



OFFICE OF THE ARIZONA ATTORNEY GENERAL

KRIS MAYES
ATTORNEY GENERAL

CIVIL LITIGATION DIVISION
CONSUMER PROTECTION & ADVOCACY SECTION
CONSUMER LITIGATION UNIT

HEATHER HAMEL
SENIOR LITIGATION COUNSEL
DIRECT PHONE NO. (602) 542-7731
HEATHER.HAMEL@AZAG.GOV

August 29, 2025

**SENT VIA ELECTRONIC AND
CERTIFIED MAIL:**

Sammartino Law Group, PLLC
ATTN: Carl Sammartino
177 North Church Avenue, Suite 708
Tucson, Arizona 85701

AM Family Properties, LLC
BBAM, LLC
Conrew, LLC
Grant Real Estate, LLC
Attn: Brian Bowers and Margeaux Orr
and/or Margeaux Renee Bowers
4975 North Via De La Granja
Tucson, AZ 85718

Re: Habitability of Dwellings at 6th Avenue Suites Apartments, Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments

To Whom It May Concern:

As you know, on August 22, 2025, the Arizona Attorney General's Office ("AGO") inspected three properties owned and/or operated by corporations run by Mr. Bowers and his wife (AM Family Properties, LLC, BBAM, LLC, Conrew, LLC, and Grant Real Estate, LLC). These properties inspected included Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments. Our investigators also previously conducted a site visit of Sixth Avenue Suites.

During the course of these site visits and inspections, we uncovered numerous imminent threats to the health and safety of residents, including:

///

Sixth Avenue Suites

- Broken and/or low functioning air conditioning with dangerous indoor temperatures. The temperature inside Unit 105, for example, was 101 degrees Fahrenheit, far exceeding the 80-degree maximum provided for in South Tucson's City Code, S.T.C.C. § 7-11(B)(2);
- Visible black mold growth in Units 118 and 210, and suspected mold growth in Units 127, 145, and 146 (based on wet building materials and significant staining);
- Suspected asbestos disturbance based on impacts to the ceiling in Unit 210;
- Open wires were found under the kitchen sink in Unit 104;
- Evidence of a mouse infestation, including the discovery of two dead mice in traps in a living space;
- Broken windows, damage to numerous doors; and
- Multiple loose roof tiles hanging off and/or piling up on the edge of the roof.
- The fire extinguishers on site are significantly expired, which appears to violate previous related Court orders; and
- Each unit must have a smoke detector in good operating condition as required by the Fire Code of the City of South Tucson and Neighborhood Preservation Code of the City of South Tucson S.T.C.C. § 7-11(A)(3).

Spanish Trail Suites

- Broken air conditioning with dangerous indoor temperatures was also discovered at Spanish Trail Suites. Indeed, the temperatures inside Units 231, 273, and 275 were between 98-101 degrees Fahrenheit;
- Visible black mold growth in Units 231, 273, and 275, as well as visible mold growth along the stucco on the outside of the building;
- Suspected asbestos disturbance based on impacts to the ceiling in Units 231 and 273;
- Unit 273 is equipped with a gas stove, but does not have an exhaust hood and a carbon monoxide detector;

- The fire extinguishers on site are significantly expired, which appears to violate previous related Court orders;
- Exposed wires were found along the exterior of the property;
- Each unit must have a smoke detector in good operating condition as required by the Fire Code of the City of South Tucson and Neighborhood Preservation Code of the City of South Tucson S.T.C.C. § 7-11(A)(3); and
- Evidence of a roach and rodent infestations.

Oasis Apartments

- HVAC system that is suspected to be leaking into units based on high humidity in units;
- Visible black mold growth in every Unit visited at this property, including A110, B108, B207, and B208;
- Suspected asbestos disturbance in every Unit visited at the property;
- The fire extinguishers at the property are expired;
- Exposed wires in Unit B207;
- Each unit must have a smoke detector in good operating condition as required by the Fire Code of the City of South Tucson and Neighborhood Preservation Code of the City of South Tucson S.T.C.C. § 7-11(A)(3);
- Exposed wires along the exterior of the property; and
- Evidence of a roach and rodent infestations, including mouse droppings, and evidence of dead mice and roaches.

Eucalyptus

- Faulty and dangerous electrical wiring – one tenant in Unit 22 notes that he receives a low voltage shock at the shower head and stove outlets and that the wall outlets don't work without tripping the GFCI in the restroom;
- Broken and/or faulty air conditioning with dangerous indoor temperatures, measuring 93 degrees Fahrenheit;
- Visible black mold growth in Units 9 and 15; and

- Each unit must have a smoke detector in good operating condition as required by the Fire Code of the City of South Tucson and Neighborhood Preservation Code of the City of South Tucson S.T.C.C. § 7-11(A)(3).

These alarming and dangerous conditions, created through extreme neglect and mismanagement, place residents at imminent risk of serious injury, hospitalization, or death – either as a result of electric shock injuries, fire, extreme heat, or asbestos exposure. Mr. Bowers and/or Ms. Orr’s refusal to provide habitable conditions for their tenants at these properties is both unlawful and unacceptable.

Worse, Mr. Bowers and/or Ms. Orr do little to warn or protect residents from these serious health hazards. Our office could find no online listings and/or advertisements that provide notification or warning to would-be tenants about these serious, ongoing habitability issues. In fact, the advertisements we did uncover imply the opposite. Advertisements for the Oasis promise “a combination of style and comfort” with access to “top features and amenities.” Spanish Trail Apartments guarantee “air conditioning,” while its units sit at 101 degrees Fahrenheit. And the photographs Sixth Avenue Suites boasts in its online advertisements are so far removed from reality that it borders on absurdity:





These representations and omissions, appear to be false or deceptive and may constitute violations of the Arizona Consumer Fraud Act (A.R.S. § 44-1521, *et seq.*). Mr. Bower's and Ms. Orr's failure to comply with applicable landlord tenant laws may also constitute unfair business practices

The Arizona Consumer Fraud Act prohibits the deceptive advertising of real estate leases and unfair business practices. Those who violate the Arizona Consumer Fraud Act may be subject to civil penalties of up to \$10,000 per violation, disgorgement of profits, and responsible to pay restitution to consumers.

The AGO demands that Sixth Avenue Suites, Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments immediately comply with the Landlord Tenant Act, the Tucson City Code requirements, the City of South Tucson Code requirements, and the Arizona Consumer Fraud Act through satisfactory repair of all hazards identified in this letter at the respective properties. We would also like to note that our inspections were, by their nature, limited and time-constrained. We suspect that the issues identified are rampant across the entire Complex at each respective property. We demand that the properties inspect every unit at the Complexes and make all repairs necessary.

Because of the urgent nature of this matter, and the imminent health and safety concerns at hand, we demand that repairs to the air conditioning systems be completed by 5:00 p.m. on **Friday, September 5, 2025**.

All other repairs, including but not limited to, mold remediation, electrical repairs, fire code compliance, asbestos, etc. must be completed by 5:00 p.m. on **Friday, September**

12, 2025. You must provide documentation of these repairs from licensed contractors, along with written confirmation of compliance of the same to our office.

If the Complexes cannot make these repairs by Friday, August 12, we demand that each Complex offer and provide appropriate, alternative remedies, as may be elected by each applicable tenant until the necessary repairs can be made. This includes placement in alternative housing at no cost to the tenants.

At this time, the AGO also demands that Sixth Avenue Suites, Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments, along with AM Family LLC, BBAM LLC, Conrew LLC, and Grant Real Estate, LLC preserve all documents, correspondence, communications (including employee emails, instant messages, and text messages), and any other written and electronic materials from May 2022 to the present that relate to (a) maintenance requests and work orders at the Complexes; (b) the air conditioning system and any components of that system at the Complexes; and (c) the Complexes' sale or advertisement of any products related to the Complexes or other multi-family properties in Arizona in anticipation of consumer fraud litigation. In addition, the AGO demands that Sixth Avenue Suites, Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments, along with AM Family LLC, BBAM LLC, Conrew LLC, and Grant Real Estate, LLC preserve, in their original and unedited formats, all videos taken by Carl Sammartino via GoPro and or cell-phone device during AGO's inspection on Friday, August 22, 2022.

We also ask Mr. Bowers and Ms. Orr to preserve all relevant documents and communications they may personally have that relate to our investigation of Sixth Avenue Suites, Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments, along with AM Family LLC, BBAM LLC, Conrew LLC, and Grant Real Estate, LLC.

As a final note, the AGO reminds Sixth Avenue Suites, Spanish Trail Suites, Oasis Apartments, and Eucalyptus Apartments, along with AM Family LLC, BBAM LLC, Conrew LLC, and Grant Real Estate, LLC of their obligations as a housing provider under the Arizona Civil Rights Act. Arizona Fair Housing Laws guarantee Arizona citizens equal conditions and access to services, such as functioning air conditioning, while renting. As such, any remedial measures or repairs cannot be provided to residents on a discriminatory basis. Housing providers must also make reasonable accommodations for individuals with disabilities. Failing to provide an accommodation to an individual whose disability is impacted or exacerbated by heat related conditions can potentially be a violation of the Fair Housing Laws. The Civil Rights Division of the AGO is tasked with enforcing the Arizona Civil Rights Act and is aware of and monitoring for any discriminatory actions on the basis of a protected class or failures to accommodate those with disability.

If you have questions about this letter, you may contact me at Heather.Hamel@azag.gov or 602-542-7731, or Jennine Burns, Assistant Attorney General at Jennine.Burns@azag.gov or 602-542-6006.

Sincerely,

Heather Hamel
Senior Litigation Counsel

HH/nt