

ATTACHMENT D

Notice and Order of Substandard Housing

And Order to Vacate



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

November 3, 2020

Nathan Megazzi-Verco & Donald Garcia
6147 Walnut Dr.
Eureka, CA 95503

**RE: Service of Notice and Order of Substandard Housing and Order to Vacate
6147 Walnut Drive, Eureka, CA, 95503, APN: 303-063-029
Case No: 15CEU-56**

Dear Nathan Megazzi-Verco and Donald Garcia,

Please see attached Notice and Order of Substandard Housing and Order to Vacate, resulting from the inspection conducted on July 21, 2020.

In addition to mailing the Notice and Order of Substandard Housing and Order to Vacate, we will also need to post it at the property, along with additional signage at each entrance/exit to the residence. Since some of the entrances/exits are in the backyard of the property, I am requesting your consent to enter the backyard in order to post the applicable signage.

If I do not hear back from you by November 10, 2020, I will assume you have declined my request for consent and I will move forward with applying for an Inspection Warrant in order to do so.

If you have any questions, please do not hesitate to contact me by telephone at (707) 441-2627 or by email at ssoeth@co.humboldt.ca.us.

Sincerely,

Shauna Soeth
Code Enforcement Investigator

Attachment: Notice and Order of Substandard Housing and Order to Vacate



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707) 445-7541

10-30-2020
15CEU-56 Megazzi, Nathan
303-063-029

Nathan Edward Megazzi-Vero and Donald Garcia
6147 Walnut Drive, Eureka, CA 95503
Substandard Housing Conditions, 6147 Walnut Dr., Eureka, California, APN 303-063-029, Legal description attached hereto as Exhibit 1

NOTICE AND ORDER OF SUBSTANDARD HOUSING AND ORDER TO VACATE

PLEASE TAKE NOTICE that an inspection was performed on 7/21/2020, of the dwelling at the above location by the Humboldt County Building Division acting under the authority, and whose observations are reviewed and approved, by the Humboldt County Chief Building Official. The inspection revealed conditions that are in violation of the 1997 Uniform Housing Code (UHC) and the California Residential Code (CRC) adopted by the County of Humboldt. The building has been found by the County Chief Building Official to constitute substandard housing per Chapter 10, §1001 of UHC and various state and local laws and regulations.

YOU ARE HEREBY NOTIFIED by the County Chief Building Official that the following conditions, injurious to the public health, exist at the above referenced location and are in violation of Humboldt County Code and render the building dangerous and substandard:

Inadequate Sanitation - UHC § 1001.2 (4) Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.

- Potable water was not being supplied to water fixtures due to no available electricity.

Inadequate Sanitation - UHC § 1001.2 (6) Lack of adequate heating facilities.

- The wall heater did not function and required cleaning/maintenance.

Inadequate Sanitation - UHC § 1001.2 (12) Lack of connection to required sewage disposal system.

- Lack of running water and power prohibited proper functioning of sewage disposal system.

Inadequate Sanitation - UHC § 1001.2 (8) Lack of minimum amounts of natural light and ventilation required by this code.

- The underfloor foundation vents were covered by vegetation not allowing proper ventilation to the underfloor space.

Inadequate Sanitation - UHC § 1001.2 (10) Lack of required electrical light.

- Light fixtures throughout the house were broken, missing, and non-functional due to lack of electricity.

Inadequate Sanitation - UHC § 1001.2 (12) Infestation of insects, vermin or rodents as determined by the health officer.

- Evidence of rat infestation was noted throughout the dwelling. Evidence of the infestation included chew holes into walls, chewed electrical cable, rub marks, feces, and heavy odor of rat urine in the dwelling. Residence was not properly rodent-proofed per standard building code.

Inadequate Sanitation - UHC § 1001.2 (13) General dilapidation or improper maintenance.

- The roof gutter system was non-existent in most places and improperly repaired in others causing leaks down the sides of walls. Water was not being diverted away from the perimeter foundation.

Inadequate Sanitation - UHC § 1001.2 (15) Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

- Approximately 50 cubic yards of garbage, junk, vehicles, and combustible material were observed in accessory buildings, in the yard, and inside the dwelling.

Nuisance - UHC § 1001.4

- The refrigerators, motor vehicles; structurally unsound fences/structures, lumber, trash, fences, debris, vegetation may prove a hazard for inquisitive minors.

Hazardous Electrical Wiring - UHC § 1001.5

- The main service panel was missing its dead front and had exposed ungrounded conductors disconnected from overprotection devices. At the exterior there were outlets without GFCI protection and with exposed conductors. At the interior there were wire junctions not housed in junction boxes as well as numerous outlets missing outlet covers.

Hazardous Plumbing - UHC § 1001.6

- Plumbing fixtures were damaged and non-functional. A cleanout at the exterior was open and not properly rodent proofed. The water heaters TPRV was not plumbed to the exterior and did not have seismic strapping.

Hazardous Mechanical Equipment - UHC § 1001.7

- The forced air units air intake was clogged and dirty and the ceiling above the unit was open to the attic.

Faulty Weather Protection - UHC § 1001.8 (2) Deteriorated or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or to other approved protective covering.

- The skylights above the sunroom had reports of leaking and did not show any signs of repair since those reports.

Faulty Weather Protection - UHC § 1001.8 (3) Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.

- Windows were broken and at the interior there were holes in the walls and floors.

Faulty Inadequate Fire-Protection or Firefighting Equipment - UHC § 1001.13

- Smoke and carbon monoxide detectors were non-functional.

The above-described conditions were observed by Humboldt County Building Division and concurred with by the Humboldt County Chief Building Official.

YOU ARE HEREBY NOTIFIED the conditions listed above are determined to be an immediate danger to human life, limb, property and safety of the occupant and the public.

YOU ARE HEREBY ORDERED to vacate the premises and to secure and maintain the premises against entry. Pursuant to UHC Section 1101.2(3) (3.2), the County Chief Building Official has determined that **the premises must be vacated 7 days after posting** and must remain vacated, secured and maintained against entry until the dangerous conditions are abated and corrected.

No person shall remain in or enter any building that has been posted as uninhabitable, except for entry to make repair, demolish, or remove such building under permit from the Humboldt County Building Department (HCBD). No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code. Any person violating this subsection shall be guilty of a misdemeanor.

The following corrections must be commenced by 1-26-2021, including the securing of all necessary permits, if any. These same corrections must be completed within such time as determined is reasonable per UHC §1101.2(3) (3.1). Rudy Marengi is the building inspector to contact.

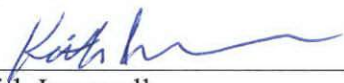
1. Further investigation of the underfloor space shall be conducted, and any damaged components shall be repaired or replaced.
2. The brush around the foundation vents shall be cleared to allow air flow from the underfloor space to the exterior of the building.
3. The service panel shall be replaced, and all circuits shall be individually inspected and repaired.
4. Install working smoke and carbon monoxide detectors.
5. All plumbing shall be pressure tested and repaired.
6. Undamaged plumbing and electrical fixtures shall be installed.

7. The garbage shall be removed, and drywall repairs shall be made at openings and moldy areas.
8. A functional heating system and water heater shall be provided with their respective installation manuals and both shall be installed per these manuals.
9. Carpet and any damaged floor sheathing shall be removed and replaced.
10. The wall between the garage and kitchen should meet the requirements of a "fire partition" as described by the building code enforced by the Jurisdiction of Authority at time of construction.
11. The damaged vehicles, garbage, and hazardous materials shall be removed from the entire lot.
12. The roof shall be replaced.
13. Gutters shall be installed.

Please be advised that property owners are required to maintain buildings and structures in a safe and sanitary manner. Action must be taken to correct the above-identified conditions within the identified timeframe and must comply with Humboldt County Code and the requirements of this office. If the required corrective action and repairs are not commenced within the time specified, the Chief Building Official may proceed to cause the work to be done and charge the cost thereof against the property or its owner. In addition, failure with this order constitutes a misdemeanor and may result in enforcement action against you pursuant to UHC §1401.1 and 1401.2.

RIGHT TO APPEAL: Any person having any record title or legal interest in the building and premises may appeal this Notice and Order or any action of the Humboldt County Chief Building Official to the housing advisory and appeals board provided the appeal is made in writing as provided in the UHC §1201 and Humboldt County Code §331-11 and filed with the Humboldt County Building Official within 10 (ten) days from the date of service of this order (UHC §203.1, 1201.1). Failure to appeal will constitute a waiver of all rights to an administrative hearing and adjudication of the notice and order and any determination/action of the County Chief Building Official (UHC §1202).

Signed,



 Keith Ingersoll
 County of Humboldt Chief Building Official

10-30-2020
 Date



 Rudy Marengi
 Senior Building Inspector
 Humboldt County Building Division

10-30-2020
 Date

Enclosure(s): Legal Description

Exhibit 1: Legal description

Photo documentation

Exhibit 1
Legal Description

The real property situate in the county of Humboldt, State of California, described as:

PARCEL ONE

That portion of the lands in the northwest quarter of the northeast quarter of Section 14, Township 4 North, Range 1 West, Humboldt Meridian, conveyed to Harry Van Duessen and Ethel Van Deussen, his wife as joint tenants, by deed dated November 23, 1956 and recorded June 17, 1957 in Book 448 of Official Records, page 120, as Recorder's File No. 9097, Humboldt County Records, described as follows:

BEGINNING at a point on the south line of Christensen Lane located North 00 degrees 45 feet West, 743.00 feet and North 89 degrees 31 feet East, 399.9 feet from the southwest corner of said northwest quarter of the northeast quarter of said Section 14;

and running thence South 00 degrees 43 feet East, 65 feet to the true point of beginning of the parcel of land to be here described;

thence continuing South 00 degrees 43 feet East, 55 feet;

thence South 89 degrees 31 feet West, 70.00 feet;

thence South 00 degrees 43 feet East, 10 feet;

thence South 89 degrees 31 feet West to the center line of Walnut Street, as conveyed by deed executed by Harry Van Deussen and wife to the county of Humboldt, recorded December 3, 1957 in Book 468 of Official records, page 598 under Recorder's File No. 17761, Humboldt county Records;

thence northeasterly along said center line to a point that bears South 89 degrees 31 feet West from the true point of beginning;

and thence North 89 degrees 31 feet East to the true point of beginning.

EXCEPTING THEREFROM a portion described as follows:

BEGINNING at a point on the south line of Christensen Lane located North 00 degrees 43 feet West, 743.00 feet and North 89 degrees 31 feet East, 399.9 feet from the southwest corner of said northwest quarter of the northeast quarter of Section 14;

thence South 00 degrees 43 feet East, 65 feet to the true point of beginning;

thence South 00 degrees 43 feet East, 9.04 feet;

thence South 89 degrees 17 feet West, 10 feet;

thence North 00 degrees 43 feet West, 9.04 feet;

thence North 89 degrees 17 feet East, 10 feet to the true point of beginning.

ALSO EXCEPTING THEREFROM that portion described as follows:

BEGINNING at a point located North 00 degrees 43 feet West, 678.00 feet and North 89 degrees 31 feet East, 389.9 feet from the southwest corner of the northwest quarter of the northeast quarter of Section 14, Township 4 North, Range 1 West, Humboldt Meridian;

thence South 0 degrees 43 feet East, 9 feet;

thence South 89 degrees 31 feet West to the centerline of Walnut Street as described in the deed to the county of Humboldt recorded December 3, 1957 in Book 468 of Official Records, page 598;

thence northeasterly along said centerline to a point which bears South 89 degrees 31 feet West of the point of beginning; thence North 89 degrees 31 feet East to the point of beginning.

PARCEL TWO

That portion of the northwest quarter of the northeast quarter of Section 14, Township 4 North, Range 1 West, Humboldt Meridian, described as follows:

BEGINNING at a point on the south line of Christensen Lane located North 00 degrees 43 feet West, 743.00 feet and North 89 degrees 31 feet East, 399.9 feet from the southwest corner of said northwest quarter of the northeast quarter of said Section 14;

thence South 00 degrees 43 feet East, 130 feet to the true point of beginning;

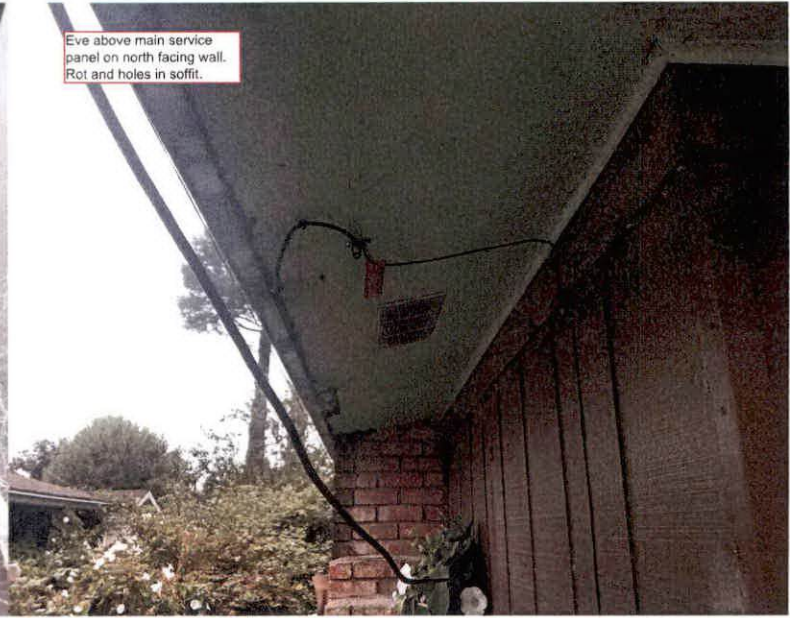
thence from said true point of beginning south 89 degrees 31 feet West, 70 feet;

thence South 0 degrees 43 feet East, 37.91 feet to a point located North 0 degrees 43 feet West a distance of 105 feet from the north line of a land shown as Hazelwood Lane on Parcel Map No. 1556 on file in the office of the county recorder of said county in Book 13 of Parcel maps, page 110;

thence North 89 degrees 31 feet East, 70 feet; thence North 0 degrees 43 feet West, 37.91 feet to the true point of beginning.



Main service panel. No dead front, not labeled, exposed ungrounded conductors.



Eave above main service panel on north facing wall. Rot and holes in soffit.



Main service panel on north facing wall. Intersystem bonding not correct.



Entrance (west facing wall)



South end of the west facing wall



SW area of house at front yard. Hazardous material.

Insulation
Underfloor space taken from crawl hole at east wall of house.



Underfloor space taken from crawl hole at east wall of house.



Underfloor space taken from crawl hole at east wall of house. Insulation not secured.



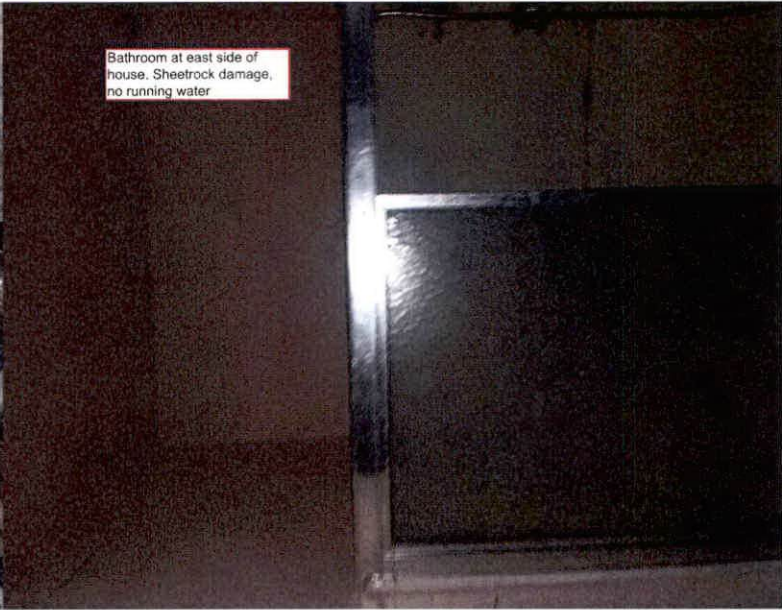
Underfloor space taken from crawl hole at east wall of house.



Bathroom at east side of house. Not functional, no bath fan.



Bathroom at east side of house. Sheetrock damage, no running water





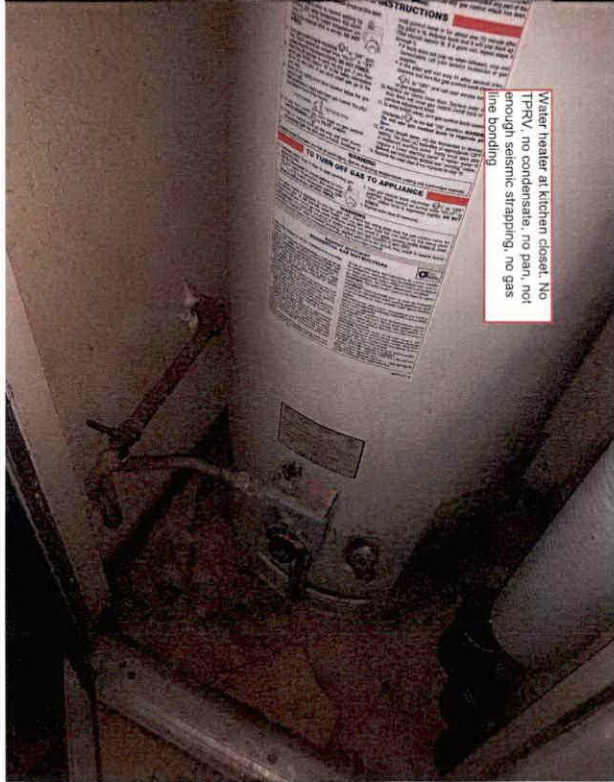
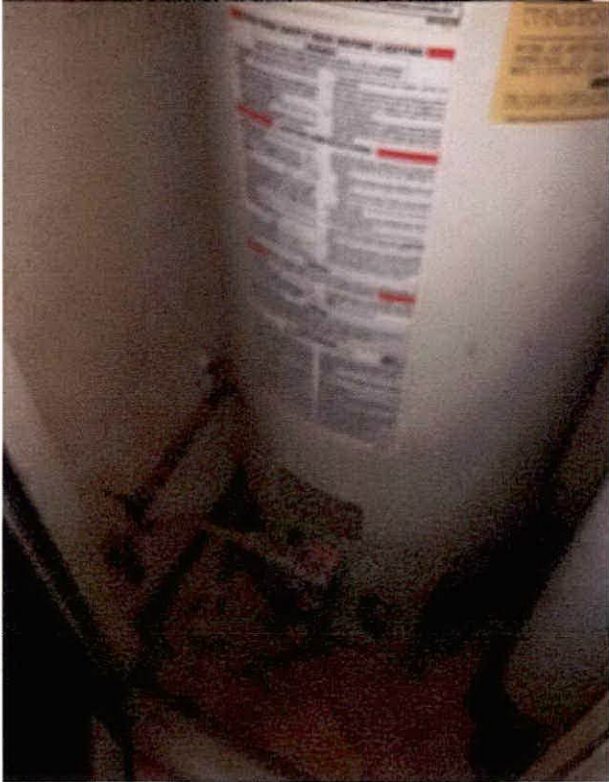
Water heater at kitchen closet. No TPRV, no condensate, no pan, no gas line bonding



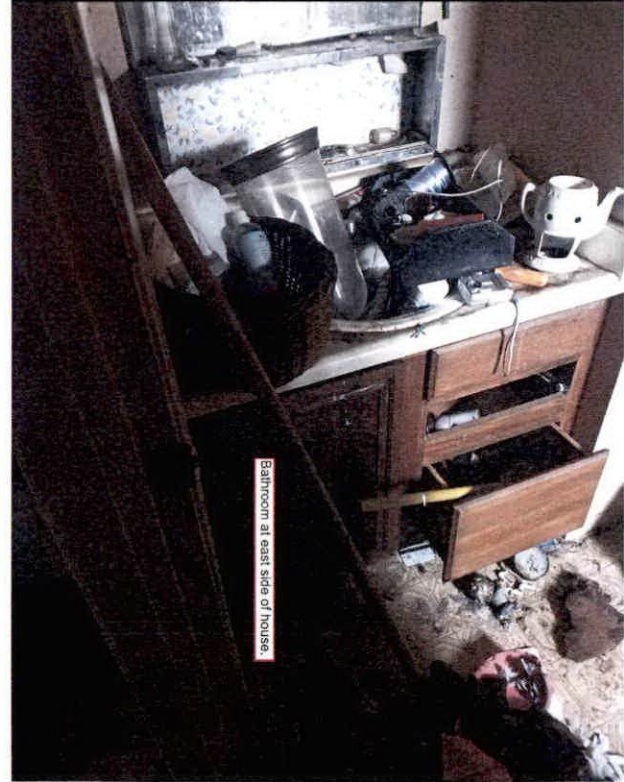
Sun room at south end of house. Sheetrock mold/damage, broken windows/doors, damaged floor



Bathroom at east side of house.



Water heater at kitchen closet. No TPRV, no condensate, no pan, not enough seismic strapping, no gas line bonding



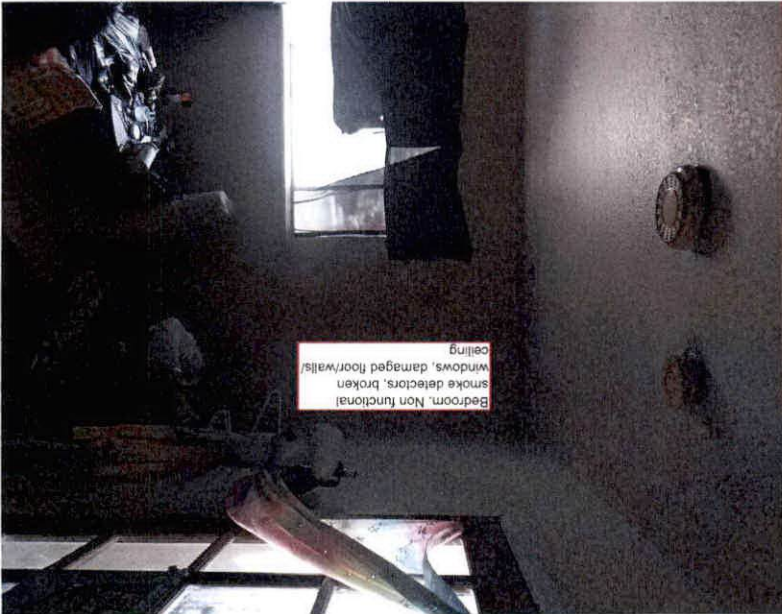
Bathroom at east side of house.



Damaged sheetrock and exposed electric



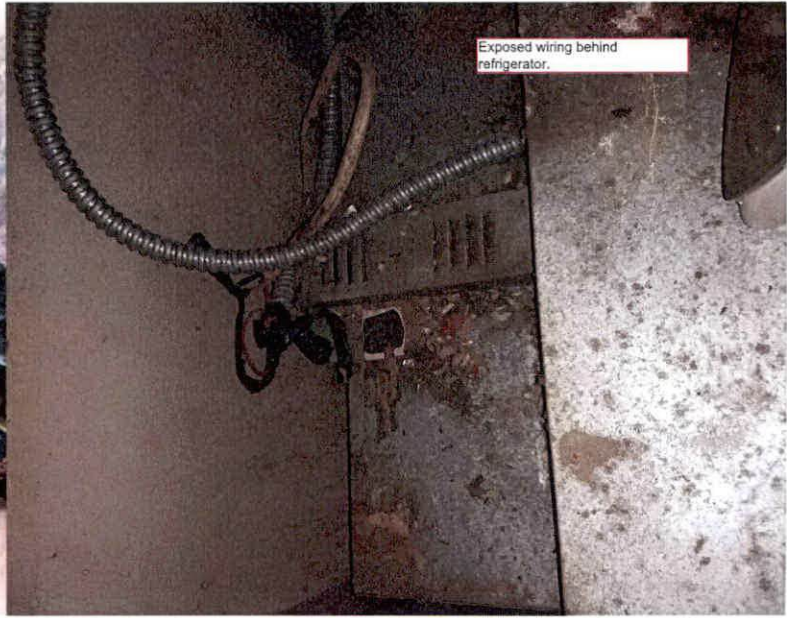
Hole in ceiling to attic in living room area.



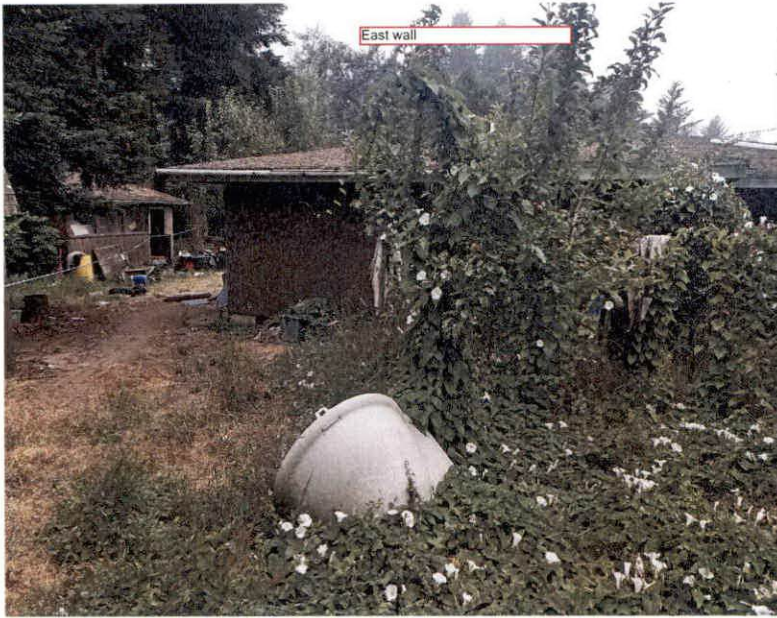
Bedroom. Non functional smoke detectors, broken windows, damaged floor/walls/ceiling



Living room area. Damaged doors, damaged flooring.







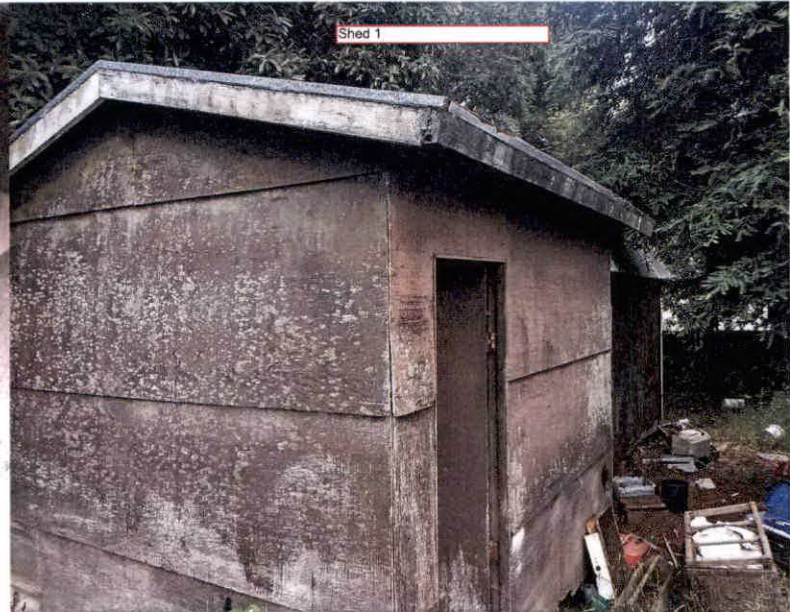
East wall



East wall



Underfloor space at shed 1



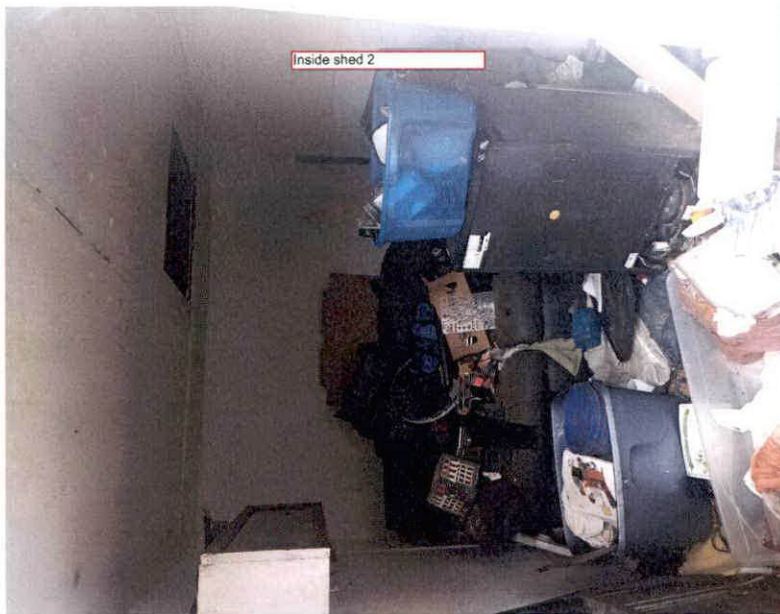
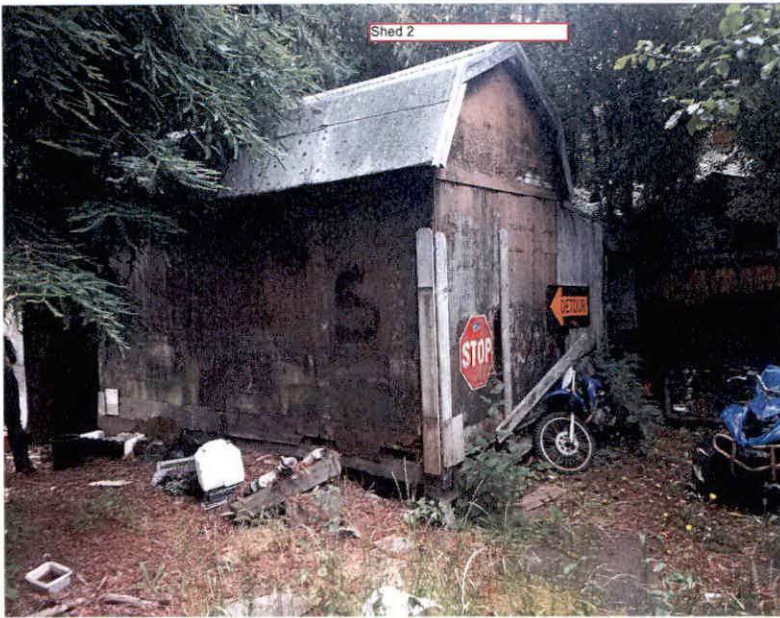
Shed 1

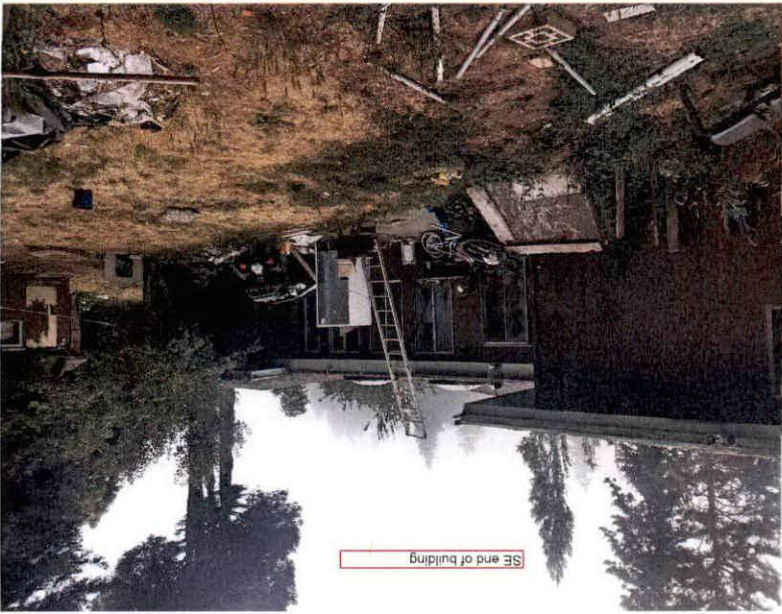


Inside shed 1



Underfloor at shed 2





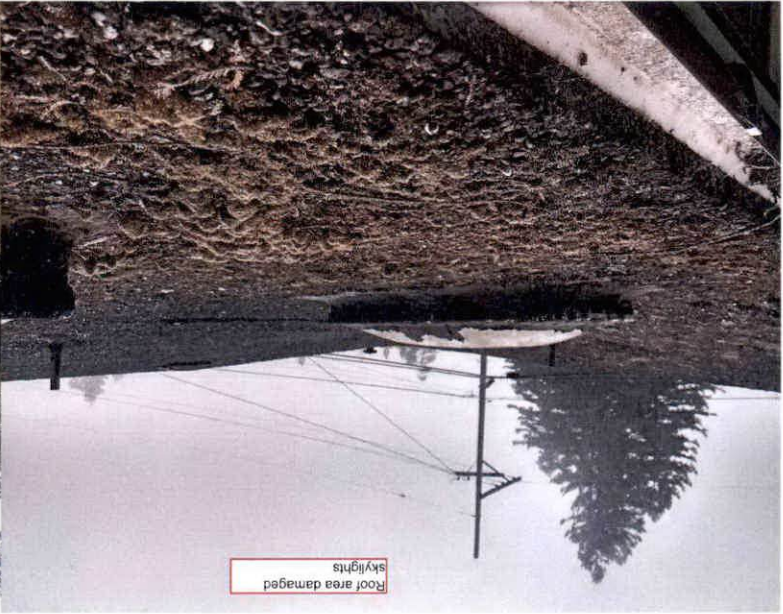
SE end of building



South end of building



Shed 4



Roof area damaged skylights



Roof area, Damaged skylights



Exposed exterior cleanout



Garage/residence wall partition



Garage/residence wall partition



Broken windows at south wall

Chapter 10 SUBSTANDARD BUILDINGS

SECTION 1001 — DEFINITION

1001.1 General. Any building or portion thereof that is determined to be an unsafe building in accordance with Section 102 of the Building Code, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard buildings.

1001.2 Inadequate Sanitation. Buildings or portions thereof shall be deemed substandard when they are insanitary. Inadequate sanitation shall include, but not be limited to, the following:

1. Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit or lodging house.
2. Lack of or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
3. Lack of or improper kitchen sink in a dwelling unit.
4. Lack of hot and cold running water to plumbing fixtures in a hotel.
5. Lack of hot and cold running water to plumbing fixtures in a dwelling unit or lodging house.
6. Lack of adequate heating facilities.
7. Lack of or improper operation of required ventilating equipment.
8. Lack of minimum amounts of natural light and ventilation required by this code.
9. Room and space dimensions less than required by this code.
10. Lack of required electrical lighting.
11. Dampness of habitable rooms.
12. Infestation of insects, vermin or rodents as determined by the health officer.
13. General dilapidation or improper maintenance.
14. Lack of connection to required sewage disposal system.
15. Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer.

1001.3 Structural Hazards. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards. Structural hazards shall include, but not be limited to, the following:

1. Deteriorated or inadequate foundations.
2. Defective or deteriorated flooring or floor supports.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.
6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.

7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.

8. Fireplaces or chimneys that list, bulge or settle due to defective material or deterioration.

9. Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety.

1001.4 Nuisance. Buildings or portions thereof in which there exists any nuisance as defined in this code are deemed substandard buildings.

1001.5 Hazardous Electrical Wiring. Electrical wiring that was installed in violation of code requirements in effect at the time of installation or electrical wiring not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not being used in a safe manner shall be considered substandard.

1001.6 Hazardous Plumbing. Plumbing that was installed in violation of code requirements in effect at the time of installation or plumbing not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not free of cross-connections or siphonage between fixtures shall be considered substandard.

1001.7 Hazardous Mechanical Equipment. Mechanical equipment that was installed in violation of code requirements in effect at the time of installation or mechanical equipment not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good and safe condition shall be considered substandard.

1001.8 Faulty Weather Protection. Buildings or portions thereof shall be considered substandard when they have faulty weather protection, which shall include, but not be limited to, the following:

1. Deteriorated, crumbling or loose plaster.
2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.
3. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
4. Broken, rotted, split or buckled exterior wall coverings or roof coverings.

1001.9 Fire Hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered substandard.

1001.10 Faulty Materials of Construction. The use of materials of construction, except those that are specifically allowed or approved by this code and the Building Code, and that have been adequately maintained in good and safe condition, shall cause a building to be substandard.

1001.11 Hazardous or Insanitary Premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, gar-

page. Of rat harborages, stagnant water, combustible materials and similar materials or conditions on a premises constitutes fire health or safety hazards that shall be abated in accordance with the procedures specified in Chapter 11 of this code.

1001.12 Inadequate Exits. Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this code, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered substandard.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered substandard when the building official finds that an unsafe condition exists through an improper location of exits, a

lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

1001.13 Inadequate Fire-protection or Firefighting Equipment. Buildings or portions thereof shall be considered substandard when they are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

1001.14 Improper Occupancy. All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes that were not designed or intended to be used for such occupancies shall be considered substandard.

DO NOT ENTER UNSAFE TO OCCUPY

BY ORDER OF CHIEF BUILDING OFFICIAL

It is a misdemeanor to occupy this building, or to remove or deface this notice pursuant to UHC section 1104.

According to the California State Housing Law and the Uniform Housing Code, this building has been declared unfit for human habitation or occupancy; and it is unlawful for any person to reside in or occupy the same.

By 

Date 10-30-2020

HUMBOLDT COUNTY PLANNING
AND BUILDING DEPARTMENT