

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

910B



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


**SUBMITTAL DATE:**  
June 2, 2011

**SUBJECT:** Order to Abate [Substandard Structures & Accumulated Rubbish]  
Case No. : CV09-12288 [BAOHAN-LESLIE T. CAO]  
Subject Property: 20841 Lakeridge Dr., Perris; APN: 286-140-022  
District: One

**RECOMMENDED MOTION:** Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 09-12288 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 09-12288; 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 09-12288.

(Continued)

  
L. ALEXANDRA FONG, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	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**

Dep't Recomm.:

☒ Consent

☐ Policy

Per Exec. Ofc.:

☒ Consent

☐ Policy

Abatement of Public Nuisance  
Case No.: CV 09-12288 [BAOHAN-LESLIE T. CAO]  
20841 Lakeridge Dr., Perris  
APN# 286-140-022  
District One  
Page 2

**BACKGROUND:**

On May 3, 2011, 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 structures (dwelling and pool) and accumulated rubbish on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

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1 RECORDING REQUESTED BY:  
Kecia Harper-Ihem, Clerk of the  
2 Board of Supervisors  
(Stop #1010)  
3  
4  
5

6 WHEN RECORDED PLEASE MAIL TO:  
L. Alexandra Fong, Deputy County Counsel  
County of Riverside  
7 OFFICE OF COUNTY COUNSEL  
3960 Orange Street, Suite 500 (Stop #1350)  
8 Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

9  
10 **BOARD OF SUPERVISORS**  
**COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 09-12288  
12 [SUBSTANDARD STRUCTURES AND )  
ACCUMULATION OF RUBBISH]; APN 286-140- )  
13 022, 20841 LAKERIDGE DR., PERRIS, ) FINDINGS OF FACT,  
COUNTY OF RIVERSIDE, STATE OF ) CONCLUSIONS AND ORDER TO  
14 CALIFORNIA; BAOHAN-LESLIE T. CAO, ) ABATE NUISANCE  
OWNER. ) [R.C.O. Nos. 457 (RCC Title 15), 541  
15 (RCC Title 8) and 725 (RCC Title 1)]

16 The above-captioned matter came on regularly for hearing on May 3, 2011, before the Board  
17 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,  
18 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property  
19 described 20841 Lakeridge Dr., Perris, Assessor's Parcel Number 286-140-022 and referred to  
20 hereinafter as "THE PROPERTY."

21 L. Alexandra Fong, Deputy County Counsel, appeared along with Brian Black, Supervising  
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 No one appeared on behalf of Owner.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
25 with attached Exhibits, evidencing the substandard structures and accumulation of rubbish on THE  
26 PROPERTY as violations of Riverside County Ordinance Nos. 457 (Riverside County Code Title 15)  
27 and 541 (Riverside County Code Title 8), and as a public nuisance.

28 ///

**SUMMARY OF EVIDENCE**

1. Documents of record in the Riverside County Recorder's Office identify the owner of THE PROPERTY as Baohan-Leslie T. Cao ("OWNER").

2. Documents of title indicate that other parties potentially hold a legal interest in THE PROPERTY, to-wit: Riverside Savings and Loan Association, Accredited Home Lenders, Inc., Xuong Bui and Phinga N. Bui ("INTERESTED PARTIES").

3. THE PROPERTY was inspected by Code Enforcement Officers on December 1, 2010, February 16, 2011, April 21, 2011 and May 2, 2011.

4. During each inspection, two substandard structures (dwelling and pool) were observed on THE PROPERTY. The structures were observed to be abandoned, dilapidated and vacant. The structures contained numerous deficiencies, including but not limited to: lack of hot and cold running water to plumbing fixtures – no water no fixtures; lack of required electrical lighting – non functional no electric; lack of adequate heating facilities; faulty weather protection - deteriorated or ineffective weather proofing of exterior walls, roof or floors including broken windows or doors, lack of paint or other approved wall covering; general dilapidation or improper maintenance; public and attractive nuisance – abandoned/vacant; expired building permit; and construction without permit.

5. During each inspection, an accumulation of rubbish was observed throughout THE PROPERTY consisting of but not limited to: construction debris, trash, water heater, chicken wire and miscellaneous items.

6. THE PROPERTY was determined to be in violation of Riverside County Ordinance No. 457 (RCC Title 15) and 541 (RCC Title 8) by the Code Enforcement Officer.

7. A Notice of Noncompliance was recorded on December 10, 2010, as Document Number 2010-0595060 in the Office of the County Recorder, County of Riverside

8. On December 1, 2010, Notice of Violations, Notice of Defects, and a "Danger Do Not Enter" were posted on THE PROPERTY. On December 6, 2010, Notices of Violation and Notices of Defects were mailed to OWNER and INTERESTED PARTIES by certified mail, return receipt requested.

9. On April 14, 2011, a "Notice to Correct County Ordinance Violations and Abate

1 Public Nuisance” providing notice of the public hearing before the Board of Supervisors on May 3,  
2 2011, was mailed by certified mail, return receipt requested, to OWNER and INTERESTED  
3 PARTIES and was posted on THE PROPERTY on April 21, 2011..

4 **FINDINGS AND CONCLUSIONS**

5 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
6 regular session assembled on May 3, 2011, finds and concludes that:

7 1. WHEREAS, the substandard structures (dwelling and pool) and accumulation of  
8 rubbish on the real property located at 20841 Lakeridge Dr., Perris, Riverside County, California, also  
9 identified as Assessor's Parcel Number 286-140-022 violates Riverside County Ordinance Nos. 457  
10 (RCC Title 15) and 541 (RCC Title 8) and constitutes a public nuisance.

11 2. WHEREAS, the OWNER, occupants and any person having possession or control of  
12 THE PROPERTY shall abate the substandard structures condition by razing, removing and disposing  
13 of the substandard structures, including the removal and disposal of all structural debris and  
14 materials, and contents therein or by reconstruction and rehabilitation of said structures provided that  
15 said reconstruction or demolition can be accomplished in strict accordance with all Riverside County  
16 Ordinances, including but not limited to Riverside County Ordinance No. 457 within ninety (90) days.

17 3. WHEREAS, the OWNER, occupants and any other person having possession or  
18 control of THE PROPERTY shall abate the accumulation of rubbish by removing and disposing of all  
19 rubbish on THE PROPERTY in strict accordance with all Riverside County Ordinances, including but  
20 not limited to Riverside County Ordinance No. 541 within ninety (90) days.

21 4. WHEREAS, the OWNER AND INTERESTED PARTIES ARE HEREBY  
22 FURTHER NOTICED that the time within which judicial review of the administrative determinations  
23 made herein must be sought is ninety (90) days from the posting and mailing of the Findings of Fact,  
24 Conclusions and Order To Abate Nuisance, and is governed by California Code of Civil Procedure  
25 Section 1094.6.

26 **ORDER TO ABATE NUISANCE**

27 IT IS THEREFORE ORDERED that the substandard structures (dwelling and pool) on THE  
28 PROPERTY be abated by the OWNER, Baohan-Leslie T. Cao, or anyone having possession or

1 control of THE PROPERTY, by razing and removing the substandard structures including the  
2 removal and disposal of all structural debris and materials, as well as the contents therein, or by  
3 reconstruction and rehabilitation of said structures provided such reconstruction and rehabilitation can  
4 be accomplished in strict accordance with all Riverside County Ordinances, including but not limited  
5 to Riverside County Ordinance No. 457 within ninety (90) days of the posting and mailing of this  
6 Order to Abate Nuisance.

7 IT IS FURTHER ORDERED that if the substandard structures are not razed, removed and  
8 disposed of, or reconstructed and rehabilitated in strict accordance with all Riverside County  
9 Ordinances, including but not limited to Riverside County Ordinance No. 457, within ninety (90) days  
10 of the posting and mailing of this Order to Abate Nuisance, the substandard structures, contents  
11 therein, and structural debris and materials, may be abated by representatives of the Riverside County  
12 Code Enforcement Department, a contractor, or the Sheriff's Department upon receipt of the owner's  
13 consent or a Court Order, where necessary, under applicable law authorizing entry onto THE  
14 PROPERTY.

15 FURTHERMORE, the OWNER is ordered to ascertain the existence or non-existence of  
16 asbestos containing materials in said structures by survey and materials sample testing by a duly  
17 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure  
18 the removal of all asbestos containing materials discovered through such survey and testing by  
19 contract with a duly certified and licensed contractor for the handling of such materials to avoid  
20 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

21 IT IS FURTHER ORDERED that the accumulation of rubbish on THE PROPERTY be  
22 abated by the OWNERS or anyone having possession or control of THE PROPERTY, by removing  
23 and disposing of all rubbish from THE PROPERTY in strict accordance with all Riverside County  
24 Ordinances, including but not limited to Riverside County Ordinance No. 541 (RCC Title 8) within  
25 ninety (90) days of the date of this Order to Abate Nuisance.

26 IT IS FURTHER ORDERED that if the accumulation of rubbish is not removed and disposed  
27 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside  
28 County Ordinance Nos. 541 (RCC Title 8) within ninety (90) days of the date of this Order to Abate

FORM APPROVED COUNTY COUNSEL  
BY: L. Alexander Fong 5/26/11  
DATE

1 Nuisance, the accumulation of rubbish may be abated by representatives of the Riverside County  
2 Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's  
3 consent or a Court Order when necessary under applicable law.

4 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
5 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
6 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
7 County Ordinance Nos. 457 (RCC Title 15), 541 (RCC Title 8), and 725 (RCC Title 1). Under  
8 Riverside County Ordinance No. 725, "abatement costs" means "any costs or expenses reasonably  
9 related to the abatement of conditions which violate County Land Use Ordinances, and shall include,  
10 but not be limited to, enforcement, investigation, collection and administrative costs, attorneys fees,  
11 and the costs associated with the removal or correction of the violation." Reasonable abatement costs  
12 accrued by the Code Enforcement Department will be recoverable from the OWNER even if THE  
13 PROPERTY is brought into compliance within ninety (90) days of the date of this Order to Abate  
14 Nuisance.

15  
16 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

17  
18 By \_\_\_\_\_  
19 Bob Buster  
20 Chairman, Board of Supervisors

21 ATTEST:

22 KECIA HARPER-IHEM

23 Clerk to the Board

24 By

25 Deputy

26 (SEAL)

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