regular meeting of the Building Standards Commissions on August 26, 2026 at 5:44 p.m.

_____

Rodney Shine, Chairman

_____

Michael Stegmeyer, Secretary

Memorandum

FROM: The Office of the Planning and Development Director **DATE: October 28, 2026**

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS 116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548), IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

EXPLANATION:

BACKGROUND:

Subject Property: Residential site-built Structure, all accessory structures, and any other nuisances,

116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548.

Record Property Owner: ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
217 W BOBWHITE LANE
HARKER HEIGHTS, TX 76548

Record Property Owner:

On August 27, 2026, a visible inspection was made of this property from the right-of-way by Fabian Brooks, City of Harker Heights Building Inspector. This inspection was to identify the property as a possible substandard structure. An administrative search warrant was obtained and served on August 31, 2026, to inspect the property to determine if the structure met the requirements for a substandard structure set out in §160.04.

Based on the inspection performed by Fabian Brooks, Building Inspector on August 31, 2026, the structure does meet the requirements set in §160.04 as evidenced by the photos (Exhibit #7).

TIMELINE OF EVENTS:

- August 27, 2026 - Identified structure as substandard.
- August 31, 2026 - Administrative Search Warrant obtained (Exhibit #2).
- August 31, 2026 - Administrative Search Warrant served (Exhibit #2).
- August 31, 2026 - Visual Inspection of the property by Mr. Fabian Brooks, the City of Harker Heights Building Inspector.
- August 31, 2026 - Building Inspection Report is compiled, and Mr. Fabian Brooks, the City of Harker Heights Building Inspector, determined the structure to be unsafe, substandard, and a dangerous structure per §160.04 of the City of Harker Heights Code of Ordinances (Exhibit #3).
- September 2, 2026 - City Staff requested title sheet documents to determine all owners associated with 116 E Valley Road.
- September 15, 2026 - Notice of Public Hearing posted on all structures on the property and mailed via U.S.P.S. certified mail to the owner (Exhibit #4).
- September 15, 2026 - Notice of Public Hearing filed with Bell County (Exhibit #5).
- October 11, 2026 - Notice of Public Hearing published in the Killeen Daily Herald, the newspaper of general circulation (Exhibit 6).
- October 28, 2026 - BSC Public Hearing.

RECOMMENDATION:

Per City of Harker Heights Code of Ordinance and Texas Local Government Code, the Building Standards Commission may consider the following:

1. **ORDER** that the owner, mortgagee, lienholder, or trustee **Repair, Remove, OR Demolish** the structure(s) with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

Below are additional details on what to consider when determining an **Order**:

- **Repair.** If the owner, lienholder, mortgagee, or trustee demonstrates that the building can be feasibly repaired within the time allowed by this section, it shall be ordered remedied or repaired. Repairs shall be deemed feasible only if less than 50% of the structure of the building must be repaired or replaced, or the value of the structure is reduced by less than 50% because of the violations.
- **Vacate and Secure.** If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.
- **Demolish or Remove**. In any case where the owner, lienholder, mortgagee, or trustee fails to demonstrate that the building can be feasibly repaired within the time allowed by this section, the Commission may order that the building be demolished with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances.

Based upon the inspection performed on August 31, 2026, the Director of Planning/Building Official recommends that the Building and Standards Commission:

1. **FIND** that a site-built structure, all accessory structures, and any nuisances located on property at 116 E Valley Road, Harker Heights, Texas 76548, described as: Valley View, Block 001, Lot 0008, an addition to the city of Harker Heights in Bell County, Texas, also commonly known as 116 E Valley Road, Harker Heights, Texas 76548, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances, and;
2. **ORDER** that the owner, mortgagee, lienholder, or trustee **Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s) and/or any other nuisance on the property within 30 calendar days from the public hearing** with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

ACTION BY THE BUILDING AND STANDARDS COMMISSION:

Action #1

1. **FIND**, by a majority vote, that a site-built structure, all accessory structures, and any nuisances located on property at 116 E Valley Road, Harker Heights, Texas 76548, described as: Valley View, Block 001, Lot 0008, an addition to the city of Harker Heights in Bell County, Texas, also commonly known as 116 E Valley Road, Harker Heights, Texas 76548, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
2. **DO NOT FIND**, by a majority vote, that a site-built structure, all accessory structures, and any nuisances located on property at 116 E Valley Road, Harker Heights, Texas 76548, described as: Valley View, Block 001, Lot 0008, an addition to the city of Harker Heights in Bell County, Texas, also commonly known as 116 E Valley Road, Harker Heights, Texas 76548, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
3. Any other action desired.

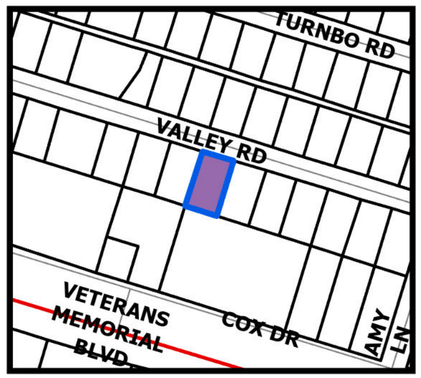
Action #2

1. **ORDER** that the owner, mortgagee, lienholder, or trustee **Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s), and/or any other nuisance on the property within 30 calendar days from the public hearing,** with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.
2. Any other action desired.

ATTACHMENTS:

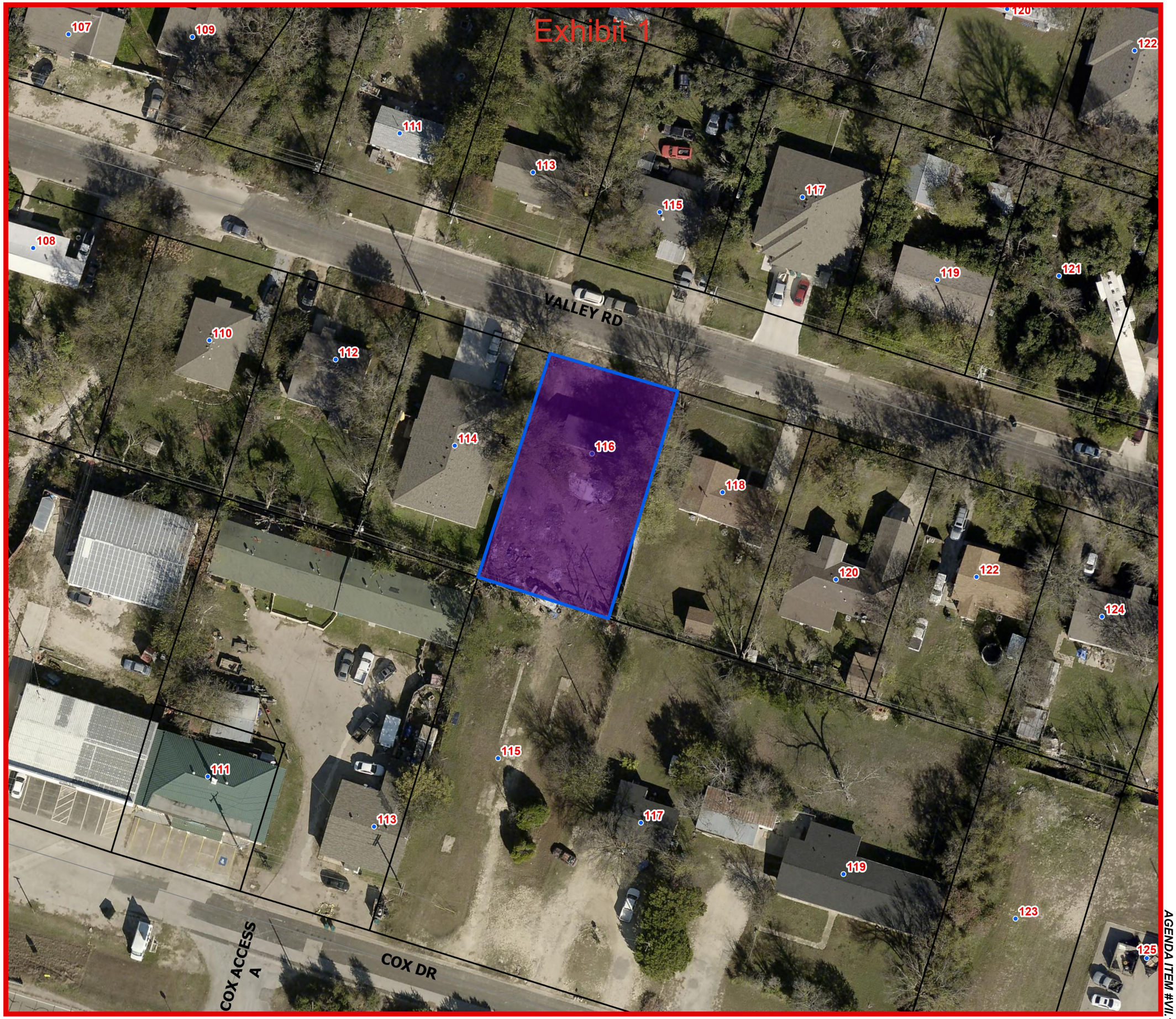
Exhibit 1 - Location Map
Exhibit 2 - Warrant Served
Exhibit 3 - Building Inspection Report
Exhibit 4 - Notice of Public Hearing on Property
Exhibit 5 - Filing with County
Exhibit 6 - Legal Ad
Exhibit 7 - Photos
Exhibit 8 - Ordinance

October 2026 BSC



116 E. Valley Road

Exhibit 1



0 37.5 75 150 Feet

City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2051.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

10/29/2025 1:1,982

AGENDA ITEM #VII.1.

Exhibit 2

RETURN

STATE OF TEXAS	§	A SINGLE FAMILY RESIDENCE
	§	LOCATED AT
COUNTY OF BELL	§	
		116 E Valley Road, Harker Heights
		BELL COUNTY, TEXAS

The undersigned Affidavit, being a Code Enforcement Officer of the City of Harker Heights, Texas, and being duly sworn, on oath, certifies that the foregoing Warrant came on hand on the day it was issued and that it was executed on 8.31.24, by making the inspection directed therein.

Affiant

SUBSCRIBED AND SWORN TO before me, authority, by said Affiant on August 31, 2024.

Notary Public, State of Texas

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 3

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5614

Date: 8/31/2024

Time: 3:08 pm

Address: 116 E Valley Rd

Legal Description: Valley View, Block 001, Lot 0008

Property Owner: Robert Lewis **Lien Holder(s):**

Property Occupant(s): Vacant

Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) *The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and a nuisance because it has the conditions of defects hereinafter described:*

- [x] (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.
- [x] (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose
- [x] (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
  - [x] (a) The building constitutes a danger to the public even though secured from entry; or
  - [x] (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section
- [x] (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence
- [x] (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building
- [x] (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

- (a) Lack of, or improper lavatory
- (b) Lack of improper bathtub or shower in a dwelling unit or lodging house
- (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel
- (d) Lack of, or improper kitchen sink in a dwelling unit
- (e) Lack of hot and cold running water to plumbing fixtures
- (f) Lack of, or improper operation of adequate heating facilities
- (g) Lack or, or improper operation of required ventilation equipment
- (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city
- (i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation by the city
- (j) Lack of required electrical lighting
- (k) Excessive dampness or mol din habitable rooms
- (l) Infestation or insects, vermin, or rodents
- (m) General dilapidation or improper maintenance
- (n) Lack of connection to required sewage disposal system
- (o) Lack of adequate garbage and rubbish storage and removal facilities

(8) Whenever any building contains structural hazards, including but not limited to the following:

- (a) Deteriorated or inadequate foundation
- (b) Defective or deteriorated flooring of floor support
- (c) Flooring or floor supports are insufficient to carry imposed loads with safety
- (d) Members or walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration
- (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety
- (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration
- (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety
- (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration
- (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of building

(B) *The above referenced building, for the purpose of* ***§160.04 of Chapter 160*** *of the City of Harker Heights, Texas , Code of Ordinances shall be deemed and hereby declared to be a dangerous and substandard building, and nuisance, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:*

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1˝ times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location

☑ (14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard

☑ (15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered

☑ (16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the City of Harker Heights, Bell County, Texas

Fabian Brooks, Building Inspector

Subscribed and sworn to before my by Fabian Brooks, a credible person, on August 31, 2026.

Andrea Contreras

Notary Public in and for Bell County

My Commission expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

NOTICE OF PUBLIC HEARING

Record Owner: **ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS**
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

Property: **116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)**

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is posted. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the structures (site-built structure, all accessory structures, and other nuisances) located on the property at 116 E Valley Road. Based on those inspection(s) the Building Inspector has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held **on October 28, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kitty Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

116 E Valley Road		
§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:		
Condition Exists (Yes or No)	**Condition**	**City of Harker Heights Code of Ordinance Reference**
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)

Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building.	§164.04(A)(5)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public	§160.04(A)(6)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of, adequate heating facilities (g) Lack of or improper operation of, required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities.	§160.04(A)(7) (a-o)
Yes	Whenever any building contains structural hazards, including but not limited to the following: (a) Deteriorated or inadequate foundation. (b) Defective or deteriorated flooring or floor supports. (c) Flooring or floor supports are insufficient to carry imposed loads with safety. (d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration. (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety. (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration. (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety. (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration. (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.	§160.04(A)(8) (a-i)
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.	§160.07(A)(9)

§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.	§160.7(B)(1)
Yes	Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	§160.07(B)(2)
Yes	Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(3)
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(4)
Yes	Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.	§160.07(B)(5)
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.	§160.07(B)(6)
Yes	Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.	§160.07(B)(7)
Yes	Whenever the building or any portion thereof is likely to partially or completely collapse because of:	§160.07(B)(8) (a-e)

	(a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.	
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.	§160.07(B)(9)
Yes	Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.	§160.07(B)(10)
Yes	Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.	§160.07(B)(11)
Yes	Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity.	§160.07(B)(12)
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.	§160.07(B)(13) (a-c)
Yes	Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.	§160.07(B)(14)
Yes	Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.	§160.07(B)(15)
Yes	Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.	§160.07(B)(16)

Exhibit 4

DANGER

THIS BUILDING DEEMED UNSAFE FOR HUMAN OCCUPANCY

UNDER SECTION 160.04 OF THE BUILDING CODE OF THE CITY OF HARKER HEIGHTS

IT IS UNLAWFUL FOR ANY PERSON TO OCCUPY OR RESIDE IN THIS BUILDING

116 E Valley Rd

Building Official

ANY UNAUTHORIZED PERSON REMOVING THIS SIGN MAY BE PROSECUTED

DATE 8.31.2026 REFER to Sec. 160.14 of Building Code

HHBD-22 (12/90)

Harker Heights

NOTICE OF PUBLIC HEARING

Record Owner: ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

Property: 116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

According to the real property records of Bell County, you own the real property described in this Notice. 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 the office not later than the 20th day after the date this Notice is posted. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the structures (site-built, structure, all accessory structures, and other nuisances) located on the property at 116 E Valley Road. Based on those inspection(s) the Building Inspector has found the said building(s) are dangerous and/or substandard (nuisance(s)) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kern Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the building(s) be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254) 953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

116 E Valley Road

§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by Division (A)(2) of this section	§160.04(A)(3)

ADMINISTRATIVE SEARCH WARRANT

STATE OF TEXAS §
COUNTY OF BELL §

TO: Any health officer, fire marshal, or code enforcement officer of the City of Harker Heights, Bell County, Texas

WHEREAS, **Fabian Brooks** the building inspector of the City of Harker Heights, Bell County, Texas, and a credible person that has presented a written affidavit to me, which Affidavit was attached to this warrant when it was presented and signed and is by this reference incorporated into this warrant for all purposes;

AND WHEREAS, I find that the verified facts stated by affiant, **Fabian Brooks**, in the Affidavit show that there is probable cause that there is a public nuisance, or a violation of a fire, health, or building regulation, state, statute of the Code of Harker Heights at the premises described and located as follows.

116 E Valley Rd, Harker Heights, **Bell** County, Texas 76548

VALLEY VIEW, BLOCK 001, LOT 0008

AND WHEREAS, the Affidavit presents the necessary evidence establishing the existence of proper grounds for the issuance of this Administrative Search Warrant pursuant to Article 18.05 of the Texas Code of Criminal Procedure;

NOW, THEREFORE, I do hereby ORDER that any health officer, fire marshal, or code enforcement officer of the City of Harker Heights, Texas, execute this Warrant and enter the Premises to inspect and determine if evidence exists that said Premises are substandard or dangerous in violation of the Code. A video and or photographic record of the evidence shall be permitted.

Herein fail not, but have execution with your return thereon, showing how you have executed the same.

ISSUED AT 12:47 o'clock P M. on this the 31st day of August, 2026 to certify which witness my hand this day.

COURT MAGISTRATE

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5666

Date: 08/31/2026
Time: 02:08 pm
Address: 116 E Valley Rd
Legal Description: VALLEY VIEW, BLOCK 001, LOT 0008
Property Owner: Robert Lewis Lien Holder(s):
Property Occupant(s): Vacant
Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and anuisance because it has the conditions of defects hereinafter described:

- [ ] (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.
- [ ] (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose
- [x] (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
  - [x] (a) The building constitutes a danger to the public even though secured from entry; or
  - [x] (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section
- [x] (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence
- [ ] (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building
- [ ] (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

Page 1 of 2

09/15/2026 9:02 AM

AGENDA ITEM #VII.1.

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 14, 2026

Record Owner:
ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
217 W BOBWHITE LANE
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8199**

Property:
116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **116 E Valley Road.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 14, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 14, 2026

Record Owner:
ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8205**

Property:
116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **116 E Valley Road.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 14, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

FORM E: NOTICE OF THE PUBLIC HEARING

NOTICE OF PUBLIC HEARING TO BE HELD BEFORE THE BUILDING AND STANDARDS COMMISSION ON **OCTOBER 28, 2026, IMMEDIATELY FOLLOWING THE REGULAR MEEING OF THE PLANNING AND ZONING COMMISSION AT 5:30 PM** IN THE COUNCIL CHAMBERS LOCATED AT THE CITY OF HARKER HEIGHTS CITY HALL, 305 MILLER'S CROSSING, HARKER HEIGHTS, BELL COUNTY, TEXAS, 76548.

NAME AND ADDRESS OF RECORD OWNER:

ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

NAME AND ADDRESS OF LIENHOLDERS, MORTGAGEES OR OTHER PERSONS WITH INTEREST:

ACCORDING TO THE RECORDS OF BELL COUNTY APPRAISAL DISTRICT, YOU ARE THE OWNER, LIENHOLDER OR MORTGAGEE OF PROPERTY DESCRIBED AS:

116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, also commonly known as 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

According to the real property records of Bell County, you own the real property described in this notice:

116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, also commonly known as 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

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, even if you do not.

Please be advised that on **AUGUST 31, 2026** the Building Inspector of the City of Harker Heights has found and determined that the site-built structure, all accessory structure(s), and other nuisances on the above-described property are substandard, and proceedings shall commence to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building. Attached please find a copy of the Substandard Building Inspection Report dated **August 31,**

2026, describing the conditions found to render the building substandard or dangerous pursuant to the minimum standards for continued use and occupancy set forth in **§160.04 of Chapter 160** of the City of Harker Heights Code of Ordinance.

A Public Hearing will be held on the date noted above before the Building and Standards Commission to determine whether the building/structure(s) located at the above-described property complies with the standards set out in **§160.04 of Chapter 160** of the City of Harker Heights Code of Ordinance.

According to law, the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the Code, and the time it will take to reasonably perform the work.

If the Building and Standards Commission finds the building(s) to be in violation of the standards set forth in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance, the Building and Standards Commission may order that the building(s) be repaired, vacated, and secured, removed or demolished, or the occupants relocated, by the owner, mortgagee or lienholder within thirty days (30 days).

If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance. The expenses incurred by the City shall be a personal obligation of the property owner in addition to a priority lien being placed upon the property to secure payment.

If you should have any questions regarding this notice, or you are not the owner, mortgagee, or lienholder please call the office of the Director of Planning/Building Official at **(254) 953-5647** or write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Texas 76548.

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road, Harker Heights, TX, 76548
- EXHIBIT B: Harker Heights Code Chapter 160

Director of Planning/Building Official Printed Name Michael Boards

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

NOTARY PUBLIC STATE OF TEXAS

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

NOTICE OF PUBLIC HEARING

Record Owner: **ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS**
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

Property: **116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)**

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is posted. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the structures (site-built structure, all accessory structures, and other nuisances) located on the property at 116 E Valley Road. Based on those inspection(s) the Building Inspector has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held **on October 28, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kitty Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

116 E Valley Road		
§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:		
Condition Exists (Yes or No)	**Condition**	**City of Harker Heights Code of Ordinance Reference**
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)

Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building.	§164.04(A)(5)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public	§160.04(A)(6)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of, adequate heating facilities (g) Lack of or improper operation of, required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities.	§160.04(A)(7) (a-o)
Yes	Whenever any building contains structural hazards, including but not limited to the following: (a) Deteriorated or inadequate foundation. (b) Defective or deteriorated flooring or floor supports. (c) Flooring or floor supports are insufficient to carry imposed loads with safety. (d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration. (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety. (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration. (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety. (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration. (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.	§160.04(A)(8) (a-i)
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.	§160.07(A)(9)

§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.	§160.7(B)(1)
Yes	Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	§160.07(B)(2)
Yes	Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(3)
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(4)
Yes	Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.	§160.07(B)(5)
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.	§160.07(B)(6)
Yes	Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.	§160.07(B)(7)
Yes	Whenever the building or any portion thereof is likely to partially or completely collapse because of:	§160.07(B)(8) (a-e)

	(a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.	
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.	§160.07(B)(9)
Yes	Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.	§160.07(B)(10)
Yes	Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.	§160.07(B)(11)
Yes	Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity.	§160.07(B)(12)
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.	§160.07(B)(13) (a-c)
Yes	Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.	§160.07(B)(14)
Yes	Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.	§160.07(B)(15)
Yes	Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.	§160.07(B)(16)

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 14, 2026

Record Owner:
ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8205**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **116 E VALLEY ROAD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Robert Lewis or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Robert Lewis or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **116 E Valley Road, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **116 E Valley Road, Harker Heights, Texas 76548.** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road. Harker Heights, Texas 76548
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 14, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 14, 2026

Record Owner:
ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
116 E VALLEY ROAD
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8205**

Property:
116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **116 E Valley Road.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 14, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5614

Date: 8/31/2024

Time: 3:08 pm

Address: 116 E Valley Rd

Legal Description: Valley View, Block 001, Lot 0008

Property Owner: Robert Lewis **Lien Holder(s):**

Property Occupant(s): Vacant

Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) *The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and a nuisance because it has the conditions of defects hereinafter described:*

- [x] (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.
- [x] (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose
- [x] (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
  - [x] (a) The building constitutes a danger to the public even though secured from entry; or
  - [x] (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section
- [x] (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence
- [x] (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building
- [x] (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

- (a) Lack of, or improper lavatory
- (b) Lack of improper bathtub or shower in a dwelling unit or lodging house
- (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel
- (d) Lack of, or improper kitchen sink in a dwelling unit
- (e) Lack of hot and cold running water to plumbing fixtures
- (f) Lack of, or improper operation of adequate heating facilities
- (g) Lack or, or improper operation of required ventilation equipment
- (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city
- (i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation by the city
- (j) Lack of required electrical lighting
- (k) Excessive dampness or mol din habitable rooms
- (l) Infestation or insects, vermin, or rodents
- (m) General dilapidation or improper maintenance
- (n) Lack of connection to required sewage disposal system
- (o) Lack of adequate garbage and rubbish storage and removal facilities

(8) Whenever any building contains structural hazards, including but not limited to the following:

- (a) Deteriorated or inadequate foundation
- (b) Defective or deteriorated flooring of floor support
- (c) Flooring or floor supports are insufficient to carry imposed loads with safety
- (d) Members or walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration
- (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety
- (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration
- (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety
- (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration
- (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of building

(B) *The above referenced building, for the purpose of* ***§160.04 of Chapter 160*** *of the City of Harker Heights, Texas , Code of Ordinances shall be deemed and hereby declared to be a dangerous and substandard building, and nuisance, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:*

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location

☑ (14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard

☑ (15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered

☑ (16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the City of Harker Heights, Bell County, Texas

Fabian Brooks, Building Inspector

Subscribed and sworn to before my by Fabian Brooks, a credible person, on August 31, 2021.

Andrea Contreras

Notary Public in and for Bell County

My Commission expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

CHAPTER 160: UNSAFE, SUBSTANDARD AND DANGEROUS STRUCTURES

Section

160.01 Findings and purpose

160.02 Definitions

160.03 Generally

160.04 Minimum standards; substandard buildings declared

160.05 Determination by building official

160.06 Public hearing for abatement of substandard buildings

160.07 Order of Commission regarding substandard buildings

160.08 Notice of order of the Commission

160.09 Enforcement of the order of the Commission

160.10 Performance of work by the city

160.11 Recovery of cost of securing, repair, removal or demolition

160.12 Additional authority to secure certain substandard buildings prior to public hearing and secure, demolish, repair or remove certain dangerous buildings

160.13 Violations

160.14 Civil penalty

160.15 Authority not limited

160.16 Authority of City Attorney

§ 160.01 FINDINGS AND PURPOSE.

The facts and recitations contained in the preamble of the ordinance that is the basis for this chapter are found and declared to be true and correct.

(Ord. 2011-07, passed 4-12-11)

§ 160.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings as ascribed to them in this section, except where the context clearly indicated a different meaning.

BUILDING. Includes any building, fence, retaining wall, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.

BUILDING OFFICIAL. The person designated by the City Council to enforce this chapter.

COMMISSION. The Building and Standards Commission established pursuant to § 33.80.

STANDARD CODES. The codes adopted and amended by § 150.02.

(Ord. 2011-07, passed 4-12-11)

§ 160.03 GENERALLY.

(A) *Powers of the building official.*

(1) *Administration.* The building official is hereby authorized to enforce the provisions of this chapter. The building official shall have the power to render interpretations of this chapter and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter.

(2) *Inspections.* All buildings within the scope of this chapter and all construction or work for which a permit is required shall be subject to inspection by the building official. The building official, fire marshal and their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

(3) *Right of entry.* When it is necessary to make an inspection to enforce the provisions of this chapter, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this chapter which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform

the duties imposed by this chapter, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(B) *Abatement of dangerous or substandard buildings.* All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this chapter are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this chapter.

(C) *Notice.* When notice is given in accordance with this chapter to a property owner, lienholder, or mortgagee, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered. On receipt of a notice under this chapter, a manager of the affected property shall notify the owner of the notice within 10 days.

(Ord. 2011-07, passed 4-12-11)

§ 160.04 MINIMUM STANDARDS; SUBSTANDARD BUILDINGS DECLARED.

(A) *Substandard building.* For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

(1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

(2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.

(3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

(a) The building constitutes a danger to the public even though secured from entry; or

(b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.

(4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.

(5) Whenever any portion of a building remains on a site after the demolition or destruction of the building.

(6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public.

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

(a) Lack of, or improper lavatory.

(b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house.

(c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel.

(d) Lack of, or improper kitchen sink in a dwelling unit.

(e) Lack of hot and cold running water to plumbing fixtures.

(f) Lack of, or improper operation of, adequate heating facilities.

(g) Lack of, or improper operation of, required ventilating equipment.

(h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city.

(i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation of the city.

(j) Lack of required electrical lighting.

(k) Excessive dampness or mold in habitable rooms.

(l) Infestation of insects, vermin or rodents.

(m) General dilapidation or improper maintenance.

(n) Lack of connection to required sewage disposal system.

(o) Lack of adequate garbage and rubbish storage and removal facilities.

(8) Whenever any building contains structural hazards, including but not limited to the following:

(a) Deteriorated or inadequate foundation.

(b) Defective or deteriorated flooring or floor supports.

(c) Flooring or floor supports are insufficient to carry imposed loads with safety.

(d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

(e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety.

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

(i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(B) *Dangerous and substandard building.* For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or

illegal activity.

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.05 DETERMINATION BY BUILDING OFFICIAL.

When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:

(A) Issue notice to the record owner that the building is substandard and must be repaired or demolished;

(B) Issue a citation for each violation of this chapter;

(C) Secure the building if permitted by this chapter; or

(D) Commence abatement proceedings before the Commission pursuant to §160.06.

(Ord. 2011-07, passed 4-12-11)

§ 160.06 PUBLIC HEARING FOR ABATEMENT OF SUBSTANDARD BUILDINGS.

(A) *Commencement of proceedings.* When the building official has found and determined that a building is a substandard building, the building official may commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

(B) *Public hearing to be held.* Except when the Commission finds that a building is likely to immediately endanger persons or property, a public hearing shall be held before the Commission to determine whether a building complies with the standards set out in § 160.04. If the Commission determines that the building constitutes an immediate danger, the procedures set forth in § 160.12(B) and following shall be followed.

(C) *Notice.* Not less than ten days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the identity and address of any owner, lienholder or mortgagee of the building through searching the Bell County real property records, the records of the Bell County Tax Appraisal District, records of the Secretary of State, Bell County assumed name records, tax records of the city, and utility records of the city. The notice shall contain:

(1) The name and address of the record owner;

(2) The street address or legal description sufficient for identification of the premises upon which the building is located;

(3) A statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of § 160.04;

(4) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the chapter, and the time it will take to reasonably perform the work;

(5) Notice of the time and place of the public hearing; and

(6) A statement that if the building is found to be in violation of this chapter, the Commission may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.

(D) *Additional notice of public hearing.* Prior to the public hearing; the city may file a copy of the notice mailed pursuant to this section in the official public records of real property in Bell County. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Commission at the public hearing, prior to any remedial action by the city. The city shall also post a copy of the notice mailed pursuant to this section on the front door of each improvement situated on the affected property, or as close thereto as practicable, or if there is no front door then at a conspicuous location on the property. In addition, the notice must be published in a newspaper of general circulation in the city on one occasion on or before the tenth day before the date fixed for the hearing.

(E) *Burden of proof.* At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this chapter, and the time it will take to reasonably perform the work.

(F) *Conduct of public hearing.* All cases to be heard by the Commission must be heard by a panel of at least five members and/or alternate members, and a majority vote of the members voting on a matter is necessary to take action thereon. At the public hearing, the owner of the building, and all other interested persons may make their appearance in person or by attorney, and shall have a reasonable opportunity to be heard. Any relevant evidence may be received and considered by the Commission, and for this purpose the chairperson or acting chairperson shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents. The hearing may be adjourned from day to day or continued upon a majority vote of the Commission, in compliance with the Open Meetings Act.

(Ord. 2011-07, passed 4-12-11)

§ 160.07 ORDER OF COMMISSION REGARDING SUBSTANDARD BUILDING.

(A) *Findings and order of the Commission.* If the Commission, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in § 160.04, the Commission may order the owner, mortgagee or lienholder to take action as required by this section.

(1) *Repair.* If the owner, lienholder or mortgagee demonstrates that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, it shall be ordered remedied or repaired to comply with such codes. Repair shall be deemed feasible only if less than 50% of the structure must be repaired or replaced to comply with all applicable codes, or if the value of the structure is reduced by less than 50% because of the violations.

(2) *Vacate and secure.* If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.

(3) *Demolish or remove.* In any case where the owner, lienholder or mortgagee fails to demonstrate that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, the Commission may order that the building be demolished or removed.

(B) *Time allowed to complete work.*

(1) The order must require the owner, lienholder or mortgagee of the building to within 30 days:

(a) Secure the building from unauthorized entry; and/or

(b) Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(2) If the Commission allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Commission.

(3) The Commission may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:

(a) Submits a detailed plan and time schedule for the work at the hearing; and

(b) Establishes at the hearing that the work cannot be reasonably completed within 90 days because of the scope and complexity of the work.

(4) If the Commission allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Commission or the building official to demonstrate compliance with the time schedules.

(C) *Contents of order.* The order of the Commission must contain at minimum:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located; and

(2) A description of the violation of minimum standards present in the building; and

(3) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

(4) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and

(5) If the Commission has determined that the building will endanger persons or property and that the building is a dwelling with ten or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2017-10, passed 5-23-17)

§ 160.08 NOTICE OF ORDER OF THE COMMISSION.

(A) *Order shall be mailed.* After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.

(B) *Order shall be filed with City Secretary.* Within ten days after the date that the order is issued by the Commission, the building official shall file a copy of the order in the office of the City Secretary.

(C) *Order shall be published.* Within ten days after the date the order is issued by the Commission, the building official shall publish in a newspaper of general circulation within the city a notice containing:

(1) The street address or legal description of the property;

(2) The date the hearing was held;

(3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

(D) *Filing of order or abstract.* The order may be filed in the official public records of real property in Bell County. An abstract or judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(Ord. 2011-07, passed 4-12-11)

§ 160.09 ENFORCEMENT OF THE ORDER OF THE COMMISSION.

(A) *Compliance.* If an order of the Commission under this chapter is not complied with, the city may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:

(1) The city may not act to remove or demolish a building until after the Commission has found:

(a) That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

(b) The building is infeasible of repair, or there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

(2) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:

(a) The Commission has made a determination that the building is likely to endanger person or property; and

(b) The building is a residential dwelling with ten or fewer dwelling units.

(3) In the event there are mortgagors or lienholders, the city may only repair, remove or demolish the building after allowing the lienholder or mortgagee an additional 30 days after the time prescribed in the order has expired to complete the required work.

(4) Unless specifically authorized by a court order or by a written agreement signed by all record owners, mortgagees and lienholders, the city may not act to remove or demolish a building during the pendency of any appeal to a court of competent jurisdiction of the Commission's order.

(B) *Posting of notice to vacate building.* If the order requires vacation or if compliance is not had within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and shall be posted at or upon each entrance to the building. The notice shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is unlawful to occupy this building or to remove or deface this notice.

The Harker Heights Building and Standards Commission has declared this building to be substandard. To obtain a copy of this order, contact the City Secretary at 305 Miller's Crossing, Harker Heights, Texas, (254) 953-5600.

_____

Building Official

City of Harker Heights"

(C) *Remedial action by city.* Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.

(D) *Permit required.* Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the city. All permits issued pursuant to an order of the Commission shall expire upon expiration of the time for compliance set forth in the order.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2012-02, passed 2-14-12)

§ 160.10 PERFORMANCE OF WORK BY THE CITY.

(A) *Procedure.* When any work of repair, removal, demolition or securing is to be performed by the city, the work may be accomplished by city personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.

(B) *Costs.* The cost of such work shall be paid from city funds and shall constitute a special assessment and a lien against such property to secure payment thereof together with 10% interest on such amount from the date on which the work is performed.

(C) *Repair to minimum standards only.* The city may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with the minimum standards set forth in § 160.04.

(Ord. 2011-07, passed 4-12-11)

§ 160.11 RECOVERY OF COST OF SECURING, REPAIR, REMOVAL OR DEMOLITION.

(A) *Itemized account and notice of lien.* The building official shall keep an itemized account of the expenses incurred by the city in the securing, repair, removal or demolition of any building pursuant to this chapter. Upon completion of the work, the building official shall prepare and file with the City Secretary a sworn account and notice of lien containing the following information:

(1) The name and address of the owner if that information can be determined with a reasonable effort;

(2) A legal description of the real property on which the building is or was located;

(3) The type of work performed; and

(4) The amount of expenses incurred by the city in performing the work and the balance due.

(B) *Notice filed in county records.* The City Secretary shall file the notice of lien along with a copy of the order of abatement issued by the Commission in the official public records of Bell County.

(C) *Personal obligation of property owner.* The expenses incurred by the city as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property.

(D) *Lien shall be valid and privileged.* Upon filing of the notice of lien in the official public records of Bell County, Texas, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens and existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.

(E) *Assessment must be paid.* No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the city.

(F) *Release of lien.* After the expenses incurred by the city, as set forth in the sworn account of the building official, have been fully paid with interest of 10% per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the official public records of Bell County.

(Ord. 2011-07, passed 4-12-11)

§ 160.12 ADDITIONAL AUTHORITY TO SECURE CERTAIN SUBSTANDARD BUILDINGS PRIOR TO PUBLIC HEARING AND SECURE, DEMOLISH, REPAIR OR REMOVE CERTAIN DANGEROUS BUILDINGS.

(A) *Securing of unoccupied, substandard building.* Notwithstanding any other provisions of this chapter the city may secure a building if the building official determines that the building:

(1) Violates the minimum standards set forth in §160.04; and

(2) Is unoccupied or is occupied only by persons who do not have the right of possession to the building.

(B) *If building creates immediate danger.* Notwithstanding any other provisions of this chapter, if the Commission finds that a building is likely to immediately endanger persons or property the Commission may:

(1) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure

is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or

(2) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.

(C) *Notice to owner.* Before the eleventh day after the date the building is secured pursuant to division (A) above, or action is ordered pursuant to division (B)(1) above, or the building is repaired, removed or demolished pursuant to division (B)(2) above, the building official shall give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and

(5) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the County Clerk.

(D) *Contents of notice.* The notice must contain:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located;

(2) A description of the violation of the minimum standards present in the building;

(3) A statement that the city will secure or has secured, as the case may be, the building, or that the city has taken or will take the action ordered pursuant to division (B); and

(4) An explanation of the owner's entitlement to request a hearing about any matter relating to the city's securing, removing, demolishing or repairing of the building.

(E) *Hearing.* The Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing, repairing, removing or demolishing of the building, if, within 30 days after the date the city has taken action pursuant to divisions (B)(1) or (B)(2) of this section, the owner files with the city a written request for the hearing. The hearing shall be conducted within 20 days after the date the request is filed.

(F) *Expenses.* If the city incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by §160.10 and § 160.11.

(Ord. 2011-07, passed 4-12-11)

§ 160.13 VIOLATIONS.

(A) *Generally.* Except with the valid written permission of the building official, it shall be unlawful for any person to:

(1) Erect, construct or maintain any building that is deemed herein to be a nuisance;

(2) Use, occupy, enter, or remain in any building that is posted with a notice to vacate;

(3) Remove, damage or deface a notice to vacate posted under this chapter; or

(4) Cause or permit any act to be done in violation of any provision of this chapter.

(B) *Compliance with order.* It shall be unlawful for any person to whom an order of the Commission is directed to fail to comply with such order.

(C) *Interference prohibited.* It shall be unlawful for any person to obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this chapter; or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the city, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this chapter, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this chapter.

(D) *Transfer of ownership.* No person may sell, transfer, mortgage, lease or otherwise dispose of a building or property that is the subject of a notice of substandard building, a citation, or an order of the Commission under this chapter until:

(1) The deficiencies noted in the notice, citation or order have been corrected and a new certificate of occupancy has been issued by the city; or

(2) The building official receives a signed and notarized statement from the grantee, transferee, mortgagee or lessee,

acknowledging the receipt of the notice, citation or order, and unconditionally accepting the responsibility for timely correcting the deficiencies noted therein.

(E) *Separate violations.* Each building or property which is in violation of any part of this chapter is a separate offense. Each violation in any building or property is a separate offense. Each and every day's violation shall constitute a separate and distinct offense.

(F) *Municipal court.* Proceedings under the jurisdiction of the municipal court are not affected by proceedings of the Commission or civil penalties under this chapter.

(Ord. 2011-07, passed 4-12-11)

§ 160.14 CIVIL PENALTY.

(A) *Civil penalty authorized.* In addition to any other enforcement authority provided for by law, and without regard to any criminal prosecution or conviction under this chapter, the Commission may at an administrative hearing assess a civil penalty by order against a property owner for failure to comply with an order issued by the Commission pursuant to this chapter.

(B) *Showing required.* The civil penalty may be assessed if it is shown at the administrative hearing that:

(1) The property owner was notified of the contents of the order issued pursuant to §160.07; and

(2) The property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

(C) *Amount of penalty.* The civil penalty may be assessed in an amount not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10 a day for each violation.

(D) *Notice of administrative hearing.* Not less than ten days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail, return receipt requested. The notice shall contain:

(1) A copy of the order issued by the Commission pursuant to §160.07;

(2) A statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;

(3) A statement that at the administrative hearing the Commission may assess a civil penalty not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed $10 a day for each violation; and

(4) Notice of the time and place of the hearing.

(E) *Copy of order filed with district clerk.*After the civil penalty is assessed, the City Secretary shall file with the Bell County District Clerk a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.

(F) *Enforcement.* The civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this division is final and binding and constitutes prima facie evidence of the penalty in any suit.

(Ord. 2011-07, passed 4-12-11)

§ 160.15 AUTHORITY NOT LIMITED.

Notwithstanding all other provisions of this chapter, nothing herein shall be deemed a limitation on the duty of the city to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.16 AUTHORITY OF CITY ATTORNEY.

The City Attorney may without further authorization of the City Council undertake the enforcement of this chapter by all legal means appropriate or necessary, including but not limited to: enforcement in municipal court; filing a notice of *lis pendens* in the official public records of Bell County; filing of appropriate civil actions in courts of appropriate jurisdiction to seek compliance with an order made under this chapter, to collect a civil penalty, or recover costs as provided by this chapter; to appointment of a receiver as provided by Local Government Code Chapter 214; and to defend the city from suit if suit is taken to appeal any action of the city.

(Ord. 2011-07, passed 4-12-11)

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 14, 2026

Record Owner:
ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
217 W BOBWHITE LANE
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8199**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **116 E VALLEY ROAD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Robert Lewis or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Robert Lewis or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **116 E Valley Road, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **116 E Valley Road, Harker Heights, Texas 76548.** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road. Harker Heights, Texas 76548
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 14, 2026

Notary Public Signature Briana Contreras

My Commission Expires

NOTARY PUBLIC STATE OF TEXAS
ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
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City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 14, 2026

Record Owner:
ROBERT LEWIS & LAURETTA LEWIS-MATTHEWS
217 W BOBWHITE LANE
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8199**

Property:
116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **116 E Valley Road.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 116 E Valley Road.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 14, 2026

Notary Public Signature Ariana Contreras

My Commission Expires

NOTARY PUBLIC STATE OF TEXAS
ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5614

Date: 8/21/2024

Time: 3:08 pm

Address: 116 E Valley Rd

Legal Description: Valley View, Block 201, Lot 6808

Property Owner: Robert Lewis Lien Holder(s): _____

Property Occupant(s): Vacant

Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and a nuisance because it has the conditions of defects hereinafter described:

☑ (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

☑ (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose

☑ (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

☑ (a) The building constitutes a danger to the public even though secured from entry; or

☑ (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section

☑ (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence

☑ (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building

☑ (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

- (a) Lack of, or improper lavatory
- (b) Lack of improper bathtub or shower in a dwelling unit or lodging house
- (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel
- (d) Lack of, or improper kitchen sink in a dwelling unit
- (e) Lack of hot and cold running water to plumbing fixtures
- (f) Lack of, or improper operation of adequate heating facilities
- (g) Lack or, or improper operation of required ventilation equipment
- (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city
- (i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation by the city
- (j) Lack of required electrical lighting
- (k) Excessive dampness or mol din habitable rooms
- (l) Infestation or insects, vermin, or rodents
- (m) General dilapidation or improper maintenance
- (n) Lack of connection to required sewage disposal system
- (o) Lack of adequate garbage and rubbish storage and removal facilities

(8) Whenever any building contains structural hazards, including but not limited to the following:

- (a) Deteriorated or inadequate foundation
- (b) Defective or deteriorated flooring of floor support
- (c) Flooring or floor supports are insufficient to carry imposed loads with safety
- (d) Members or walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration
- (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety
- (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration
- (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety
- (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration
- (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of building

(8) *The above referenced building, for the purpose of* ***§160.04 of Chapter 160*** *of the City of Harker Heights, Texas , Code of Ordinances shall be deemed and hereby declared to be a dangerous and substandard building, and nuisance, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:*

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the City of Harker Heights, Bell County, Texas

Fabian Brooks, Building Inspector

Subscribed and sworn to before my by Fabian Brooks, a credible person, on August 31, 2026.

Andrea Contreras

Notary Public in and for Bell County

My Commission expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

CHAPTER 160: UNSAFE, SUBSTANDARD AND DANGEROUS STRUCTURES

Section

160.01 Findings and purpose

160.02 Definitions

160.03 Generally

160.04 Minimum standards; substandard buildings declared

160.05 Determination by building official

160.06 Public hearing for abatement of substandard buildings

160.07 Order of Commission regarding substandard buildings

160.08 Notice of order of the Commission

160.09 Enforcement of the order of the Commission

160.10 Performance of work by the city

160.11 Recovery of cost of securing, repair, removal or demolition

160.12 Additional authority to secure certain substandard buildings prior to public hearing and secure, demolish, repair or remove certain dangerous buildings

160.13 Violations

160.14 Civil penalty

160.15 Authority not limited

160.16 Authority of City Attorney

§ 160.01 FINDINGS AND PURPOSE.

The facts and recitations contained in the preamble of the ordinance that is the basis for this chapter are found and declared to be true and correct.

(Ord. 2011-07, passed 4-12-11)

§ 160.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings as ascribed to them in this section, except where the context clearly indicated a different meaning.

BUILDING. Includes any building, fence, retaining wall, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.

BUILDING OFFICIAL. The person designated by the City Council to enforce this chapter.

COMMISSION. The Building and Standards Commission established pursuant to § 33.80.

STANDARD CODES. The codes adopted and amended by § 150.02.

(Ord. 2011-07, passed 4-12-11)

§ 160.03 GENERALLY.

(A) *Powers of the building official.*

(1) *Administration.* The building official is hereby authorized to enforce the provisions of this chapter. The building official shall have the power to render interpretations of this chapter and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter.

(2) *Inspections.* All buildings within the scope of this chapter and all construction or work for which a permit is required shall be subject to inspection by the building official. The building official, fire marshal and their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

(3) *Right of entry.* When it is necessary to make an inspection to enforce the provisions of this chapter, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this chapter which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform

the duties imposed by this chapter, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(B) *Abatement of dangerous or substandard buildings.* All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this chapter are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this chapter.

(C) *Notice.* When notice is given in accordance with this chapter to a property owner, lienholder, or mortgagee, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered. On receipt of a notice under this chapter, a manager of the affected property shall notify the owner of the notice within 10 days.

(Ord. 2011-07, passed 4-12-11)

§ 160.04 MINIMUM STANDARDS; SUBSTANDARD BUILDINGS DECLARED.

(A) *Substandard building.* For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

(1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

(2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.

(3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

(a) The building constitutes a danger to the public even though secured from entry; or

(b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.

(4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.

(5) Whenever any portion of a building remains on a site after the demolition or destruction of the building.

(6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public.

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

(a) Lack of, or improper lavatory.

(b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house.

(c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel.

(d) Lack of, or improper kitchen sink in a dwelling unit.

(e) Lack of hot and cold running water to plumbing fixtures.

(f) Lack of, or improper operation of, adequate heating facilities.

(g) Lack of, or improper operation of, required ventilating equipment.

(h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city.

(i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation of the city.

(j) Lack of required electrical lighting.

(k) Excessive dampness or mold in habitable rooms.

(l) Infestation of insects, vermin or rodents.

(m) General dilapidation or improper maintenance.

(n) Lack of connection to required sewage disposal system.

(o) Lack of adequate garbage and rubbish storage and removal facilities.

(8) Whenever any building contains structural hazards, including but not limited to the following:

(a) Deteriorated or inadequate foundation.

(b) Defective or deteriorated flooring or floor supports.

(c) Flooring or floor supports are insufficient to carry imposed loads with safety.

(d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

(e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety.

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

(i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(B) *Dangerous and substandard building.* For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or

illegal activity.

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.05 DETERMINATION BY BUILDING OFFICIAL.

When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:

(A) Issue notice to the record owner that the building is substandard and must be repaired or demolished;

(B) Issue a citation for each violation of this chapter;

(C) Secure the building if permitted by this chapter; or

(D) Commence abatement proceedings before the Commission pursuant to §160.06.

(Ord. 2011-07, passed 4-12-11)

§ 160.06 PUBLIC HEARING FOR ABATEMENT OF SUBSTANDARD BUILDINGS.

(A) *Commencement of proceedings.* When the building official has found and determined that a building is a substandard building, the building official may commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

(B) *Public hearing to be held.* Except when the Commission finds that a building is likely to immediately endanger persons or property, a public hearing shall be held before the Commission to determine whether a building complies with the standards set out in § 160.04. If the Commission determines that the building constitutes an immediate danger, the procedures set forth in § 160.12(B) and following shall be followed.

(C) *Notice.* Not less than ten days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the identity and address of any owner, lienholder or mortgagee of the building through searching the Bell County real property records, the records of the Bell County Tax Appraisal District, records of the Secretary of State, Bell County assumed name records, tax records of the city, and utility records of the city. The notice shall contain:

(1) The name and address of the record owner;

(2) The street address or legal description sufficient for identification of the premises upon which the building is located;

(3) A statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of § 160.04;

(4) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the chapter, and the time it will take to reasonably perform the work;

(5) Notice of the time and place of the public hearing; and

(6) A statement that if the building is found to be in violation of this chapter, the Commission may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.

(D) *Additional notice of public hearing.* Prior to the public hearing; the city may file a copy of the notice mailed pursuant to this section in the official public records of real property in Bell County. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Commission at the public hearing, prior to any remedial action by the city. The city shall also post a copy of the notice mailed pursuant to this section on the front door of each improvement situated on the affected property, or as close thereto as practicable, or if there is no front door then at a conspicuous location on the property. In addition, the notice must be published in a newspaper of general circulation in the city on one occasion on or before the tenth day before the date fixed for the hearing.

(E) *Burden of proof.* At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this chapter, and the time it will take to reasonably perform the work.

(F) *Conduct of public hearing.* All cases to be heard by the Commission must be heard by a panel of at least five members and/or alternate members, and a majority vote of the members voting on a matter is necessary to take action thereon. At the public hearing, the owner of the building, and all other interested persons may make their appearance in person or by attorney, and shall have a reasonable opportunity to be heard. Any relevant evidence may be received and considered by the Commission, and for this purpose the chairperson or acting chairperson shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents. The hearing may be adjourned from day to day or continued upon a majority vote of the Commission, in compliance with the Open Meetings Act.

(Ord. 2011-07, passed 4-12-11)

§ 160.07 ORDER OF COMMISSION REGARDING SUBSTANDARD BUILDING.

(A) *Findings and order of the Commission.* If the Commission, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in § 160.04, the Commission may order the owner, mortgagee or lienholder to take action as required by this section.

(1) *Repair.* If the owner, lienholder or mortgagee demonstrates that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, it shall be ordered remedied or repaired to comply with such codes. Repair shall be deemed feasible only if less than 50% of the structure must be repaired or replaced to comply with all applicable codes, or if the value of the structure is reduced by less than 50% because of the violations.

(2) *Vacate and secure.* If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.

(3) *Demolish or remove.* In any case where the owner, lienholder or mortgagee fails to demonstrate that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, the Commission may order that the building be demolished or removed.

(B) *Time allowed to complete work.*

(1) The order must require the owner, lienholder or mortgagee of the building to within 30 days:

(a) Secure the building from unauthorized entry; and/or

(b) Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(2) If the Commission allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Commission.

(3) The Commission may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:

(a) Submits a detailed plan and time schedule for the work at the hearing; and

(b) Establishes at the hearing that the work cannot be reasonably completed within 90 days because of the scope and complexity of the work.

(4) If the Commission allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Commission or the building official to demonstrate compliance with the time schedules.

(C) *Contents of order.* The order of the Commission must contain at minimum:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located; and

(2) A description of the violation of minimum standards present in the building; and

(3) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

(4) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and

(5) If the Commission has determined that the building will endanger persons or property and that the building is a dwelling with ten or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2017-10, passed 5-23-17)

§ 160.08 NOTICE OF ORDER OF THE COMMISSION.

(A) *Order shall be mailed.* After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.

(B) *Order shall be filed with City Secretary.* Within ten days after the date that the order is issued by the Commission, the building official shall file a copy of the order in the office of the City Secretary.

(C) *Order shall be published.* Within ten days after the date the order is issued by the Commission, the building official shall publish in a newspaper of general circulation within the city a notice containing:

(1) The street address or legal description of the property;

(2) The date the hearing was held;

(3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

(D) *Filing of order or abstract.* The order may be filed in the official public records of real property in Bell County. An abstract or judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(Ord. 2011-07, passed 4-12-11)

§ 160.09 ENFORCEMENT OF THE ORDER OF THE COMMISSION.

(A) *Compliance.* If an order of the Commission under this chapter is not complied with, the city may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:

(1) The city may not act to remove or demolish a building until after the Commission has found:

(a) That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

(b) The building is infeasible of repair, or there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

(2) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:

(a) The Commission has made a determination that the building is likely to endanger person or property; and

(b) The building is a residential dwelling with ten or fewer dwelling units.

(3) In the event there are mortgagors or lienholders, the city may only repair, remove or demolish the building after allowing the lienholder or mortgagee an additional 30 days after the time prescribed in the order has expired to complete the required work.

(4) Unless specifically authorized by a court order or by a written agreement signed by all record owners, mortgagees and lienholders, the city may not act to remove or demolish a building during the pendency of any appeal to a court of competent jurisdiction of the Commission's order.

(B) *Posting of notice to vacate building.* If the order requires vacation or if compliance is not had within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and shall be posted at or upon each entrance to the building. The notice shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is unlawful to occupy this building or to remove or deface this notice.

The Harker Heights Building and Standards Commission has declared this building to be substandard. To obtain a copy of this order, contact the City Secretary at 305 Miller's Crossing, Harker Heights, Texas, (254) 953-5600.

_____

Building Official

City of Harker Heights"

(C) *Remedial action by city.* Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.

(D) *Permit required.* Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the city. All permits issued pursuant to an order of the Commission shall expire upon expiration of the time for compliance set forth in the order.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2012-02, passed 2-14-12)

§ 160.10 PERFORMANCE OF WORK BY THE CITY.

(A) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the city, the work may be accomplished by city personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.

(B) *Costs.* The cost of such work shall be paid from city funds and shall constitute a special assessment and a lien against such property to secure payment thereof together with 10% interest on such amount from the date on which the work is performed.

(C) *Repair to minimum standards only.* The city may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with the minimum standards set forth in § 160.04.

(Ord. 2011-07, passed 4-12-11)

§ 160.11 RECOVERY OF COST OF SECURING, REPAIR, REMOVAL OR DEMOLITION.

(A) *Itemized account and notice of lien.* The building official shall keep an itemized account of the expenses incurred by the city in the securing, repair, removal or demolition of any building pursuant to this chapter. Upon completion of the work, the building official shall prepare and file with the City Secretary a sworn account and notice of lien containing the following information:

(1) The name and address of the owner if that information can be determined with a reasonable effort;

(2) A legal description of the real property on which the building is or was located;

(3) The type of work performed; and

(4) The amount of expenses incurred by the city in performing the work and the balance due.

(B) *Notice filed in county records.* The City Secretary shall file the notice of lien along with a copy of the order of abatement issued by the Commission in the official public records of Bell County.

(C) *Personal obligation of property owner.* The expenses incurred by the city as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property.

(D) *Lien shall be valid and privileged.* Upon filing of the notice of lien in the official public records of Bell County, Texas, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens and existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.

(E) *Assessment must be paid.* No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the city.

(F) *Release of lien.* After the expenses incurred by the city, as set forth in the sworn account of the building official, have been fully paid with interest of 10% per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the official public records of Bell County.

(Ord. 2011-07, passed 4-12-11)

§ 160.12 ADDITIONAL AUTHORITY TO SECURE CERTAIN SUBSTANDARD BUILDINGS PRIOR TO PUBLIC HEARING AND SECURE, DEMOLISH, REPAIR OR REMOVE CERTAIN DANGEROUS BUILDINGS.

(A) *Securing of unoccupied, substandard building.* Notwithstanding any other provisions of this chapter the city may secure a building if the building official determines that the building:

(1) Violates the minimum standards set forth in §160.04; and

(2) Is unoccupied or is occupied only by persons who do not have the right of possession to the building.

(B) *If building creates immediate danger.* Notwithstanding any other provisions of this chapter, if the Commission finds that a building is likely to immediately endanger persons or property the Commission may:

(1) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure

is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or

(2) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.

(C) *Notice to owner.* Before the eleventh day after the date the building is secured pursuant to division (A) above, or action is ordered pursuant to division (B)(1) above, or the building is repaired, removed or demolished pursuant to division (B)(2) above, the building official shall give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and

(5) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the County Clerk.

(D) *Contents of notice.* The notice must contain:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located;

(2) A description of the violation of the minimum standards present in the building;

(3) A statement that the city will secure or has secured, as the case may be, the building, or that the city has taken or will take the action ordered pursuant to division (B); and

(4) An explanation of the owner's entitlement to request a hearing about any matter relating to the city's securing, removing, demolishing or repairing of the building.

(E) *Hearing.* The Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing, repairing, removing or demolishing of the building, if, within 30 days after the date the city has taken action pursuant to divisions (B)(1) or (B)(2) of this section, the owner files with the city a written request for the hearing. The hearing shall be conducted within 20 days after the date the request is filed.

(F) *Expenses.* If the city incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by §160.10 and § 160.11.

(Ord. 2011-07, passed 4-12-11)

§ 160.13 VIOLATIONS.

(A) *Generally.* Except with the valid written permission of the building official, it shall be unlawful for any person to:

(1) Erect, construct or maintain any building that is deemed herein to be a nuisance;

(2) Use, occupy, enter, or remain in any building that is posted with a notice to vacate;

(3) Remove, damage or deface a notice to vacate posted under this chapter; or

(4) Cause or permit any act to be done in violation of any provision of this chapter.

(B) *Compliance with order.* It shall be unlawful for any person to whom an order of the Commission is directed to fail to comply with such order.

(C) *Interference prohibited.* It shall be unlawful for any person to obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this chapter; or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the city, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this chapter, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this chapter.

(D) *Transfer of ownership.* No person may sell, transfer, mortgage, lease or otherwise dispose of a building or property that is the subject of a notice of substandard building, a citation, or an order of the Commission under this chapter until:

(1) The deficiencies noted in the notice, citation or order have been corrected and a new certificate of occupancy has been issued by the city; or

(2) The building official receives a signed and notarized statement from the grantee, transferee, mortgagee or lessee,

acknowledging the receipt of the notice, citation or order, and unconditionally accepting the responsibility for timely correcting the deficiencies noted therein.

(E) *Separate violations.* Each building or property which is in violation of any part of this chapter is a separate offense. Each violation in any building or property is a separate offense. Each and every day's violation shall constitute a separate and distinct offense.

(F) *Municipal court.* Proceedings under the jurisdiction of the municipal court are not affected by proceedings of the Commission or civil penalties under this chapter.

(Ord. 2011-07, passed 4-12-11)

§ 160.14 CIVIL PENALTY.

(A) *Civil penalty authorized.* In addition to any other enforcement authority provided for by law, and without regard to any criminal prosecution or conviction under this chapter, the Commission may at an administrative hearing assess a civil penalty by order against a property owner for failure to comply with an order issued by the Commission pursuant to this chapter.

(B) *Showing required.* The civil penalty may be assessed if it is shown at the administrative hearing that:

(1) The property owner was notified of the contents of the order issued pursuant to §160.07; and

(2) The property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

(C) *Amount of penalty.* The civil penalty may be assessed in an amount not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10 a day for each violation.

(D) *Notice of administrative hearing.* Not less than ten days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail, return receipt requested. The notice shall contain:

(1) A copy of the order issued by the Commission pursuant to §160.07;

(2) A statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;

(3) A statement that at the administrative hearing the Commission may assess a civil penalty not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed $10 a day for each violation; and

(4) Notice of the time and place of the hearing.

(E) *Copy of order filed with district clerk.*After the civil penalty is assessed, the City Secretary shall file with the Bell County District Clerk a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.

(F) *Enforcement.* The civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this division is final and binding and constitutes prima facie evidence of the penalty in any suit.

(Ord. 2011-07, passed 4-12-11)

§ 160.15 AUTHORITY NOT LIMITED.

Notwithstanding all other provisions of this chapter, nothing herein shall be deemed a limitation on the duty of the city to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.16 AUTHORITY OF CITY ATTORNEY.

The City Attorney may without further authorization of the City Council undertake the enforcement of this chapter by all legal means appropriate or necessary, including but not limited to: enforcement in municipal court; filing a notice of *lis pendens* in the official public records of Bell County; filing of appropriate civil actions in courts of appropriate jurisdiction to seek compliance with an order made under this chapter, to collect a civil penalty, or recover costs as provided by this chapter; to appointment of a receiver as provided by Local Government Code Chapter 214; and to defend the city from suit if suit is taken to appeal any action of the city.

(Ord. 2011-07, passed 4-12-11)

12

Notices

127 Legal Notices

Harker Heights

The Bright Star Of Central Texas

Notice is hereby given that immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m. on October 28, 2026, and continuing day to day thereafter, if necessary, the Building and Standards Commission (BSC) of the City of Harker Heights will hold a public hearing on the items listed below. The hearing will be held in the Kitty Young Council Chambers of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas, 76548. Additional details regarding the property and the associated Building and Standards Commission hearing may be obtained in person Monday through Thursday from 7:00 A.M. to 6:00 P.M. from the Harker Heights Planning and Development Department located at 305 Miller's Crossing, or by contacting the Department at (254) 953-5647. The public hearing item to be discussed is listed below:

Conduct a Public Hearing to discuss and consider whether the site-built structure, all accessory structure(s), and any other nuisances on property described as **116 E VALLEY ROAD (VALLEY VIEW, BLOCK 001, LOT 0008) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, also commonly known as 116 E VALLEY ROAD, HARKER HEIGHTS, TEXAS 76548),** is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances and take the appropriate action.

(Legal Notice published in the Killeen Daily Herald on October 11, 2026.)

08/31/2026 3:08 PM


08/31/2026 3:10 PM

AGENDA ITEM #VII.1.

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CHAPTER 160: UNSAFE, SUBSTANDARD AND DANGEROUS STRUCTURES

Section

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§ 160.01 FINDINGS AND PURPOSE.

The facts and recitations contained in the preamble of the ordinance that is the basis for this chapter are found and declared to be true and correct.

(Ord. 2011-07, passed 4-12-11)

§ 160.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings as ascribed to them in this section, except where the context clearly indicated a different meaning.

BUILDING. Includes any building, fence, retaining wall, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.

BUILDING OFFICIAL. The person designated by the City Council to enforce this chapter.

COMMISSION. The Building and Standards Commission established pursuant to § 33.80.

STANDARD CODES. The codes adopted and amended by § 150.02.

(Ord. 2011-07, passed 4-12-11)

§ 160.03 GENERALLY.

(A) *Powers of the building official.*

(1) *Administration.* The building official is hereby authorized to enforce the provisions of this chapter. The building official shall have the power to render interpretations of this chapter and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter.

(2) *Inspections.* All buildings within the scope of this chapter and all construction or work for which a permit is required shall be subject to inspection by the building official. The building official, fire marshal and their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

(3) *Right of entry.* When it is necessary to make an inspection to enforce the provisions of this chapter, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this chapter which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform

the duties imposed by this chapter, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(B) *Abatement of dangerous or substandard buildings.* All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this chapter are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this chapter.

(C) *Notice.* When notice is given in accordance with this chapter to a property owner, lienholder, or mortgagee, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered. On receipt of a notice under this chapter, a manager of the affected property shall notify the owner of the notice within 10 days.

(Ord. 2011-07, passed 4-12-11)

§ 160.04 MINIMUM STANDARDS; SUBSTANDARD BUILDINGS DECLARED.

(A) *Substandard building.* For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

(1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

(2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.

(3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

(a) The building constitutes a danger to the public even though secured from entry; or

(b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.

(4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.

(5) Whenever any portion of a building remains on a site after the demolition or destruction of the building.

(6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public.

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

(a) Lack of, or improper lavatory.

(b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house.

(c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel.

(d) Lack of, or improper kitchen sink in a dwelling unit.

(e) Lack of hot and cold running water to plumbing fixtures.

(f) Lack of, or improper operation of, adequate heating facilities.

(g) Lack of, or improper operation of, required ventilating equipment.

(h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city.

(i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation of the city.

(j) Lack of required electrical lighting.

(k) Excessive dampness or mold in habitable rooms.

(l) Infestation of insects, vermin or rodents.

(m) General dilapidation or improper maintenance.

(n) Lack of connection to required sewage disposal system.

(o) Lack of adequate garbage and rubbish storage and removal facilities.

(8) Whenever any building contains structural hazards, including but not limited to the following:

(a) Deteriorated or inadequate foundation.

(b) Defective or deteriorated flooring or floor supports.

(c) Flooring or floor supports are insufficient to carry imposed loads with safety.

(d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

(e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety.

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

(i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(B) *Dangerous and substandard building.* For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or

illegal activity.

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.05 DETERMINATION BY BUILDING OFFICIAL.

When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:

(A) Issue notice to the record owner that the building is substandard and must be repaired or demolished;

(B) Issue a citation for each violation of this chapter;

(C) Secure the building if permitted by this chapter; or

(D) Commence abatement proceedings before the Commission pursuant to §160.06.

(Ord. 2011-07, passed 4-12-11)

§ 160.06 PUBLIC HEARING FOR ABATEMENT OF SUBSTANDARD BUILDINGS.

(A) *Commencement of proceedings.* When the building official has found and determined that a building is a substandard building, the building official may commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

(B) *Public hearing to be held.* Except when the Commission finds that a building is likely to immediately endanger persons or property, a public hearing shall be held before the Commission to determine whether a building complies with the standards set out in § 160.04. If the Commission determines that the building constitutes an immediate danger, the procedures set forth in § 160.12(B) and following shall be followed.

(C) *Notice.* Not less than ten days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the identity and address of any owner, lienholder or mortgagee of the building through searching the Bell County real property records, the records of the Bell County Tax Appraisal District, records of the Secretary of State, Bell County assumed name records, tax records of the city, and utility records of the city. The notice shall contain:

(1) The name and address of the record owner;

(2) The street address or legal description sufficient for identification of the premises upon which the building is located;

(3) A statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of § 160.04;

(4) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the chapter, and the time it will take to reasonably perform the work;

(5) Notice of the time and place of the public hearing; and

(6) A statement that if the building is found to be in violation of this chapter, the Commission may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.

(D) *Additional notice of public hearing.* Prior to the public hearing; the city may file a copy of the notice mailed pursuant to this section in the official public records of real property in Bell County. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Commission at the public hearing, prior to any remedial action by the city. The city shall also post a copy of the notice mailed pursuant to this section on the front door of each improvement situated on the affected property, or as close thereto as practicable, or if there is no front door then at a conspicuous location on the property. In addition, the notice must be published in a newspaper of general circulation in the city on one occasion on or before the tenth day before the date fixed for the hearing.

(E) *Burden of proof.* At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this chapter, and the time it will take to reasonably perform the work.

(F) *Conduct of public hearing.* All cases to be heard by the Commission must be heard by a panel of at least five members and/or alternate members, and a majority vote of the members voting on a matter is necessary to take action thereon. At the public hearing, the owner of the building, and all other interested persons may make their appearance in person or by attorney, and shall have a reasonable opportunity to be heard. Any relevant evidence may be received and considered by the Commission, and for this purpose the chairperson or acting chairperson shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents. The hearing may be adjourned from day to day or continued upon a majority vote of the Commission, in compliance with the Open Meetings Act.

(Ord. 2011-07, passed 4-12-11)

§ 160.07 ORDER OF COMMISSION REGARDING SUBSTANDARD BUILDING.

(A) *Findings and order of the Commission.* If the Commission, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in § 160.04, the Commission may order the owner, mortgagee or lienholder to take action as required by this section.

(1) *Repair.* If the owner, lienholder or mortgagee demonstrates that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, it shall be ordered remedied or repaired to comply with such codes. Repair shall be deemed feasible only if less than 50% of the structure must be repaired or replaced to comply with all applicable codes, or if the value of the structure is reduced by less than 50% because of the violations.

(2) *Vacate and secure.* If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.

(3) *Demolish or remove.* In any case where the owner, lienholder or mortgagee fails to demonstrate that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, the Commission may order that the building be demolished or removed.

(B) *Time allowed to complete work.*

(1) The order must require the owner, lienholder or mortgagee of the building to within 30 days:

(a) Secure the building from unauthorized entry; and/or

(b) Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(2) If the Commission allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Commission.

(3) The Commission may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:

(a) Submits a detailed plan and time schedule for the work at the hearing; and

(b) Establishes at the hearing that the work cannot be reasonably completed within 90 days because of the scope and complexity of the work.

(4) If the Commission allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Commission or the building official to demonstrate compliance with the time schedules.

(C) *Contents of order.* The order of the Commission must contain at minimum:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located; and

(2) A description of the violation of minimum standards present in the building; and

(3) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

(4) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and

(5) If the Commission has determined that the building will endanger persons or property and that the building is a dwelling with ten or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2017-10, passed 5-23-17)

§ 160.08 NOTICE OF ORDER OF THE COMMISSION.

(A) *Order shall be mailed.* After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.

(B) *Order shall be filed with City Secretary.* Within ten days after the date that the order is issued by the Commission, the building official shall file a copy of the order in the office of the City Secretary.

(C) *Order shall be published.* Within ten days after the date the order is issued by the Commission, the building official shall publish in a newspaper of general circulation within the city a notice containing:

(1) The street address or legal description of the property;

(2) The date the hearing was held;

(3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

(D) *Filing of order or abstract.* The order may be filed in the official public records of real property in Bell County. An abstract or judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(Ord. 2011-07, passed 4-12-11)

§ 160.09 ENFORCEMENT OF THE ORDER OF THE COMMISSION.

(A) *Compliance.* If an order of the Commission under this chapter is not complied with, the city may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:

(1) The city may not act to remove or demolish a building until after the Commission has found:

(a) That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

(b) The building is infeasible of repair, or there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

(2) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:

(a) The Commission has made a determination that the building is likely to endanger person or property; and

(b) The building is a residential dwelling with ten or fewer dwelling units.

(3) In the event there are mortgagors or lienholders, the city may only repair, remove or demolish the building after allowing the lienholder or mortgagee an additional 30 days after the time prescribed in the order has expired to complete the required work.

(4) Unless specifically authorized by a court order or by a written agreement signed by all record owners, mortgagees and lienholders, the city may not act to remove or demolish a building during the pendency of any appeal to a court of competent jurisdiction of the Commission's order.

(B) *Posting of notice to vacate building.* If the order requires vacation or if compliance is not had within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and shall be posted at or upon each entrance to the building. The notice shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is unlawful to occupy this building or to remove or deface this notice.

The Harker Heights Building and Standards Commission has declared this building to be substandard. To obtain a copy of this order, contact the City Secretary at 305 Miller's Crossing, Harker Heights, Texas, (254) 953-5600.

_____

Building Official

City of Harker Heights"

(C) *Remedial action by city.* Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.

(D) *Permit required.* Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the city. All permits issued pursuant to an order of the Commission shall expire upon expiration of the time for compliance set forth in the order.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2012-02, passed 2-14-12)

§ 160.10 PERFORMANCE OF WORK BY THE CITY.

(A) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the city, the work may be accomplished by city personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.

(B) *Costs.* The cost of such work shall be paid from city funds and shall constitute a special assessment and a lien against such property to secure payment thereof together with 10% interest on such amount from the date on which the work is performed.

(C) *Repair to minimum standards only.* The city may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with the minimum standards set forth in § 160.04.

(Ord. 2011-07, passed 4-12-11)

§ 160.11 RECOVERY OF COST OF SECURING, REPAIR, REMOVAL OR DEMOLITION.

(A) *Itemized account and notice of lien.* The building official shall keep an itemized account of the expenses incurred by the city in the securing, repair, removal or demolition of any building pursuant to this chapter. Upon completion of the work, the building official shall prepare and file with the City Secretary a sworn account and notice of lien containing the following information:

(1) The name and address of the owner if that information can be determined with a reasonable effort;

(2) A legal description of the real property on which the building is or was located;

(3) The type of work performed; and

(4) The amount of expenses incurred by the city in performing the work and the balance due.

(B) *Notice filed in county records.* The City Secretary shall file the notice of lien along with a copy of the order of abatement issued by the Commission in the official public records of Bell County.

(C) *Personal obligation of property owner.* The expenses incurred by the city as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property.

(D) *Lien shall be valid and privileged.* Upon filing of the notice of lien in the official public records of Bell County, Texas, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens and existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.

(E) *Assessment must be paid.* No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the city.

(F) *Release of lien.* After the expenses incurred by the city, as set forth in the sworn account of the building official, have been fully paid with interest of 10% per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the official public records of Bell County.

(Ord. 2011-07, passed 4-12-11)

§ 160.12 ADDITIONAL AUTHORITY TO SECURE CERTAIN SUBSTANDARD BUILDINGS PRIOR TO PUBLIC HEARING AND SECURE, DEMOLISH, REPAIR OR REMOVE CERTAIN DANGEROUS BUILDINGS.

(A) *Securing of unoccupied, substandard building.* Notwithstanding any other provisions of this chapter the city may secure a building if the building official determines that the building:

(1) Violates the minimum standards set forth in §160.04; and

(2) Is unoccupied or is occupied only by persons who do not have the right of possession to the building.

(B) *If building creates immediate danger.* Notwithstanding any other provisions of this chapter, if the Commission finds that a building is likely to immediately endanger persons or property the Commission may:

(1) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure

is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or

(2) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.

(C) *Notice to owner.* Before the eleventh day after the date the building is secured pursuant to division (A) above, or action is ordered pursuant to division (B)(1) above, or the building is repaired, removed or demolished pursuant to division (B)(2) above, the building official shall give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and

(5) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the County Clerk.

(D) *Contents of notice.* The notice must contain:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located;

(2) A description of the violation of the minimum standards present in the building;

(3) A statement that the city will secure or has secured, as the case may be, the building, or that the city has taken or will take the action ordered pursuant to division (B); and

(4) An explanation of the owner's entitlement to request a hearing about any matter relating to the city's securing, removing, demolishing or repairing of the building.

(E) *Hearing.* The Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing, repairing, removing or demolishing of the building, if, within 30 days after the date the city has taken action pursuant to divisions (B)(1) or (B)(2) of this section, the owner files with the city a written request for the hearing. The hearing shall be conducted within 20 days after the date the request is filed.

(F) *Expenses.* If the city incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by §160.10 and § 160.11.

(Ord. 2011-07, passed 4-12-11)

§ 160.13 VIOLATIONS.

(A) *Generally.* Except with the valid written permission of the building official, it shall be unlawful for any person to:

(1) Erect, construct or maintain any building that is deemed herein to be a nuisance;

(2) Use, occupy, enter, or remain in any building that is posted with a notice to vacate;

(3) Remove, damage or deface a notice to vacate posted under this chapter; or

(4) Cause or permit any act to be done in violation of any provision of this chapter.

(B) *Compliance with order.* It shall be unlawful for any person to whom an order of the Commission is directed to fail to comply with such order.

(C) *Interference prohibited.* It shall be unlawful for any person to obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this chapter; or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the city, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this chapter, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this chapter.

(D) *Transfer of ownership.* No person may sell, transfer, mortgage, lease or otherwise dispose of a building or property that is the subject of a notice of substandard building, a citation, or an order of the Commission under this chapter until:

(1) The deficiencies noted in the notice, citation or order have been corrected and a new certificate of occupancy has been issued by the city; or

(2) The building official receives a signed and notarized statement from the grantee, transferee, mortgagee or lessee,

acknowledging the receipt of the notice, citation or order, and unconditionally accepting the responsibility for timely correcting the deficiencies noted therein.

(E) *Separate violations.* Each building or property which is in violation of any part of this chapter is a separate offense. Each violation in any building or property is a separate offense. Each and every day's violation shall constitute a separate and distinct offense.

(F) *Municipal court.* Proceedings under the jurisdiction of the municipal court are not affected by proceedings of the Commission or civil penalties under this chapter.

(Ord. 2011-07, passed 4-12-11)

§ 160.14 CIVIL PENALTY.

(A) *Civil penalty authorized.* In addition to any other enforcement authority provided for by law, and without regard to any criminal prosecution or conviction under this chapter, the Commission may at an administrative hearing assess a civil penalty by order against a property owner for failure to comply with an order issued by the Commission pursuant to this chapter.

(B) *Showing required.* The civil penalty may be assessed if it is shown at the administrative hearing that:

(1) The property owner was notified of the contents of the order issued pursuant to §160.07; and

(2) The property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

(C) *Amount of penalty.* The civil penalty may be assessed in an amount not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10 a day for each violation.

(D) *Notice of administrative hearing.* Not less than ten days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail, return receipt requested. The notice shall contain:

(1) A copy of the order issued by the Commission pursuant to §160.07;

(2) A statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;

(3) A statement that at the administrative hearing the Commission may assess a civil penalty not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed $10 a day for each violation; and

(4) Notice of the time and place of the hearing.

(E) *Copy of order filed with district clerk.*After the civil penalty is assessed, the City Secretary shall file with the Bell County District Clerk a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.

(F) *Enforcement.* The civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this division is final and binding and constitutes prima facie evidence of the penalty in any suit.

(Ord. 2011-07, passed 4-12-11)

§ 160.15 AUTHORITY NOT LIMITED.

Notwithstanding all other provisions of this chapter, nothing herein shall be deemed a limitation on the duty of the city to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.16 AUTHORITY OF CITY ATTORNEY.

The City Attorney may without further authorization of the City Council undertake the enforcement of this chapter by all legal means appropriate or necessary, including but not limited to: enforcement in municipal court; filing a notice of *lis pendens* in the official public records of Bell County; filing of appropriate civil actions in courts of appropriate jurisdiction to seek compliance with an order made under this chapter, to collect a civil penalty, or recover costs as provided by this chapter; to appointment of a receiver as provided by Local Government Code Chapter 214; and to defend the city from suit if suit is taken to appeal any action of the city.

(Ord. 2011-07, passed 4-12-11)

Memorandum

FROM: The Office of the Planning and Development Director **DATE: October 28, 2026**

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER WHETHER THE RESIDENTIAL SITE-BUILT STRUCTURE, ALL ACCESSORY STRUCTURE(S), AND ANY OTHER NUISANCES ON PROPERTY DESCRIBED AS 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)), IS AN UNSAFE, SUBSTANDARD, AND DANGEROUS STRUCTURE PER STANDARDS SET OUT IN §160.04 OF CHAPTER 160 OF THE CITY OF HARKER HEIGHTS CODE OF ORDINANCES (BUILDING OFFICIAL).

EXPLANATION:

BACKGROUND:

Subject Property: Residential site-built Structure, all accessory structures, and any other nuisances,

1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

Record Property Owner: MICHAEL A JACOB
1801 VERNA LEE BLVD.
HARKER HEIGHTS, TX 76548

MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

Record Property Owner: ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
JACKSOIYULLE, FL 32232

ANGELA ZAYALA
148OO LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

LONGBRIDGE FINANCIAL, LLC
C/O CELINK

39OO CAPITAL CITY BLVD
LANSING, MI 48906

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

REVERSE MORTGAGE FUNDING, LLC
1455 BROAD STREET _ 2ND FLOOR
BLOOMFIELD, NJ 07003

RICHARD ZAYALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

SECRETARY OF HOUSING AND URBAN DEVELOPEMENT
451 SEVENTH STREET SW
WASHINGTON, DC 20410

SHARLET WATTS
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

On August 27, 2026, a visible inspection was made of this property from the right-of-way by Fabian Brooks, City of Harker Heights Building Inspector. This inspection was to identify the property as a possible substandard structure. An administrative search warrant was obtained and served on August 31, 2026, to inspect the property to determine if the structure met the requirements for a substandard structure set out in §160.04.

Based on the inspection performed by Fabian Brooks, Building Inspector on August 31, 2026, the structure does meet the requirements set in §160.04 as evidenced by the photos (Exhibit #7).

TIMELINE OF EVENTS:

- August 27, 2026 - Identified structure as substandard.
- August 31, 2026 - Administrative Search Warrant obtained (Exhibit #2).
- August 31, 2026 - Administrative Search Warrant served (Exhibit #2).

- August 31, 2026 - Visual Inspection of the property by Mr. Fabian Brooks, the City of Harker Heights Building Inspector.
- August 31, 2026 - Building Inspection Report is compiled, and Mr. Fabian Brooks, the City of Harker Heights Building Inspector, determined the structure to be unsafe, substandard, and a dangerous structure per §160.04 of the City of Harker Heights Code of Ordinances (Exhibit #3).
- September 2, 2026 - City Staff requested title sheet documents to determine all owners associated with 1801 Verna Lee Blvd.
- September 15, 2026 - Notice of Public Hearing posted on all structures on the property and mailed via U.S.P.S. certified mail to the owner (Exhibit #4).
- September 15, 2026 - Notice of Public Hearing filed with Bell County (Exhibit #5).
- October 11, 2026 - Notice of Public Hearing published in the Killeen Daily Herald, the newspaper of general circulation (Exhibit 6).
- October 28, 2026 - BSC Public Hearing.

RECOMMENDATION:

Per City of Harker Heights Code of Ordinance and Texas Local Government Code, the Building Standards Commission may consider the following:

1. **ORDER** that the owner, mortgagee, lienholder, or trustee **Repair, Remove, OR Demolish** the structure(s) with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

Below are additional details on what to consider when determining an **Order**:

- **Repair.** If the owner, lienholder, mortgagee, or trustee demonstrates that the building can be feasibly repaired within the time allowed by this section, it shall be ordered remedied or repaired. Repairs shall be deemed feasible only if less than 50% of the structure of the building must be repaired or replaced, or the value of the structure is reduced by less than 50% because of the violations.
- **Vacate and Secure.** If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.
- **Demolish or Remove**. In any case where the owner, lienholder, mortgagee, or trustee fails to demonstrate that the building can be feasibly repaired within the time allowed by this section, the Commission may order that the building be demolished with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances.

Based upon the inspection performed on August 31, 2026, the Director of Planning/Building Official recommends that the Building and Standards Commission:

1. **FIND** that a site-built structure, all accessory structures, and any nuisances located on property at 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances, and;

ORDER that the owner, mortgagee, lienholder, or trustee **Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s) and/or any other nuisance on the property within 30 calendar days from the public hearing** with due process and notifications as set out in §160.12 of

Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.

ACTION BY THE BUILDING AND STANDARDS COMMISSION:

Action #1

1. **FIND**, by a majority vote, that a site-built structure, all accessory structures, and any nuisances located on property at 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
2. **DO NOT FIND**, by a majority vote, that a site-built structure, all accessory structures, and any nuisances located on property at 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548, is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances.
3. Any other action desired.

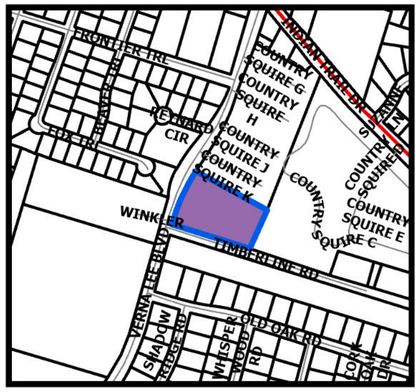
Action #2

1. **ORDER** that the owner, mortgagee, lienholder, or trustee **Vacate and Secure the structure(s) within 10 calendar days from the public hearing; and Remove, and Demolish the structure(s), and/or any other nuisance on the property within 30 calendar days from the public hearing,** with due process and notifications as set out in §160.12 of Chapter 160 of the City of Harker Heights Code of Ordinances within a certain time period following the order.
2. Any other action desired.

ATTACHMENTS:

Exhibit 1 - Location Map
Exhibit 2 - Search Warrant
Exhibit 3 - Building Inspection Report
Exhibit 4 - Notice of Public Hearing
Exhibit 5 - Filing with County
Exhibit 6 - Legal Ad
Exhibit 7 - Photos
Exhibit 8 - Ordinance

October 2026 BSC



1801 Verna Lee Blvd

Exhibit 1

0 75 150 300 Feet

City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2051.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

RETURN

STATE OF TEXAS	§	A SINGLE FAMILY RESIDENCE
	§	LOCATED AT
COUNTY OF BELL	§	
		1801 Verna Lee Blvd, Harker Heights
		BELL COUNTY, TEXAS

The undersigned Affidavit, being a Code Enforcement Officer of the City of Harker Heights, Texas, and being duly sworn, on oath, certifies that the foregoing Warrant came on hand on the day it was issued and that it was executed on 8.31.26, by making the inspection directed therein.

Affiant

SUBSCRIBED AND SWORN TO before me, authority, by said Affiant on August 31, 2026.

Notary Public, State of Texas

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

ADMINISTRATIVE SEARCH WARRANT

STATE OF TEXAS §

COUNTY OF BELL §

TO: Any health officer, fire marshal, or code enforcement officer of the City of Harker Heights, Bell County, Texas:

WHEREAS, **Fabian Brooks** the building inspector of the City of Harker Heights, Bell County, Texas, and a credible person that has presented a written affidavit to me, which Affidavit was attached to this warrant when it was presented and signed and is by this reference incorporated into this warrant for all purposes;

AND WHEREAS, I find that the verified facts stated by affiant, **Fabian Brooks,** in the Affidavit show that there is probable cause that there is a public nuisance, or a violation of a fire, health, or building regulation, state, statute of the Code of Harker Heights at the premises described and located as follows:

1801 Verna Lee Blvd, Harker Heights, Bell County, Texas 76548

A0363BC A GALLATIN, ACRES 2.946

AND WHEREAS, the Affidavit presents the necessary evidence establishing the existence of proper grounds for the issuance of this Administrative Search Warrant pursuant to Article 18.05 of the Texas Code of Criminal Procedure;

NOW, THEREFORE, I do hereby ORDER that any health officer, fire marshal, or code enforcement officer of the City of Harker Heights, Texas, execute this Warrant and enter the Premises to inspect and determine if evidence exists that said Premises are substandard or dangerous in violation of the Code. A video and or photographic record of the evidence shall be permitted.

Herein fail not, but have execution with your return thereon, showing how you have executed the same.

ISSUED AT 12:47 o'clock P .M., on this the 31st day of August, 2026, to certify which witness my hand this day.

COURT MAGISTRATE

AFFIDAVIT FOR ADMINISTRATIVE SEARCH WARRANT

THE STATE OF TEXAS	§	A Residential Structure
	§	**1801 Verna Lee Blvd**
COUNTY OF BELL	§	Harker Heights, Bell County, Texas

BEFORE ME, the undersigned authority, on this day personally appeared **Fabian Brooks**, who after first being by me duly sworn upon oath, made the following statements and accusations:

1. I am over the age of 18 years. I have personal knowledge of the facts stated herein, I am competent to testify under oath to those facts, and they are all true and correct.

2. I am the primary building inspector for the city of Harker Heights, Bell County, Texas, and have held the position for a 1 ½ years, during which time I received several hundred hours of training in building and structural integrity as well as ordinances and investigations. Also, committing 7 years to public works infrastructure and water quality inspections. I have been involved in public safety regulations and enforcement for over 9 years and have carried out a numerous number of inspections. I have the authority to exercise the powers of the Building Official as set forth in §160.03(A) of the Code of Harker Heights and elsewhere.

3. There is in incorporated city limits of the city a building located as follows:

1801 Verna Lee Blvd, Harker Heights, Bell County, Texas 76548

4. The record owner of the Premises is **Jacob, Michael A**
A0363BC A GALLATIN, ACRES 2.946

5. The building is a residential structure. It is currently unoccupied.

6. On **08/27/2026** I personally conducted physical inspections of the Premises. Because I did not have consent to enter the Building my inspection was limited to the exterior. From the exterior I was able to observe the following violations of Sections 160.04 and 93.02 of the Code: The building is dilapidated and constitutes a danger to the public even though secured from entry.

7. I took photographs of the Premises during my inspection and true and correct copies are attached hereto and incorporated as Exhibit(s) 1 and 2 by reference. Within the limitations of the technology the photographs accurately depict the conditions that existed at that time and place.

8. The substandard conditions described above have not been abated, thus creating a fire or health hazard or unsafe building condition in violation of the minimum building standards set forth in the Code, including without limitation §160.04 thereof. Based on my training and experience, as well as the conditions described above, I have probable cause to believe and do believe and allege that the interior of the building is likely in a similar state of disrepair, and that additional fire or health hazards or unsafe building conditions exist inside. As a result the Building represents a concern for public safety and the welfare of those in the neighborhood and those who might respond to emergencies involving the Premises. A search warrant is necessary in order to conduct a thorough inspection to verify whether and to what extent unsafe conditions are present.

9. WHEREFORE, I request the issuance of an administrative search warrant that will authorize entry into the Premises and Building to conduct a thorough inspection for the presence of unsafe building conditions, and/or violations of any fire, health, or building statutes, regulations or ordinances, and specifically for violations of the minimum standards established by §160.04 of the Code, in order to commence abatement proceedings before the City's Building and Standards Commission.

Affiant

SUBSCRIBED AND SWORN TO before me by the said **Fabian Brooks**, Affiant, on August 31. 2021.

Notary Public, State of Texas

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 2

Exhibit 1



Exhibit 2



Exhibit 3

Building Inspection Report

City of Harker Heights
305 Miller's Crossing Harker Heights, Texas 76548
Telephone (Main) 254-953-5600
Fax: 254-953-5614

Date: 08/31/2026

Time: 3:28pm

Address: 1801 Verna Lee Blvd

Legal Description: A0363BC A GALLATIN, ACRES 2.946

Property Owner: ~~Jat~~ Jacob, Michael A **Lien Holder(s):**

Property Occupant(s): Vacant

Inspector: Fabian Brooks

Substandard Buildings Declared and Minimum Buildings Standards Contained in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances

(A) *The above reference buildings, regardless of the date of its construction, is deemed and hereby declared to be Substandard and a nuisance because it has the conditions of defects hereinafter described:*

- [x] (1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.
- [x] (2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose
- [x] (3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:
  - [x] (a) The building constitutes a danger to the public even though secured from entry; or
  - [x] (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection (A)(2) of this section
- [x] (4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence
- [x] (5) Whenever any portion of a building remains on a site after the demolition or destruction of the building
- [x] (6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

- (a) Lack of, or improper lavatory
- (b) Lack of improper bathtub or shower in a dwelling unit or lodging house
- (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel
- (d) Lack of, or improper kitchen sink in a dwelling unit
- (e) Lack of hot and cold running water to plumbing fixtures
- (f) Lack of, or improper operation of adequate heating facilities
- (g) Lack or, or improper operation of required ventilation equipment
- (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city
- (i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation by the city
- (j) Lack of required electrical lighting
- (k) Excessive dampness or mol din habitable rooms
- (l) Infestation or insects, vermin, or rodents
- (m) General dilapidation or improper maintenance
- (n) Lack of connection to required sewage disposal system
- (o) Lack of adequate garbage and rubbish storage and removal facilities

(8) Whenever any building contains structural hazards, including but not limited to the following:

- (a) Deteriorated or inadequate foundation
- (b) Defective or deteriorated flooring of floor support
- (c) Flooring or floor supports are insufficient to carry imposed loads with safety
- (d) Members or walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration
- (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety
- (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration
- (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety
- (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration
- (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of building

(B) *The above referenced building, for the purpose of* ***§160.04 of Chapter 160*** *of the City of Harker Heights, Texas , Code of Ordinances shall be deemed and hereby declared to be a dangerous and substandard building, and nuisance, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:*

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1˝ times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base

(11) Whenever the building, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 or more percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location

- [x] (14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard
- [x] (15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered
- [x] (16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the City of Harker Heights, Bell County, Texas

Fabian Brooks, Building Inspector

Subscribed and sworn to before my by Fabian Brooks, a credible person, on August 31, 2024.

Andrea Contreras

Notary Public in and for Bell County

My Commission expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

NOTICE OF PUBLIC HEARING

Record Owner:

MICHAEL A JACOB
1801 VERNA LEE BLVD.
HARKER HEIGHTS, TX 76548

MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

NAME AND ADDRESS OF LIENHOLDERS, MORTGAGEES OR OTHER PERSONS WITH INTEREST:

ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
JACKSOIYULLE, FL 32232

ANGELA ZAYALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

LONGBRIDGE FINANCIAL, LLC
C/O CELINK
3900 CAPITAL CITY BLVD
LANSING, MI 48906

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

REVERSE MORTGAGE FUNDING, LLC
1455 BROAD STREET _ 2ND FLOOR
BLOOMFIELD, NJ 07003

RICHARD ZAYALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

SECRETARY OF HOUSING AND URBAN DEVELOPEMENT
451 SEVENTH STREET SW
WASHINGTON, DC 20410

SHARLET WATTS
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Property: **1801 VERNA LEE BLVD (A03638C A GALLATIN, ACRES 2.946) ADDTTTON TO THE CITY OF HARKER HETGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLYD, HARKER HEIGHTS, TEXAS 76548)**

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is posted. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the structures (site-built structure, all accessory structures, and other nuisances) located on the property at 1801 Verna Lee Blvd. Based on those inspection(s) the Building Inspector has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held **on October 28, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kitty Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

1801 Verna Lee Blvd

§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)
Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building.	§164.04(A)(5)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public	§160.04(A)(6)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of, adequate heating facilities (g) Lack of or improper operation of, required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities.	§160.04(A)(7) (a-o)
Yes	Whenever any building contains structural hazards, including but not limited to the following: (a) Deteriorated or inadequate foundation. (b) Defective or deteriorated flooring or floor supports. (c) Flooring or floor supports are insufficient to carry imposed loads with safety. (d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration. (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety. (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration. (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety. (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration. (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.	§160.04(A)(8) (a-i)
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.	§160.07(A)(9)

§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.	§160.7(B)(1)

Yes	Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	§160.07(B)(2)
Yes	Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(3)
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(4)
Yes	Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.	§160.07(B)(5)
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.	§160.07(B)(6)
Yes	Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.	§160.07(B)(7)
Yes	Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.	§160.07(B)(8) (a-e)
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.	§160.07(B)(9)
Yes	Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.	§160.07(B)(10)
Yes	Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.	§160.07(B)(11)
Yes	Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity.	§160.07(B)(12)
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.	§160.07(B)(13) (a-c)
Yes	Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.	§160.07(B)(14)
Yes	Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.	§160.07(B)(15)
Yes	Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.	§160.07(B)(16)

Condition Exists (Yes or No)		City of Harker Heights Code of Ordinance Reference
Yes	Whenever any building is dilapidated, dangerous as defined in this section, has structural or interior parts in such condition that they may fall or give way under normal live loads, or which because of its condition is unsafe, unsanitary or dangerous to the health, safety or welfare of the occupants or the public	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied and is not adequately secured to prevent unauthorized access to the extent that it could be reasonably expected to be entered or used by vagrants or other unauthorized persons as a place of habitation, or by children for any purpose	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)
Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
Yes	Whenever any building is in such a condition as to constitute an attractive nuisance or hazard to the public	§164.04(A)(5)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building	§160.04(A)(6)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute such building or portion thereof an attractive nuisance or hazard to the public	§160.04(A)(7)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of adequate heating facilities (g) Lack of or improper operation of required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities	§160.04(A)(7) (a-o)
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§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit does not conform to the width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic	§160.7(B)(1)

Harker Heights

NOTICE OF PUBLIC HEARING

Record Owner:

MICHAEL A JACOB
1801 VERNA LEE BLVD
HARKER HEIGHTS, TX 76548

MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

NAME AND ADDRESS OF LIENHOLDERS, MORTGAGEES OR OTHER PERSONS WITH INTEREST:

ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
JACKSOIYULLE, FL 3[illegible]232

ANGELA ZAYALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

LONGBRIDGE FINANCIAL, LLC
C/O CELINK
3900 CAPITAL CITY BLVD
LANSING, MI 48906

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

REVERSE MORTGAGE FUNDING, LLC
1455 BROAD STREET , 2ND FLOOR
BLOOMFIELD, NJ 07003

RICHARD ZAYALA

amazon basics

amazon basics

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THIS BUILDING D
FOR HUMAN

UNDER SECTION 160.04
CITY OF HARI
IT IS UNLAWFUL FOR AN
OR RESIDE IN
1801 Ve

ANY UNAUTHORIZED PERSON REMOV
DATE 8-31-26 REFER to Se
HHBD-22 (12/90)

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
JACKSONVILLE, FL 32232

Certified mail return receipt requested # **9589 0710 5270 1306 9469 38**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1801 Verna Lee Blvd.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548**:**

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

ANGELA ZAVALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 83**

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Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
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Mayor Pro Tem
Lynda Nash

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September 15, 2026

LONGBRIDGE FINANCIAL, LLC
C/O CELINK
3900 CAPITAL CITY BLVD
LANSING, MI 48906

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September 15, 2026

Record Owner:
MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8175**

Property:
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At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

Record Owner:
MICHAEL A JACOB
1801 VERNA LEE BLVD
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8182**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1801 VERNA LEE BLVD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd., Harker Heights, Texas 76548
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

NOTARY PUBLIC STATE OF TEXAS
ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
EXP. 12/23/2029
ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 76**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

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Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

NOTARY PUBLIC STATE OF TEXAS
ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

Certified mail return receipt requested # **9589 0710 5270 1306 9469 45**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

REVERSE MORTGAGE FUNDING, LLC
1455 BROAD STREET – 2ND FLOOR
BLOOMFIELD, NJ 07003

Certified mail return receipt requested # **9589 0710 5270 1306 9469 52**

Property:
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STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

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Notary Public Signature Andrea Contreras

My Commission Expires

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MY COMM. EXP. 12/23/2029
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Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council
Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

RICHARD ZAVALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 90**

Property:
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STATE OF TEXAS
COUNTY OF BELL

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Director of Planning/Building Official Signature

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My Commission Expires

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The City of Harker Heights
305 Miller's Crossing
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Phone 254/953-5600
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Mayor
Michael Blomquist

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Lynda Nash

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Shane Hodyniak
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Sam Halabi

September 15, 2026

SECRETARY OF HOUSING AND URBAN DEVELOPEMENT
451 SEVENTH STREET SW
WASHINGTON, DC 20410

Certified mail return receipt requested # **9589 0710 5270 1306 9469 69**

Property:
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STATE OF TEXAS

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September 15, 2026

SHARLET WATTS
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9470 03**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1801 Verna Lee Blvd.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

FORM E: NOTICE OF THE PUBLIC HEARING

2026047681
09/22/2026 04:05PM

NOTICE OF PUBLIC HEARING TO BE HELD BEFORE THE BUILDING AND STANDARDS COMMISSION ON **OCTOBER 28, 2026, IMMEDIATELY FOLLOWING THE REGULAR MEEING OF THE PLANNING AND ZONING COMMISSION AT 5:30 PM** IN THE COUNCIL CHAMBERS LOCATED AT THE CITY OF HARKER HEIGHTS CITY HALL, 305 MILLER'S CROSSING, HARKER HEIGHTS, BELL COUNTY, TEXAS, 76548.

NAME AND ADDRESS OF RECORD OWNER:

MICHAEL A JACOB
1801 VERNA LEE BLVD.
HARKER HEIGHTS, TX 76548

MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

NAME AND ADDRESS OF LIENHOLDERS, MORTGAGEES OR OTHER PERSONS WITH INTEREST:

ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
JACKSOIYULLE, FL 32232

ANGELA ZAYALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

LONGBRIDGE FINANCIAL, LLC
C/O CELINK
3900 CAPITAL CITY BLVD
LANSING, MI 48906

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

REVERSE MORTGAGE FUNDING, LLC
1455 BROAD STREET _ 2ND FLOOR
BLOOMFIELD, NJ 07003

RICHARD ZAYALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

SECRETARY OF HOUSING AND URBAN DEVELOPEMENT
451 SEVENTH STREET SW
WASHINGTON, DC 20410

SHARLET WATTS
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

ACCORDING TO THE RECORDS OF BELL COUNTY APPRAISAL DISTRICT, YOU ARE THE OWNER, LIENHOLDER OR MORTGAGEE OF PROPERTY DESCRIBED AS:

1801 VERNA LEE BLVD (A03638C A GALLATIN, ACRES 2.946) ADDTTTON TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLYD, HARKER HEIGHTS, TEXAS 76548)

According to the real property records of Bell County, you own the real property described in this notice:

1801 VERNA LEE BLVD (A03638C A GALLATIN, ACRES 2.946) ADDTTTON TO THE CITY OF HARKER HETGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLYD, HARKER HEIGHTS, TEXAS 76548)

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, even if you do not.

Please be advised that on **AUGUST 31, 2026** the Building Inspector of the City of Harker Heights has found and determined that the site-built structure, all accessory structure(s), and other nuisances on the above-described property are substandard, and proceedings shall commence to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building. Attached please find a copy of the Substandard Building Inspection Report dated **August 31, 2026**, describing the conditions found to render the building substandard or dangerous pursuant to the minimum standards for continued use and occupancy set forth in **§160.04 of Chapter 160** of the City of Harker Heights Code of Ordinance.

A Public Hearing will be held on the date noted above before the Building and Standards Commission to determine whether the building/structure(s) located at the above-described property complies with the standards set out in **§160.04 of Chapter 160** of the City of Harker Heights Code of Ordinance.

According to law, the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the Code, and the time it will take to reasonably perform the work.

If the Building and Standards Commission finds the building(s) to be in violation of the standards set forth in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance, the Building and Standards Commission may order that the building(s) be repaired, vacated, and secured, removed or demolished, or the occupants relocated, by the owner, mortgagee or lienholder within thirty days (30 days).

If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance. The expenses incurred by the City shall be a personal obligation of the property owner in addition to a priority lien being placed upon the property to secure payment.

If you should have any questions regarding this notice, or you are not the owner, mortgagee, or lienholder please call the City of Haker Heights Director of Planning/Building Official, Michael Beard at **(254) 953-5647** or write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Texas 76548.

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd., Harker Heights, TX, 76548
- EXHIBIT B: Harker Heights Code Chapter 160

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 21, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

NOTARY PUBLIC STATE OF TEXAS
ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

NOTICE OF PUBLIC HEARING

Record Owner:

MICHAEL A JACOB
1801 VERNA LEE BLVD.
HARKER HEIGHTS, TX 76548

MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

NAME AND ADDRESS OF LIENHOLDERS, MORTGAGEES OR OTHER PERSONS WITH INTEREST:

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Property: **1801 VERNA LEE BLVD (A03638C A GALLATIN, ACRES 2.946) ADDTTTON TO THE CITY OF HARKER HETGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLYD, HARKER HEIGHTS, TEXAS 76548)**

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On August 31, 2026, a physical inspection was made of the structures (site-built structure, all accessory structures, and other nuisances) located on the property at 1801 Verna Lee Blvd. Based on those inspection(s) the Building Inspector has found the said building(s) are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Director of Planning/Building Official, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held **on October 28, 2026, immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m.**, in the Kitty Young Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder mortgagee, or trustee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder, or mortgagee.

If any of the building(s) located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder, mortgagee, or trustee of the Property. If the Commission's order is violated, the City may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, lienholder, or trustee is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official, Michael Beard, by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548.

Exhibit 5

DESCRIPTION OF DANGEROUS OR SUBSTANDARD CONDITIONS

1801 Verna Lee Blvd

§160.04(A) Substandard building. For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.	§160.04(A)(1)
Yes	Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.	§160.04(A)(2)
Yes	Whenever any building is boarded up, fenced or otherwise secured in any manner if: (a) The building constitutes a danger to the public even though secured from entry; or (b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.	§160.04(A)(3)
Yes	Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence	§160.04(A)(4)
No	Whenever any portion of a building remains on a site after the demolition or destruction of the building.	§164.04(A)(5)
Yes	Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public	§160.04(A)(6)
Yes	Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following: (a) Lack of, or improper lavatory (b) Lack of or improper bathtub or shower in a dwelling unit or lodging house (c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel (d) Lack of, or improper kitchen sink in a dwelling unit (e) Lack of hot and cold running water to plumbing fixtures (f) Lack of or improper operation of, adequate heating facilities (g) Lack of or improper operation of, required ventilating equipment (h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (i) Lack of required electrical lighting (j) Lack of required electrical lighting (h) Lack of minimum amount of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city (k) Excessive dampness or mold in habitable rooms (l) Infestation of insects, vermin or rodents (m) General dilapidation or improper maintenance (n) Lack of connection to required sewage disposal system (o) Lack of adequate garbage and rubbish storage and removal facilities.	§160.04(A)(7) (a-o)
Yes	Whenever any building contains structural hazards, including but not limited to the following: (a) Deteriorated or inadequate foundation. (b) Defective or deteriorated flooring or floor supports. (c) Flooring or floor supports are insufficient to carry imposed loads with safety. (d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration. (e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety. (f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration. (g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety. (h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration. (i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.	§160.04(A)(8) (a-i)
Yes	Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.	§160.07(A)(9)

§160.04(B) Dangerous and substandard building. For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

Condition Exists (Yes or No)	Condition	City of Harker Heights Code of Ordinance Reference
Yes	Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.	§160.7(B)(1)

Yes	Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	§160.07(B)(2)
Yes	Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(3)
Yes	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.	§160.07(B)(4)
Yes	Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.	§160.07(B)(5)
Yes	Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.	§160.07(B)(6)
Yes	Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.	§160.07(B)(7)
Yes	Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.	§160.07(B)(8) (a-e)
Yes	Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.	§160.07(B)(9)
Yes	Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.	§160.07(B)(10)
Yes	Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.	§160.07(B)(11)
Yes	Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or illegal activity.	§160.07(B)(12)
Yes	Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.	§160.07(B)(13) (a-c)
Yes	Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.	§160.07(B)(14)
Yes	Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.	§160.07(B)(15)
Yes	Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.	§160.07(B)(16)

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
JACKSONVILLE, FL 32232

Certified mail return receipt requested # **9589 0710 5270 1306 9469 38**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1801 VERNA LEE BLVD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd., Harker Heights, Texas 76548
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

ALLIANCE MORTGAGE COMPANY
17 W ADAMS STREET
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To Whom It May Concern:

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Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council
Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

ANGELA ZAVALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 83**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1801 VERNA LEE BLVD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

Exhibit 5

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

- EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd., Harker Heights, Texas 76548
- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

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MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas. 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
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Sam Halabi

September 15, 2026

ANGELA ZAVALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 83**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1801 Verna Lee Blvd.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

LONGBRIDGE FINANCIAL, LLC
C/O CELINK
3900 CAPITAL CITY BLVD
LANSING, MI 48906

Certified mail return receipt requested # **9589 0710 5270 1306 9470 10**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

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Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

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Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
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Phone 254/953-5600
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September 15, 2026

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3900 CAPITAL CITY BLVD
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Certified mail return receipt requested # **9589 0710 5270 1306 9470 10**

Property:
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Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

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Respectfully,

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Attachments:

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STATE OF TEXAS

COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

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Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
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Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
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City Council
Brian Burt
Shane Hodyniak
Jesse lee Myles, II
Sam Halabi

September 15, 2026

Record Owner:
MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8175**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

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Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

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Respectfully,

Michael Beard
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Attachments:

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- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Exhibit 5

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305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council
Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

Record Owner:
MICHAEL A JACOB
4315 TAHUAYA DRIVE
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8175**

Property:
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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

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My Commission Expires

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Phone 254/953-5600
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Mayor
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Shane Hodyniak
Jesse lee Myles, II
Sam Halabi

September 15, 2026

Record Owner:
MICHAEL A JACOB
1801 VERNA LEE BLVD
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8182**

Property:
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On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1801 Verna Lee Blvd.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/2/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

Record Owner:
MICHAEL A JACOB
1801 VERNA LEE BLVD
HARKER HEIGHTS, TX 76548

Certified mail return receipt requested # **7016 3560 0000 6481 8182**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1801 VERNA LEE BLVD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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- EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
EXP 12/23/2029

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 76**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

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Lynda Nash

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Brian Burt
Shane Hodyniak
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Sam Halabi

September 15, 2026

MICHELLE JONES
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 76**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

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The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
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Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodyniak
Jesse lee Myles, II
Sam Halabi

September 15, 2026

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

Certified mail return receipt requested # **9589 0710 5270 1306 9469 45**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

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WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

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Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
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The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
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September 15, 2026

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
PO BOX 2026
FLINT, MI 48501

Certified mail return receipt requested # **9589 0710 5270 1306 9469 45**

Property:
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STATE OF TEXAS
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Director of Planning/Building Official Printed Name Michael Beard

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Notary Public Signature Andrea Contreras

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ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2023
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Exhibit 5

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council

Brian Burt
Shane Hodynick
Jesse lee Myles, III
Sam Halabi

September 15, 2026

REVERSE MORTGAGE FUNDING, LLC
1455 BROAD STREET – 2ND FLOOR
BLOOMFIELD, NJ 07003

Certified mail return receipt requested # **9589 0710 5270 1306 9469 52**

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

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Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
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MY COMM. EXP. 12/23/2029
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Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
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Certified mail return receipt requested # **9589 0710 5270 1306 9469 52**

Property:
1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)

To Whom It May Concern:

According to the real property records of Bell County, you own the real property described in this Notice. 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 this Notice is mailed. If you do not send the affidavit, it will be presumed that you own the Property described in this Notice, even if you do not.

On August 31, 2026, a physical inspection was made of the site-built structure, all accessory structures, and other nuisances located on the property at **1801 Verna Lee Blvd.** Based on those inspection(s) the Building Inspector has found the said building(s), all accessory structures and nuisances are dangerous and/or substandard structure(s) under Chapter 160 of the Code of Harker Heights ("Code"). A brief and concise description of the conditions found to render the building(s) dangerous or substandard under §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinance ("Code") is attached to this Notice and incorporated by reference (Building Inspection Report).

Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

You may contact the City of Harker Heights Director of Planning/Building Official by telephone at (254)-953-5647, or by email at mbeard@harkerheights.gov, or you may write to the Director of Planning/Building Official at 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

EXHIBIT A: Building Inspection Report for all structures located on property at 1801 Verna Lee Blvd.

EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council
Brian Burt
Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

RICHARD ZAVALA
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

Certified mail return receipt requested # **9589 0710 5270 1306 9469 90**

***RE:* NOTICE OF SUBSTANDARD OR DANGEROUS BUILDING(S) AND NOTICE FOR REMOVAL OF PERSONAL PROPERTY AT 1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548)**

To Whom It May Concern:

On August 31, 2026, a physical inspection was made of the residential site-built structure, all accessory structures, and other nuisances located at **1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548).** Based on that inspection it was determined by Mr. Fabian Brooks, the Building Inspector for the City of Harker Heights, that the site-built structure, accessory structure(s), and any nuisances located at **1801 VERNA LEE BLVD** have been found to be dangerous or substandard under the provisions of §160.04, of the City of Harker Heights Code of Ordinance (see attached **Building Inspection Report**).

Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

Attachments:

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
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The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas, 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
Michael Blomquist

Mayor Pro Tem
Lynda Nash

City Council
Brian Burt
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September 15, 2026

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Pursuant to the determination of the Building Inspector, a Public Hearing will be held before the Building and Standards Commission ("Commission") to determine whether the buildings on the Property comply with the standards set out in §160.04 of the Code.

The Public Hearing will be held on **October 28, 2026, immediately following the regular meeting of Planning and Zoning Commission at 5:30 P.M.** in the Council Chambers located at the City of Harker Heights City Hall, 305 Miller's Crossing, Harker Heights, Bell County, Texas, 76548:

At the Public Hearing the Property owner and all other interested persons may make their appearance in person by property owner and/or by attorney and shall have a reasonable opportunity to be heard. Anyone requiring assistive listening devices or other special

accommodation is strongly encouraged to contact the City Secretary at least 48 hours prior to the Public Hearing to make the necessary arrangements.

At the Public Hearing each owner, lienholder, or mortgagee of the Property will be required to submit proof of the scope of any work that may be required to comply with Chapter 160 of the Code, and the time that it will take to reasonably perform the work. By law the burden of proof will be upon such owner, lienholder or mortgagee.

If any of the buildings located on the Property are found to be in violation of Chapter 160 of the City of Harker Heights Code of Ordinance, the Commission may order that the buildings be repaired, vacated and secured, removed or demolished within a reasonable time. In addition, the Commission may order that any occupants be relocated by the owner, lienholder or mortgagee of the Property. If the Commission's order is violated the city may perform the actions necessary to comply with the order. If the Order given to the owner, mortgagee, or lienholder is not complied with in the allowed time, the City may vacate and secure, remove or demolish the building(s) in accordance with §160.09 of Chapter 160 of the City of Harker Heights Code of Ordinance the resulting expenses incurred by the City shall be the personal obligation of the Property owner, and the City shall have a priority lien upon the Property to secure payment thereof.

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Respectfully,

Michael Beard
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EXHIBIT B: Harker Heights Code Chapter 160

STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Mayor
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Mayor Pro Tem
Lynda Nash

City Council

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Shane Hodyniak
Jesse lee Myles, III
Sam Halabi

September 15, 2026

SECRETARY OF HOUSING AND URBAN DEVELOPEMENT
451 SEVENTH STREET SW
WASHINGTON, DC 20410

Certified mail return receipt requested # **9589 0710 5270 1306 9469 69**

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Based on this determination, the Building Inspector for the City of Harker Heights requires that the legal owner of the site-built structure, all accessory structures, and other nuisances make the necessary repairs to bring the structure(s) up to code under §160.04 or demolish the structure(s). Until then, the aforementioned structure(s) have been deemed uninhabitable and owners of any personal property within the structure(s) are requested to remove all such items from that structure(s). This notice is being sent to you because you were identified as the property owner for the aforementioned property.

This letter serves as Official Notice requiring **Michael A Jacob or their legal representatives** to contact Mr. Michael Beard, the Director of Planning/Building Official for the City of Harker Heights, at 305 Miller's Crossing, Harker Heights, Texas, within **ten (10) working days** of the receipt of this letter to discuss a schedule for the complete repair or the demolition of the dangerous and substandard residential structure noted above, along with any additional accessory structures located on the property that are found to be in noncompliance with the Code.

This letter also serves as an Official Notice giving **Michael A Jacob or their legal representatives** or any individuals having personal property within the noted structure **ten (10) working days** of the receipt of this letter to remove any and all personal property and/or items from the structure located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548.**

Any and all personal property and/or items not removed from the manufactured/mobile structure, accessory structure(s), or nuisances located at **1801 Verna Lee Blvd, Harker Heights, Texas 76548** will be considered abandoned or unclaimed property and may be removed following the conclusion of the abatement proceedings depending on the decision of the Building Standards Commission.

WARNING: Failure to timely comply with this Notice may result in filing of criminal charges against you in the Municipal Court, commencement of abatement proceedings before the Building and Standards Commission, or other enforcement action as provided by law.

Respectfully,

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STATE OF TEXAS
COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

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Harker Heights
The Bright Star Of Central Texas

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September 15, 2026

SECRETARY OF HOUSING AND URBAN DEVELOPEMENT
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Respectfully,

Michael Beard
Director of Planning/Building Official, City of Harker Heights

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STATE OF TEXAS
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NOTARY PUBLIC STATE OF TEXAS
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Exhibit 5

Harker Heights
The Bright Star Of Central Texas

The City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
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September 15, 2026

SHARLET WATTS
14800 LANDMARK BLVD
SUITE 850
DALLAS, TX 75254

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COUNTY OF BELL

Director of Planning/Building Official Printed Name Michael Beard

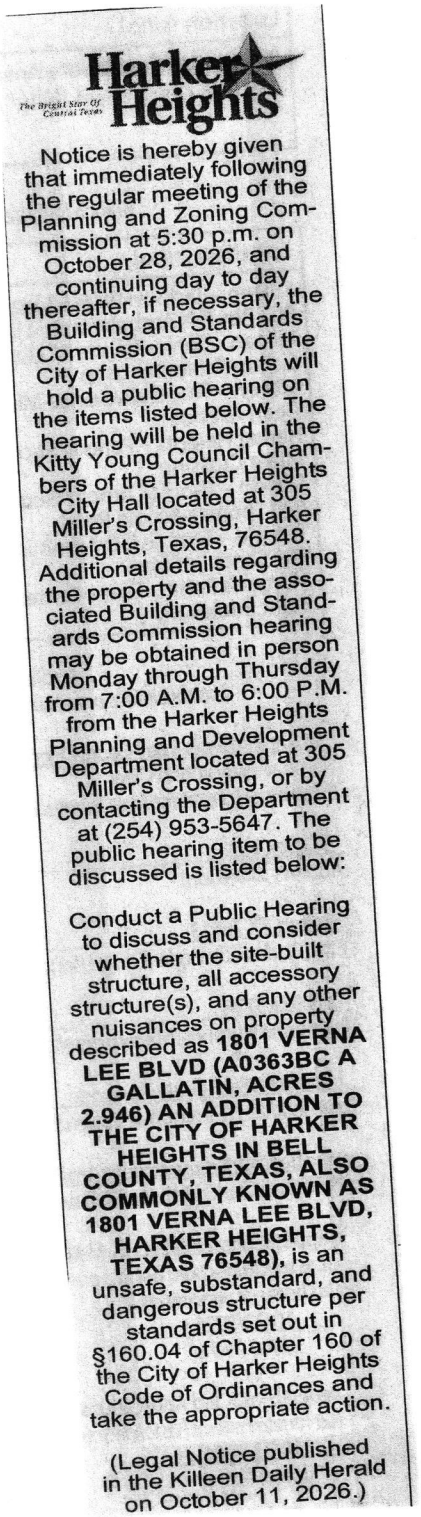
Director of Planning/Building Official Signature

Sworn to and subscribed before me on September 15, 2026

Notary Public Signature Andrea Contreras

My Commission Expires

ANDREA NICOLE CONTRERAS
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 12/23/2029
NOTARY ID 133500816



Harker Heights

The Bright Star Of Central Texas

Notice is hereby given that immediately following the regular meeting of the Planning and Zoning Commission at 5:30 p.m. on October 28, 2026, and continuing day to day thereafter, if necessary, the Building and Standards Commission (BSC) of the City of Harker Heights will hold a public hearing on the items listed below. The hearing will be held in the Kitty Young Council Chambers of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas, 76548. Additional details regarding the property and the associated Building and Standards Commission hearing may be obtained in person Monday through Thursday from 7:00 A.M. to 6:00 P.M. from the Harker Heights Planning and Development Department located at 305 Miller's Crossing, or by contacting the Department at (254) 953-5647. The public hearing item to be discussed is listed below:

Conduct a Public Hearing to discuss and consider whether the site-built structure, all accessory structure(s), and any other nuisances on property described as **1801 VERNA LEE BLVD (A0363BC A GALLATIN, ACRES 2.946) AN ADDITION TO THE CITY OF HARKER HEIGHTS IN BELL COUNTY, TEXAS, ALSO COMMONLY KNOWN AS 1801 VERNA LEE BLVD, HARKER HEIGHTS, TEXAS 76548),** is an unsafe, substandard, and dangerous structure per standards set out in §160.04 of Chapter 160 of the City of Harker Heights Code of Ordinances and take the appropriate action.

(Legal Notice published in the Killeen Daily Herald on October 11, 2026.)













CHAPTER 160: UNSAFE, SUBSTANDARD AND DANGEROUS STRUCTURES

Section

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§ 160.01 FINDINGS AND PURPOSE.

The facts and recitations contained in the preamble of the ordinance that is the basis for this chapter are found and declared to be true and correct.

(Ord. 2011-07, passed 4-12-11)

§ 160.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings as ascribed to them in this section, except where the context clearly indicated a different meaning.

BUILDING. Includes any building, fence, retaining wall, awning, canopy, sign, shed, garage, house, tent or other structure whatsoever, or any portion thereof, and the enumeration of specific types of structures shall not be deemed to exclude other types of structures to which the sense and meaning of the provisions hereof in context reasonably have application.

BUILDING OFFICIAL. The person designated by the City Council to enforce this chapter.

COMMISSION. The Building and Standards Commission established pursuant to § 33.80.

STANDARD CODES. The codes adopted and amended by § 150.02.

(Ord. 2011-07, passed 4-12-11)

§ 160.03 GENERALLY.

(A) *Powers of the building official.*

(1) *Administration.* The building official is hereby authorized to enforce the provisions of this chapter. The building official shall have the power to render interpretations of this chapter and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this chapter.

(2) *Inspections.* All buildings within the scope of this chapter and all construction or work for which a permit is required shall be subject to inspection by the building official. The building official, fire marshal and their designees are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

(3) *Right of entry.* When it is necessary to make an inspection to enforce the provisions of this chapter, or when the building official or his designee has a reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this chapter which makes the building or premises unsafe, dangerous, or hazardous, the building official or his designee may enter the building or premises at reasonable times to inspect or perform

the duties imposed by this chapter, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official or his designee shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(B) *Abatement of dangerous or substandard buildings.* All buildings or portions thereof which are determined after inspection by the building official to be dangerous or substandard as defined by this chapter are hereby declared to be public nuisances and shall be abated by repair, vacation, demolition, removal or securing in accordance with the procedures specified in this chapter.

(C) *Notice.* When notice is given in accordance with this chapter to a property owner, lienholder, or mortgagee, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered. On receipt of a notice under this chapter, a manager of the affected property shall notify the owner of the notice within 10 days.

(Ord. 2011-07, passed 4-12-11)

§ 160.04 MINIMUM STANDARDS; SUBSTANDARD BUILDINGS DECLARED.

(A) *Substandard building.* For the purposes of this chapter any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described shall be deemed to be a substandard building, and a nuisance:

(1) Whenever any building is dilapidated, deteriorated, decayed or damaged to the extent that it is unfit for human habitation, or a hazard to the public health, safety and welfare.

(2) Whenever any building, regardless of its structural condition, is unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be reasonably expected to be entered or used by vagrants or other uninvited persons as a place of harborage, or by children for any purpose.

(3) Whenever any building is boarded up, fenced or otherwise secured in any manner if:

(a) The building constitutes a danger to the public even though secured from entry; or

(b) The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by division (A)(2) of this section.

(4) Whenever any building is in such a condition as to make a public nuisance known to the common law or in equity jurisprudence.

(5) Whenever any portion of a building remains on a site after the demolition or destruction of the building.

(6) Whenever any building or a portion thereof is abandoned so as to constitute an attractive nuisance or hazard to the public.

(7) Whenever a building used or intended to be used for indoor workspace, dwelling, or other human occupancy is determined by the building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease for reasons including, but not limited to, any of the following:

(a) Lack of, or improper lavatory.

(b) Lack of, or improper bathtub or shower in a dwelling unit or lodging house.

(c) Lack of, or improper lavatories and bathtubs or showers per number of guests in a hotel.

(d) Lack of, or improper kitchen sink in a dwelling unit.

(e) Lack of hot and cold running water to plumbing fixtures.

(f) Lack of, or improper operation of, adequate heating facilities.

(g) Lack of, or improper operation of, required ventilating equipment.

(h) Lack of minimum amounts of natural light and ventilation required by this chapter, the standard codes, or other ordinance or regulation of the city.

(i) Room and space dimensions less than required by this chapter, the standard codes, or other ordinance or regulation of the city.

(j) Lack of required electrical lighting.

(k) Excessive dampness or mold in habitable rooms.

(l) Infestation of insects, vermin or rodents.

(m) General dilapidation or improper maintenance.

(n) Lack of connection to required sewage disposal system.

(o) Lack of adequate garbage and rubbish storage and removal facilities.

(8) Whenever any building contains structural hazards, including but not limited to the following:

(a) Deteriorated or inadequate foundation.

(b) Defective or deteriorated flooring or floor supports.

(c) Flooring or floor supports are insufficient to carry imposed loads with safety.

(d) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.

(e) Members of walls, partitions or other vertical supports that are insufficient to carry imposed loads with safety.

(f) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

(g) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.

(h) Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

(i) Fireplaces or chimneys that are insufficient to carry imposed loads with safety.

(9) Whenever any building has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building provided by the building regulations of the city, as specified in any of the standard codes, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

(B) *Dangerous and substandard building.* For the purposes of this chapter, any building, regardless of the date of its construction, which has any or all of the conditions or defects hereinafter described to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a dangerous and substandard building, and a nuisance:

(1) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(2) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(3) Whenever the stress in any materials, or members or portion thereof, due to all dead and live loads, is more than 1" times the working stress or stresses allowed in the standard codes for new buildings of similar structure, purpose or location.

(4) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such damage and is less than the minimum requirements of the applicable standard codes for new buildings of similar structure, purpose or location.

(5) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(6) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the applicable standard codes for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the such codes for such buildings.

(7) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(8) Whenever the building or any portion thereof is likely to partially or completely collapse because of: (a) dilapidation, deterioration or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (d) the deterioration, decay or inadequacy of its foundation; or (e) any other cause.

(9) Whenever, for any reason, the building, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(10) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(11) Whenever the building, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% or more damage or deterioration of its non- supporting members, enclosing or outside walls or coverings.

(12) Whenever the building has been so damaged by fire, wind, earthquake, flood or other causes, or has become so dilapidated or deteriorated as to become (a) an attractive nuisance to children; or (b) a harbor for vagrants, criminals or

illegal activity.

(13) Whenever any building which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50%, or in any supporting part, member or portion less than 66% of the (a) strength, (b) fire-resisting qualities or characteristics, or (c) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

(14) Whenever any building or structure, because of obsolescence, dilapidation, deterioration, damage or decay, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

(15) Whenever any building is defined by any provision of the standard codes or other ordinance or regulation of the city as substandard, and the life, health or safety of the public or any occupant is endangered.

(16) Whenever any building is defined as dangerous to the life, health or safety of the public or any occupant thereof by any provision of the standard codes or other ordinance or regulation of the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.05 DETERMINATION BY BUILDING OFFICIAL.

When the building official has inspected or caused to be inspected any building and has found and determined that the building is substandard, the building official may take any or all of the following actions, as he or she deems appropriate:

(A) Issue notice to the record owner that the building is substandard and must be repaired or demolished;

(B) Issue a citation for each violation of this chapter;

(C) Secure the building if permitted by this chapter; or

(D) Commence abatement proceedings before the Commission pursuant to §160.06.

(Ord. 2011-07, passed 4-12-11)

§ 160.06 PUBLIC HEARING FOR ABATEMENT OF SUBSTANDARD BUILDINGS.

(A) *Commencement of proceedings.* When the building official has found and determined that a building is a substandard building, the building official may commence proceedings to cause the repair, vacation, relocation of occupants, removal, demolition or securing of the building.

(B) *Public hearing to be held.* Except when the Commission finds that a building is likely to immediately endanger persons or property, a public hearing shall be held before the Commission to determine whether a building complies with the standards set out in § 160.04. If the Commission determines that the building constitutes an immediate danger, the procedures set forth in § 160.12(B) and following shall be followed.

(C) *Notice.* Not less than ten days prior to the date on which the hearing is set, the building official shall issue a notice of the public hearing directed to the record owner of the building, and to all mortgagees and lienholders. The city shall use diligent efforts to determine the identity and address of any owner, lienholder or mortgagee of the building through searching the Bell County real property records, the records of the Bell County Tax Appraisal District, records of the Secretary of State, Bell County assumed name records, tax records of the city, and utility records of the city. The notice shall contain:

(1) The name and address of the record owner;

(2) The street address or legal description sufficient for identification of the premises upon which the building is located;

(3) A statement that the building official has found the building to be substandard or dangerous, with a brief and concise description of the conditions found to render the building dangerous or substandard under the provisions of § 160.04;

(4) A statement that the owner, lienholder, or mortgagee will be required to submit at the hearing proof of the scope of any work that may be required to comply with the chapter, and the time it will take to reasonably perform the work;

(5) Notice of the time and place of the public hearing; and

(6) A statement that if the building is found to be in violation of this chapter, the Commission may order that the building be vacated, secured, repaired, removed or demolished within a reasonable time.

(D) *Additional notice of public hearing.* Prior to the public hearing; the city may file a copy of the notice mailed pursuant to this section in the official public records of real property in Bell County. If such notice is not filed of record, each identified mortgagee and lienholder must be notified of any abatement order issued by the Commission at the public hearing, prior to any remedial action by the city. The city shall also post a copy of the notice mailed pursuant to this section on the front door of each improvement situated on the affected property, or as close thereto as practicable, or if there is no front door then at a conspicuous location on the property. In addition, the notice must be published in a newspaper of general circulation in the city on one occasion on or before the tenth day before the date fixed for the hearing.

(E) *Burden of proof.* At the public hearing, the owner, lienholder or mortgagee has the burden of proof to demonstrate the scope of any work that may be required to comply with this chapter, and the time it will take to reasonably perform the work.

(F) *Conduct of public hearing.* All cases to be heard by the Commission must be heard by a panel of at least five members and/or alternate members, and a majority vote of the members voting on a matter is necessary to take action thereon. At the public hearing, the owner of the building, and all other interested persons may make their appearance in person or by attorney, and shall have a reasonable opportunity to be heard. Any relevant evidence may be received and considered by the Commission, and for this purpose the chairperson or acting chairperson shall have the authority to administer oaths and issue orders compelling the attendance of witnesses and the production of documents. The hearing may be adjourned from day to day or continued upon a majority vote of the Commission, in compliance with the Open Meetings Act.

(Ord. 2011-07, passed 4-12-11)

§ 160.07 ORDER OF COMMISSION REGARDING SUBSTANDARD BUILDING.

(A) *Findings and order of the Commission.* If the Commission, by a majority vote, finds upon evidence presented at the public hearing that the building is in violation of the standards set out in § 160.04, the Commission may order the owner, mortgagee or lienholder to take action as required by this section.

(1) *Repair.* If the owner, lienholder or mortgagee demonstrates that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, it shall be ordered remedied or repaired to comply with such codes. Repair shall be deemed feasible only if less than 50% of the structure must be repaired or replaced to comply with all applicable codes, or if the value of the structure is reduced by less than 50% because of the violations.

(2) *Vacate and secure.* If the building is in such a condition as to make it hazardous to the health, safety or general welfare of its occupants or the public, it may be ordered vacated and secured, and the order may also require the occupants to be relocated.

(3) *Demolish or remove.* In any case where the owner, lienholder or mortgagee fails to demonstrate that the building can be feasibly brought into compliance with all applicable codes within the time allowed by this section, the Commission may order that the building be demolished or removed.

(B) *Time allowed to complete work.*

(1) The order must require the owner, lienholder or mortgagee of the building to within 30 days:

(a) Secure the building from unauthorized entry; and/or

(b) Repair, remove or demolish the building unless the owner or lienholder establishes at the hearing that the work cannot reasonably be performed within 30 days.

(2) If the Commission allows the owner, lienholder or mortgagee more than 30 days to repair, remove or demolish the building, the Commission shall establish specific time schedules for the commencement and performance of the work and shall require the owner, lienholder or mortgagee to secure the property in a reasonable manner from unauthorized entry while the work is being performed, as determined by the Commission.

(3) The Commission may not allow the owner, lienholder or mortgagee more than 90 days to repair, remove or demolish the building or fully perform all work required to comply with the order unless the owner lienholder or mortgagee:

(a) Submits a detailed plan and time schedule for the work at the hearing; and

(b) Establishes at the hearing that the work cannot be reasonably completed within 90 days because of the scope and complexity of the work.

(4) If the Commission allows the owner, lienholder or mortgagee more than 90 days to complete any part of the work required to repair, remove or demolish the building, the Commission shall require the owner, lienholder or mortgagee to regularly submit progress reports to the building official to demonstrate that the owner, lienholder or mortgagee has complied with the time schedules established for commencement and performance of the work. The order may require that the owner, lienholder or mortgagee appear before the Commission or the building official to demonstrate compliance with the time schedules.

(C) *Contents of order.* The order of the Commission must contain at minimum:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located; and

(2) A description of the violation of minimum standards present in the building; and

(3) A description of the ordered actions, including a statement that the owner may repair, if feasible, or demolish or remove at his option; and

(4) A statement that the city will vacate, secure, remove or demolish the building or relocate the occupants of the building if the ordered action is not taken within the time allowed, and charge the cost to the property; and

(5) If the Commission has determined that the building will endanger persons or property and that the building is a dwelling with ten or fewer dwelling units, a statement that the city may repair the building and charge the costs to the property if the ordered action is not taken within the time allowed.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2017-10, passed 5-23-17)

§ 160.08 NOTICE OF ORDER OF THE COMMISSION.

(A) *Order shall be mailed.* After the public hearing, the building official shall promptly mail, by certified mail, return receipt requested, a copy of the order to the record owner of the building, and each identified lienholder and mortgagee of the building.

(B) *Order shall be filed with City Secretary.* Within ten days after the date that the order is issued by the Commission, the building official shall file a copy of the order in the office of the City Secretary.

(C) *Order shall be published.* Within ten days after the date the order is issued by the Commission, the building official shall publish in a newspaper of general circulation within the city a notice containing:

(1) The street address or legal description of the property;

(2) The date the hearing was held;

(3) A brief statement indicating the results of the order; and

(4) Instructions stating where a complete copy of the order may be obtained.

(D) *Filing of order or abstract.* The order may be filed in the official public records of real property in Bell County. An abstract or judgment shall be ordered against all parties found to be the owners of the subject property or in possession of that property.

(Ord. 2011-07, passed 4-12-11)

§ 160.09 ENFORCEMENT OF THE ORDER OF THE COMMISSION.

(A) *Compliance.* If an order of the Commission under this chapter is not complied with, the city may take action. If the building is not vacated, secured, repaired, removed or demolished within the time specified by the order, the city may vacate, secure, repair, remove or demolish the building or relocate the occupants at its own expense, provided however:

(1) The city may not act to remove or demolish a building until after the Commission has found:

(a) That such defects or conditions exist to the extent that the life, health, property or safety of the public or the occupants of the building are endangered; and

(b) The building is infeasible of repair, or there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given.

(2) The city may only repair a building as provided herein to the extent necessary to correct the conditions which render the building dangerous, and may not act to repair a building unless:

(a) The Commission has made a determination that the building is likely to endanger person or property; and

(b) The building is a residential dwelling with ten or fewer dwelling units.

(3) In the event there are mortgagors or lienholders, the city may only repair, remove or demolish the building after allowing the lienholder or mortgagee an additional 30 days after the time prescribed in the order has expired to complete the required work.

(4) Unless specifically authorized by a court order or by a written agreement signed by all record owners, mortgagees and lienholders, the city may not act to remove or demolish a building during the pendency of any appeal to a court of competent jurisdiction of the Commission's order.

(B) *Posting of notice to vacate building.* If the order requires vacation or if compliance is not had within the time specified therein, the building official is authorized to require that the building be vacated. Notice to vacate shall be mailed by certified mail, return receipt requested to the occupant of the building and shall be posted at or upon each entrance to the building. The notice shall be in substantially the following form:

"SUBSTANDARD BUILDING

DO NOT ENTER

UNSAFE TO OCCUPY

It is unlawful to occupy this building or to remove or deface this notice.

The Harker Heights Building and Standards Commission has declared this building to be substandard. To obtain a copy of this order, contact the City Secretary at 305 Miller's Crossing, Harker Heights, Texas, (254) 953-5600.

_____

Building Official

City of Harker Heights"

(C) *Remedial action by city.* Any repair or demolition work, or securing of the building shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided. Any surplus realized from the sale of such building, or from the demolition thereof, over and above the cost of demolition and cleaning of the lot, shall be paid over to the person or persons lawfully entitled thereto.

(D) *Permit required.* Any work of closure, repair, removal or demolition by the property owner or any lienholder or mortgagee or their agents must be performed pursuant to valid unexpired permits issued by the city. All permits issued pursuant to an order of the Commission shall expire upon expiration of the time for compliance set forth in the order.

(Ord. 2011-07, passed 4-12-11; Am. Ord. 2012-02, passed 2-14-12)

§ 160.10 PERFORMANCE OF WORK BY THE CITY.

(A) *Procedure*. When any work of repair, removal, demolition or securing is to be performed by the city, the work may be accomplished by city personnel or by private contract as may be deemed necessary. Rubble and debris shall be removed from any premises and the lot cleaned if removal or demolition is ordered. The building or building materials may be sold if removal or demolition is ordered, and the proceeds shall be used to offset other costs of the work.

(B) *Costs.* The cost of such work shall be paid from city funds and shall constitute a special assessment and a lien against such property to secure payment thereof together with 10% interest on such amount from the date on which the work is performed.

(C) *Repair to minimum standards only.* The city may repair the building at its own expense and assess the expenses on the land on which the building stands or is attached to only to the extent necessary to bring the building into compliance with the minimum standards set forth in § 160.04.

(Ord. 2011-07, passed 4-12-11)

§ 160.11 RECOVERY OF COST OF SECURING, REPAIR, REMOVAL OR DEMOLITION.

(A) *Itemized account and notice of lien.* The building official shall keep an itemized account of the expenses incurred by the city in the securing, repair, removal or demolition of any building pursuant to this chapter. Upon completion of the work, the building official shall prepare and file with the City Secretary a sworn account and notice of lien containing the following information:

(1) The name and address of the owner if that information can be determined with a reasonable effort;

(2) A legal description of the real property on which the building is or was located;

(3) The type of work performed; and

(4) The amount of expenses incurred by the city in performing the work and the balance due.

(B) *Notice filed in county records.* The City Secretary shall file the notice of lien along with a copy of the order of abatement issued by the Commission in the official public records of Bell County.

(C) *Personal obligation of property owner.* The expenses incurred by the city as set forth in the sworn account of the building official shall be a personal obligation of the property owner in addition to a priority lien upon the property.

(D) *Lien shall be valid and privileged.* Upon filing of the notice of lien in the official public records of Bell County, Texas, the lien shall be valid against the property so assessed. The lien shall be privileged and subordinate only to tax liens and existing special assessment liens, and shall be paramount to all other liens. The lien shall continue until the assessment and all interest due and payable thereon has been paid.

(E) *Assessment must be paid.* No utility service, building permit or certificate of occupancy shall be allowed on any such property until the assessment is paid and such lien is released by the city.

(F) *Release of lien.* After the expenses incurred by the city, as set forth in the sworn account of the building official, have been fully paid with interest of 10% per annum from the date the work was performed, the building official shall execute a release of lien which shall be filed in the official public records of Bell County.

(Ord. 2011-07, passed 4-12-11)

§ 160.12 ADDITIONAL AUTHORITY TO SECURE CERTAIN SUBSTANDARD BUILDINGS PRIOR TO PUBLIC HEARING AND SECURE, DEMOLISH, REPAIR OR REMOVE CERTAIN DANGEROUS BUILDINGS.

(A) *Securing of unoccupied, substandard building.* Notwithstanding any other provisions of this chapter the city may secure a building if the building official determines that the building:

(1) Violates the minimum standards set forth in §160.04; and

(2) Is unoccupied or is occupied only by persons who do not have the right of possession to the building.

(B) *If building creates immediate danger.* Notwithstanding any other provisions of this chapter, if the Commission finds that a building is likely to immediately endanger persons or property the Commission may:

(1) Order the owner of the building, the owner's agent, or the owner or occupant of the property on which the structure

is located to repair, remove, or demolish the structure, or the dangerous part of the structure, within a specified time; or

(2) Repair, remove, or demolish the structure, or the dangerous part of the structure, at the expense of the municipality, on behalf of the owner of the structure or the owner of the property on which the structure is located, and assess the repair, removal, or demolition expenses on the property on which the structure was located.

(C) *Notice to owner.* Before the eleventh day after the date the building is secured pursuant to division (A) above, or action is ordered pursuant to division (B)(1) above, or the building is repaired, removed or demolished pursuant to division (B)(2) above, the building official shall give notice to the owner by:

(1) Personally serving the owner with written notice;

(2) Depositing the notice in the United States mail addressed to the owner at the owner's post office address;

(3) Publishing the notice at least twice within a ten-day period in a newspaper of general circulation in the county in which the building is located, if personal service cannot be obtained and the owner's post office address is unknown; or

(4) Posting the notice on or near the front door of the building if personal service cannot be obtained and the owner's post office address is unknown; and

(5) In addition to the above, depositing notice in the United States mail to all lienholders and mortgagees who can be determined from a reasonable search of instruments on file in the office of the County Clerk.

(D) *Contents of notice.* The notice must contain:

(1) An identification (which is not required to be a legal description) of the building and the property on which it is located;

(2) A description of the violation of the minimum standards present in the building;

(3) A statement that the city will secure or has secured, as the case may be, the building, or that the city has taken or will take the action ordered pursuant to division (B); and

(4) An explanation of the owner's entitlement to request a hearing about any matter relating to the city's securing, removing, demolishing or repairing of the building.

(E) *Hearing.* The Commission shall conduct a hearing at which the owner may testify or present witnesses or written information about any matter relating to the city's securing, repairing, removing or demolishing of the building, if, within 30 days after the date the city has taken action pursuant to divisions (B)(1) or (B)(2) of this section, the owner files with the city a written request for the hearing. The hearing shall be conducted within 20 days after the date the request is filed.

(F) *Expenses.* If the city incurs expenses under this section, such expenses incurred shall be a personal obligation of the property owner in addition to a priority lien upon the property, and costs shall be recovered as provided by §160.10 and § 160.11.

(Ord. 2011-07, passed 4-12-11)

§ 160.13 VIOLATIONS.

(A) *Generally.* Except with the valid written permission of the building official, it shall be unlawful for any person to:

(1) Erect, construct or maintain any building that is deemed herein to be a nuisance;

(2) Use, occupy, enter, or remain in any building that is posted with a notice to vacate;

(3) Remove, damage or deface a notice to vacate posted under this chapter; or

(4) Cause or permit any act to be done in violation of any provision of this chapter.

(B) *Compliance with order.* It shall be unlawful for any person to whom an order of the Commission is directed to fail to comply with such order.

(C) *Interference prohibited.* It shall be unlawful for any person to obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the city or with any person who owns or holds any estate or interest in the building which has been ordered repaired, vacated, demolished, removed or secured under the provisions of this chapter; or with any person to whom such building has been lawfully sold pursuant to the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the city, person having an interest or estate in such building, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing, removing or securing any such building pursuant to the provision of this chapter, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this chapter.

(D) *Transfer of ownership.* No person may sell, transfer, mortgage, lease or otherwise dispose of a building or property that is the subject of a notice of substandard building, a citation, or an order of the Commission under this chapter until:

(1) The deficiencies noted in the notice, citation or order have been corrected and a new certificate of occupancy has been issued by the city; or

(2) The building official receives a signed and notarized statement from the grantee, transferee, mortgagee or lessee

acknowledging the receipt of the notice, citation or order, and unconditionally accepting the responsibility for timely correcting the deficiencies noted therein.

(E) *Separate violations.* Each building or property which is in violation of any part of this chapter is a separate offense. Each violation in any building or property is a separate offense. Each and every day's violation shall constitute a separate and distinct offense.

(F) *Municipal court.* Proceedings under the jurisdiction of the municipal court are not affected by proceedings of the Commission or civil penalties under this chapter.

(Ord. 2011-07, passed 4-12-11)

§ 160.14 CIVIL PENALTY.

(A) *Civil penalty authorized.* In addition to any other enforcement authority provided for by law, and without regard to any criminal prosecution or conviction under this chapter, the Commission may at an administrative hearing assess a civil penalty by order against a property owner for failure to comply with an order issued by the Commission pursuant to this chapter.

(B) *Showing required.* The civil penalty may be assessed if it is shown at the administrative hearing that:

(1) The property owner was notified of the contents of the order issued pursuant to §160.07; and

(2) The property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order.

(C) *Amount of penalty.* The civil penalty may be assessed in an amount not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owner's lawful homestead, in an amount not to exceed $10 a day for each violation.

(D) *Notice of administrative hearing.* Not less than ten days prior to the date on which the administrative hearing is set, the property owner shall be sent a notice of the hearing by certified mail, return receipt requested. The notice shall contain:

(1) A copy of the order issued by the Commission pursuant to §160.07;

(2) A statement that the building official has determined that the property owner committed an act in violation of that order, or failed to take an action necessary for compliance with that order;

(3) A statement that at the administrative hearing the Commission may assess a civil penalty not to exceed $1,000 a day for each violation or, if the owner shows that the property is the owners' lawful homestead, in an amount not to exceed $10 a day for each violation; and

(4) Notice of the time and place of the hearing.

(E) *Copy of order filed with district clerk.*After the civil penalty is assessed, the City Secretary shall file with the Bell County District Clerk a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty.

(F) *Enforcement.* The civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this division is final and binding and constitutes prima facie evidence of the penalty in any suit.

(Ord. 2011-07, passed 4-12-11)

§ 160.15 AUTHORITY NOT LIMITED.

Notwithstanding all other provisions of this chapter, nothing herein shall be deemed a limitation on the duty of the city to summarily order the demolition of any building or structure where it is apparent that the immediate demolition of such building or structure is necessary to the protection of life, property or general welfare of the people in the city.

(Ord. 2011-07, passed 4-12-11)

§ 160.16 AUTHORITY OF CITY ATTORNEY.

The City Attorney may without further authorization of the City Council undertake the enforcement of this chapter by all legal means appropriate or necessary, including but not limited to: enforcement in municipal court; filing a notice of *lis pendens* in the official public records of Bell County; filing of appropriate civil actions in courts of appropriate jurisdiction to seek compliance with an order made under this chapter, to collect a civil penalty, or recover costs as provided by this chapter; to appointment of a receiver as provided by Local Government Code Chapter 214; and to defend the city from suit if suit is taken to appeal any action of the city.

(Ord. 2011-07, passed 4-12-11)