

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

6018



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

**SUBMITTAL DATE:**  
May 15, 2014

**SUBJECT:** Order to Abate [Substandard Structure]  
Case No. CV10-06729 [MYLLES]  
Subject Property: 32871 Griffith Lane, Lakeland Village; APN: 370-300-017  
District: 1/1 [\$0.00]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-06729;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-06729; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-06729.

**BACKGROUND:**

**Summary**

On March 11, 2014, 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 (mobilehome on permanent foundation) located on the subject property to be a public nuisance. The

(Continued)

L. ALEXANDRA FONG  
Deputy County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	<b>For Fiscal Year:</b>

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

APPROVE

BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.: 03/11/14; 9.1 | District: 1/1 | Agenda Number:

2-11

Departmental Concurrence

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

**FORM 11:** Order to Abate [Substandard Structures]

Case No. CV10-06729 [MYLLES]

Subject Property: 32871 Griffith Lane, Lakeland Village; APN: 370-300-017

District: 1/1 [\$0.00]

**DATE:** May 15, 2014

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

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.

**Impact on Citizens and Businesses**

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**

Findings of Fact

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

5 WHEN RECORDED PLEASE MAIL TO:  
6 Michelle Cervantes, Code Enforcement Officer  
Regina Keyes, Senior Code Enforcement Officer  
7 CODE ENFORCEMENT DEPARTMENT  
4080 Lemon Street, Twelfth Floor (Stop #1012)  
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 10-06729  
12 [SUBSTANDARD STRUCTURE]; )  
13 APN 370-300-017, 32871 GRIFFITH LANE, ) FINDINGS OF FACT,  
LAKELAND VILLAGE, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
14 CALIFORNIA; ALLAN R. MYLLES, OWNER. ) ABATE NUISANCE  
15 )  
[R.C.O. Nos. 457 and 725]

16 The above-captioned matter came on regularly for hearing on March 11, 2014, 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 32871 Griffith Lane, Lakeland Village, Assessor's Parcel Number 370-300-  
20 017 and referred to hereinafter as "THE PROPERTY."

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

23 Owner did not appear.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
25 with attached Exhibits, evidencing the substandard structure 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 Allan R. Mylles ("OWNER").

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
5 PROPERTY, to-wit: Doris Mylles, John W. Rapin, Allan R. Mylles III, Suntrust Mortgage, Inc., and  
6 Litton Loan Servicing (hereinafter collectively referred to as "INTERESTED PARTIES").

7 3. THE PROPERTY was inspected by Code Enforcement Officers on October 20, 2010,  
8 and on approximately 20 other occasions, the last being March 6, 2014.

9 4. During each inspection, the substandard structure (mobilehome on permanent  
10 foundation) was observed on THE PROPERTY. The structure contained numerous deficiencies,  
11 including but not limited to: lack of or improper water closet, lavatory, bathtub, shower or kitchen  
12 sink; lack of hot and cold running water to plumbing fixtures; hazardous plumbing; hazardous  
13 wiring; defective or deteriorated flooring or floor supports; members of walls, partitions, or other  
14 vertical supports that split, lean, list or buckle due to defective materials or deterioration; members of  
15 ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due  
16 to defective material or deterioration; dampness of habitable rooms; faulty weather protection;  
17 general dilapidation or improper maintenance; fire hazard; public and attractive nuisance –  
18 abandoned/vacant.

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

21 6. A Notice of Pendency of Administrative Proceedings was recorded on January 29,  
22 2013, as Document Number 2013-0045257 in the Office of the County Recorder, County of  
23 Riverside.

24 7. On October 20, 2010 and October 26, 2012, a Notice of Violation, Notice of Defects  
25 and a "Danger Do Not Enter" sign were posted on THE PROPERTY. On October 27, 2010 and  
26 March 7, 2013, a Notice of Violation and Notice of Defects was mailed to OWNER and  
27 INTERESTED PARTIES by first class mail. On July 3, 2013, a Notice of Violation and Notice of  
28 Defects were mailed to OWNER and INTERESTED PARTIES by certified mail, return receipt

1 requested.

2 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
3 providing notice of the public hearing before the Board of Supervisors on March 11, 2014, was  
4 mailed to OWNER and INTERESTED PARTIES and was posted on THE PROPERTY.

5 **FINDINGS AND CONCLUSIONS**

6 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
7 regular session assembled on March 11, 2014, finds and concludes that:

8 1. WHEREAS, the substandard structure (mobilehome on permanent foundation) on the  
9 real property located at 32871 Griffith Lane, Lakeland Village, Riverside County, California, also  
10 identified as Assessor's Parcel Number 370-300-017 violates RCO No. 457 and constitutes a public  
11 nuisance.

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

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

23 **ORDER TO ABATE NUISANCE**

24 IT IS THEREFORE ORDERED that the substandard structure (mobilehome on permanent  
25 foundation) on THE PROPERTY be abated by the OWNER, or anyone having possession or control  
26 of THE PROPERTY, by razing and removing the substandard structure including the removal and  
27 disposal of all structural debris and materials, as well as the contents therein, or by reconstruction  
28 and rehabilitation of said structure provided such reconstruction and rehabilitation can be

1 accomplished in strict accordance with all Riverside County Ordinances, including but not limited to  
2 RCO No. 457 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance.

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

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

16 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
17 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
18 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
19 County Ordinance Nos. 457 and 725. Under Riverside County Ordinance No. 725, "abatement  
20 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate  
21 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
22 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
23 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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4 Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

5  
6 By \_\_\_\_\_  
7 Jeff Stone  
8 Chairman, Board of Supervisors

9 ATTEST:

10 KECIA HARPER-IHEM

11 Clerk to the Board

12  
13 By \_\_\_\_\_

14 Deputy

15 (SEAL)

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FORM APPROVED COUNTY COUNSEL  
BY: ALEXANDRA FONG DATE: 3/26/14