

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The Building Board of Adjustments and Appeals of the City of McAllen, Texas met in regular session September 17, 2025 at 8:30 A.M. in the City Commission Room with the following present:

VERIFICATION OF QUORUM:

Members Present:

Michael D. Hovar	Chair
Marc Millis	Co-Chair
Luis Figueroa	Member
George Mendoza	Member
Cesar Gomez	Member
Jose Pena	Member
Francisco Meza	Member

Others Present:

Nancy Treviño	Director of Health, Code & Animal Care
Arcelia Canales	Asst. Director Health & Code Compliance
Martin Canales	Assistant City Attorney
Rebecca Grimes	Tax Assessor
John Gutierrez	Plans Examiner Supervisor
Cynthia Reyna	Administrative Supervisor
Rita Austin	Senior Administrative Clerk
Cynthia Soto	Supervisor; Code Enforcement
Jose Pena	Code Enforcement Officer
Ayssa Chang	Code Enforcement Officer
Juan Pena	Code Enforcement Officer
Chris Almaguer	Code Enforcement Officer
Kelly Rivera-Salazar	Linebarger, Goggan, Blair & Sampson, LLP

Meeting called to order by Chairman, Mr. Hovar at 8:31 A.M.

1. Approval of Minutes for Meeting on June 18, 2025.

Mr. Hovar calls for approval of minutes.

Mr. Millis questions page 2 demolition date (06/25/2025).

Ms. Trevino confirms staff will verify demolition date and make change if need be.

Mr. Hovar, if no further changes, motion for approval.

Motion by Mr. Millis to approve the minutes once staff verifies date in question.

Motion second by Mr. Mendoza.

All board members in favor - motion carried unanimously at 8:32 a.m.

**2. CONSIDERATION AND POSSIBLE ACTION UP TO AND INCLUDING
ORDER OF DEMOLITION OF SUBSTANDARD VACANT STRUCTURE
AT 2233 ERIE AVE.**

Ms. Trevino provides the Board with owner information; legal description, zoning dynamics, tax ID, taxes owed, legal owner information, history of property and postings dates provided. Staff is asking the Building Board of Adjustments to affirm consideration and possible action up to and including an order of demolition of the structure by the owner or the company, most appropriate if the owner fails to do so.

Mr. Hovar asks about the PD history incidents.

Ms. Trevino confirms this is the only type of report we receive from the Police Department when history is requested it is not report specific, just general history.

Mr. Hovar calls for anyone present to come forward and state name and address.

Mr. Moises Maldonado (son) of property owner is present (no address provided). States that father passed away about 4 years ago. A few months ago, he began boarding up the home, and has plans to give the home/property away to his brother's (who also passed away) daughters, but they are requesting time to do the legal paperwork.

Mr. Hovar asks if family knows the actual condition the structure is in and if they are able to demolish it (structure).

Mr. Maldonado states he believes they want to demolish it.

Mr. Hovar states that there is possible assistance with Imagine Tomorrow program that may be able to help for financial hardships.

Mr. Maldonado states he does not want them to be charged any fines later on.

Mr. Hovar states that Mr. Maldonado make contact with staff and they can provide information.

Mr. Meza inquires on how much time is being requested; stating importance of timeline.

Mr. Maldonado states wants to put house under their name possible 6 months and due to financial hardships.

Ms. Trevino states that with the Imagine Tomorrow program, there are specific requirements. Applicant must own the property, and show they have the financial means to complete the project. Imagine Tomorrow is not a free hand-out but rather a program that provides a monetary incentive for building or rehabbing residential dwellings - it has a 2 year timeline basis for completion. She requests that Mr. Maldonado stay after the meeting to get his information.

Mr. Maldonado requests to know his timeline.

Mr. Millis inquires on transfer of property and timeframe.

Mr. Maldonado states he will do the transfer quickly.

Mr. Millis questions the home, conditions, and boarding up of the structure.

Mr. Maldonado replies that the structure has already been boarded up (since the photos taken).

Mr. Hovar inquires on the vehicles that are parked on the property.

Mr. Maldonado states that all the vehicles have titles but belong to family.

Mr. Millis inquires if change in name on property is done, will that delay the process for BBOA.

Ms. Trevino confirms that it would delay the BBOA process. Not sure on the length of the delay possibly another 3 months. At the time of inspection the property was not secured and public safety is our main priority, we will be sending back an inspector to confirm that there is no access into the property.

Mr. Hovar confirms to approve the process and let staff monitor the timeframe of 90-days.

Mr. Meza open to 90-day timeframe but one of the issues we have is that we do not see progress.

Mr. Hovar speaks about the recommendation given for demolition and let them handle the timeframe.

Mr. Pena speaks on the concerns of the vehicles on the property; they have broken glass, states that they must be removed for safety reasons while Board approves a decision.

Mr. Maldonado states to the Board that there are no funds for any immediate plans.

Mr. Pena questions at what point they will know when the funds are available and how long of a wait if the transfer of name is going to take 6 months.

Mr. Maldonado states he does not know how long it could take, just wants permission to have some time to start the process.

Mr. Hovar asks council, if someone who is deceased owns the property, but Moises is indicating he has the ability to gift the title, would there be a delay in the demolition.

Mr. Canales (legal) states would need to review the title of ownership to verify.

Mr. Hovar, if so, my recommendation would be to bring back at the next months' meeting, and in that time give Moises time to secure and clean up property, move the vehicles off the property. Then reevaluate the situation and then start the process on what can legally be done and move forward with a motion. At this time, if nothing can be done because of the questions in ownership, and to avoid demolishing something that should not.

Mr. Meza asks council if it is possible to move forward with what was presented today. The most important aspect is as Ms. Trevino stated is safety, and getting the property to meet City standards but the time period is also important.

Ms. Trevino states that with Imagine Tomorrow it does require that the owner of the property show financials for work to be completed, and or for the program to assist in the demolition, but they must re-build.

Mr. Maldonado states that financially there is no money to build at this time.

Mr. Hovar confirms not financially possible at this time.

Mr. Mendoza asks if family would be able to re-build once structure is demolished.

Mr. Maldonado states not possible at the time, the family he wishes to title the house to does not have the means to rebuild.

Mr. Millis confirms that if the title search states father's name, best to possibly push this 30 days and verify ownership or if change in ownership is possible.

Mr. Pena questions remark of Moises Maldonado, what do you mean, "no one is the owner".

Mr. Maldonado states again that since his father is deceased, no one owns the home.

Mr. Pena asks if this would still need to go through probate.

Mr. Hovar requests motion to go into executive session to discuss with council.

Mr. Millis motions for executive session.

Motion second by Mr. Meza.

(Executive session at 8:52 AM.)

Mr. Hovar states time back from executive session at 8:59 AM into regular session.

Mr. Meza states after discussion and by recommendation of the Board also considering what you said you would do, the motion is to; board it up, secure the property, remove the vehicles and possibly fence it up, and maintain the property (to include any mowing) so there are no hazards. We will review it in 30-days and make sure that we have done all we need to do.

Mr. Hovar amends motion to add that by recommendation of staff that the property must be safely secured, and that you (Moises Maldonado) get with staff for a list of the violations. Request for motion with amendment.

Motion second by Mr. Pena.

All board members in favor – amended motion carried unanimously.

3. UPDATES ON ACTIONS FROM PREVIOUS AGENDAS

➤ 504 S. 21ST ST.

- Involuntary demolition complete.

4. ADJOURNMENT

Mr. Hovar calls motion for adjournment.

Motion by Mr. Meza.

Motion second by Mr. Gomez.

All in favor, motion carries at 9:02 a.m.



Michael Hovar
Chairman

ATTEST:


Nancy P. Trevino
Director of Health, Code and Animal Care