

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

1093



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
June 29, 2016

SUBJECT: Order to Abate [Substandard Structure & Accumulated Rubbish]
Case No. : CV15-02407 [ESTATE OF THELMA MARIE TAFF]
Subject Property: 16154 Via Quedo, Desert Hot Springs; APN: 657-093-005
District: 4 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

1. The Findings of Fact, Conclusions and Order to Abate in Case No. CV15-02407 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. CV15-02407; 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. CV15-02407.

BACKGROUND:

Summary

On June 7, 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 (dwelling) and accumulated rubbish on the subject property to be a public nuisance. The Board ordered

(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: Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: July 12, 2016
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: 6/07/16; 9.4 | District: 4 | Agenda Number:

2-10

Departmental Concurrence

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

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

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

Case No. : CV15-02407 [ESTATE OF THELMA MARIE TAFF]

Subject Property: 16154 Via Quedo, Desert Hot Springs; APN: 657-093-005

District: 4 [\$0.00]

DATE: June 29, 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

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

2016-0295171

07/14/2016 03:28 PM

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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]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE:)	CASE NO. CV 15-02407
12 [SUBSTANDARD STRUCTURE AND)	
13 ACCUMULATION OF RUBBISH];)	FINDINGS OF FACT,
14 APN 657-093-005, 16154 VIA QUEDO, DESERT)	CONCLUSIONS AND ORDER TO
15 HOT SPRINGS, RIVERSIDE COUNTY,)	ABATE NUISANCE
16 CALIFORNIA; ESTATE OF THELMA MARIE)	
TAFF, OWNER)	[R.C.O. Nos. 457, 541 and 725]

17 The above-captioned matter came on regularly for hearing on June 7, 2016, before the Board
18 of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex,
19 County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property
20 described as 16154 Via Quedo, Desert Hot Springs, Riverside, Assessor's Parcel Number 657-093-
21 005 and referred to hereinafter as "THE PROPERTY."

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

24 Owner's representative did not appear.

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

COPY

SUMMARY OF EVIDENCE

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

4 2. Documents of title indicate that other parties may potentially hold a legal interest in
5 THE PROPERTY, to wit: United States of America, acting through the Farmers Home
6 Administration, United States Department of Agriculture, Mission Springs Water District and
7 Thelma Marie Taff, Trustor and Trustee of the Thelma Marie Taff Living Trust dated July 11, 1996
8 (hereinafter referred to as “INTERESTED PARTIES”).

9 3. THE PROPERTY was inspected by Code Enforcement Officers on July 28, 2015 and
10 on six (6) subsequent follow up inspections, with the last being June 1, 2016.

11 4. During each inspection, a substandard structure (dwelling) was observed on THE
12 PROPERTY. The structure was observed to be abandoned, dilapidated and vacant. The structure
13 contained numerous deficiencies, including but not limited to: general dilapidation or improper
14 maintenance and public and attractive nuisance – abandoned/vacant.

15 5. During each inspection an accumulation of rubbish was observed throughout THE
16 PROPERTY consisting of but not limited to: construction materials, wood, plastic, metal, furniture,
17 gardening equipment, kids toys, car parts and household trash, of about 1,000 square feet.

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

20 7. A Notice of Pendency of Administrative Proceedings was recorded on September 30,
21 2015, as Document Number 2015-0432971 in the Office of the County Recorder, County of
22 Riverside.

23 8. On July 28, 2015, a Notice of Violation, Notice of Defects, and a “Danger Do Not
24 Enter” sign were posted on THE PROPERTY. On August 13, 2015, a Notice of Violation and
25 Notice of Defects were mailed to OWNER and INTERESTED PARTIES by certified mail, return
26 receipt requested, and by first class mail. On December 11, 2015, a Notice of Violation and Notice
27 of Defects were mailed to Brenda Gail Dennis, the granddaughter of OWNER, by certified mail,
28 return receipt requested, and by first class mail.

1 ORDER TO ABATE NUISANCE

2 IT IS THEREFORE ORDERED that the substandard structure (dwelling) on THE
3 PROPERTY be abated by the OWNER, or anyone having possession or control of THE
4 PROPERTY, by razing and removing the substandard structure including the removal and disposal
5 of all structural debris and materials, as well as the contents therein, or by reconstruction and
6 rehabilitation of said structure provided such reconstruction and rehabilitation can be accomplished
7 in strict accordance with all Riverside County Ordinances, including but not limited to Riverside
8 County Ordinance No. 457 within ninety (90) days of the posting and mailing of this Order to Abate
9 Nuisance.

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

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

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

1 IT IS FURTHER ORDERED that if the accumulation of rubbish is not removed and disposed
2 of in strict accordance with all Riverside County Ordinances, including but not limited to Riverside
3 County Ordinance No. 541 within ninety (90) days of the date of this Order to Abate Nuisance, the
4 accumulation of rubbish may be abated by representatives of the Riverside County Code
5 Enforcement Department, a contractor, or the Sheriff's Department upon receipt of an owner's
6 consent or a Court Order when necessary under applicable law.

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

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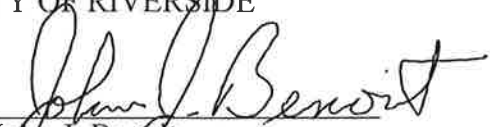
28 ///

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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Dated: July 12, 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

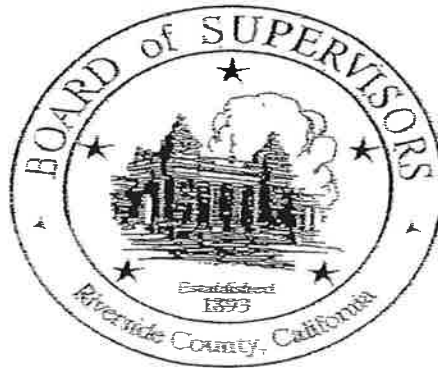
www.riversideacr.com

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:

7-12-16

Signature:

Karen Barton

Print Name:

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