

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

517B



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

**SUBMITTAL DATE:**  
October 13, 2011

**SUBJECT:** Order to Abate [Substandard Structure]  
Case No: CV 10-01616 [IANNITTI]  
Subject Property: 33620 Naranja St., Lake Elsinore; APN: 383-183-025  
District: One

**RECOMMENDED MOTION:** Move that:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV 10-01616 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 10-01616; 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 10-01616.

(Continued)

PATRICIA MUNROE, Deputy County Counsel  
for PAMELA J. WALLS, County Counsel

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b>	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

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Buster 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: October 25, 2011  
xc: Co. Co. (3); Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

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ATTACHMENTS FILED WITH THE CLERK OF THE BOARD  
Departmental Concurrence

Consent     Policy  
 Consent     Policy

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

Abatement of Public Nuisance  
Case No.: CV10-01616 [IANNITTI]  
33620 Naranjo St., Lake Elsinore  
APN#383-183-025  
District 1  
Page 2

**BACKGROUND:**

On September 27, 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 (dwelling) 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  
(Stop #1010)



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5 WHEN RECORDED PLEASE MAIL TO:  
6 Patricia Munroe, 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 10-01616  
12 [SUBSTANDARD STRUCTURE]; APN 383-183- )  
13 025, 33620 NARANJO ST., LAKE ELSINORE, ) FINDINGS OF FACT,  
14 RIVERSIDE COUNTY, CALIFORNIA; ELISE ) CONCLUSIONS AND ORDER TO  
15 IANNITTI, OWNER. ) ABATE NUISANCE  
)  
) [R.C.O. Nos. 457 and 725  
)

16 The above-captioned matter came on regularly for hearing on September 27, 2011, 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 33620 Naranjo St., Lake Elsinore, Assessor's Parcel Number 383-183-025 and  
20 referred to hereinafter as "THE PROPERTY."

21 Patricia Munroe, Deputy County Counsel, appeared along with Brian Black, Supervising  
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 No one appeared on behalf of owner.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
25 with attached Exhibits, evidencing the substandard structures on THE PROPERTY as violation of  
26 Riverside County Ordinance Nos. 457 and as a public nuisance.

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**SUMMARY OF EVIDENCE**

1  
2 1. Documents of record in the Riverside County Recorder’s Office identify the owner  
3 of THE PROPERTY as Elise Iannitti (“OWNER”).

4 2. Documents of title indicate that no other parties potentially hold a legal interest in  
5 THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on March 2, 2010,  
7 May 1, 2010, December 27, 2010, March 3, 2011, June 1, 2011 and August 25, 2011.

8 4. During each inspection, a substandard structure (dwelling) was observed on THE  
9 PROPERTY. The structure was observed to be abandoned, dilapidated and vacant. The structure  
10 contained numerous deficiencies, including but not limited to: lack of improper water closet,  
11 lavatory, bathtub, shower or kitchen sink; lack of hot and cold running water to plumbing fixtures;  
12 hazardous wiring; lack of adequate heating facilities; deteriorated or inadequate foundation;  
13 defective or deteriorated flooring or floor supports; members of walls, partitions or other vertical  
14 supports that split, lean, list or buckle due to defective material or deterioration; members of ceilings,  
15 roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to  
16 defective material or deterioration; dampness of habitable rooms; faulty weather protection; general  
17 dilapidation or improper maintenance; extensive fire damage; and 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 Noncompliance was recorded on June 9, 2010, as Document Number  
22 2010-0266045 in the Office of the County Recorder, County of Riverside.

23 7. On March 2, 2010, Notice of Violation, Notice of Defects and a “Danger Do Not  
24 Enter” sign was posted on THE PROPERTY. On March 9, 2010, Notice of Violation was mailed to  
25 OWNER by certified mail, return receipt requested.

26 8. On August 24, 2011, a “Notice to Correct County Ordinance Violations and Abate  
27 Public Nuisance” providing notice of the public hearing before the Board of Supervisors on  
28 September 27, 2011, was mailed by certified mail, return receipt requested, to OWNER and was

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10/31/2011 12:26P  
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1 posted on THE PROPERTY on August 25, 2011.

2 **FINDINGS AND CONCLUSIONS**

3 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
4 regular session assembled on September 27, 2011, finds and concludes that:

5 1. WHEREAS, the substandard structure (dwelling) on the real property located at  
6 33620 Naranjo St., Lake Elsinore, Riverside County, California, also identified as Assessor's Parcel  
7 Number 383-183-025 violates Riverside County Ordinance Nos. 457 and constitutes a public  
8 nuisance.

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

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

20 **ORDER TO ABATE NUISANCE**

21 IT IS THEREFORE ORDERED that the substandard structure (dwelling) on THE  
22 PROPERTY be abated by the OWNER, Elise Iannitti, or anyone having possession or control of  
23 THE PROPERTY, by razing and removing the substandard structure including the removal and  
24 disposal of all structural debris and materials, as well as the contents therein, or by reconstruction  
25 and rehabilitation of said structure provided such reconstruction and rehabilitation can be  
26 accomplished in strict accordance with all Riverside County Ordinances, including but not limited to  
27 Riverside County Ordinance No. 457 within ninety (90) days of the posting and mailing of this Order  
28 to Abate Nuisance.

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

9 FURTHERMORE, the OWNER is ordered to ascertain the existence or non-existence of  
10 asbestos containing materials in said structure 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, 541, 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 OWNER even if THE PROPERTY is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

4 Dated: October 25, 2011

COUNTY OF RIVERSIDE

5 By Bob Buster  
6 Bob Buster  
7 Chairman, Board of Supervisors

8 ATTEST:

9 KECIA HARPER-IHEM

10 Clerk to the Board

12 By Kenneth Guter

13 Deputy

14 (SEAL)



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**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)

2011-0480355  
10/31/2011 12:28P  
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Date: 10-25-11

Signature: *Karen Barton*

Print Name: Karen Barton, Board Assistant, Riverside County Clerk of the Board



# NOTICE LIST

Subject Property: 33620 Naranjo St., Lake Elsinore

Case No.: CV 10-01616;

APN: 383-183-025; District One

ELISE IANNITTI  
33620 NARANJO ST  
LAKE ELSINORE CA 92530

ELISE IANNITTI  
1407 S IRENA AVE  
REDONDO CA 90277

ELISE IANNITTI  
5234 BLUEMOUND RD  
ROLLINGS HILLS CA 90274

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**PROOF OF SERVICE**

Case No. CV10-01616

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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 November 16, 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)**

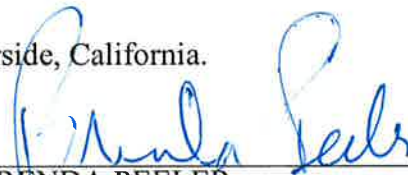
XX **BY FIRST CLASS MAIL.** I am "readily familiar" with the office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Riverside, California, in the ordinary 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 November 16, 2011, at Riverside, California.

  
\_\_\_\_\_  
BRENDA PEELER



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

**GLENN BAUDE**  
Director

**AFFIDAVIT OF POSTING OF NOTICES**

November 19, 2011

RE CASE NO: CV1001616

I, Jeremy Wagner, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is 39493 Los Alamos Road, Suite #A, Murrieta, California 92563 .

That on 11/17/2011 at 0909, I securely and conspicuously posted Finding of Facts at the property described as:

**Property Address:** 33620 NARANJO ST, LAKE ELSINORE

**Assessor's Parcel Number:** 383-183-025

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

Executed on November 19, 2011 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

By:  Code Enforcement Officer III