

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

606 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
December 19, 2014

SUBJECT: Order to Abate [Substandard Structures]
Case No. CV10-05490 [RUIZ]
Subject Property: 28990 Mapes Road, Romoland; APN: 327-360-024
District: 5/5 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-05490;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-05490; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-05490.

BACKGROUND:

Summary

On November 4, 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 structures (dwelling, carport, detached garage and detached garage with carport) located on the subject property to (Continued)


GREGORY P. PRIAMOS
County Counsel

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

SOURCE OF FUNDS:	Budget Adjustment:
	For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Departmental Concurrence

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

FORM 11: Order to Abate [Substandard Structures]

Case No. CV10-05490 [RUIZ]

Subject Property: 28990 Mapes Road, Romoland, APN: 327-360-024

District: 5/5 [\$0.00]

DATE: December 19, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

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.

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

5 WHEN RECORDED PLEASE MAIL TO:
6 Michelle Cervantes, Senior Code Enforcement Officer
7 Regina Keyes, Senior Code Enforcement Officer
8 CODE ENFORCEMENT DEPARTMENT
9 4080 Lemon Street, Twelfth Floor (Stop #1012)
10 Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

11 **BOARD OF SUPERVISORS**
12 **COUNTY OF RIVERSIDE**

13 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 10-05490
14 [SUBSTANDARD STRUCTURES];)
15 APN 327-360-024, 28990 MAPES ROAD,) FINDINGS OF FACT,
16 ROMOLAND, RIVERSIDE COUNTY,) CONCLUSIONS AND ORDER TO
17 CALIFORNIA; FRANCISCO RUIZ AND) ABATE NUISANCE
18 AGUEDA RUIZ, OWNERS.)
19) [R.C.O. Nos. 457 and 725]
20)

21 The above-captioned matter came on regularly for hearing on November 4, 2014, before the
22 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
23 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
24 property described as 28990 Mapes Road, Romoland, Assessor's Parcel Number 327-360-024 and
25 referred to hereinafter as "THE PROPERTY."

26 Sophia Choi, Deputy County Counsel, appeared along with Michelle Cervantes, Senior Code
27 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

28 Mr. Francisco Ruiz appeared but did not address the Board of Supervisors.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together
with attached Exhibits, evidencing the substandard structures on THE PROPERTY as violation of
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 owners
3 of THE PROPERTY as Francisco Ruiz and Agueda Ruiz (“OWNERS”).

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to wit: State Board of Equalization and The State of California Franchise Tax
6 Board (“INTERESTED PARTIES”).

7 3. THE PROPERTY was inspected by Code Enforcement Officers on April 19, 2011,
8 and on fifteen (15) additional occasions, the last being October 30, 2014.

9 4. During each inspection, four (4) substandard structures (dwelling, carport, detached
10 garage, and detached garage with carport) were observed on THE PROPERTY. The structures were
11 observed to be dilapidated and contained numerous deficiencies, including but not limited to: lack of
12 or improper water closet, lavatory, bathtub, shower or kitchen sink, lack of required electrical
13 lighting, hazardous wiring, deteriorated or inadequate foundation, defective or deteriorated flooring
14 or floor supports, members of walls, partitions or other vertical supports that split, lean, list or buckle
15 due to defective material or deterioration, members of ceilings, roofs, ceiling and roof supports or
16 other horizontal members which sag, split, or buckle due to defective material or deterioration;
17 dampness of habitable rooms; faulty weather protection; general dilapidation or improper
18 maintenance, public and attractive nuisance – abandoned/vacant; unpermitted construction.

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 April 17, 2014,
22 as Document Number 2014-0141306 in the Office of the County Recorder, County of Riverside.

23 7. On April 19, 2011, and January 8, 2013, a Notice of Violation, Notice of Defects and
24 a “Danger Do Not Enter” signs were posted on THE PROPERTY. On April 20, 2011 and January
25 11, 2013, Notice of Violation and Notices of Defects were mailed to OWNERS by certified mail
26 with return receipt requested.

27 8. On August 20, 2014, Notice of Violation and Notices of Defects were mailed to
28 INTERESTED PARTIES by certified mail return with receipt requested.

1 mailing of this Order to Abate Nuisance.

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

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

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

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1 Department will be recoverable from the OWNERS 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 _____
Marion Ashley
Chairman, Board of Supervisors

ATTEST:
KECIA HARPER-IHEM
Clerk to the Board

By
Deputy
(SEAL)