

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

907B



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

**SUBMITTAL DATE:**

**SUBJECT:** Order to Abate [Accumulated Rubbish];  
Case No. CV12-02778 [STOUT/MASLANIK]  
Subject Property: 28230 El Toro Road, Lake Elsinore; APN: 347-420-023  
District: 1/1 [\$0.00]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate related to accumulated rubbish in Case No. CV12-02778;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02778; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-02778.

**BACKGROUND:**

**Summary**

On June 3, 2014, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the accumulated rubbish 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

(Continued)

PATRICIA MUNROE  
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	\$	\$	\$	\$	

**SOURCE OF FUNDS:**

Budget Adjustment:

For Fiscal Year:

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

APPROVE

BY

County Executive Office Signature

Tina Grande

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Prev. Agn. Ref.: 06/03/14; 9.3

District: 1/1

Agenda Number:

2-15

Departmental Concurrence

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

**FORM 11: Order to Abate [Accumulated Rubbish];**

Case No. CV12-02778 [STOUT/MASLANIK]

Subject Property: 28230 El Toro Road, Lake Elsinore; APN: 347-420-023

District: 1/1 [\$0.00]

DATE:

PAGE: 2 of 2

**BACKGROUND:**

**Summary (continued)**

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:  
Michelle Cervantes, Senior Code Enforcement Officer  
6 Regina Keyes, Senior Code Enforcement Officer  
CODE ENFORCEMENT DEPARTMENT  
7 4080 Lemon Street, Twelfth Floor (Stop #1012)  
Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

8  
9 **BOARD OF SUPERVISORS**  
**COUNTY OF RIVERSIDE**  
10

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 12-02778  
[ACCUMULATION OF RUBBISH]; )  
12 APN 347-420-023, 28230 EL TORO ROAD, LAKE ) FINDINGS OF FACT,  
EL SINORE, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
13 CALIFORNIA; JEFF T. STOUT AND CECILIA ) ABATE NUISANCE  
MASLANIK, OWNERS. )  
14 ) R.C.O. Nos. 541 and 725  
15 )  
16 )

17 The above-captioned matter came on regularly for hearing on June 3, 2014, before the Board  
18 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,  
19 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property  
20 described as 28230 El Toro Road, Lake Elsinore, Riverside County, and further described as  
21 Assessor's Parcel Number 347-420-023 referred to hereinafter as "THE PROPERTY."

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

24 Owners did not appear. However, a tenant appeared and addressed the Board of Supervisors.

25 The Board of Supervisors received the Declaration of Code Enforcement Officer together  
26 with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public  
27 nuisance and violation of Riverside County Ordinance No. 541.

28 ///

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the  
3 OWNERS of THE PROPERTY as Jeff T. Stout and Cecilia Maslanik (“OWNERS”).

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
5 PROPERTY, to wit: Robert G. Williams, David G. Cross, Debora Cross, Jordan Ehrenkranz and  
6 Jennie Ehrenkranz, trustees of the Ehrenkranz Family Trust dated March 11, 1995 and David  
7 Shrader.

8 3. THE PROPERTY was inspected by Code Enforcement Officers on April 30, 2012  
9 and on approximately eight other occasions, the last being November 26, 2013.

10 4. During each inspection, an accumulation of rubbish was observed on THE  
11 PROPERTY. The rubbish consisted of, but was not limited to: household trash, broken furniture,  
12 building materials, discarded wood and other miscellaneous items.

13 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
14 No. 541 by the Code Enforcement Officer.

15 6. A Notice of Pendency of Administrative Proceedings was recorded in the Office of  
16 the County Recorder, County of Riverside, State of California on July 27, 2012, as instrument  
17 number 2012-0352560.

18 7. On April 30, 2012, Notice of Violation was posted on THE PROPERTY. On May 8,  
19 2012 Notice of Violation was mailed to OWNER MASLANIK by first class mail. On June 27,  
20 2013, a Notice of Violation was mailed to OWNER STOUT and INTERESTED PARTIES by  
21 certified mail, return receipt requested. On October 29, 2013, a Notice of Violation was mailed to  
22 INTERESTED PARTIES by first class mail.

23 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”  
24 providing notice of the public hearing before the Board of Supervisors on June 3, 2014, was mailed  
25 to OWNERS and INTERESTED PARTIES and was posted on THE PROPERTY.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
28 regular session assembled on June 3, 2014, finds and concludes that:



1 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
2 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
3 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement  
4 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
5 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Jeff Stone  
Chairman, Board of Supervisors

ATTEST:  
KECIA HARPER-IHEM  
Clerk to the Board

By  
Deputy

(SEAL)