

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

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**FROM:** County Counsel/TLMA  
Code Enforcement Department

**SUBMITTAL DATE:**  
June 23, 2008

**SUBJECT:** Order to Abate [Substandard Structure]  
Case No.: CV 07-6223  
Subject Property: 24630 Juniper Springs Road, Homeland  
APN: 455-060-013  
District Five

**RECOMMENDED MOTION:** Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-6223 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and order to Abate in Case No. CV 07-6223; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-6223.

(Continued)

TIFFANY N. NORTH, Deputy County Counsel  
For JOE S. RANK, County Counsel

**FINANCIAL DATA**

Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

**SOURCE OF FUNDS:**

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Tina Grande

**County Executive Office Signature**

- Policy
- Consent

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.: 06/17/08; 9.3

District: 5

Agenda Number:

2.3

Order to Abate [Substandard Structure]

Case No.: CV 07-6223

Subject Property: 24630 Juniper Springs Road, Homeland

APN: 455-060-013

District Five

**BACKGROUND:**

On June 17, 2008 this Board received the declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the substandard structure (dwelling room structure) on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative condition on the property and directed County Counsel to prepare the Findings of Fact, Conclusions and Order to Abate.

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WHEN RECORDED PLEASE MAIL TO:  
Tiffany N. North, Deputy County Counsel  
County of Riverside  
OFFICE OF COUNTY COUNSEL  
3535 Tenth Street, Suite 300 (Stop #1350)  
Riverside, CA 92501

[EXEMPT'6103]

**BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 07-6223  
[SUBSTANDARD STRUCTURE]; APN 455-060- )  
013, 24630 JUNIPER SPRINGS ROAD, ) FINDINGS OF FACT,  
HOMELAND, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
CALIFORNIA; BANK OF NEW YORK, OWNER. ) ABATE NUISANCE  
)  
) [R.C.O. Nos. 457 (RCC Title 15) and  
) 725 (RCC Title 1)]  
)

The above-captioned matter came on regularly for hearing on June 17, 2008, before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described as 24630 Juniper Springs Road, Homeland, Assessor's Parcel Number 455-060-013 and referred to hereinafter as "THE PROPERTY."

Tiffany N. North, Deputy County Counsel, appeared along with Jim Monroe, Code Enforcement Division Manager, on behalf of the Director of the Code Enforcement Department.

No one appeared on behalf of Owner.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together with attached Exhibits, evidencing the substandard structure on THE PROPERTY as violation of Riverside County Ordinance No. 457 (Riverside County Code Title 15) and as a public nuisance.

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SUMMARY OF EVIDENCE

1  
2 1. Documents of record in the Riverside County Recorder's Office identify the owner  
3 of THE PROPERTY as Bank of New York ("OWNER").

4 2. Documents of title indicate that no other parties potentially hold a legal interest in  
5 THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on July 26, 2007,  
7 August 27, 2007, October 17, 2007, December 3, 2007, February 15, 2008, May 15, 2008 and June  
8 9, 2008.

9 4. During each inspection, a substandard structure (dwelling room structure) was  
10 observed on THE PROPERTY. The structure was observed to be dilapidated, abandoned and  
11 vacant. The structure contained numerous deficiencies, including but not limited to: lack of required  
12 electrical lighting; deteriorated or inadequate foundation; defective or deteriorated flooring or floor  
13 supports; members of ceilings, roofs, ceiling and roof supports or other horizontal members which  
14 sag, split or buckle due to defective material or deterioration; faulty weather protection; deteriorated  
15 or ineffective weather proofing of exterior walls, roofs or floors including broken windows or doors,  
16 lack of paint or other approved wall covering; general dilapidation or improper maintenance; public  
17 and attractive nuisance; abandoned; and vacant.

18 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
19 No. 457 (RCC Title 15) by the Code Enforcement Officer.

20 6. A Notice of Noncompliance was recorded on August 15, 2007 as Document Number  
21 2007-0527267 in the Office of the County Recorder, Riverside County, State of California.

22 7. On July 26, 2007, a Notice of Violation and Notice of Defects were posted on THE  
23 PROPERTY. On July 30, 2007, a Notice of Violation and Notice of Defects were mailed by  
24 certified mail, return receipt requested to OWNER.

25 8. On May 14, 2008, the second notice - "Notice to Correct County Ordinance  
26 Violations and Abate Public Nuisance" providing notice of the public hearing before the Board of  
27 Supervisors on June 17, 2008 was mailed by certified mail, return receipt requested, to OWNER and  
28 was posted on THE PROPERTY on May 15, 2008.



1 not razed, removed and disposed of, or reconstructed and rehabilitated in strict accordance with all  
2 Riverside County Ordinances, including but not limited to Riverside County Ordinance No. 457,  
3 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance, the substandard  
4 structure, contents therein, and structural debris and materials, shall be abated and disposed of by  
5 representatives of the Riverside County Code Enforcement Department, a contractor, or the Sheriff's  
6 Department upon receipt of the owner's consent or a Court Order, where necessary, under applicable  
7 law authorizing entry onto THE PROPERTY.

8           FURTHERMORE, THE OWNER is ordered to ascertain the existence or non-existence of  
9 asbestos containing materials in said structure by survey and materials sample testing by a duly  
10 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure  
11 the removal of all asbestos containing materials discovered through such survey and testing by  
12 contract with a duly certified and licensed contractor for the handling of such materials to avoid  
13 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

14           IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
15 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
16 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
17 County Ordinance Nos. 457 (RCC Title 15), and 725 (RCC Chapter 1.16). Under Riverside County  
18 Ordinance No. 725, "abatement costs" means "any costs or expenses reasonably related to the  
19 abatement of conditions which violate County Land Use Ordinances, and shall include, but not be  
20 limited to, enforcement, investigation, collection and administrative costs, attorneys fees, and the  
21 costs associated with the removal or correction of the violation." Reasonable abatement costs

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1 accrued by the Code Enforcement Department will be recoverable from OWNER even if THE  
2 PROPERTY is brought into compliance within ninety (90) days of the date of this Order to Abate  
3 Nuisance.

4  
5 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

6  
7 By \_\_\_\_\_  
8 Roy Wilson  
9 Chairman, Board of Supervisors

10 ATTEST:  
11 NANCY ROMERO  
12 Clerk to the Board

13  
14 By  
15 Deputy  
16 (SEAL)

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25 FORM APPROVED COUNTY COUNSEL  
26 BY Tiffany N. North 6/19/09  
DATE

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