

**TRANSCRIPT OF THE  
SANTA FE COUNTY PUBLIC NUISANCE  
HEARING OFFICER MEETING**

**Santa Fe, New Mexico**

**July 24, 2025**

1. This hearing of the Santa Fe County Public Nuisance Hearing Officer was called to order by Hearing Officer John Ziegler on the above-cited date at approximately 3:00 p.m.

**Staff Present:**

Joseph Martinez, Code Enforcement Supervisor

Peter Valencia, Assistant County Attorney

John Lovato, Growth Management Development Supervisor

2. **Approval of Agenda**

HEARING OFFICER JOHN ZIEGLER: This hearing is being recorded. We're here today for two properties.

The first property is 94 Camino de los Ranchos, it's case number 25-8053. A notice of hearing was sent out by my office on July 2<sup>nd</sup> by US mail to Edward Moya at 1210 Tesuque Drive, Lot C, Española, New Mexico 87532.

I understand that a public notice was posted in the legal section of the *New Mexican*. This hearing is being held pursuant to Ordinance 2023-04 and Resolutions 2024-118 and 156. The issue is whether there is a violation of the Nuisance Ordinance. The County has the burden to prove a violation of the ordinance by preponderance. Resolution 156 has the rules for the hearing. I'll summarize its informal rules of discovery and evidence don't apply, irrelevant, immaterial, and the like may be excluded. I give the appropriate weight to all relevant and material evidence. Each party can present 20 minute opening statements. The County will go first. Then the owner or occupant. The County then presents its case. The County will call witnesses and then the owner or occupant can cross-examine them. The owner or occupant can present his or her case and there's closing statements for each side. All individuals testifying shall be under oath. and then I have five working days to issue a decision regarding the existence of a nuisance.

Then the other property is 30 North Estrellas Road, Santa Fe 87507. That is case number 25-8083. A notice was out by my office on July 2<sup>nd</sup> to the same address, addressed to Rick Rivera and my understanding is a public notice was posted in the legal

SFC CLERK RECORDED 08/05/2025

section of the *New Mexican* and of course the same ordinances and resolutions apply to that property and the same instructions.

Mr. Martinez, I understand you may be withdrawing one of them. Why don't we start with that one?

JOSEPH MARTINEZ (Code Enforcement Supervisor): My name is Joe Martinez, Code Enforcement Supervisor for Santa Fe County. I'm here to present the status update for case number 25-8083 involving the property at 30 North Estrellas Road owned by Mr. Rick Rivera. This matter was originally scheduled today due to long-standing violations of the 2023-04 Nuisance Abatement Ordinance, including the presence of an abandoned fire damaged accessory structure, accumulated debris, and the existence of inoperable vehicles on site. This case originated following a fire event in September of 2023, confirmed to be caused by a lightning strike and documented by Santa Fe County Fire Department. However, I would like to inform the Hearing Officer that subsequent to the posting of this case for public hearing, the property owner has made sufficient progress to bring the property into compliance. Mr. Rivera has completed the removal of the burned structure and associated debris and the violations originally cited under the nuisance abatement ordinance have now been corrected to the satisfaction of the County. Therefore, the recommendation from Santa Fe County Code Enforcement is that this case be withdrawn and no further action be taken.

So, we thank the hearing officer for taking the time and consideration of this case and we're available to answer any questions that you may have regarding this if needed.

HEARING OFFICER ZIEGLER: And I'm sorry, which case number was that again?

MR. MARTINEZ: That's 25-8083.

HEARING OFFICER ZIEGLER: Okay, so that one can be set aside, so to speak. And we can proceed with case number 2580-53.

## 2. New Business

**CASE # 25-8053: The property at 94 Camino de los Ranchos is owned by Edward R. Moya and is Currently in Violation of the 2034-04 Nuisance Abatement Ordinance for Abandoned or Inoperable Vehicles, Criminal Activity, General Nuisances, Open Storage, and Substandard Building Condition Related to the Primary Dwelling addressed at 94 Camino de los Rancheros as a Result of a Fire that Occurred on December 14, 2024** [*Exhibit 1: Packet of materials provided by Santa Fe County*]

HEARING OFFICER ZIEGLER: I'll go ahead and have you sworn in.  
[Duly sworn, Joseph Martinez, testified as follows:]

JOSEPH MARTINEZ: Joseph Martinez, 240 Grant Avenue, Santa Fe, New Mexico, 87501.

HEARING OFFICER ZIEGLER: Okay. Go ahead, Mr. Martinez.

MR. MARTINEZ: Again, Joseph Martinez, Code Enforcement Supervisor for Santa Fe County. I'm here to present case number regarding the property located at 94 Camino de los Ranchos, owned by Edward Raymond Moya.

This property is being brought before you under the 2023-04 Nuisance Abatement Ordinance due to multiple and ongoing violations; including abandoned or inoperable vehicles, open storage and general nuisances, criminal activity and sub-substandard and unsafe building conditions.

The primary structure on site was severely damaged in a fire that occurred on December 14, 2024. Since then, the property has remained unsecured and uninhabitable. Our inspections have documented a partially collapsed roof, broken doors and windows, and general disrepair that pose both a health and public safety risk. The site continues to be a magnet for trespassers and illegal activity. Officers first observed the burned dwelling on March 21<sup>st</sup> during a follow-up inspection in the area. A formal inspection followed on March 24<sup>th</sup> which confirmed the presence of trash and debris throughout the yard, inoperable vehicles, and a structure clearly unsafe and unsecured.

Notice of Violations were issued by certified mail, but were returned unopened. Attempts were made to locate the property owner or any other responsible party, but research confirmed that Mr. Edward R. Moya had passed away in 1996. There is no record of probate and we have been unable to identify any legal successor with authority over the property.

Between March and June 2025, multiple inspections were conducted by code enforcement officers. At each site visit, we found that conditions had not improved. In fact, posted notices remained untouched and no contact had been made by any party. The property remains abandoned, unsecured, and deteriorating. Further investigation uncovered disturbing patterns. The fire reports suggest possible arson in the area and we obtained records from the Santa Fe County Sheriff's Office showing repeated calls for service linked to the property. Electric utility service has been disconnected since October 2020 and the property taxes are delinquent going back to the same year.

These findings demonstrate a clear and sustained violation of the Public Nuisance Ordinance. This property presents a danger not only to anyone who may unlawfully enter, but also to the surrounding communities, which include families, neighbors, and first responders. Therefore, code enforcement respectfully requests that you support the County's findings and authorize us to move forward with the Clean and Lien enforcement under Section 10, C5 of the Nuisance Abatement Ordinance. This includes the removal of the burn structure and the site cleanup to eliminate immediate hazards and begin to stabilize the area. Our department will continue to maintain the property until we're able to recover the funds expended through the lien process. We believe this action is necessary to protect the health, safety, and welfare of the public and ensure responsible land stewardship in Santa Fe County.

At this time, I'm prepared to present documentation, photographs, inspection reports, and supplemental materials to support this case. So, if we can, let's go ahead and pull up Exhibit A. [Power Point and Video were shown]

Okay. So, Exhibit A as seen on screen is the original complaint form that was submitted to our office or submitted to our office internally by code enforcement team leader Armando Rodriguez. The disposition of the complaint plainly states that he was able to see the yard with trash and debris and a burnt house from the public right-of-way.

So, let's go ahead and pull up Exhibit B. Exhibit B is a warranty deed for the

property for the subject property. This warranty deed shows that the original owners, one of the property owners was deceased and that it remained as the survivor warranty deed for Mr. Edward R. Moya.

So, let's go ahead and pull up Exhibit C. Exhibit C is going to be the inspection report with the inspector's observations from that day. Code enforcement team leader Amanda Rodriguez states in his inspection report that he observed the house in a very bad state due of disrepair due to a fire along with trash and debris throughout. Page two of Exhibit C shows the structure in the property from the public right-of-way. We specifically want to bring up Exhibit C, page 8, which has the trash and debris littered throughout the property on the east side. And then if we can bring up Exhibit C, page 12, again, additional debris throughout the property. Exhibit C is dated March 24, 2025.

If we can go ahead and pull up Exhibit D. Exhibit D is a letter that was sent to Mr. Moya.

HEARING OFFICER ZIEGLER: Ivan Moya?

MR. MARTINEZ: So under research we were able to identify that the County Assessor's Office had an in care of which would be an individual that was receiving the mail from the Assessor's Office. So we went ahead and issued the mail to the in care of that they had on file which was a Mr. Ivan Moya.

HEARING OFFICER ZIEGLER: Has your office ever heard from Mr. Ivan Moya?

MR. MARTINEZ: Not officially, no.

HEARING OFFICER ZIEGLER: What do you mean? Have you heard from him unofficially?

MR. MARTINEZ: So, during one of our site visits, the neighbor came out and stated that he had been in contact with Ivan and was trying to purchase the property.

HEARING OFFICER ZIEGLER: Okay.

MR. MARTINEZ: Exhibit D, page two, is a copy of the Notice of Violation that was sent. And then if we can move on to Exhibit E, this is just recording that it was sent certified mail to the address that the Assessor's Office had on file.

If we can bring up Exhibit F, page one. This is a follow-up inspection report that was submitted by Armando Rodriguez. He states in his inspection report that he was hoping to be able to contact the owners, but the property was still in bad condition. And this one occurred on April 28 of 25.

Included with the inspection report in Exhibit F are photos, additional photos. We want to specifically get to page four, which shows the posting of the Notice of Violation along with the Notice of Violation letter that was sent certified mail on the front door of the property. Since we had gotten no response, this leads to Exhibit G. If we can pull that up. Exhibit G is a Notice of Written Order with the photos. If we can bring up specifically, Exhibit G, page 6. Page 6 shows both the original Notice of Violation along with the notice of written order posted on the property.

And then if we can bring up Exhibit G, page 12. Trash and debris is still on the property and with no party making attempts to clean up the property.

If we can move on to Exhibit H. Exhibit H is a another code enforcement inspection report submitted by myself. This was conducted on a follow-up inspection on June 4 of 2025. At this time, I documented that both the interior and the exterior of the

property was in disrepair and met the criteria for general nuisances and for substandard building conditions. On that date, I was accompanied by code enforcement team leader Armando Rodriguez, and he submitted his report of the same visit on Exhibit I.

if we can bring up Exhibit J. Exhibit J is research that was found in our office through the *Rio Grande Sun*. There was no posting of from a funeral home. This was just noted in the newspaper, notifying of the passing of Mr. Edward Raymond Moya. We were able to deduce that this was the correct individual because of the names of the family members that were listed on the warranty deed as the warranty deed was issued as a survivorship and it stated on the warranty deed which would be Exhibit B, that Natalie Moya was deceased. In addition, Ivan Moya is listed in the paper as well, which coincided with the in care of from the Assessor's point of contact on file. However, we were unable to locate any probate hearing for that.

Exhibit K is a copy of the fire report. And we're going to want to go specifically – let's see. Here we go. So, Exhibit K and then Exhibit L is a continuation of the fire report. So, if we can pull up Exhibit L, page 12. This incident is going to be on the 14<sup>th</sup> day of December 2024 from Chimayo Fire District 2. On the apparatus narrative for COBC1, the last statement of the report states that the State Fire Marshall contacted due to suspicion of possible arson, RV fire, and structure fire within 20 to 30 minutes of each other.

Then if we can go ahead and pull up Exhibit M. Exhibit M is the total calls from April 2023 through December '24 from non-emergency dispatch. So there's a total of 25 calls to the property. The majority of these calls are for closed patrol.

HEARING OFFICER ZIEGLER: What's that?

MR. MARTINEZ: So, closed patrol is designed or is described as a call for suspicious activity. And so the police are responding either there's a individual on site or there's some kind of activity going on in order that they would like for the Sheriff's Office to take a look at.

Exhibit N is just a copy of the County, Santa Fe County Treasurer's Office showing the delinquent taxes that have not been paid since 2020.

Exhibit O is an email that we received due to our inquiry in regards to the property. A representative of Jemez Co-op indicated that the property was disconnected on October 7 of '21. And then I'm going to skip P for just a second and then I'll come back to it. Exhibit Q is going to be the affirmation of the posting of the notice in the *Santa Fe New Mexican*. And then, of course, Exhibit R is the Nuisance Abatement Ordinance under which the authority of how we're having the hearing.

But if we can go to Exhibit P. Exhibit P is a site documentation that I recorded on the date of June 4, 2025 on my site visit on the aforementioned inspection report. This video is about it's about 15 minutes long, but it's a detailed video of what is actually at the site. So with your permission.

Video begins: Joe Martinez, Santa Fe County Code Enforcement. Today is Wednesday, June 4<sup>th</sup>. We're at 94 Camino de los Ranchos in Chimayo.

[The video was paused and Hearing Officer Ziegler moved to view the video.]

Narrative of Video (cont.): Joe Martinez, Santa Fe County Code Enforcement. Today is Wednesday, June 4<sup>th</sup>. We're at 94 Camino de los Ranchos in Chimayo. [The video shows the property with no dialogue.]

MR. MARTINEZ: So, if we can pause the video for a second. So, Hearing Officer Ziegler, we understand because of the time constraints of what we're by abiding by the rules, we just want to make sure that the video gets submitted on record for the continuation so that that way the interior portion can be viewed by the public if need be.

So, at this time, we'll go ahead and answer any questions related to this case.

HEARING OFFICER ZIEGLER: Did you guys try and contact Ivan Moya through the neighbor? I understand that the neighbor had said that he had had contact with him.

MR. MARTINEZ: Yes, we did try to contact Mr. Moya via the neighbor, but we're not successful in being able to contact him for anything at the time of the publication of this not of this hearing. Yeah.

HEARING OFFICER ZIEGLER: How did you try and contact him?

MR. MARTINEZ: So, we made several site visits where the neighbor had mentioned where he was, but we weren't able to. Chimayo is a lot of family in the area and so the neighbor had pointed out where the where there was some extended family and so we went to that area and were unsuccessful being able to locate him.

HEARING OFFICER ZIEGLER: Okay. He didn't have a phone number or address for him?

MR. MARTINEZ: No.

HEARING OFFICER ZIEGLER: Okay. I have no questions. Does that conclude your case?

MR. MARTINEZ: That concludes the case.

HEARING OFFICER ZIEGLER: Okay. Is there anybody here on behalf of the property owner? Okay. The record can reflect that there's nobody here on behalf of the property owner.

JOHN LOVATO (Growth Management): And Hearing Officer, there is nobody online.

HEARING OFFICER ZIEGLER: Thank you. All right, Mr. Martinez, if you have nothing further on this property, then we'll move forward.

MR. MARTINEZ: So, just in conclusion, Hearing Officer Ziegler, we just want to go ahead and reiterate that we're requesting that you support the County's findings and authorized to move forward with the Clean and Lien under section 10 C.5 of the Nuisance Abatement Ordinance.

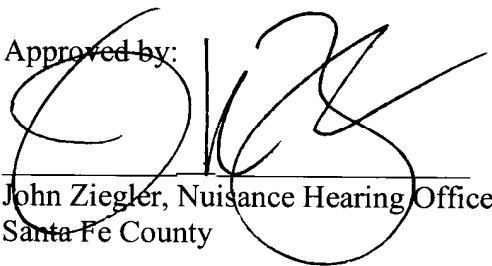
HEARING OFFICER ZIEGLER: Thank you. And just to be clear, the package that you went through and have provided to me is part of the record including the video which looks like it's available on YouTube; is that right? This address that's on Exhibit P, I guess. So that's all part of the record.

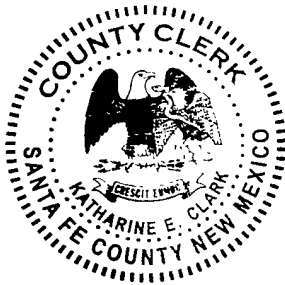
And if there's nothing further than that closes the record for this matter. I have five working days to issue a decision regarding the existence of a nuisance. And that concludes this hearing.

4. Adjournment

Hearing Officer Ziegler adjourned the hearing at approximately 3:33 p.m.

Approved by:

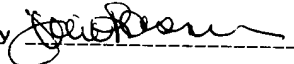
  
John Ziegler, Nuisance Hearing Officer  
Santa Fe County



COUNTY OF SANTA FE           )  
STATE OF NEW MEXICO       ) ss

NHO MINUTES  
PAGES: 7

: Hereby Certify That This Instrument Was Filed for  
Record On The 5TH Day Of August, 2025 at 04:34:35 PM  
and Was Duly Recorded as Instrument # 2064342  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Katharine E. Clark  
Deputy  County Clerk, Santa Fe, NM

SFC CLERK RECORDED 08/05/2025