

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

701 B



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

**SUBMITTAL DATE:**  
February 17, 2016

**SUBJECT:** Order to Abate [Substandard Structure & Accumulated Rubbish]  
Case No. : CV11-04858 [BEEMAN AND VON SPECHT]  
Subject Property: 28751 10<sup>th</sup> Street, Lake Elsinore; APN: 347-202-002  
District: 1

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV11-04858 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. CV11-04858; 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. CV11-04858.

**BACKGROUND:**

**Summary**

On January 26, 2016, 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) and accumulated rubbish on the subject property to be a public nuisance. The Board ordered

(Continued)

GREGORY P. PRIAMOS  
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>
	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 Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley  
Nays: None  
Absent: None  
Date: March 1, 2016  
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

Prev. Agn. Ref.: 01/26/16; 9.3 | District: 1 | Agenda Number:

**2-7**

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

**FORM 11:** Order to Abate [Substandard Structure & Accumulated Rubbish]

Case No.: CV11-04858 [BEEMAN AND VON SPECHT]

Subject Property: 28751 10<sup>th</sup> Street, Lake Elsinore; APN: 347-202-002

District: 1

**DATE:** February 17, 2016

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary (continued)**

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**

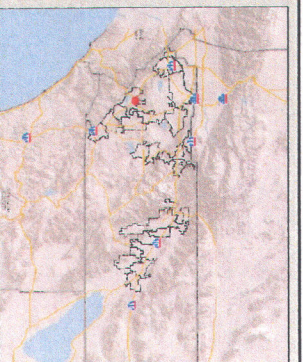
N/A

**ATTACHMENTS**

Findings of Fact

CV11-04858

28751 10th Street, Lake Elsinore APN: 347-202-002



**Legend**

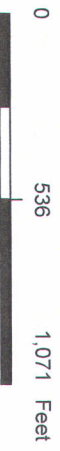
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- waterbodies
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- Rivers

**Notes**

Thomas Pros. Page 836  
Grid D7 & E7



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Peter Aldana  
County Of Riverside  
Assessor-County Clerk-Recorder

1 RECORDING REQUESTED BY:  
2 Kecia Harper-Ihem, Clerk of the  
3 Board of Supervisors  
4 (Stop #1010)

5  
6 WHEN RECORDED PLEASE MAIL TO:  
7 Michelle Cervantes, Senior Code Enforcement Officer  
8 Regina Keyes, Senior Code Enforcement Officer  
9 CODE ENFORCEMENT DEPARTMENT  
10 4080 Lemon Street, Twelfth Floor (Stop #1012)  
11 Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

12 **BOARD OF SUPERVISORS**  
13 **COUNTY OF RIVERSIDE**

14 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NO. CV 11-04858  
15 [SUBSTANDARD STRUCTURE AND )  
16 ACCUMULATION OF RUBBISH]; )  
17 APN 347-202-002, 28751 10<sup>th</sup> STREET, LAKE ) FINDINGS OF FACT,  
18 ELSINORE, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
19 CALIFORNIA; BETTY JANE BEEMAN AND R. ) ABATE NUISANCE  
20 LEE VON SPECHT, OWNERS. ) [R.C.O. Nos. 457, 541 and 725]

21 The above-captioned matter came on regularly for hearing on January 26, 2016, before the  
22 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
23 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
24 property described as 28751 10<sup>th</sup> Street, Lake Elsinore, Riverside, Assessor's Parcel Number 347-  
25 202-002 and referred to hereinafter as "THE PROPERTY."

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

28 Owner did not appear.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together with attached Exhibits, evidencing the substandard structure (dwelling) and accumulation of rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 457 and 541, and as a public nuisance.

**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 Betty Jane Beeman and R. Lee Von Specht ("OWNERS").

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

6 3. THE PROPERTY was inspected by Code Enforcement Officers on April 2, 2015 and  
7 on three (3) additional occasions, the last being January 25, 2016.

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 or improper water closet,  
11 lavatory, bathtub, shower or kitchen sink; lack of required electrical lighting; lack of adequate  
12 heating facilities; defective or deteriorated flooring or floor supports; members of walls, partitions, or  
13 other vertical supports that split, lean, list or buckle due to defective material or deterioration;  
14 members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or  
15 buckle due to defective material or deterioration; faulty weather protection; general dilapidation or  
16 improper maintenance; public and attractive nuisance – abandoned/vacant.

17 5. During each inspection an accumulation of rubbish was observed throughout THE  
18 PROPERTY consisting of but not limited to: green waste, demolition debris, scrap wood, damaged  
19 furniture and scrap carpet metal, of about 20,675 square feet.

20 6. THE PROPERTY was determined to be in violation of Riverside County Ordinance  
21 Nos. 457 and 541 by the Code Enforcement Officer.

22 7. A Notice of Pendency of Administrative Proceedings was recorded on October 26,  
23 2011, as Document Number 2011-0472416 in the Office of the County Recorder, County of  
24 Riverside.

25 8. On April 2, 2015, Notice of Violation, Notice of Defects, and a "Danger Do Not  
26 Enter" sign were posted on THE PROPERTY. On April 9, 2015, Notice of Violation and Notice of  
27 Defects were mailed to OWNERS by first class mail.

28 ///



1 PROPERTY, by razing and removing the substandard structure including the removal and disposal  
2 of all structural debris and materials, as well as the contents therein, or by reconstruction and  
3 rehabilitation of said structure provided such reconstruction and rehabilitation can be accomplished  
4 in strict accordance with all Riverside County Ordinances, including but not limited to Riverside  
5 County Ordinance No. 457 within ninety (90) days of the posting and mailing of this Order to Abate  
6 Nuisance.

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

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

21 IT IS FURTHER ORDERED that the accumulation of rubbish on THE PROPERTY be  
22 abated by the OWNERS or anyone having possession or control of THE PROPERTY, by removing  
23 and disposing of all rubbish from THE PROPERTY in strict accordance with all Riverside County  
24 Ordinances, including but not limited to Riverside County Ordinance No. 541 within ninety (90)  
25 days of the date of this Order to Abate Nuisance.

26 IT IS FURTHER ORDERED that if the accumulation of rubbish is not removed and disposed  
27 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside  
28 County Ordinance Nos. 541 within ninety (90) days of the date of this Order to Abate Nuisance, the

1 accumulation of rubbish may be abated by representatives of the Riverside County Code  
2 Enforcement Department, a contractor or the Sheriff's Department upon receipt of an owner's  
3 consent or a Court Order when necessary under applicable law.

4 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
5 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special  
6 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
7 County Ordinance Nos. 457, 541, and 725. Under Riverside County Ordinance No. 725, "abatement  
8 costs" means "any costs or expenses reasonably related to the abatement of conditions which violate  
9 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,  
10 collection and administrative costs, attorneys fees, and the costs associated with the removal or  
11 correction of the violation." Reasonable abatement costs accrued by the Code Enforcement

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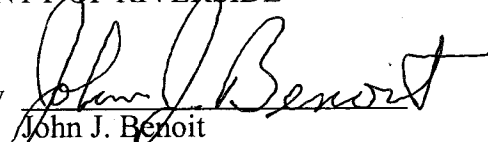


1 Department will be recoverable from the OWNERS even if THE PROPERTY is brought into  
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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Dated: March 1, 2016

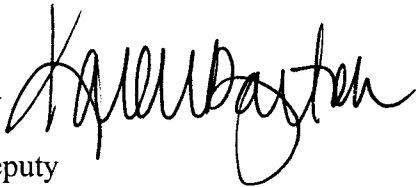
COUNTY OF RIVERSIDE

By   
John J. Benoit  
Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

Clerk to the Board

By 

Deputy

(SEAL)



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

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

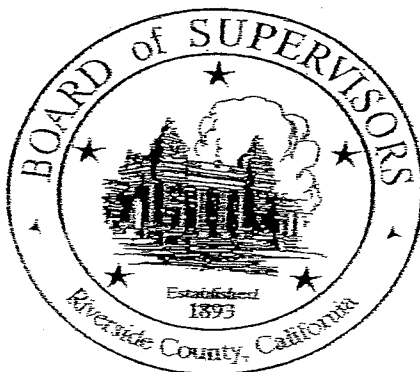
www.riversideacr.com

**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:

3-1-16

Signature:

Karen Barton

Print Name:

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