

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



ITEM  
2.16  
(ID # 2827)

**MEETING DATE:**

Tuesday, December 6, 2016

**FROM :** TLMA/Code Enforcement and COUNTY COUNSEL:

**SUBJECT:** COUNTY COUNSEL AND TLMA/CODE ENFORCEMENT: Order to Abate  
[Substandard Structure] Case No: CV14-02511 [Mugar] Subject Property: 18815  
Grand Avenue, Lake Elsinore APN: 371-240-001 District: 1 [\$0]

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

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-02511;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-02511; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV14-02511.

**ACTION:** Consent

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST				
NET COUNTY COST				
SOURCE OF FUNDS:			Budget Adjustment:	
			For Fiscal Year:	

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


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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Washington and Ashley  
Nays: None  
Absent: Benoit  
Date: December 6, 2016  
xc: Co.CO./TLMA-Code Enf., Recorder

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

2.16

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

**BACKGROUND:**

**Summary**

On September 20, 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 (commercial structure) 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 Residents 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

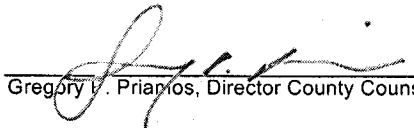
**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**

Findings of Fact

Exhibit A

  
\_\_\_\_\_  
Gregory V. Priamos, Director County Counsel      10/26/2016

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

**2016-0558080**

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\*\*\*Customer Copy Label\*\*\*

The paper to which this label is affixed  
has not been compared with the  
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Peter Aldana  
County Of Riverside  
Assessor-County Clerk-Recorder

5 WHEN RECORDED PLEASE MAIL TO:  
6 Michelle Cervantes, Acting Supervising  
7 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 14-02511  
15 [SUBSTANDARD STRUCTURE]; )  
16 APN 371-240-001, 18815 GRAND AVENUE, ) FINDINGS OF FACT,  
17 LAKE ELSINORE, RIVERSIDE COUNTY, ) CONCLUSIONS AND ORDER TO  
18 CALIFORNIA; RONALD THOMAS MUGAR, ) ABATE NUISANCE  
19 OWNER. )  
20 [R.C.O. Nos. 457 and 725]

21 The above-captioned matter came on regularly for hearing on September 20, 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 18815 Grand Avenue, Lake Elsinore, Riverside County, California and more  
25 particularly described as Assessor's Parcel Number 371-240-001 and referred to hereinafter as "THE  
26 PROPERTY."

27 Lisa Traczyk, Deputy County Counsel, appeared along with Michelle Cervantes, Acting  
28 Supervising Code Enforcement Officer, on behalf of the Director of the Code Enforcement  
Department.

Owner did not appear.

The Board of Supervisors received the Declaration of the Code Enforcement Officer together  
with attached Exhibits, evidencing the substandard structure on THE PROPERTY as violation of

1 Riverside County Ordinance ("RCO") No. 457 and as a public nuisance.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder's Office identify the owner of  
4 THE PROPERTY as Ronald Thomas Mugar ("OWNER").

5 2. Documents of title indicate that another party may potentially hold a legal interest in  
6 THE PROPERTY, to wit: Virginia C. Lawrence, Trustee of the Virginia C. Lawrence Living Trust  
7 ("INTERESTED PARTY").

8 3. THE PROPERTY was inspected by Code Enforcement Officers on November 2,  
9 2015 and on four (4) subsequent follow up inspections, with the last being September 13, 2016.

10 4. During each inspection, a substandard structure (commercial structure) was observed  
11 on THE PROPERTY. The structure was observed to be dilapidated and contained numerous  
12 deficiencies, including but not limited to: lack of improper water closet, lavatory, bathtub, shower or  
13 kitchen sink; lack of required electrical lighting; members of walls, partitions, or other vertical  
14 supports that split, lean or buckle due to defective material or deterioration; members of ceiling,  
15 roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to  
16 defective material or deterioration; faulty weather protection; general dilapidation or improper  
17 maintenance; public and attractive nuisance – abandoned/vacant.

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

20 6. A Notice of Pendency of Administrative Proceedings was recorded on June 29, 2016,  
21 as Instrument Number 2016-0266552 in the Office of the County Recorder, County of Riverside.

22 7. On November 2, 2015, a Notice of Violation, Notice of Defects and a "Danger Do  
23 Not Enter" sign were posted on THE PROPERTY. On November 17, 2015, Notice of Violation and  
24 Notice of Defects were mailed to OWNER by first class mail. On June 2, 2016, Notice of Violation  
25 and Notice of Defects were mailed to OWNER and INTERESTED PARTY by certified mail, return  
26 receipt requested.

27 8. A "Notice to Correct County Ordinance Violations and Abate Public Nuisance"  
28 providing notice of the public hearing before the Board of Supervisors was mailed to OWNER and

1 INTERESTED PARTY and was posted on THE PROPERTY.

2 **FINDINGS AND CONCLUSIONS**

3 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
4 regular session assembled on September 20, 2016, finds and concludes that:

5 1. WHEREAS, the substandard structure (commercial structure) on the real property  
6 located at 18815 Grand Avenue, Lake Elsinore, Riverside County, California, also identified as  
7 Assessor's Parcel Number 371-240-001 violates RCO No. 457 and constitutes a public nuisance.

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

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

18 **ORDER TO ABATE NUISANCE**

19 IT IS THEREFORE ORDERED that the substandard structure (commercial structure) on  
20 THE PROPERTY be abated by the OWNER or anyone having possession or control of THE  
21 PROPERTY, by razing and removing the substandard structure including the removal and disposal  
22 of all structural debris and materials, as well as the contents therein, or by reconstruction and  
23 rehabilitation of said structure provided such reconstruction and rehabilitation can be accomplished  
24 in strict accordance with all Riverside County Ordinances, including but not limited to RCO No.  
25 457 within ninety (90) days of the posting and mailing of this Order to Abate Nuisance.

26 IT IS FURTHER ORDERED that if the substandard structure is not razed, removed and  
27 disposed of, or reconstructed and rehabilitated in strict accordance with all Riverside County  
28 Ordinances, including but not limited to RCO No. 457, within ninety (90) days of the posting and

1 mailing of this Order to Abate Nuisance, the substandard structure, contents therein, and structural  
2 debris and materials, may be abated by representatives of the Riverside County Code Enforcement  
3 Department, a contractor, or the Sheriff's Department upon receipt of the owner's consent or a Court  
4 Order, where necessary, under applicable law authorizing entry onto THE PROPERTY.

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

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

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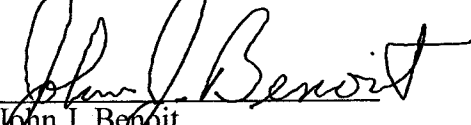
28 ///

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.

3  
4 Dated: December 6, 2016

COUNTY OF RIVERSIDE

5  
6 By

  
John J. Benoit  
Chairman, Board of Supervisors

7  
8 ATTEST:

9 KECIA HARPER-IHEM

10 Clerk to the Board

11  
12 By



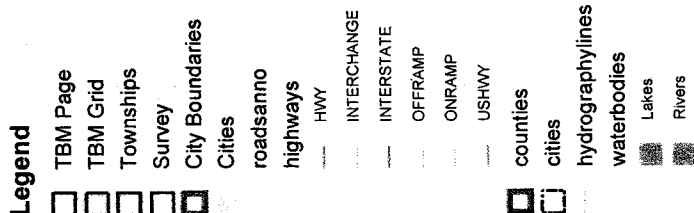
13 Deputy

14 (SEAL)

# **Exhibit A**



**CV14-02511**



## Notes

Thomas Bros Page 896 Grid F4

**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... 6/28/2016 4:15:26 PM

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

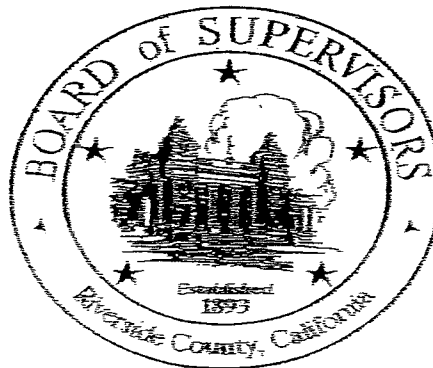
**Recorder**  
P.O. Box 751  
Riverside, CA 92502-0751  
(951) 486-7000  
[www.riversideacr.com](http://www.riversideacr.com)

**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:

12-6-16

Signature:

*Karen Barton*

Print Name:

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