

Supporting Documentation

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina

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Timeline Summary

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina

February 26, 2026

ACPH was contacted by a septic professional regarding concerns with a septic tank at the property during the Transfer of Title/Use Permit process. ACPH responded to the septic professional and requested that the information be forwarded to the property owner, including immediate safety precautions, nuisance prevention measures, and information about the Transfer of Title/Use Permit process.

March 2, 2026

ACPH forwarded the February 26 information directly to the then-current property owner and provided information about the Transfer of Title/Use Permit process, repair requirements, and the Agreement to Repair process if repairs could not be completed before closing. ACPH also received a Transfer of Title/Use Permit application from Double S Enterprises, doing business as S&S Services, and began reviewing the inspection information.

March 3, 2026

ACPH informed the then-current property owner that a Transfer of Title/Use Permit could not be issued until required repairs were completed. ACPH identified repair and evaluation needs related to the primary tank lid/access, secondary tank, diverter valve, and soil treatment area/fields.

March 13, 2026

ACPH followed up with OWTS professionals regarding the status of repairs and the condition of the system. Information received during follow-up identified continuing concerns with the secondary tank, diverter valve access, field evaluation, and whether the tank area was adequately secured.

March 16, 2026

ACPH contacted the then-current property owner regarding the status of repairs, fencing/signage around the tank area, and the Agreement to Repair process. ACPH received a photograph showing caution tape and cones near the open pit and recommended additional caution tape and/or fencing.

March 26, 2026

ACPH again followed up with the then-current property owner and requested an update on the status of repairs.

April 3, 2026

Double S Enterprises notified ACPH that the property had closed. ACPH was informed that, to the inspector's knowledge, the required repair had not been completed and no Transfer of Title/Use Permit or conditional use permit had been issued.

April 17, 2026

ACPH issued a Notice of Violation to Fernando Avina Garcia for the property. The Notice cited Section 18.1.D of the Arapahoe County OWTS Regulations and required the owner to apply for an OWTS repair permit, complete required repairs, document fencing/signage if an open excavation remained, prevent surfacing sewage, and obtain ACPH approval for use of the OWTS.

June 3, 2026

ACPH conducted a site visit and spoke with the property owner's uncle regarding the Notice of Violation and the need to repair the OWTS. ACPH later spoke with the current property owner by phone, discussed required repairs and possible enforcement consequences, and the owner agreed to apply for a repair permit, fence off the area, and obtain additional quotes.

June 4, 2026

ACPH emailed the property owner with information about the OWTS repair permit process, the repair permit fee, licensed installer requirements, and the need to submit photographs of fencing/signage for documentation.

June 12, 2026

After receiving no further communication from the property owner following the June 3 phone call and June 4 email, ACPH left a voicemail advising that a second notice and intent to proceed with enforcement would be sent.

June 15, 2026

ACPH issued a Second Notice of Violation and Intent to Proceed with Enforcement due to continued noncompliance. The Second Notice required the owner to apply for an OWTS repair permit, submit required documents, complete required tank work and system evaluation, secure the damaged tank and surrounding work area, prevent surfacing sewage, and obtain ACPH approval for use of the OWTS.

June 22, 2026

ACPH sent a final email to the property owner advising that ACPH was preparing to move the matter forward for formal enforcement action unless the owner immediately applied for a repair permit and began taking the required corrective actions. ACPH advised that it

would seek civil penalties of up to \$50 per day of noncompliance if the matter proceeded to the Board of Health.

Record of Communication:

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina

Emails:

From: WATER <water@arapahoegov.com>
Sent: Thursday, February 26, 2026 1:00 PM
To: Absepticco@gmail.com
Cc: WATER <water@arapahoegov.com>
Subject: Action Required: 23900 E Ohio Ave
Importance: High

Good afternoon,

Thank you for reaching out regarding 23900 E Ohio Ave. Please forward this to the property owner. Thank you!

For the collapsing tank, the property owner shall immediately fence off the area to protect people, kids, and pets from falling in. In addition, the property owner shall immediately take all necessary action to keep sewage off the surface of the ground. Such action includes pumping the contents of any septic tank or container of sewage as often as needed to prevent surfacing sewage, fence off the affected area that has been treated with lime, and till the applied lime into the ground. See also [CDPHE' Sewage backup cleanup guidance for homeowners](#).

For Arapahoe County, [see the list of licensed pumpers or cleaners who pump septic tanks](#). Also, [see also the list of licensed installer for septic systems](#).

Our files are getting scanned, so we sent a request to identify if there is more in the file for 23900 E Ohio Ave. Our team will review the records and our [Arapahoe County OWTS Regulations](#) to identify the minimum treatment tank capacity allowed for this system that was designed in 1997 for a six bedroom house and [selling for 3 bedrooms](#).

Transfer of Title/Use Permits are required for the sale of homes on septic in Arapahoe County per [Arapahoe County OWTS Regulations](#) Section 4. [See our septic site for more information on the process](#).

The use permit inspection report needs to be completed by an OWTS professional who has currently has NAWT Inspector certification per [Arapahoe County OWTS Regulations](#) Section 4.9.

It sounds like the closing date was planned for Monday. If the repair to the system is not going to be completed by the closing date, the [Agreement to Repair a Septic](#) needs to be signed by the buyer and notarized. It can be submitted with the application or emailed to water@arapahoegov.com.

Transfer of Title/Use Permits can be applied for online at <https://myhealthdepartment.com/acph>

If the tank will be replaced, minor repair permits (tank replacements) can also be applied for online at <https://myhealthdepartment.com/acph>

Please reach out with any questions or concerns. Given the condition that was described to us, we will be following up.

Thank you!

From: WATER <water@arapahoegov.com>
Sent: Monday, March 2, 2026 9:09 AM
To: Christinastarr90@gmail.com
Subject: Fw: Action Required: 23900 E Ohio Ave

Good morning,

A septic professional reached out regarding 23900 E Ohio Ave. Forwarding this email to you as the property owner.

For the collapsing tank, the property owner shall immediately fence off the area to protect people, kids, and pets from falling in. In addition, the property owner shall immediately take all necessary action to keep sewage off the surface of the ground. Such action includes pumping the contents of any septic tank or container of sewage as often as needed to prevent surfacing sewage, fence off the affected area that has been treated with lime, and till the applied lime into the ground. See also [CDPHE' Sewage backup cleanup guidance for homeowners](#).

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Please reach out with any questions or concerns. Given the condition that was described to us, we will be following up.

Thank you!

From: WATER <water@arapahoegov.com>
Sent: Monday, March 2, 2026 1:42 PM
To: Christinastarr90@gmail.com
Subject: OWTS records for 23900 E Ohio Ave

Good afternoon,

Please see attached files in available records for 23900 E Ohio Ave. Our paper files are in a scanning project and we have requested the file for this address to see if additional information is available.

Also, I left a message earlier for you. Feel free to call back at 720-869-9085.

From: WATER <water@arapahoegov.com>

Sent: Monday, March 2, 2026 2:33 PM

To: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>

Subject: 23900 E Ohio Ave Use Permit Application

Good afternoon,

In the inspection report for 23900 E Ohio Ave, for both tanks the water level was marked both above and below the outlet invert. Would you help us understand this?

Thank you!

From: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>

Sent: Monday, March 2, 2026 2:42 PM

To: WATER <water@arapahoegov.com>

Subject: Re: 23900 E Ohio Ave Use Permit Application

The tanks have never been pumped since the system was installed.

Lynne

From: WATER <water@arapahoegov.com>

Sent: Monday, March 2, 2026 3:04 PM

To: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>

Subject: Re: 23900 E Ohio Ave Use Permit Application

Thank you, was there any surfacing effluent?

Thanks,

From: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>

Sent: Monday, March 2, 2026 3:09 PM

To: WATER <water@arapahoegov.com>; High Plains Sanitation
<highplainssan@gmail.com>

Subject: Re: 23900 E Ohio Ave Use Permit Application

There was no surfacing that we saw, but the STA needs further investigation. It is too deep to probe, so we are not sure if it is functioning correctly or not. We plan to go back out at the

time of the tank replacement to stick a line camera down the outlet line once the line is exposed. The line is 6' or more deep, so we could not access it at the time of the inspection.

The tanks were over full but did not appear to be coming out the top.

I have copied Kim on this email to give additional information if needed. She was at the site with Jed when he did the inspection.

Lynne

From: Environmental Health billing <EHbilling@arapahoegov.com>

Sent: Monday, March 2, 2026 3:30 PM

To: doublesenterprisesllc14@gmail.com

Cc: WATER <water@arapahoegov.com>

Subject: App for OWTS TOT Rc'd- 23900 E Ohio Ave

Hello Lynne and S & S Services,

We received your online application (OTA00001364) and the data entry is complete for an OWTS Transfer of Title Use Permit at **23900 E Ohio Ave Aurora CO 80018**. Thank you for including payment with the submittal.

The Water Team has been notified, will complete the review, and be in touch soon.

Regards,

From: WATER <water@arapahoegov.com>

Sent: Tuesday, March 3, 2026 10:34 AM

To: Christinastarr90@gmail.com

Subject: Fw: Action Required: 23900 E Ohio Ave

Good morning,

As an update, ACPH has received a use permit application from Double S Enterprises.

To issue a Transfer of Title/Use Permit, repairs are required per the use permit inspection and reports we received.

- The lid for the first septic tank in series needs to be in place with access to grade and with a securing closing mechanism or sufficient weight.

- The second tank in series was marked as requiring repair*

The use permit inspector also noted the following. These items should be monitored to identify signs of failure of the OWTS.

- The water level was above and below the outlet inverts
- Use permit inspector recommended excavating the diverter valve and bringing it to grade and evaluating its condition
- Use permit inspector recommended additional investigation to assess the fields.

*If the existing field is found to be in good condition and functioning and the septic tank that is existing and first in the series from the house is found to be in good condition after pumping the tanks, then if the property owner decides to remove the second tank, this department will allow the second tank to not be replaced given the primary tank is connected by a new sewer line to the existing field, however the capacity of the house will be at a maximum of three bedrooms and any additional bedrooms will require the expansion of the septic system.

Thank you for letting us know the septic system was designed in 1997 for a 6 bedroom home since the intention was to complete the lower level, however, the home remains as a three (3) bedroom home and is being sold for 3 bedrooms.

Repairs must be completed by a licensed installer with ACPH. [See also the list of licensed installer for septic systems](#). The contractor you mentioned, Clint Britt is a licensed installer with ACPH.

If the repair to the system is not going to be completed by the closing date, the [Agreement to Repair a Septic](#) needs to be signed by the buyer and notarized. It can be emailed to water@arapahoegov.com.

Thank you!

From: WATER <water@arapahoegov.com>

Sent: Friday, March 13, 2026 8:42 AM

To: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>; High Plains Sanitation <highplainssan@gmail.com>

Subject: Re: 23900 E Ohio Ave Use Permit Application

Good morning,

Do you have a pulse on the status of the repairs at this address? We are concerned since there was report of the tank collapsing.

Thank you!

From: High Plains Sanitation <highplainssan@gmail.com>
Sent: Friday, March 13, 2026 9:47 AM
To: WATER <water@arapahoegov.com>
Cc: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>
Subject: Re: 23900 E Ohio Ave Use Permit Application

Hey Rachel,

This one is an enigma!!

The system at this property was put in in 1997 and has not been touched since. Both the primary and the secondary tanks had never been pumped. The secondary tank has deteriorated to the point of needing to be replaced, the previous inspector busted a hole in the top of the tank when they were excavating for their inspection. There is a diverter valve that from what we see and believe has never been changed from field 1 to field 2. The diverter valve has evidence of the liquid coming to the top (there is a personal wipe stuck to the top of the tube).

The tanks are over 6' deep to the top of the tanks. This leads us to believe the fields are going to be over 8' deep due to the mound of dirt on top of the area where the fields are located.

Because of the depth of the field and the inaccessibility of the diverter valve, we have advised the homeowner that the diverter valve needs to be excavated so that we can further explore the fields to determine the level of sludge in each of the fields.

The homeowner has been advised as to what the next steps are and to let us know when the diverter valve has been excavated so that we can complete the inspection on the fields. Clint Britt with TBC has been in contact with the homeowner and has advised when he knows all the needed repairs he can give her an estimate for the repairs.

She had indicated she had a neighbor who could pull out the diverter valve, I explained, it needed to be excavated to gain access and the hole needed to be big enough and safe enough for access.

To my knowledge the closing was scheduled for 03/03/26 and we supplied the title company with the invoice for the pumping and inspection and Use permit, but have not yet received any payment. We have not heard back from the homeowner so we are not aware of any changes in status.

At this point the only component we can clear with an inspection is the primary tank.

I hope this brings you up to date on this one.

Regards,

kim

Date: 03/13/2026

Subject: ROC

Author: Rachel Gamache

Note: Called Clint Britt and asked about 23900 E Ohio Ave. He stated he went out there one time and discussed the status of the septic system with the homeowner. He stated the tank was not fenced off, but the previous contractor had added soil back around the tank. He stated he had stated his costs for excavating the diverter valve so the use permit inspector could evaluate the diverter valve and the field and the homeowner did not want to pay that. Clint stated from his conversations with the property owner, the sale is a 6 bedroom house and the homeowner stated the buyer she has needs it to be 6 bedrooms. Clint stated if you go to the property don't go up on the deck as they are a hazard.

From: WATER <water@arapahoegov.com>

Sent: Friday, March 13, 2026 10:07 AM

To: Christinastarr90@gmail.com

Subject: Re: Action Required: 23900 E Ohio Ave

Good morning,

What is the status of the repairs for the septic system at 23900 E Ohio Ave?

Thank you!

From: WATER <water@arapahoegov.com>

Sent: Friday, March 13, 2026 10:38 AM

To: High Plains Sanitation <highplainssan@gmail.com>; Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>

Subject: Fw: 23900 E Ohio Ave Use Permit Application

Thank you for the update. We will continue to follow up with the property owner.

Let us know if you hear anything on your end regarding repairs.

From: WATER <water@arapahoegov.com>

Sent: Monday, March 16, 2026 9:42 AM

To: Christinastarr90@gmail.com

Subject: 23900 E Ohio Ave Agreement to Repair Link

Good morning,

Repairs are required at 23900 E Ohio Ave. Please note that the septic system capacity must meet the number of bedrooms for which the home sells.

If repairs cannot be completed before closing, and ACPH receives and [Agreement to Repair a Septic](#) System signed by the buyer and notarized, then ACPH can issue a conditional use permit per [Arapahoe County OWTS Regulations 4.7.C](#).

[See also our septic system site](#). Let us know what questions or concerns you have.

Thank you!

Date: 03/16/2026

Subject: ROC

Author: Rachel Gamache

Note:

Called Christine Starr, homeowner. Asked about the status of the repairs of the septic system. She stated it is working and the guys were going to do the digging and they weather changed and then they were busy. She stated Karl with TBC and Jed from S&S were working on it. Asked about fencing around the tank. She stated she has some danger tape around some cones. Asked about timeline for repairs. She stated somebody is supposed to come by Wednesday to dig and Jed will cut the pipe and scope. She stated they are supposed to

be closing today. Discussed Agreement to Repair and will send links. She stated she had called A&B Septic and he did not call to identify if there were wires underground which was not professional. She stated she went with BBB guy and that was Clint. Asked for photos of the fencing and if we did not get photos we would plan to do a site visit. She stated she would send photos. She stated she wished animals would avoid it. She stated when the lid was off and her dog was down in there in the cement thing. She stated they got the dog out.

From: WATER <water@arapahoegov.com>
Sent: Monday, March 16, 2026 9:49 AM
To: Christinastarr90@gmail.com
Subject: Fw: Action Required: 23900 E Ohio Ave

Thank you for discussing the septic system status at 23900 E Ohio Ave this morning.

Please send photos of the fencing and signage around the septic tank. Photos can be sent to 720-869-9085 or this email water@arapahoegov.com .

Thank you for letting us know work is planned for Wednesday. Please update us with more information when you have it.

Date: 03/16/2026

Subject: ROC

Author: Rachel Gamache

Note: Received photo via text from Christine Starr showing caution tape around orange traffic cones by the open pit. Sent text back to her stating: Thank you for sending. We recommend more caution tape and/or fencing around the open pit. Thank you!

From: WATER <water@arapahoegov.com>
Sent: Thursday, March 26, 2026 11:46 AM
To: Christinastarr90@gmail.com
Subject: Re: Action Required: 23900 E Ohio Ave

Good morning,

Just following up, what is the status of the repairs for the septic system at this address?

Thank you!

From: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>
Sent: Friday, April 3, 2026 10:12 AM
To: WATER <water@arapahoegov.com>
Subject: 23900 E Ohio Ave - Property closed

Good morning Amara,

We got a call from the buyer on this property last night. Jed will be calling him back today to answer his questions.

We have been notified that this property closed. To my knowledge, the repair was never completed, and I do not have a use permit on file. The closer for the title company was notified that either the use permit or the conditional use permit would need to be issued for the property to close. This apparently did not happen and they closed anyway. What is Arapahoe County's stance on this and how is the Use Permit handled at this point?

I am happy to reach out to the closer and find out how the property closed without all of the required information.

Thank you,

Lynne

From: WATER <water@arapahoegov.com>
Sent: Friday, April 3, 2026 10:28 AM
To: Double S Enterprises, LLC <doublesenterprisesllc14@gmail.com>
Subject: Re: 23900 E Ohio Ave - Property closed

Hi Lynne

Thanks for letting us know. That is frustrating because Rachel had just reached out to them last week to get an update on the repairs, and the week before that she sent an emailing detailing the agreement to repair if the repairs can't be completed before closing.

At this time, we haven't done any "enforcement" for scenarios like this. We put the requirement on the buyer because the seller didn't file for the use permit and now, they no longer have any stake in the game. The buyer's realtor should've made sure this was completed before closing, as well as the title company.

Please let us know what you hear back. If you don't get anything definitive, we can reach out to the buyer's realtor to get contact information for the buyer and relay the

requirements for getting the use permit. We can also inform the realtor of the TOT process for any future sales.

Thanks again Lynne.

Date: 04/17/2026

Subject: ROC

Author: Rachel Gamache

Note: NOV sent by mail.

Date: 06/04/2026

Subject: ROC

Author: Conner Gerken

Note: Reference complaint #ARAPC4127 for enforcement details post issuance of notice of violation.

[Complaint Record ARAPC4127:](#)

Type: Site Visit | Date: 06/03/2026 | Specialist: Conner Gerken | Notes: Site visit conducted at 11:17AM by C. Gerken, R. Gamache, and A. Thomas. Spoke with property owner's uncle about notice and repairing OWTS. Contact information for property owner was received.

Type: Phone Call | Date: 06/03/2026 | Specialist: Conner Gerken | Notes: Attempted call to property owner at 12:54PM, left voicemail.

Type: Phone Call | Date: 06/03/2026 | Specialist: Conner Gerken | Notes: C.Gerken, call with property owner, Fernando Alvina, at 5:47PM. Discussed required immediate action items and repair outlined in NOV letter. Fernando stated that he had received quotes but had not repaired the OWTS due to repair cost of \$30,000. Fernando asked what would happen if he didn't make repairs. Discussed need for repairs and enforcement consequences if no repairs are made. Discussed immediate required steps: applying for minor repair permit, providing sufficient fencing and signage, and keeping sewage off the

ground. Fernando agreed to apply for repair permit, fence off the area, and start getting quotes for repairs. Discussed ACPH following up with an email containing all of the information for applying for a permit and list of licensed installers.

Type: Email | Date: 06/04/2026 | Specialist: Conner Gerken | Notes: From: WATER Sent: Thursday, June 4, 2026 9:39 AM To: fernandoavinag80@gmail.com Subject: Action Required: 23900 E Ohio Ave

Hello Fernando,

You can apply for a minor repair permit through ACPH's portal here. The cost of this permit is \$415. Installers must be licensed by ACPH to repair an OWTS(septic system). The list of ACPH licensed installers can be found on our website here. Please send pictures of the fencing/signage to this email for documentation. I have attached the documents we spoke about to this email for your reference. If you have any questions or if you need help navigating the application portal, don't hesitate to reach out. My cell is 720-763-7371. Thanks, Conner

Type: Phone Call | Date: 06/12/2026 | Specialist: Conner Gerken | Notes: No communication has been received since the phone call on 6/3. 8:41AM, CG called Fernando, left voicemail that we will be sending a second notice and intent to proceed with enforcement on Monday, 6/15.

Type: Letter or Notice | Date: 06/15/2026 | Specialist: Conner Gerken | Notes: Second Notice of Violation with Intent to Proceed with Enforcement sent via certified mail.

Type: Email | Date: 06/15/2026 | Specialist: Conner Gerken | Notes: From: WATER Sent: Monday, June 15, 2026 4:05 PM To: fernandoavinag80@gmail.com Subject: Second Notice of Violation and Intent to Proceed with Enforcement Fernando, In regard to the property located at 23900 E Ohio Ave, due to noncompliance with the required corrective actions in the Notice of Violation issued on 4/17/2026 and follow-up call on 6/3/2026 and email sent on 6/4/2026: See attached Second Notice of Violation and Intent to Proceed with Enforcement for immediate corrective actions. Also attached is the first Notice of Violation, Use Permit inspection report, and CDPHE's Sewage backup cleanup guidance for homeowners. Feel free to reach out with any questions or concerns. Sincerely, Conner

Type: Email | Date: 06/22/2026 | Specialist: Steven Chevalier | Notes: S. Chevalier sent the following email to the property owner on this date: From: Steve Chevalier Sent: Monday, June 22, 2026 3:24 PM To: fernandoavinag80@gmail.com Cc: WATER ; Conner Gerken Subject: RE: Second Notice of Violation and Intent to Proceed with Enforcement Fernando: My staff have been working with you to resolve the outstanding issues regarding the septic system serving your property at 23900 E. Ohio Ave. Arapahoe County Public Health is preparing to move this matter forward for a formal enforcement hearing unless you immediately apply for a repair permit through our department and begin taking the required corrective actions. If the matter proceeds to hearing, ACPH will seek civil penalties of up to \$50 per day of noncompliance. If the system remains unresolved and continues to present a public health or safety concern, ACPH may also consider additional enforcement action, including a cease and desist process. Please provide an update to me before 10:00 am, Tuesday, June 23, 2026 regarding your progress on the issues identified during the real estate transaction inspection and the issues discussed with ACPH staff during the June 3, 2026 site visit. At minimum, please confirm, with supporting documentation, whether you have: 1. Applied for the required OWTS repair permit; 2. Hired an ACPH-licensed installer; 3. Scheduled or completed the required tank repairs or replacement; 4. Secured the damaged tank and surrounding work area with fencing; and 5. Taken steps to prevent sewage from surfacing. If you need assistance with the repair permit application process, please contact us immediately at water@arapahoegov.com

Photos, Maps, and Property Information

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina

Photos:



View of 23900 E Ohio Ave



View of septic tank lids



View of excavation



View of excavation



View towards soil treatment area



View of soil treatment area and observation port



View of soil treatment area towards house

Arapahoe County Assessor Information:

PIN: 031540208
AIN: 1977-00-0-07-002
Situs Address: 23900 E Ohio Ave
Situs City: Aurora

Full Owner List: Garcia Fernando Avina
Ownership Type: Sole Ownership
Owner Address: 23900 E Ohio Ave
City/State/Zip: Aurora, CO 80018-3086

Neighborhood: 1420 Luc Ne Aurora/Unic Arap

Neighborhood Code: 2290.00

Acreage: 2.4400

Land Use: Manufactured Home

Legal Desc: Lot 6 Blk 3 Gun Club Estates 3rd Flg

	Total	Building	Land
<i>2026 Appraised Value</i>	607,600	412,400	195,200
<i>2026 Assessed Value</i>	37,186	23,912	13,274
<i>2026 Assessed School Value</i>	42,836	29,074	13,762

2025 Mill Levy: [113.397](#)

<i>Sale</i>	Book Page	Date	Price	Type
	E601 9635	03-24-2026	600,000	
	D501 6666	11-14-2014	0	
	B607 5983	05-12-2006	0	
	B307 7371	03-25-2003	0	
	B114 0104	08-14-2001	0	
	A813 0832	04-10-1998	0	
	A708 5681	07-10-1997	50,000	
	7957 0785	05-16-1995	28,000	
	7460 0675	03-08-1994	23,000	
	7460 0677 *Multi Sched	12-18-1992	0	
	2669 0253	10-01-1977	12,000	

<i>Building</i>	Building	Attributes	Recorded
	1	Quality Grade	Average
		Improvement Type	Manufactured Home
		Bedrooms	3.00
		Bathrooms	2.00
		Architectural	1 Story/Ranch
		Heat Method	Forced Air Unit
		Cool Method	Evap Cooler, roof mounted
		Year Built	1997

Roof Asphalt/Composition Shingle Roof
Exterior Wall Wood Siding
Construction Type D - Wood or Steel Studs Frame

<i>Area</i>	Building	Description	SqFt
	1	First Floor	1782
		Basement Total	1782
		Bldg Total Area:	1782

<i>Land Line</i>	Units	Land Use
	2.4400 AC	Manufactured Housing

Note: Land Line data above corresponds to the initial appraised value and does not reflect subsequent appeal related adjustments, if any.

Maps:





E Ohio Ave



Created by ArapaMAP

N

0 15 30 60 90 120 Feet

1 inch equals 75 feet

Generated: 6/23/2026

April Notice of Violation and Certified Mail Receipt

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina



PUBLIC HEALTH

15400 E 14th Place, Suite 212
Aurora, CO 80111
303-795-4584
arapahoeco.gov

April 17, 2026

To: Fernando Avina Garcia
23900 E Ohio Ave
Aurora, CO 80018-3086

Delivery: Certified Mail

Subject: Requirements for On-Site Wastewater Treatment System Use Permit for 23900 E Ohio Ave, Aurora, CO 80018

Dear Fernando Avina Garcia:

According to [Arapahoe County Wastewater Regulations 4.2](#), the sale of a property is an event requiring a use permit/transfer of title permit. Arapahoe County Public Health has been made aware of the sale of the property located at 23900 E Ohio Ave, without the issuance of a transfer of title permit. An application for a transfer of title has been submitted to this department, however repairs have not been completed, therefore the transfer of title/use permit has not been issued.

Per the use permit inspection from Double S Enterprises, dba S&S Services, the following items were identified: at the time of this inspection, [the OWTS is] in need of repair and further investigation; the tanks have never been pumped and will need to be pumped to fully assess the primary tank; [...] the secondary tank has severe deterioration present [...] and] a hole near the outlet access port; the probe was able to penetrate through the exterior wall of the tank; and the diverter valve is inaccessible due to the depth.

Arapahoe County Public Health (ACPH) has issued to the above property owner this Notice of Violation (NOV) for the following violations of Arapahoe County On-Site Wastewater Regulations:

- Section 18.1.D: No person shall construct or maintain any dwelling or other occupied structure which is not equipped with adequate facilities for the sanitary disposal of sewage.

Corrective Actions:

- Apply and pay for an Onsite Wastewater Treatment System (OWTS) repair permit application with Arapahoe County Public Health within 48 hours of receipt of this Notice of Violation.
- Submit all necessary documents for the repair application.
- Submit all necessary documents for the required repairs to the Onsite Wastewater Treatment System (OWTS). Required repairs are as follows:
 - Add risers and update the lid to the first septic tank in series so that it is in place with access to grade and with a securing closing mechanism or sufficient weight.
 - Replace the second tank in series with a repair permit from ACPH and by a licensed septic installer with ACPH.

OWTS000011381



ARAPAHOE COUNTY

PUBLIC HEALTH 81

15400 East 14th Place
Aurora Colorado 80011

RETURN SERVICE REQUESTED
If undeliverable as addressed, please return

CERTIFIED MAIL



9589 0710 5270 3690 0659 36

Fernando Avina Garcia
23900 E Ohio Ave
Aurora, CO 80018-3086

June Notice of Violation and Certified Mail Receipt

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina



PUBLIC HEALTH

15400 E 14th Place, Suite 212
Aurora, CO 80111
303-795-4584
arapahoeco.gov

Jun 15, 2026

SECOND NOTICE OF VIOLATION AND INTENT TO PROCEED WITH ENFORCEMENT

To: Fernando Avina Garcia
23900 E Ohio Ave
Aurora, CO 80018-3086

Delivery: Certified Mail

Subject: Requirements for On-Site Wastewater Treatment System Use Permit for 23900 E Ohio Ave, Aurora, CO 80018

Dear Fernando Avina Garcia:

You are hereby issued this Second Notice of Violation for continued non-compliance of the Arapahoe County On-site Wastewater Regulations, Section 18.1.D, for maintaining a dwelling that is not equipped with adequate facilities for the sanitary disposal of sewage. You were previously issued the first Notice of Violation by Arapahoe County Public Health (ACPH) on April 17, 2026 via certified mail and directed to submit an application for repair by April 19th. Additionally, you were notified via phone call by ACPH on June 3, 2026 and via email from ACPH on June 4, 2026. To date, despite your notice of the issue for over one month, you have failed to remedy the situation.

This is a notice that ACPH move forward with administrative enforcement for this property, to include civil penalties as permitted by the On-Site Wastewater Treatment Systems Act, Colorado Revised Statute § 25-10-113.

Corrective Actions:

- Apply and pay for an Onsite Wastewater Treatment System (OWTS) repair permit application with ACPH immediately upon receipt of this notice.
- Submit all required documents for the repair application. Required repairs are as follows:
 - Primary Tank:
 - Pump the primary tank and determine whether the tank is in good condition or also in need of repair or replacement. Evaluation must be completed by a NAWT certified OWTS inspector.
 - Add risers to grade and update the lid on the primary tank with a secure closing mechanism or sufficient weight.
 - Secondary Tank:
 - Replace the second tank in the series following the issuance of a repair permit from ACPH. Tank replacement must be completed by a licensed ACPH OWTS Installer.
 - ACPH recommends excavating the diverter valve and cleaning out debris to evaluate its condition. Evaluation should be completed by a NAWT certified inspector.

OWTS000011381

ARAPAHOE COUNTY
PUBLIC HEALTH
ENVIRONMENTAL HEALTH

15400 East 14th Place *81*
Aurora Colorado 80011

RETURN SERVICE REQUESTED
If undeliverable as addressed, please return
ATTN: Conner Gerken, Water Quality Program

CERTIFIED MAIL®



9589 0710 5270 3690 0659 81

Fernando Avina Garcia
23900 E Ohio Ave
Aurora, CO 80018-3086

SECOND NOTICE OF VIOLATION AND
RETURN TO SENDER

Transfer of Title Inspection

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina

Reset Form

Print Form



Use Permit Inspection Form

Date of Inspection: 2/28/2026

Use Permit Inspection Information

IMPORTANT NOTE: This Arapahoe Public Health (ACPH) Inspection Form must be completed by a CERTIFIED inspector. An Inspection report completed by UNCERTIFIED inspector(s) will NOT be accepted.

Name: Jed Schwegman Phone: (303) 828-7319 Email: doublesenterprisesllc14@gmail.com

National Association of Wastewater Technicians (NAWT) (or other approved) Certification

Number: 16084ITC If Other, certifying entity: _____

Owner and Property Information

Owners Name: Christine Starr Phone: (303) 618-8089 Email: christinastarr90@gmail.com

Address: 23900 E Ohio Ave

City: Aurora State: CO Zip: 80018

Address of Property for which Use Permit is requested (if different from above):

City: _____ Colorado Zip: _____

Section 1: Tanks

Tank 1

Tank Size (gallons): 1000

Does this match ACPH records? Yes No

Type: Concrete Polyethylene Fiberglass Other

Was tank pumped? Yes No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

Yes No

- Is the tank in good condition such that the tank functions are not compromised?
- Is the tank a two compartment tank?
 Tees Baffles (check one)
- If Tees or Baffles, are they in good condition?
- Is top of tank or riser to grade?
- Are the risers in good condition such that their function is not compromised?
- Is the lid (riser or manhole) in good condition?
- Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

(Tank 1 information continued on next page)

Tank 2 Check if Not Applicable (N/A)

Tank Size (gallons): 1000

Does this match ACPH records? Yes No

Type: Concrete Polyethylene Fiberglass Other

Was tank pumped? Yes No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

Yes No

- Is the tank in good condition such that the tank functions are not compromised?
- Is the tank a two compartment tank?
 Tees Baffles (check one)
- If Tees or Baffles, are they in good condition?
- Is top of tank or riser to grade?
- Are the risers in good condition such that their function is not compromised?
- Is the lid (riser or manhole) in good condition?
- Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

(Tank 2 information continued on next page)

Property Address: 23900 E Ohio Ave, Aurora, CO 80018

Tank 1 (continued)

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was tank water level above the outlet invert? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was tank water level below the outlet invert? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Does tank have an effluent filter(s)? |
| <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter accessible for cleaning? |
| <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter clean and in good condition? |

_Tank 2 (continued)

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was tank water level above the outlet invert? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was tank water level below the outlet invert? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Does tank have an effluent filter(s)? |
| <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter accessible for cleaning? |
| <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter clean and in good condition? |

Comments: See S & S Services Inspection report for additional information regarding tanks, risers, lids, condition.

◆◆◆ Are additional tanks installed? Yes No—If YES, complete another use permit inspection form for the additional tanks. ◆◆◆

Is system equipped with a Siphon, Pumps & Floats or Controls? Yes No
(If "Yes" complete Section 2)

Section 2: Dosing Systems

Dosing Unit: Siphon Pump

Note: N/A answers apply to a siphon only

- | N/A | Yes | No | | N/A | Yes | No | |
|--------------------------|--------------------------|--------------------------|---|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is siphon or pump operational? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is there an audio visual alarm? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are floats properly tethered and operational? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If alarm, is alarm operational? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the junction box (J-Box) approved for use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is pump in a screened vault? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are J-Box and wiring properly installed and functional? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, is the vault in acceptable condition and screen clean? |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is there a means to disconnect house power supply to junction box or control panel? |

Comments:

System Utilizes Uniform or Pressure Dosing, or is a Low Pressure Pipe or Drip Irrigation Yes No
(If "Yes" complete Section 2A)

Section 2A: Pressure Dosed, Non-Pressurized Drip Dispersal System (NDDS) or Drip Irrigation Systems

- | N/A | Yes | No | | Yes | No | |
|--------------------------|--------------------------|--------------------------|---|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are the distribution valves in a box or vault? | <input type="checkbox"/> | <input type="checkbox"/> | Is there an automatic distribution valve (ADV)? |
| | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, is the box or vault in acceptable condition? | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, is the ADV working properly? |
| | <input type="checkbox"/> | <input type="checkbox"/> | Are the distribution valves operational? | <input type="checkbox"/> | <input type="checkbox"/> | Is the system equipped with flushing valves? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Pressure dosed, NDDS, or Drip Irrigation, are risers at ends of zones in good condition? | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are the flushing valves accessible and operational? |

Comments:

Property Address: 23900 E Ohio Ave, Aurora, CO 80018

Is System Equipped with a Secondary Treatment Unit?

Yes

No

(If "Yes" complete Section 3)

Section 3: Secondary Treatment

Type of Unit:

ATU RSF ISF Textile Fiber Peat Filter Other

If other, indicate type: _____

Yes No

Is secondary treatment unit operating properly?

Yes No

Is there a current operation and maintenance (O&M) contract?

If Yes, when was system last inspected?

_____/_____/_____

Comments:

Section 4: Absorption Area (Required for all Systems)

Yes No

Is absorption area covered with snow?

Are there odors?

Are there wet areas on ground surface?

Is irrigated landscaping planted over absorption area?

Is surface drainage adequate to protect absorption area?

Is vegetative cover adequate to protect absorption area from excessive erosion?

Is vegetative cover excessive?

Yes No

Are driveways, horse corrals, patios, or pools constructed over the septic tank or absorption area?

Are there observation pipes in the absorption area?
If Yes, how many? _____

If observation pipes, is there standing effluent in observation pipes?

Is system equipped with a distribution box?

If there is a distribution box, is it to grade?

If distribution box is accessible, is it in good condition and are the outlets level?

Comments: See S & S Services Inspection report for information on the fields. According to the 1997 As Built drawing, there are 2 fields with this STA.

Section 5: Building Sewer (Required for all Systems)

Yes No

Is there a cleanout(s) on the building sewer from house to septic tank?

If Yes, state location of cleanouts or show on system diagram _____

Is there any evidence of damage, plugging or settlement of the building sewer from house to first septic tank?

Is there any evidence of damage, plugging or settlement of the building sewer from the septic tank to the absorption area?

Yes No

If system is equipped with a pump, is there any evidence of damage, plugging or settlement of the pump line (force main) from the septic tank to the absorption area?

If Yes, explain what was noted:

If system has more than one tank, is there any evidence of damage, plugging or settlement of the building sewer between the tanks?

Comments: Due to the depth of the tanks and high water levels, as well as the deterioration present in the secondary tank, we were unable to access the inlet and outlet lines to assess.

Property Address: 23900 E Ohio Ave, Aurora, CO 80018

Section 6: General Questions and Inspector Comments (Required for All Systems)

Is the property Vacant Occupied If vacant, how long? _____

Yes No

- Is property served by a well?
- Is there a system diagram (as-built diagram)?
- If Yes, is diagram accurate?
If No, diagram exists or if the diagram is inaccurate, please provide a system diagram on ACPH Form S-103.
- Is the public sewer within 400 feet of the property?
- Does the entire system meet all required set-backs as per ACPH Regulation for On-site Wastewater Treatment Systems (OWTS)?
(If No, provide detailed information in Comments and indicate on diagram)

Comments: At the time of this inspection, we find the system in need of repair and further investigation.
See S & S Services inspection report for information and recommendations.

Yes No

- In my opinion, at the time of the inspection, the OWTS has deficiencies that require repairs.

IMPORTANT NOTE:
All non-permitted repairs must be documented on ACPH Form S-406

Yes No

- In my opinion, at the time of the inspection, the OWTS is functioning adequately.

Jed Schweigman
Inspector Signature

3/1/2026
Date



8108 W 111TH Ave
Broomfield, CO 80021
303-408-7776

doublesenterprisesllc14@gmail.com

Onsite Wastewater System Inspection Report

Property Address: 23900 E Ohio Ave, Aurora, CO 80018

County Records Search:

County for records: Arapahoe

Site Inspection:

Age of Home: 1997

Age of System: 1997

System is sized for a 6-bedroom home

There are 3 bedrooms in the home

Date of Inspection: 2/28/2026

Service Provider of last Pumping: TBD

Pumping on hold until repairs are completed

Tank Information: 1 – 1000 – 2 compartment – concrete primary tank and 1 – 1000 – 2 compartment – concrete secondary tank.

Located: Approximately 76' southwest of the southwest side of the home. There are 68" concrete risers on the inlet and outlet access ports of the primary tank. There are only internal lids in the risers of the primary tank. The risers and lids appear to be in good condition at the time of this inspection. There are 68" concrete risers on the inlet and outlet access ports to the secondary tank. There are only internal lids in the risers of the secondary tank. The top two concrete risers have been removed on the outlet access port of the secondary tank. The top riser on the inlet access of the secondary tank is broken. The outlet lid to the secondary tank has severe deterioration at the time of this inspection.

Baffles & Tees: There are baffles on both the inlet and outlet side of the primary tank. The baffles appear to be in good condition at the time of this inspection. There are baffles on the inlet and outlet sides of the secondary tank. The inlet baffle on the secondary tank appears to be in good condition. The outlet baffle was not observed from the access port due to the severe deterioration present at the time of this inspection.

Tank Integrity: The primary tank appears to be in good condition with no apparent cracks or leaks present at the time of this inspection. The secondary tank appears to be in poor condition at the time of this inspection. There is severe deterioration present. The tank was damaged by the company that came to do the initial inspection. However, the outlet side of the secondary tank was easily penetrated with a probe, through the lid and alongside the outlet riser.

23900 E Ohio Ave, Aurora, CO 80018



8108 W 111TH Ave
Broomfield, CO 80021
303-408-7776

doublesenterprisesllc14@gmail.com

Sludge Level: There was 24" of sludge in the 1st compartment and there was 24" of sludge in the 2nd compartment of the primary tank. The primary tank was above the inlet and outlet invert lines at the time of this inspection. The sludge levels were not measured in the secondary tank due to the amount of deterioration of the tank. The secondary tank was above the inlet and outlet invert lines at the time of this inspection.

Scum layer: There was 12" of scum in the 1st compartment and there was 12" of scum in the 2nd compartment of the primary tank. The scum levels were not measured in the secondary tank due to the deterioration of the tank.

Inlet Line: Due to the depth off the primary tank and the high level of the wastewater in the tank, we could not access the inlet line, and therefore the inlet line was not scoped as part of this inspection.

Outlet Line: Due to the depth of the secondary tank and the amount of deterioration, we could not access the outlet line, and therefore the line was not scoped as part of this inspection

Connecting Line: Due to the depths of the tanks, we were unable to assess the line.

Well: Located approximately 66' southeast of the home.

Soil Treatment Area Information:

Type of system: According to the 1997 As Built drawing, there are two fields associated with this system. The beds are too deep to verify via probing and will need additional investigation.

Components of absorption area: There is a diverter valves approximately 12.6' from the outlet side of the secondary tank. The diverter valve was inaccessible at the time of this inspection. Due to the depth and lack of device to pull the diverter valve out we were unable to assess its condition at the time of this inspection. There was evidence that the wastewater had risen up into the diverter valve casing, there was a personal wipe near the top of the casing.

Soil Conditions at the time of inspection: Due to the depth of the STA, we are unable to determine the condition of both fields at the time of this inspection.

Observations:

At the time of this inspection, in need of repair and further investigation.

The tanks have never been pumped and will need to be pumped to fully assess the primary tank. Pumping of the tanks has been placed on hold until the time of the repairs that need to be completed.

23900 E Ohio Ave, Aurora, CO 80018



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The secondary tank has severe deterioration present and damage from the excavator. There is a hole near the outlet access port. The probe was able to penetrate through the exterior wall of the tank.

The diverter valve is inaccessible due to the depth, and it is assumed that since the tanks have never been pumped, it is likely that the fields have never been switched.

Recommendations:

We recommend replacing the secondary tank.

We recommend adding exterior lids to the primary tank.

We recommend excavating the diverter valve and cleaning out the debris to evaluate its condition. If it is found in good condition, we recommend bringing the diverter valve to grade for access and to be able to switch between the two existing fields.

We recommend additional investigation be completed to assess the fields. When the diverter valve is excavated, it would be the time to run the line camera down to effluent line to assess the condition of the two fields. If the fields have never been switched, it is possible to utilize the field that was not receiving the effluent and allow the other field to rest and possibly return to use in the future. If both fields have been receiving effluent and have developed a thick biomass, it may be necessary to abandon these fields and install new fields.

General Recommendations:

We recommend that the primary tank be pumped every 2-3 years to assess the amount of usage and condition of the system and that the dosing tank be pumped as needed, i.e. when the sludge level in the dosing chamber reaches approximately 3".

We recommend that the grass and weeds over the leaching field be kept mowed to help in evapotranspiration of the soil treatment area. Be cautious of any inspection ports in the STA.

We recommend keeping livestock off the field. Livestock compacts the soil and will inhibit the field from functioning correctly.

We recommend that water conservation practices be utilized to avoid hydraulic overload, i.e. spread wash out over the week, no more than 2 loads a day, check for and repair leaking faucets and running toilets regularly, limit the length of showers, etc.

23900 E Ohio Ave, Aurora, CO 80018



8108 W 111TH Ave
Broomfield, CO 80021
303-408-7776

doublesenterprisesllc14@gmail.com

Neither S & S Services nor any of its agents or employees undertake or assume liability to the owner of the above property, or any purchaser of the above property or any lending agency making a loan on the above property in connection with either its examination of the property or in the report.

This is a visual inspection conducted solely for the purpose of detecting health hazards observable at the time of inspection and does not constitute a warranty that the system is without flaw or that it will continue to function in the future. Inspections requested during periods of rain, snow or when a residence has been unoccupied may be of questionable value.

Signature: *Jed Schwegman*

Date: 2/28/2026

NAWT Inspector Certification Number: 16084ITC



House - 23900 E Ohio Ave, Aurora, CO 80018



8108 W 111TH Ave
Broomfield, CO 80021
303-408-7776
doublesenterprisesllc14@gmail.com



House to tank facing southwest



Tank to house facing northeast



Inlet access port opening – primary tank



Outlet access port opening – primary tank



Inlet access port opening – secondary tank



Outlet access port – secondary tank – Damage from the excavator.



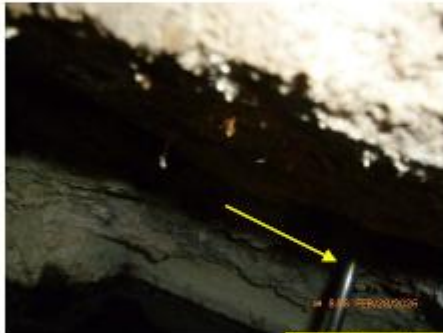
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Broomfield, CO 80021
303-408-7776
doublesenterprisesllc14@gmail.com



Hole at outlet access port – secondary tank



Probe through outlet wall – secondary tank



Probe through outlet wall – secondary tank



Tank to diverter valve facing east



Diverter valve to tank facing west

23900 E Ohio Ave, Aurora, CO 80018



8108 W 111TH Ave
Broomfield, CO 80021
303-408-7776
doublesenterprisesllc14@gmail.com



Diverter valve to STA 1 facing southeast



Back of STA 1 to diverter valve facing northwest



Diverter valve to STA 2 facing east



End of STA 2 back to diverter valve facing west



Cracked riser on inlet access port – secondary tank



Risers removed from secondary tank outlet

23900 E Ohio Ave, Aurora, CO 80018



8108 W 111TH Ave
Broomfield, CO 80021
303-408-7776
doublesenterprisesllc14@gmail.com



Secondary tank outlet – dug up previously



Well – 66' southeast of home

23900 E Ohio Ave, Aurora, CO 80018

Applicable Authorities and Citations

Property: 23900 E. OHIO Ave. Aurora, CO

Owner: Garcia, Fernando Avina

Colorado Revised Statutes

C.R.S. § 25-10-101, et seq. :On-Site Wastewater Treatment Systems Act

Provides the statutory authority for local regulation, permitting, inspection, administration, and enforcement of On-Site Wastewater Treatment Systems.

C.R.S. § 25-10-104: Local Board of Health Authority

Authorizes the local board of health to adopt rules and standards for OWTS consistent with the OWTS Act and applicable state regulations.

C.R.S. § 25-10-106: Powers and Duties of Local Public Health Agencies

Provides local public health agency authority related to OWTS permitting, inspection, repair, enforcement, and orders where systems are not functioning in compliance or present a nuisance or public health hazard.

C.R.S. § 25-10-112: Prohibited Acts

Identifies prohibited acts related to OWTS, including maintaining or using systems or structures in violation of OWTS requirements.

C.R.S. § 25-10-113: Penalties

Authorizes penalties for violations of the OWTS Act and local OWTS regulations. Upon a finding by the local board of health that a person is in violation, the board may assess a civil penalty of up to \$50 for each day of violation.

Arapahoe County OWTS Regulations

Section 1.1: Authority

States that the Arapahoe County OWTS Regulations are promulgated pursuant to the On-Site Wastewater Treatment Systems Act, C.R.S. § 25-10-101, et seq.

Section 3.1: Permit Required

Requires a valid permit for installation, alteration, repair, or use of an OWTS within Arapahoe County.

Section 3.9: Repair Permits

Requires application for repair and emergency use of a malfunctioning system after notice from the Department that the system is not functioning in compliance with the regulations.

Section 4.2: Events Requiring a Transfer of Title or Use Permit

Requires the owner or seller of a property served by an OWTS to obtain an inspection report and issuance of a Use Permit, as applicable, within 12 months before certain events, including sale of the property. If the property owner does not obtain a use permit before a covered transaction, the purchaser is required to obtain a Use Permit.

Section 4.4: Application Requirements

Requires a completed Use Permit application, owner/property information, inspector certification information, and an inspection report completed within the previous 12 months. The inspection report must identify the size, type, capacity, and condition of the septic tank, mechanical components, and soil treatment area, including a septic tank pumping receipt when applicable. Components found to be in a state of malfunction must be noted and disclosed in the inspection report.

Section 18.1.D: General Prohibitions

Prohibits any person from constructing or maintaining any dwelling or other occupied structure that is not equipped with adequate facilities for the sanitary disposal of sewage. "Adequate facilities" do not include an OWTS that is deemed failed or any condition that the local public health agency determines to be a public health or safety concern.

Section 18.4: Civil Penalty

Authorizes the Board of Health, upon a finding that a person is in violation of the OWTS Regulations or rules adopted under C.R.S. § 25-10-104, to assess a penalty of up to \$50 for each day of violation. In determining the penalty amount, the Board shall consider the seriousness of the danger to public health, the duration of the violation, and whether the person has previously been determined to have committed a similar violation. This section also provides that a person subject to a penalty may appeal by requesting a hearing before the Board of Health.

Section 19.2: Notice of Violation

Provides that when the Department determines there has been a violation of the regulations, the Department shall give written notice to the responsible person. The notice must identify the violation, provide a reasonable time for correction, and be addressed to the owner and/or occupant of the property.

Section 19.3: Cease and Desist Orders

Allows the Department to issue a cease and desist order from use of an OWTS or sewage treatment works when the system is found by the health officer not to be functioning in compliance, is found to constitute a nuisance or public health hazard, or has not received timely repairs. This section is relevant as a potential future enforcement option if the system remains unresolved and continues to present a public health or safety concern.