

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

*b16B*



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

**SUBMITTAL DATE:**

**SUBJECT:** Order to Abate [Accumulated Rubbish];  
Case No. CV12-05227 [RIVERA, SURUY, SHRUSBREE, GUZMAN, ET AL.]  
Subject Property: 20815 Hansen Avenue, Nuevo; APN: 426-210-060  
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. CV12-05227;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05227; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV12-05227.

**BACKGROUND:**

**Summary**

On April 8, 2014, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the accumulated rubbish 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

(Continued)

*[Signature]*  
L. ALEXANDRA FONG  
Deputy County Counsel

Departmental Concurrence

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	\$	\$	\$	\$	

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	<b>For Fiscal Year:</b>

**C.E.O. RECOMMENDATION:**

APPROVE

BY: *[Signature]*  
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: Go. Co. TLMA-Code Enforcement., Recorder

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

Prev. Agn. Ref.: 04/08/14; 9.4      District: 5/5      Agenda Number:

**2-22**

- 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 [Accumulated Rubbish];**

Case No. CV12-05227 [RIVERA, SURUY, SHRUSBREE, GUZMAN, ET AL.]

Subject Property: 20815 Hansen Avenue, Nuevo; APN: 426-210-060

District: 5/5 [\$0.00]

DATE:

PAGE: 2 of 2

**BACKGROUND:**

**Summary (continued)**

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)

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  
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 12-05227  
14 [ACCUMULATION OF RUBBISH]; )  
15 APN 426-210-060, 20815 HANSEN AVENUE, ) FINDINGS OF FACT,  
16 NUEVO, RIVERSIDE COUNTY, CALIFORNIA; ) CONCLUSIONS AND ORDER TO  
17 DIANA RIVERA, ROBERTA SURUY, EUGENE ) ABATE NUISANCE  
18 SHRUSBREE, MARGARITA GUZMAN, ANGEL )  
19 HARO, AND PANALITA MUTUKUN, OWNERS. ) R.C.O. Nos. 541 and 725  
20 )  
21 )

22 The above-captioned matter came on regularly for hearing on April 8, 2014, before the Board  
23 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,  
24 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property  
25 described as 20815 Hansen Avenue, Nuevo, Riverside County, and further described as Assessor's  
26 Parcel Number 426-210-060 referred to hereinafter as "THE PROPERTY."

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

Owners did not appear.

The Board of Supervisors received the Declaration of Code Enforcement Officer together  
with the attached exhibits, evidencing the accumulation of rubbish on THE PROPERTY as a public  
nuisance and violation of Riverside County Ordinance No. 541.

///

COPY

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the  
3 OWNERS of THE PROPERTY as Diana Rivera, Roberta Suruy, Eugene Shrusbree, Margarita  
4 Guzman, Angel Haro, and Panlita Mutukun ("OWNERS").

5 2. Documents of title indicate that other parties potentially hold a legal interest in THE  
6 PROPERTY, to wit: John F. Meyer and Rebecca Meyer, Mortgage Electronic Registration Systems,  
7 Western Progressive, LLC, and People's Choice Home Loans, Inc.

8 3. THE PROPERTY was inspected by Code Enforcement Officers on October 30, 2012,  
9 and on approximately 10 other occasions, the last being, April 1, 2014.

10 4. During each inspection, an accumulation of rubbish was observed on THE  
11 PROPERTY. The rubbish consisted of, but was not limited to: drywall and pallets in excess of 850  
12 square feet.

13 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
14 No. 541 by the Code Enforcement Officer.

15 6. A Notice of Noncompliance was recorded in the Office of the County Recorder,  
16 County of Riverside, State of California on January 16, 2013, as instrument number 2013-0024686.

17 7. On October 30, 2012, Notice of Violation was posted on THE PROPERTY. On  
18 November 1, 2012 and January 23, 2014, a Notice of Violation was mailed to OWNERS by first  
19 class mail. On July 30, 2013 and August 28, 2013, a Notice of Violation was mailed to OWNERS  
20 and INTERESTED PARTIES by certified mail, return receipt requested.

21 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
22 providing notice of the public hearing before the Board of Supervisors on April 8, 2014, was mailed  
23 to OWNERS and INTERESTED PARTIES and was posted on THE PROPERTY.

24 **FINDINGS AND CONCLUSIONS**

25 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
26 regular session assembled on April 8, 2014, finds and concludes that:

27 1. WHEREAS, the accumulation of rubbish on the real property located at 20815  
28 Hansen Avenue, Nuevo, Riverside County, California, also identified as Assessor's Parcel Number

1 426-210-060 violates Riverside County Ordinance No. 541 and constitutes a public nuisance.

2 2. WHEREAS, the OWNERS, or any person having possession or control of the  
3 premises shall abate the condition by removing and disposing all accumulated rubbish from the  
4 subject real property in strict accordance with all Riverside County Ordinances, including but not  
5 limited to Riverside County Ordinance No. 541 within ninety (90) days.

6 3. WHEREAS, the OWNERS ARE HEREBY FURTHER NOTICED that the time  
7 within which judicial review of the administrative determinations made herein must be sought is  
8 ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions and Order to  
9 Abate Nuisance, and is governed by California Code of Civil Procedure Section 1094.6.

10 **ORDER TO ABATE NUISANCE**

11 IT IS THEREFORE ORDERED that the accumulation of rubbish on THE PROPERTY be  
12 abated by OWNERS or anyone having possession or control of THE PROPERTY, by removing and  
13 disposing of all rubbish from the subject real property in strict accordance with all Riverside County  
14 Ordinances, including but not limited to Riverside County Ordinance No. 541 within ninety (90)  
15 days of the date of this Order to Abate Nuisance.

16 IT IS FURTHER ORDERED that if the rubbish is not removed and disposed of in strict  
17 accordance with all Riverside County Ordinances, including but not limited to Riverside County  
18 Ordinance No. 541, within ninety (90) days of the date of this Order to Abate Nuisance, the rubbish  
19 may be abated and disposed of by representatives of the Riverside County Code Enforcement, a  
20 contractor or the Sheriff's Department upon receipt of an owner's consent or a Court Order  
21 authorizing entry onto THE PROPERTY when necessary under applicable law.

22 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
23 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
24 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
25 County Ordinance Nos. 541 and 725. Under Riverside County Ordinance No. 725, "abatement  
26 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate  
27 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
28 collection and administrative costs, attorneys fees, and the costs associated with the removal or

1 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement  
2 Department will be recoverable from the property owner(s) even if THE PROPERTY is brought into  
3 compliance within ninety (90) days of the date of this Order to Abate Nuisance.  
4

5 Dated: June 3, 2014

COUNTY OF RIVERSIDE

6  
7 By Jeff Stone  
8 Jeff Stone  
Chairman, Board of Supervisors

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

12  
13 By [Signature]  
14 Deputy

15  
16 (SEAL)  
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FORM APPROVED COUNTY COUNSEL  
BY: [Signature] DATE 5/16/14  
L. ALEXANDRA FONG



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

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

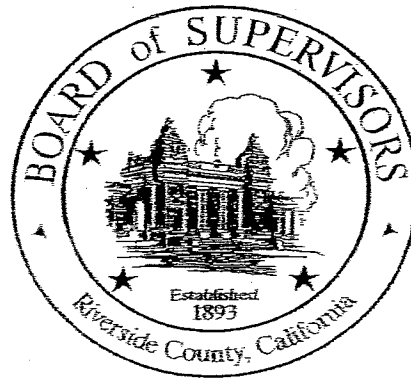
<http://riverside.asctkrec.com>

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:

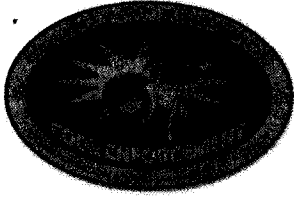
6-3-14

Signature:

*Karen Barton*

Print Name:

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



**CODE ENFORCEMENT DEPARTMENT  
COUNTY OF RIVERSIDE**

Greg Flannery  
Code  
Enforcement  
Official

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**AFFIDAVIT OF POSTING OF NOTICES**

Case No.: CV12-05227

I, David Jurden, hereby declare:

1. I am employed by the Riverside County Code Enforcement Department; that my business address is:

County of Riverside  
Code Enforcement Department  
581 S. Grand Avenue  
San Jacinto, CA 92582

2. That on **June 19, 2014 at 1051 Am**, I securely and conspicuously posted **FINDINGS OF FACT, CONCLUSIONS AND ORDER TO ABATE NUISANCE** at the property described as:

**Property Address: 20815 Hansen Avenue, Nuevo**

**Assessor's Parcel Number: 426-210-060**

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

Executed on **June 19, 2014** at San Jacinto, California.

**CODE ENFORCEMENT DEPARTMENT**

By:   
**David Jurden, Code Enforcement Technician**

Riverside





**PROOF OF SERVICE**  
Case No. CV12-05227 Rivera

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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, 12<sup>th</sup> 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: 20815 Hansen Ave., Nuevo;  
Case No.: CV12-05227- Rivera  
APN: 426-210-060; District 5/5

DIANA RIVERA  
ROBERTA SURUY  
EUGENE SHRUSBREE  
MARGARITA GUZMAN  
ANGEL HARO  
PANLITA MUTUKUN  
20815 HANSEN AVE  
NUEVO, CA 92567

PEOPLE'S CHOICE HOME LOAN INC.  
7515 IRVINE CENTER DRIVE  
IRVINE, CA 92618

MERS  
3300 SW 34<sup>TH</sup> ST., SUITE 101  
OCALA, FL. 34474

ANGEL MANUEL HARO  
30335 TERRAIN ST.  
MURRIETA, CA 92563-1820

HSBC BANK USA, NATIONAL ASSOCIATIONS  
C/O LITTON LOAN SERVICING, LP  
4828 LOOP CENTRAL DRIVE  
HOUSTON, TX 77081

F.C.I., INC.  
8101 KAISER BLVD., SUITE #360  
ANAHEIM HILLS, CA 92808