

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

1318



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
June 16, 2011

SUBJECT: Order to Abate [Substandard Structure]
Case No: CV 08-07026 [BONNER]
Subject Property: 21691 Orange Ave., Perris; APN: 318-270-038
District: Five

RECOMMENDED MOTION: Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 08-07026 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 08-07026; 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 08-07026.

(Continued)

L. Alexandra Fong
L. ALEXANDRA FONG, 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*
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: June 28, 2011
xc: 511 3: 52 Co.Co., Recorder

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Departmental Concurrence

Policy
 Policy
 Consent
 Consent

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

Abatement of Public Nuisance
Case No.: CV08-07026 [BONNER]
21691 Orange Ave., Perris
APN# 318-270-038
District Five
Page 2

BACKGROUND:

On May 3, 2011, 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 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:
2 Kecia Harper-Ihem, Clerk of the
3 Board of Supervisors
4 (Stop #1010)

Customer Copy Label
The paper to which this label is
affixed has not been compared
with the recorded document
Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

5 WHEN RECORDED PLEASE MAIL TO:
6 L. Alexandra Fong, Deputy County Counsel
7 County of Riverside
8 OFFICE OF COUNTY COUNSEL
3960 Orange Street, Suite 500 (Stop #1350)
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 08-07026
12 [SUBSTANDARD STRUCTURE]; APN 318-270-)
13 038, 21691 ORANGE AVE., PERRIS, COUNTY) FINDINGS OF FACT,
14 OF RIVERSIDE, STATE OF CALIFORNIA;) CONCLUSIONS AND ORDER TO
15 ETTA BONNER, OWNER.) ABATE NUISANCE
)
) [R.C.O. Nos. 457 (RCC Title 15) and
) 725 (RCC Title 1)]

16
17 The above-captioned matter came on regularly for hearing on May 3, 2011, 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 21691 Orange Ave., Perris, Assessor's Parcel Number 318-270-038 and referred to
21 hereinafter as "THE PROPERTY."

22 L. Alexandra Fong, Deputy County Counsel, appeared along with Brian Black, Supervising
23 Code 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 structure on THE PROPERTY as violation of
27 Riverside County Ordinance No. 457 (Riverside County Code Title 15) and as a public nuisance.

28 ///

COPY

SUMMARY OF EVIDENCE

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

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE
5 PROPERTY, to-wit: Saleh Hasbun Boostz, Inc., Scott Saltzman, Eleanor Sturman and Joyce
6 Enderle, Carlton Robinson, Maria Palavranoff, David Cassit and Elana Cassit – Trustees of the
7 Cassitt Family Trust Revocable Living Trust Dated 3/26/02, Tova Redbourn and Alan Redbourn,
8 Gloria Berlin-Trustee of the Morton William Berlin Sr. Revocable Living Trust Dated February 14,
9 2002, Ezra Cohen-Sitt and Mariam Cohen-Sitt – Trustees of the Ezra and Miriam Cohen-Sitt Trust
10 Dated April 16, 2004 and Mitchell Light and Margaret Light ("INTERESTED PARTIES").

11 3. THE PROPERTY was inspected by Code Enforcement Officers on February 5, 2009,
12 December 7, 2009, April 27, 2010, May 25, 2010, July 15, 2010, September 8, 2010, December 21,
13 2010, April 20, 2011, April 29, 2011 and May 2, 2011.

14 4. During each inspection, one substandard structure was observed on THE
15 PROPERTY. The structure was observed to be abandoned, dilapidated and vacant. The structure
16 contained numerous deficiencies, including but not limited to: lack of required electrical lighting;
17 hazardous wiring; lack of adequate heating facilities; members of walls, partitions or other vertical
18 supports that split, lean, list or buckle due to defective material or deterioration; members of ceilings,
19 roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to
20 defective material or deterioration; dampness of habitable rooms; general dilapidation or improper
21 maintenance; public and attractive nuisance – abandoned/vacant; and black mold in walls.

22 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
23 No. 457 (RCC Title 15) by the Code Enforcement Officer.

24 6. A Notice of Noncompliance was recorded on April 7, 2009, as Document Number
25 2009-0170284 in the Office of the County Recorder, County of Riverside.

26 7. On February 5, 2009, a Notice of Violation, Notice of Defects and a "Danger Do Not
27 Enter" sign was posted on THE PROPERTY. On March 27, 2009, a Notice of Violation and Notice
28 of Defects were mailed to OWNER by certified mail, return receipt requested.

1 with all Riverside County Ordinances, including but not limited to Riverside County Ordinance No.
2 457 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 Riverside County Ordinance No. 457, within ninety (90)
6 days of the posting and mailing of this Order to Abate Nuisance, the substandard structure, contents
7 therein, and structural debris and materials, may be abated by representatives of the Riverside County
8 Code Enforcement Department, a contractor, or the Sheriff's Department upon receipt of the owner's
9 consent or a Court Order, where necessary, under applicable law authorizing entry onto THE
10 PROPERTY.

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

17 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity
18 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special
19 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside
20 County Ordinance Nos. 457 (RCC Title 15), 541 (RCC Title 8), and 725 (RCC Title 1). Under
21 Riverside County Ordinance No. 725, "abatement costs" means "any costs or expenses reasonably
22 related to the abatement of conditions which violate County Land Use Ordinances, and shall include,
23 but not be limited to, enforcement, investigation, collection and administrative costs, attorneys fees,
24 and the costs associated with the removal or correction of the Violation." Reasonable abatement

25 ///
26 ///
27 ///
28 ///

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

4 Dated: June 28, 2011

COUNTY OF RIVERSIDE

By *Bob Buster*
Bob Buster
Chairman, Board of Supervisors

8 ATTEST:

9 KECIA HARPER-IHEM

10 Clerk to the Board

12 By *Karungiten*

13 Deputy

14 (SEAL)

18 G:\Litigation\Code Enforcement\Abatements\2011\2008\CV 08-07026\457 FOF.DOC

FORM APPROVED COUNTY COUNSEL
BY: *Alexandra Fong* 6/8/11 DATE
L. ALEXANDRA FONG

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



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

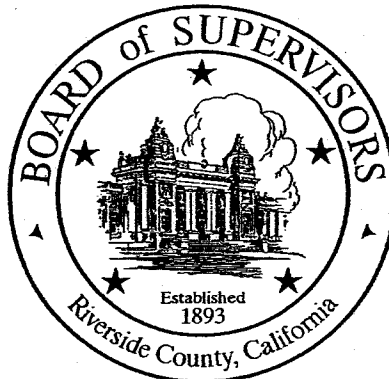
Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000
<http://riverside.asrclkrec.com>

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:

10-28-11

Signature:

Karen Barton

Print Name:

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

NOTICE LIST

Subject Property: 21691 Orange Ave., Perris
Case No.: CV 08-07026; APN: 318-270-038; District 5

ETTA BONNER
21691 ORANGE AVE
PERRIS CA 92570

SALEH HASBUN BOOSTZ INC
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

SCOTT SALTZMAN
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

ELEANOR STURMAN AND JOYCE ENDERLE
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

CARLTON ROBINSON
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

MARIA PALAVRANOFF
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

DAVID CASSIT AND ELANA CASSIT
TRUSTEES OF THE CASSIT FAMILY TRUST
REVOCABLE LIVING TRUST DATED 3/26/02
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

NOTICE LIST

Subject Property: 21691 Orange Ave., Perris
Case No.: CV 09-00837; APN: 318-270-038; District 5
Page 2

TOVA REDBOURN AND ALAN REDBOURN
REDBOURNE ENTERPRISES
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

GLORIA BERLIN
TRUSTEE OF THE MORTON WILLIAM BERLIN SR.
REVOCABLE LIVING TRUST DATED FEBRUARY 14, 2002
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

EZRA COHEN-SITT
MARIAM COHEN-SITT
TRUSTEES OF THE EZRA AND MIRIAM COHEN-SITT TRUST
DATED APRIL 16, 2004
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

MITCHELL LIGHT
MARGARET LIGHT
C/O BAYPOINT MORTGAGE INC
17715 CHATSWORTH ST #102
GRANADA HILLS CA 91344

PROOF OF SERVICE

Case No. CV08-07026

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 3960 Orange Street, Suite 500, Riverside, California 92501-3674.

That on August 8, 2011, 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)**

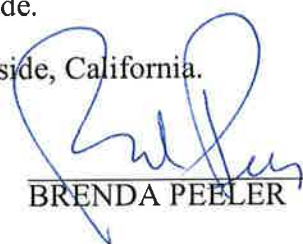
XX **BY FIRST CLASS MAIL.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, in the ordinary 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 August 8, 2011, at Riverside, California.



BRENDA PEELER



**CODE ENFORCEMENT DEPARTMENT
COUNTY OF RIVERSIDE**

GLENN BAUDE
Director

AFFIDAVIT OF POSTING OF NOTICES

August 23, 2011

RE CASE NO: CV0807026

I, Jennifer Morris, 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 8/17/11 at 09:15 hrs, I securely and conspicuously posted Findings of Fact, Conclusion, and Order To Abate Substandard Structure at the property described as:

Property Address: 21691 ORANGE AVE, PERRIS

Assessor's Parcel Number: 318-270-038

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

Executed on August 23, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Jennifer Morris, Code Enforcement Officer