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PRESS RELEASE

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**COUNTY ATTORNEY PROSECUTES LANDLORD AFTER
FIRE UNCOVERS SEVERAL FAMILIES LIVING UNDER
DANGEROUS CONDITIONS**

El Paso County Attorney José R. Rodríguez has successfully prosecuted a landlord who had several families, including half a dozen children, living in very dangerous and unhealthy conditions.

Luis Torres, the owner of a trailer park located at 749 Ascension Rd. in Horizon City, was found guilty this past Friday to one violation of the Texas Water Code (failing septic system) and to another public nuisance charge of unsanitary and fire-hazard conditions at his property.

Justice of the Peace Precinct 6, Rubén Luján, sentenced Mr. Torres to pay a \$259 fine for the septic tank violation, and to pay \$200 plus court costs for the public nuisance violation. The defendant was also ordered to abate the nuisances, and was prohibited from leasing or otherwise inhabiting any dwelling at 749 Ascension. Mr. Torres will also have to remove all but one dwelling, install a new septic system, and re-apply with the El Paso county Road and Bridge Department for a certificate of compliance to obtain electrical power and water for his property.

The charges originated from a September 2006 incident, when a resident reported a spill of raw sewage underneath a mobile home at 749 Ascension. An investigator from the El Paso City-County Health District found several families living in buildings with missing walls and leaky roofs. The investigator also found evidence of cockroach infestation on one kitchen and bathroom. Some residents complained of sewage discharging underneath some of the 4 mobile homes on-site. The investigator also reported multiple dwellings connected to only one septic system, and numerous electrical

extension cords running from unauthorized circuit breaker boxes to some of the dwellings, and from room to room throughout the trailer park. Some of the extension cords were running on the ground and were frayed. Mr. Torres was issued 2 violation notices asking him to abate the nuisances; he was also told that the multiple electrical extension cords were a fire hazard and that he had to disconnect them.

Two months later, on November 26, 2006, a fire caused by an electrical short was reported at the same address. Three mobile homes were burned and several families were displaced as a result of the fire. The very next day another inspector from the Health Department responded to the same address to investigate a complaint of overflowing sewage from the septic tank. The inspector confirmed several families with young children were still living on the property even though there was no electrical power because of the fire. Witnesses observed children wading through the sewage.

On November 29, 2006, two of the El Paso County Attorney's Office's investigators discovered that Mr. Torres had obtained a gasoline-powered generator and was distributing electricity through extension cords to several families living in the apartments and mobile homes that were not burned. Because of the impending freezing temperatures over night, the investigators and El Paso County Emergency Services District No. 1 Fire Chief Stephen Hoeller were able to obtain shelter for the families. The Baptist Church and El Paso Baptist Association provided additional shelter. In early December the water service was disconnected after the Health Department revoked Mr. Torres' license to operate the septic system at 749 Ascension.

"Every time we find cases like these where landlords have families living in sub-standard conditions, we face a big challenge trying to prosecute and find a proper punishment for whoever is responsible, because in Texas county governments lack the power to enact land use and building codes," said El Paso County Attorney José R. Rodríguez.

"Fortunately no one lost their life as a result of the fire, which was caused by the electrical overload. It is imperative that we protect the public health and safety by enacting and enforcing more stringent laws. Many people live in sub-standard conditions and are fearful of complaining because they might be evicted, their rent increasing, or being deported, if undocumented, at the hands of unscrupulous, avaricious landlords."

The County Attorney's Office is working to convince the Texas Legislature to give counties the power to enact land use and building codes to help prevent the development of new Colonias.

Rodríguez added that public nuisance is an on-going problem in the county of El Paso, and his office will continue to prosecute such offenders. The penalty for the crime is a fine of up to \$200. **To report public nuisances, call the El Paso City-County Health and Environmental District at 860-2378.**

