

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

601B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
May 15, 2014

SUBJECT: Order to Abate [Substandard Structure]
Case No. CV10-06729 [MYLLES]
Subject Property: 32871 Griffith Lane, Lakeland Village; APN: 370-300-017
District: 1/1 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

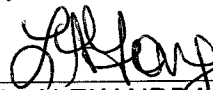
1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-06729;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-06729; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV10-06729.

BACKGROUND:

Summary

On March 11, 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 structure (mobilehome on permanent foundation) located on the subject property to be a public nuisance. The

(Continued)



L. ALEXANDRA FONG
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

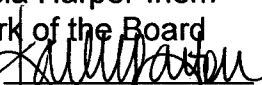
BY: 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, and Ashley
Nays: None
Absent: Tavaglione and Benoit
Date: June 3, 2014
xc: Co.Co./TLMA-Code Enforcement., Recorder

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Departmental Concurrence

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

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

FORM 11: Order to Abate [Substandard Structures]

Case No. CV10-06729 [MYLLES]

Subject Property: 32871 Griffith Lane, Lakeland Village; APN: 370-300-017

District: 1/1 [\$0.00]

DATE: May 15, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

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)

DOC # 2014-0204685
06/04/2014

Customer Copy Label

The paper to which this label is
affixed has not been compared
with the filed/recorded document

Larry W Ward
County of Riverside
Assessor, County Clerk & Recorder

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

[EXEMPT GC §§ 6103 and 27383]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 10-06729
12 [SUBSTANDARD STRUCTURE];)
13 APN 370-300-017, 32871 GRIFFITH LANE,) FINDINGS OF FACT,
14 LAKELAND VILLAGE, RIVERSIDE COUNTY,) CONCLUSIONS AND ORDER TO
15 CALIFORNIA; ALLAN R. MYLLES, OWNER.) ABATE NUISANCE
)
) [R.C.O. Nos. 457 and 725
)

16 The above-captioned matter came on regularly for hearing on March 11, 2014, 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 32871 Griffith Lane, Lakeland Village, Assessor's Parcel Number 370-300-
20 017 and referred to hereinafter as "THE PROPERTY."

21 L. Alexandra Fong, Deputy County Counsel, appeared along with Michelle Cervantes, Code
22 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owner did not appear.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer together
25 with attached Exhibits, evidencing the substandard structure on THE PROPERTY as violation of
26 Riverside County Ordinance ("RCO") No. 457 and as a public nuisance.

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COPY

SUMMARY OF EVIDENCE

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

4 2. Documents of title indicate that other parties potentially hold a legal interest in THE
5 PROPERTY, to-wit: Doris Mylles, John W. Rapin, Allan R. Mylles III, Suntrust Mortgage, Inc., and
6 Litton Loan Servicing (hereinafter collectively referred to as “INTERESTED PARTIES”).

7 3. THE PROPERTY was inspected by Code Enforcement Officers on October 20, 2010,
8 and on approximately 20 other occasions, the last being March 6, 2014.

9 4. During each inspection, the substandard structure (mobilehome on permanent
10 foundation) was observed on THE PROPERTY. The structure contained numerous deficiencies,
11 including but not limited to: lack of or improper water closet, lavatory, bathtub, shower or kitchen
12 sink; lack of hot and cold running water to plumbing fixtures; hazardous plumbing; hazardous
13 wiring; defective or deteriorated flooring or floor supports; members of walls, partitions, or other
14 vertical supports that split, lean, list or buckle due to defective materials or deterioration; members of
15 ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due
16 to defective material or deterioration; dampness of habitable rooms; faulty weather protection;
17 general dilapidation or improper maintenance; fire hazard; 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 Pendency of Administrative Proceedings was recorded on January 29,
22 2013, as Document Number 2013-0045257 in the Office of the County Recorder, County of
23 Riverside.

24 7. On October 20, 2010 and October 26, 2012, a Notice of Violation, Notice of Defects
25 and a “Danger Do Not Enter” sign were posted on THE PROPERTY. On October 27, 2010 and
26 March 7, 2013, a Notice of Violation and Notice of Defects was mailed to OWNER and
27 INTERESTED PARTIES by first class mail. On July 3, 2013, a Notice of Violation and Notice of
28 Defects were mailed to OWNER and INTERESTED PARTIES by certified mail, return receipt

1 requested.

2 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"
3 providing notice of the public hearing before the Board of Supervisors on March 11, 2014, was
4 mailed to OWNER and INTERESTED PARTIES and was posted on THE PROPERTY.

5 **FINDINGS AND CONCLUSIONS**

6 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
7 regular session assembled on March 11, 2014, finds and concludes that:

8 1. WHEREAS, the substandard structure (mobilehome on permanent foundation) on the
9 real property located at 32871 Griffith Lane, Lakeland Village, Riverside County, California, also
10 identified as Assessor's Parcel Number 370-300-017 violates RCO No. 457 and constitutes a public
11 nuisance.

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

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

23 **ORDER TO ABATE NUISANCE**

24 IT IS THEREFORE ORDERED that the substandard structure (mobilehome on permanent
25 foundation) on THE PROPERTY be abated by the OWNER, or anyone having possession or control
26 of THE PROPERTY, by razing and removing the substandard structure including the removal and
27 disposal of all structural debris and materials, as well as the contents therein, or by reconstruction
28 and rehabilitation of said structure provided such reconstruction and rehabilitation can be

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

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

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

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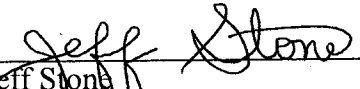
1 Department will be recoverable from the OWNER even if THE PROPERTY is brought into
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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4 Dated: June 3, 2014

COUNTY OF RIVERSIDE

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By 
Jeff Stone
Chairman, Board of Supervisors

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ATTEST:

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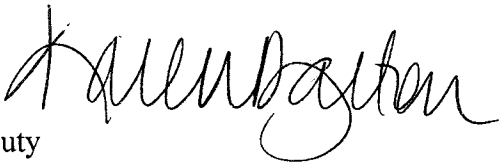
KECIA HARPER-IHEM

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Clerk to the Board

11

12

By 

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Deputy

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(SEAL)

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FORM APPROVED COUNTY COUNSEL
BY:  L. ALEXANDROS FONG
DATE: 3/26/14



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

Recorder
P.O. Box 751
Riverside, CA 92502-0751
(951) 486-7000

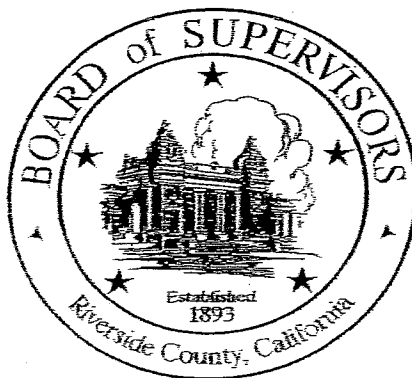
<http://riverside.asrcikrec.com>

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:

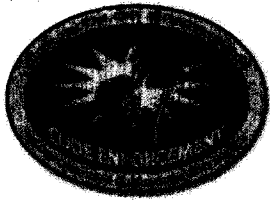
6-3-14

Signature:

Karen Barton

Print Name:

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



CODE ENFORCEMENT DEPARTMENT COUNTY OF RIVERSIDE

AFFIDAVIT OF POSTING OF NOTICES

June 20, 2014

RE CASE NO: CV1006729

I, Edward Torres, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is:
227 North D Street Suite B
Perris, California 92570
Mail Stop#5004.

That on 06/18/2014 at 1340 hours, I securely and conspicuously posted Finding of Facts at the property described as:

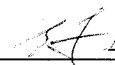
Property Address: 32871 GRIFFITH LN, LAKELAND VILLAGE

Assessor's Parcel Number: 370-300-017

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

Executed on June 20, 2014 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT


By: Edward Torres, Code Enforcement Officer

SALES

PROOF OF SERVICE
Case No. CV10-06729 MYLLES

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Stacy Baumgartner, 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 4080 Lemon Street, 12th Floor, Riverside, California 92501.

That on June 20, 2014, 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 June 20, 2014, at Riverside, California.


STACY BAUMGARTNER

NOTICE LIST

Subject Property: 32871 Griffith lane, Lake Elsinore; Case No.: CV10-06729
APN: 370-300-017; District 1/1- MYLLES

**DORIS MYLLES, JOHN W. RAPIN
ALLAN R. MYLLES III
32871 GILL LANE
LAKE ELSINORE, CA 92530**

**ALLAN R MYLLES
14934 LAMBERT RD.
WHITTIER, CA 90604**

**SUNTRUST MORTGAGE INC.
1001 SEMMES AVE.
RICHMOND, VA 23224**

**LITTON LOAN SERVICES, LP.
4828 LOOP CENTRAL DR.
HOUSTIN, TX 77081**