

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

7048



FROM: County Counsel/TLMA  
Code Enforcement Department

SUBMITTAL DATE:  
April 28, 2010

SUBJECT: Order to Abate [Substandard Structures and Accumulation of Rubbish]  
Case Nos.: CV 08-06006 & CV 08-06008 (FIFE)  
Subject Property: 26580 Peach Street, Perris  
APN: 346-240-003  
District Five

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 08-06006 & CV 08-06008 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 Nos. CV 08-06006 & CV 08-06008; and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case Nos. CV 08-06006 & CV 08-06008.

(Continued)

  
JULIE A. JARVI, 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 ☐

Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

BY:   
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley

Nays: None

Absent: None

Date: May 18, 2010

xc: Co.Co.(3); Recorder

Kecia Harper-Ihem

Clerk of the Board

By:   
Deputy

Prev. Agn. Ref.: 04/20/10; 9.6

District: 5

Agenda Number:

2.17

Order to Abate [Substandard Structures and Accumulation of Rubbish]

Case No.: CV 08-06006 & CV 08-06008

Subject Property: 26580 Peach Street, Perris

APN: 346-240-003

District Five

**BACKGROUND:**

On April 20, 2010, 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 (main dwelling, 15' x 20' carport, shed, 10' x 20' carport and a chicken coop) and accumulation of 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 the Findings of Fact, Conclusions and Order to Abate.

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

DOC # 2010-0231054  
05/19/2010 08:00A Fee:NC  
Page 1 of 7  
Recorded in Official Records  
County of Riverside  
Larry W. Ward  
Assessor, County Clerk & Recorder



5 WHEN RECORDED PLEASE MAIL TO:  
6 Julie A. Jarvi, Deputy County Counsel  
7 County of Riverside  
8 OFFICE OF COUNTY COUNSEL  
9 3960 Orange Street, Fifth Floor (Stop #1350)  
10 Riverside, CA 92501

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[EXEMPT'6103]

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



13 IN RE ABATEMENT OF PUBLIC NUISANCE:  
14 [SUBSTANDARD STRUCTURES AND  
15 ACCUMULATION OF RUBBISH]; APN 346-240-  
16 003, 26580 PEACH STREET, PERRIS,  
17 RIVERSIDE COUNTY, CALIFORNIA; GEORGE  
18 E. FIFE, OWNER.

CASE NOS. CV 08-06006 &  
CV 08-06008

FINDINGS OF FACT,  
CONCLUSIONS AND ORDER TO  
ABATE NUISANCE

[R.C.O. Nos. 457 (RCC Title 15), 541  
(RCC Title 8) and 725 (RCC Title 1)]

17 The above-captioned matter came on regularly for hearing on April 20, 2010, before the  
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
20 property described as 26580 Peach Street, Perris, Assessor's Parcel Number 346-240-003 and  
21 referred to hereinafter as "THE PROPERTY."

22 Julie A. Jarvi, Deputy County Counsel, appeared along with Brian Black, Supervising Code  
23 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

24 No one appeared on behalf of owner.

25 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
26 with attached Exhibits, evidencing the substandard structures and accumulation of rubbish on THE  
27 PROPERTY as violations of Riverside County Ordinance Nos. 457 (Riverside County Code Title 15)  
28 and 541 (Riverside County Code Chapter 8.120), and as a public nuisance.

**SUMMARY OF EVIDENCE**

1  
2 1. Documents of record in the Riverside County Recorder's Office identify the owner of  
3 THE PROPERTY as George E. Fife ("OWNER").

4 2. Documents of title indicate that another party potentially holds a legal interest in THE  
5 PROPERTY, to-wit: Mortgage Electronic registration Services, Inc. ("INTERESTED PARTY").

6 3. THE PROPERTY was inspected by Code Enforcement Officers on October 15, 2008,  
7 March 4, 2009, March 6, 2009, July 25, 2009, September 29, 2009, March 4, 2010 and April 19,  
8 2010.

9 4. During each inspection, five substandard structures (main dwelling, 15'x20' carport,  
10 shed, 10'x20' carport and a chicken coop) were observed on THE PROPERTY. The structures  
11 were observed to be abandoned, dilapidated and vacant. The structures contained numerous  
12 deficiencies, including but not limited to: lack of hot and cold running water to plumbing fixtures; lack  
13 of required electrical lighting; hazardous wiring; lack of adequate heating facilities; deteriorated or  
14 inadequate foundation; defective or deteriorated flooring or floor supports; dampness of habitable  
15 rooms; members of walls, partitions or other vertical supports that split, lean, list or buckle due to  
16 defective material or deterioration; members of ceilings, roofs, ceiling and roof supports or other  
17 horizontal members which sag, split or buckle due to defective material or deterioration; faulty  
18 weather protection; general dilapidation or improper maintenance; fire hazard; public and attractive  
19 nuisance.

20 5. During each inspection an accumulation of rubbish was observed throughout THE  
21 PROPERTY consisting of but not limited to: household trash, plastics, clothing, scrap wood, scrap  
22 metal, tarps, used hypodermic needles, and miscellaneous trash and debris.

23 6. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
24 No. 457 (RCC Title 15) and 541 (RCC Chapter 8.120) by the Code Enforcement Officer.

25 7. A Notice of Noncompliance was recorded on February 26, 2009, as Document  
26 Number 2009-0093689 in the Office of the County Recorder, County of Riverside.

27 8. On October 15, 2008, Notices of Violation, a "Danger Do Not Enter" and a "Do Not  
28 Dump" sign were posted on THE PROPERTY. On November 26, 2008, Notices of Violation for the



1 substandard structures and accumulation of rubbish were mailed to OWNER and INTERESTED  
2 PARTY by certified mail, return receipt requested. On August 6, 2009, Notices of Violation were  
3 mailed to OWNER by certified mail, return receipt requested.

4 9. On March 3, 2010, a "Notice to Abate Nuisance" providing notice of the public  
5 hearing before the Board of Supervisors on April 20, 2010, was mailed by certified mail, return  
6 receipt requested, to OWNER and INTERESTED PARTY and was posted on THE PROPERTY on  
7 March 4, 2010.

### 8 FINDINGS AND CONCLUSIONS

9 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
10 regular session assembled on April 20, 2010, finds and concludes that:

11 1. WHEREAS, the five substandard structures (main dwelling, 15'x20' carport, shed,  
12 10'x20' carport and a chicken coop) and accumulation of rubbish on the real property located at  
13 26580 Peach Street, Perris, Riverside County, California, also identified as Assessor's Parcel Number  
14 346-240-003 violates Riverside County Ordinance Nos. 457 (RCC Chapter 15.12) and 541 (RCC  
15 Chapter 8.120) and constitutes a public nuisance.

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

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

27 4. WHEREAS, THE OWNER AND INTERESTED PARTY ARE HEREBY  
28 FURTHER NOTICED that the time within which judicial review of the administrative determinations



made herein must be sought is ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions and Order To Abate Nuisance, and is governed by California Code of Civil Procedure Section 1094.6.

#### **ORDER TO ABATE NUISANCE**

IT IS THEREFORE ORDERED that the five substandard structures (main dwelling, 15'x20' carport, shed, 10'x20' carport and a chicken coop) on THE PROPERTY be abated by the OWNER, George E. Fife, or anyone having possession or control of THE PROPERTY, by razing and removing the substandard structures including the removal and disposal of all structural debris and materials, as well as the contents therein, or by reconstruction and rehabilitation of said structures provided such reconstruction and rehabilitation can be accomplished in strict accordance with all Riverside County Ordinances, including but not limited to Riverside County Ordinance No. 457 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance.

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

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

IT IS FURTHER ORDERED that the accumulation of rubbish on THE PROPERTY be abated by THE OWNERS or anyone having possession or control of THE PROPERTY, by removing



1 and disposing of all rubbish from THE PROPERTY in strict accordance with all Riverside County  
2 Ordinances, including but not limited to Riverside County Ordinance No. 541 (RCC Chapter 8.120)  
3 within ninety (90) days of the date of this Order to Abate Nuisance.

4 IT IS FURTHER ORDERED that if the accumulation of rubbish is not removed and disposed  
5 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside  
6 County Ordinance Nos. 541 (RCC Chapter 8.120) within ninety (90) days of the date of this Order to  
7 Abate Nuisance, the accumulation of rubbish shall be abated by representatives of the Riverside  
8 County Code Enforcement Department, a contractor or the Sheriff's Department upon receipt of an  
9 owner's consent or a Court Order when necessary under applicable law.

10 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
11 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
12 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
13 County Ordinance Nos. 457 (RCC Chapter 15.12), 541 (RCC Chapter 8.120), and 725 (RCC  
14 Chapter 1.16). Under Riverside County Ordinance No. 725, "abatement costs" means "any costs or  
15 expenses reasonably related to the abatement of conditions which violate County Land Use  
16 Ordinances, and shall include, but not be limited to, enforcement, investigation, collection and  
17 administrative costs, attorneys fees, and the costs associated with the removal or correction of the  
18 violation." Reasonable abatement costs accrued by the Code Enforcement Department will be

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28 ///



2010-0231054  
05/19/2010 08:00A  
5 of 7

FORM APPROVED COUNTY COUNSEL  
BY Julie A. Koons Jarvi DATE 5/26/10

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

3  
4 Dated: May 18, 2010

COUNTY OF RIVERSIDE

5  
6 By Marion Ashley  
7 Marion Ashley  
8 Chairman, Board of Supervisors

9 ATTEST:  
10 KECIA HARPER-IHEM  
11 Clerk to the Board

12 By Karen B. Gutten  
13 Deputy  
14 (SEAL)



2010-0231054  
05/19/2010 08:00A  
6 of 7





LARRY W. WARD  
COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
<http://riverside.asrclrec.com>

**CERTIFICATION**

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

CLARIFICATION OF THE SEAL for the Riverside County Board of Supervisors  
(embossed on document)



Date:

5-18-10

Signature:

*Karen Barton*

Print Name:

Karen Barton, Board Assistant, Riverside County Clerk of the Board



# NOTICE LIST

Subject Property: 26580 Peach Street, Perris

Case No.: CV 08-06006 & CV 08-06008; APN: 346-240-003; District 5

GEORGE E. FIFE  
26580 PEACH STREET  
PERRIS, CA 92570

GEORGE E. FIFE  
18501 CECILIA WAY  
CERRITOS, CA 90703

MERS  
AS NOMINEE FOR FLEET MTG CORP  
P.O. BOX 2026  
FLINT, MI 48501-2026

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> Date of Delivery <b>JUN 16 2016</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p>MERS AS NOMINEE FOR FLEET MTG CORP PO BOX 2026 FLINT MI 48501-2026</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) <b>7009 3410 0000 1318 3794</b></p> <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>			

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> C. Date of Delivery <b>JUN 16 2016</b></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>GEORGE E FIFE 18501 CECILIA WAY CERRITOS CA 90703</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) <b>7009 3410 0000 1318 3787</b></p> <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

# NOTICE LIST

Subject Property: 26580 Peach Street, Perris  
Case No.: CV 08-06006 & CV 08-06008; APN: 346-240-003; District 5

Office of County Counsel  
3960 Orange Street, 5th Floor  
Riverside, CA 92501

CERTIFIED MAIL™



7009 3410 0000 1318 3800

12817  
GEORGE E FIFE  
26580 PEACH STREET  
PERRIS CA 92570



UNITED STATES POSTAGE  
PITNEY BOWES  
02 1P  
\$005.710  
0003958246 JUN 08 2010  
MAILED FROM ZIP CODE 92501

UNABLE TO FORWARD  
AS ADDRESSED

UNC

9257033402 F002



**PROOF OF SERVICE**

Case Nos. CV 08-06006 & CV 08-06008

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Brenda Peeler, the undersigned, declare that I am a citizen of the United States and am employed in the County of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is 3535 Tenth Street, Suite 300, Riverside, California 92501-3674.

That on June 8, 2010, I served the following document(s):

**FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE**

by placing a true copy thereof enclosed in a sealed envelope(s) addressed as follows:

**OWNERS OR INTERESTED PARTIES  
(SEE ATTACHED NOTICE LIST)**

XX **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, in the ordinary course of business.

— **BY PERSONAL SERVICE:** I caused to be delivered such envelope(s) by hand to the offices of the addressee(s).

XX **STATE - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.**

— **FEDERAL - I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.**

EXECUTED ON June 8, 2010, at Riverside, California.

  
BRENDA PEELER



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

**JOHN BOYD**  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

June 10, 2010

RE CASE NO: CV0806008

I, James Pike, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 24318 Hemlock, Ave., Suite C-1, Moreno Valley, California 92557 .

That on 06/09/10 at 1234, I securely and conspicuously posted Findings of Fact, Conclusions, and Order to Abate Nuisance. - Pike at the property described as:

**Property Address:** 26580 PEACH ST, PERRIS

**Assessor's Parcel Number:** 346-240-003

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on June 10, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

 #59

By: James Pike, Code Enforcement Officer



## CODE ENFORCEMENT DEPARTMENT COUNTY OF RIVERSIDE

JOHN BOYD  
Director

### AFFIDAVIT OF POSTING OF NOTICES

June 10, 2010

RE CASE NO: CV0806006

I, James Pike, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 24318 Hemlock, Ave., Suite C-1, Moreno Valley, California 92557 .

That on 06/09/10 at 1234, I securely and conspicuously posted Findings of Fact, Conclusions, and Order to Abate Nuisance. at the property described as:

**Property Address:** 26580 PEACH ST, PERRIS

**Assessor's Parcel Number:** 346-240-003

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on June 10, 2010 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

 # 59

By: James Pike, Code Enforcement Officer