

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

602B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
August 27, 2013

SUBJECT: Order to Abate [Substandard Structure]
Case No: 10-08836 [HARRIS]
Subject Property: 24036 Neighbors Blvd., Ripley; APN: 872-241-029
District: 4/4

RECOMMENDED MOTION: Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 10-08836 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 10-08836 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 10-08836.

Departmental Concurrence

(Continued)

PATRICIA MUNROE, Deputy County Counsel
for PAMELA J. WALLS, 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
- Policy
- Consent

Dept's Recomm.:
Per Exec. Ofc.:

2013 AUG 28 PM 5:10
 COUNTY OF RIVERSIDE
 COUNTY CLERK'S OFFICE

Abatement of Public Nuisance
Case No.: CV 10-08836 [HARRIS]
24036 Neighbors Blvd., Ripley
APN# 872-241-029
District 4/4
Page 2

BACKGROUND:

On August 20, 2013, 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) located 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.

1 RECORDING REQUESTED BY:
Kecia Harper-Ihem, Clerk of the
2 Board of Supervisors
(Stop #1010)
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5 WHEN RECORDED PLEASE MAIL TO:
6 Patricia Munroe, 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]

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10 **BOARD OF SUPERVISORS**
COUNTY OF RIVERSIDE

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 10-08836
12 [SUBSTANDARD STRUCTURE]; APN 872-241-)
029, 24036 NEIGHBORS BLVD., RIPLEY,) FINDINGS OF FACT,
13 RIVERSIDE COUNTY, CALIFORNIA; ESTATE) CONCLUSIONS AND ORDER TO
OF GEORGIA A. HARRIS, OWNER.) ABATE NUISANCE
14)
15) [R.C.O. Nos. 457 and 725]

16 The above-captioned matter came on regularly for hearing on August 20, 2013, before the
17 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
18 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
19 property described as 24036 Neighbors Blvd., Ripley, Assessor's Parcel Number 872-241-029 and
20 referred to hereinafter as "THE PROPERTY."

21 Patricia Munroe, Deputy County Counsel, appeared along with Michelle Cervantes, Senior
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owner's representative did not appear.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together
25 with attached Exhibits, evidencing the substandard structures on THE PROPERTY as violation of
26 Riverside County Ordinance ("RCO") No. 457 and as a public nuisance.

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1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the owner of
3 THE PROPERTY as Estate of Georgia A. Harris (“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 December 15,
7 2010, and sixteen other dates throughout 2011, 2012 and 2013. The last inspection was conducted
8 on August 15, 2013.

9 4. During each inspection, a substandard structure (dwelling) was observed on THE
10 PROPERTY. The structure was observed to be dilapidated. The structure contained numerous
11 deficiencies, including but not limited to: faulty weather protection; general dilapidation or improper
12 maintenance; and public and attractive nuisance – abandoned/vacant.

13 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
14 No. 457 by the Code Enforcement Officer.

15 6. A Notice of Pendency of Administrative Proceedings was recorded on June 2, 2011,
16 as Document Number 2011-0243646 in the Office of the County Recorder, County of Riverside.

17 7. On December 15, 2010, Notice of Violation, Notice of Defects and a “Danger Do Not
18 Enter” signs were posted on THE PROPERTY. On February 8, 2011, Notice of Violation for the
19 substandard structure was mailed to OWNER by certified mail, return receipt requested.

20 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”
21 providing notice of the public hearing before the Board of Supervisors on August 20, 2013, was
22 mailed to OWNER and was posted on THE PROPERTY.

23 **FINDINGS AND CONCLUSIONS**

24 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
25 regular session assembled on August 20, 2013, finds and concludes that:

26 1. WHEREAS, the substandard structure (dwelling) on the real property located at
27 24036 Neighbors Blvd., Ripley, Riverside County, California, also identified as Assessor's Parcel
28 Number 872-241-029 violates RCO No. 457 and constitutes a public nuisance.

1 the removal of all asbestos containing materials discovered through such survey and testing by
2 contract with a duly certified and licensed contractor for the handling of such materials to avoid
3 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

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 and 725. Under Riverside County Ordinance No. 725, "abatement
8 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate
9 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
10 collection and administrative costs, attorneys fees, and the costs associated with the removal or
11 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement

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

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Dated: _____

COUNTY OF RIVERSIDE

By _____
John J. Benoit
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

Clerk to the Board

By
Deputy
(SEAL)