

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

410B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
October 6, 2015

SUBJECT: Order to Abate [Substandard Structure]
Case No. CV14-01664 [HANELINE]
Subject Property: Vacant Parcel on Raley Avenue and Blackwell, Lakeland Village
APN: 381-245-004
District: 1 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-01664;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-01664; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-01664.

BACKGROUND:

Summary

On September 1, 2015, 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

(Continued)

GREGORY P. PRIAMOS
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:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Tavaglione, Washington and Benoit
Nays: None
Absent: Ashley
Disqualify: Jeffries
Date: October 20, 2015
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

Prev. Agn. Ref.: 09/01/15; 9.3 | District: 1 | Agenda Number:

2-8

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 Structure]

Case No. CV14-01664 [HANELINE]

Subject Property: Vacant Parcel on Raley Avenue and Blackwell, Lakeland Village

APN: 381-245-004

District: 1 [\$0.00]

DATE: October 6, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

(shed) 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.

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)

2015-0469629

10/26/2015 03:54 PM

Customer Copy Label

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

Peter Aldana
County Of Riverside
Assessor-County Clerk-Recorder

5 WHEN RECORDED PLEASE MAIL TO:
6 Michelle Cervantes, Senior 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]

9
10 **BOARD OF SUPERVISORS**
COUNTY OF RIVERSIDE

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 14-01664
12 [SUBSTANDARD STRUCTURE];)
13 APN 381-245-004, VACANT PARCEL ON) FINDINGS OF FACT,
14 RALEY AVENUE AND BLACKWELL,) CONCLUSIONS AND ORDER TO
15 LAKELAND VILLAGE, RIVERSIDE COUNTY,) ABATE NUISANCE
CALIFORNIA; JEFF HANELINE AND HEIDI)
HANELINE, OWNERS.) [R.C.O. Nos. 457 and 725]

16 The above-captioned matter came on regularly for hearing on September 1, 2015, 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 Vacant Parcel on Raley Avenue and Blackwell, Lakeland Village, Riverside
20 County, Assessor's Parcel Number 381-245-004 and referred to hereinafter as "THE PROPERTY."

21 Sophia H. Choi, Deputy County Counsel, appeared along with Michelle Cervantes, Senior
22 Code Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owners 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

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the owners
3 of THE PROPERTY as Jeff Haneline and Heidi Haneline ("OWNERS").

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to wit: Internal Revenue Service ("INTERESTED PARTY").

6 3. THE PROPERTY was inspected by Code Enforcement Officers on April 24, 2014,
7 and on five (5) subsequent inspections, with the last occurring on August 27, 2015.

8 4. During each inspection, a substandard structure (shed) was observed on THE
9 PROPERTY. The structure was observed to be dilapidated and contained numerous deficiencies,
10 including but not limited to: faulty weather protection; general dilapidation or improper
11 maintenance; improper occupancy; unpermitted structure.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
13 No. 457 by the Code Enforcement Officer.

14 6. On April 24, 2014, a Notice of Violation and Notice of Defects were posted on THE
15 PROPERTY. On April 29, 2014 and July 15, 2015, Notice of Violation and Notice of Defects were
16 mailed to OWNERS by first class mail. On July 22, 2015, a Notice of Violation was mailed to
17 INTERESTED PARTY by first class mail.

18 7. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"
19 providing notice of the public hearing before the Board of Supervisors on September 1, 2015, was
20 mailed to OWNERS and INTERESTED PARTY and was posted on THE PROPERTY.

21 **FINDINGS AND CONCLUSIONS**

22 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
23 regular session assembled on September 1, 2015, finds and concludes that:

24 1. WHEREAS, the substandard structure (shed) on the real property located at Vacant
25 Parcel on Raley Avenue and Blackwell, Lakeland Village, Riverside County, California, also
26 identified as Assessor's Parcel Number 381-245-004 violates RCO No. 457 and constitutes a public
27 nuisance.

28 2. WHEREAS, the OWNERS occupants and any person having possession or control of

1 THE PROPERTY shall abate the substandard structure by razing, removing and disposing of the
2 substandard structure, including the removal and disposal of all structural debris and materials, and
3 contents therein or by reconstruction and rehabilitation of said structure provided that said
4 reconstruction or demolition can be accomplished in strict accordance with all Riverside County
5 Ordinances, including but not limited to RCO No. 457 within ninety (90) days.

6 3. WHEREAS, the OWNERS and INTERESTED PARTY ARE FURTHER NOTICED
7 that the time within which judicial review of the administrative determinations made herein must be
8 sought is ninety (90) days from the posting and mailing of the Findings of Fact, Conclusions and
9 Order To 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 substandard structure (shed) on THE PROPERTY
12 be abated by the OWNERS, or anyone having possession or control of THE PROPERTY, by razing
13 and removing the substandard structure including the removal and disposal of all structural debris
14 and materials, as well as the contents therein, or by reconstruction and rehabilitation of said structure
15 provided such reconstruction and rehabilitation can be accomplished in strict accordance with all
16 Riverside County Ordinances, including but not limited to RCO No. 457 within ninety (90) days of
17 the posting and mailing of this Order to Abate Nuisance.

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

25 FURTHERMORE, the OWNERS are ordered to ascertain the existence or non-existence of
26 asbestos containing materials in said structure by survey and materials sample testing by a duly
27 licensed and certified asbestos consultant; and, prior to the abatement ordered hereinabove, to secure
28 the removal of all asbestos containing materials discovered through such survey and testing by

1 contract with a duly certified and licensed contractor for the handling of such materials to avoid
2 citations and/or fines by South Coast Air Quality Management District (SCAQMD).

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

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

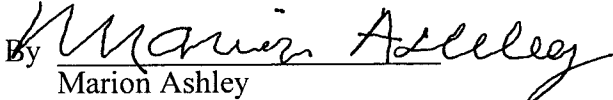
3

4 Dated: October 20, 2015

COUNTY OF RIVERSIDE

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By 
Marion Ashley
Chairman, Board of Supervisors

7

8

ATTEST:

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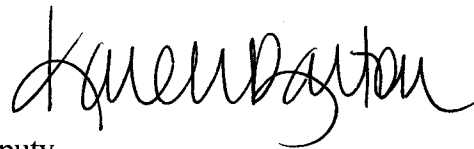
KECIA HARPER-IHEM

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Clerk to the Board

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By 

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Deputy

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(SEAL)

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**PETER ALDANA
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER**

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

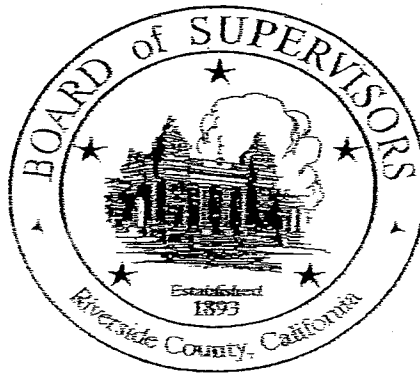
www.riversideacr.com

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:

10-20-15

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

November 5, 2015

RE CASE NO: CV1304141 and CV1401664

I, Brian Bealer, hereby declare:

I am employed by the Riverside County Code Enforcement Department; that my business address is:
17650 Cajalco Road
Perris, California 92570
Mail Stop #5165.

That on November 4, 2015 at 10:55am, I securely and conspicuously posted a Findings of Fact: Conclusions and Order to Abate at the property described as:

Property Address: VACANT PARCEL RALEY and BLACKWELL, LAKELAND VILLAGE

Assessor's Parcel Number: 381-245-004

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

Executed on November 5, 2015 in the County of Riverside, California.

CODE ENFORCEMENT DEPARTMENT

By: Brian Bealer, Sr. Code Enforcement Officer

PROOF OF SERVICE
Case No. CV14-01664 Haneline

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I, Stacy Baumgartner, 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 November 3, 2015, I served the following document(s):

- **FINDING OF FACT CONCLUSIONS & ORDER TO ABATE NUISANCE**
- **RESPONSIBLE OR INTERESTED PARTIES LIST**

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

OWNERS OR INTERESTED PARTIES
(SEE ATTACHED RESPONSIBLE OR INTERESTED PARTIES 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 3, 2015, at Riverside, California.



STACY BAUMGARTNER
CODE ENFORCEMENT OFFICER III

NOTICE LIST

Subject Property: Vacant Parcel on Raley Avenue and Blackwell, Lakeland Village;
Case No.: CV14-01664
APN: 381-245-004; District: 1

JEFF HANELINE
HEIDI HANELINE
14492 RALEY AVENUE
LAKE ELSINORE, CA 92530

INTERNAL REVENUE SERVICE
P.O. BOX 145585, STOP 8420G
CINCINNATI, OH 45250-5585