

ATTACHMENT J

Notice of Nuisance Abatement Assessment



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CODE ENFORCEMENT

3015 H Street • Eureka CA 95501
Phone: (707) 476-2429 • Fax: (707) 268-3792

Certified Mailing #: 9171 9690 0935 0255 5522 14

July 8, 2022

Jessica Adams
David Mahle
Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

RE: Service of Notice of Nuisance Abatement Assessment
7218 Summit Ridge , CA, 95537, APN: 306-291-018
Case No: CE19-0400

Dear Sarah Burke,

Please see the attached Notice of Nuisance Abatement Assessment for your property located at 7218 Summit Ridge Dr., Eureka, CA, 95503, APN: 306-291-018, for your Code Enforcement Case CE19-0400.

If you have any questions or concerns about these documents, please feel free to contact me by telephone at (707) 476-2358, or by email cwerner@co.humboldt.ca.us.

Sincerely,

Christine Werner
Code Enforcement Investigator

Attachment: Notice of Nuisance Abatement Assessment



COUNTY OF HUMBOLDT
CODE ENFORCEMENT UNIT
3015 H Street
Eureka, California 95501
(707) 476-2429

NOTICE OF NUISANCE ABATEMENT ASSESSMENT

[Humboldt County Code §351-16]

Address of Affected Property: 7218 Summit Ridge Dr., Eureka, CA 95503

Assessor's Parcel Number: 306-291-018

To: Owner:

Jessica Adams
7218 Summit Ridge Dr.
Eureka, CA 95503

Occupant:

David Mahle
7218 Summit Ridge Dr.
Eureka, CA 95503

Occupant:

Sarah Burke
7218 Summit Ridge Dr.
Eureka, CA 95503

NOTICE IS HEREBY GIVEN that the Humboldt County Code Enforcement Unit has taken the actions described in "Attachment A – Actions Required to Abate Nuisance" to correct the condition or conditions found to constitute a nuisance on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description."

NOTICE IS FURTHER GIVEN that the Code Enforcement Unit will seek to levy a nuisance abatement assessment against the affected property in the amount of **Thirty-Eight Thousand Seven Hundred Seventy-Eight Dollars and Sixteen Cents (\$38,778.16)** in order to recover the abatement costs, administrative costs and/or attorney's fees, as described in "Attachment C – Account of Costs Incurred and Proceeds Received," that were incurred to correct the condition or conditions found to constitute a nuisance on the affected property.

NOTICE IS FURTHER GIVEN that you may file with the Code Enforcement Unit an objection to the proposed assessment within ten (10) calendar days after service of this Notice of Nuisance Abatement Assessment.

NOTICE IS FURTHER GIVEN that an objection to the proposed assessment must be prepared using the form attached hereto as "Attachment D – Cost Recovery Hearing Request Form."

NOTICE IS FURTHER GIVEN that, upon receipt of an objection to the proposed assessment, the Code Enforcement Unit shall set the matter for hearing before the Humboldt County Board of Supervisors, and issue a Notice of Cost Recovery Hearing as set forth in Humboldt County Code Section 351-18.

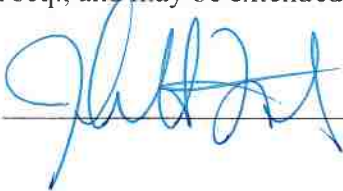
NOTICE IS FURTHER GIVEN that the date of the Cost Recovery Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Cost Recovery Hearing is served.

NOTICE IS FURTHER GIVEN that the proposed assessment shall be deemed final and summarily approved by the Humboldt County Board of Supervisors without holding a Cost Recovery Hearing, if an objection to the proposed assessment is not filed within ten (10) calendar days after service of this Notice of Nuisance Abatement Assessment.

NOTICE IS FURTHER GIVEN that the final nuisance abatement assessment, as approved by the Humboldt County Board of Supervisors, may become a charge against the affected property and may be collected at the same time and in the same manner, and shall be subject to the same penalties, interest and procedures of foreclosure and sale in the case of delinquency, as is provided for ordinary property taxes.

NOTICE IS FURTHER GIVEN that the final nuisance abatement assessment, as approved by the Humboldt County Board of Supervisors, may also become a charge against the affected property which has the same force, effect and priority of a judgment lien governed by the provisions of California Code of Civil Procedure Sections 697.310, et seq., and may be extended as provided in California Code of Civil Procedure Sections 683.110, et seq.

Signature: _____



Title: Director Planning & Building Dept.

Name: John Ford

Date: _____

7/7/2022

ATTACHMENT A

ACTIONS REQUIRED TO ABATE NUISANCE

Violations	Nature of Corrective Actions Taken	Date
§521-4	Complaint Received; Case Opened in Accela	Nov. 18, 2019
	Telephone Call Received from Complainant with Extensive Case Notes Added by Former Code Enforcement Investigator Karen Quenell	Mar. 19, 2020
&	Telephone Call from Complainant Taken by Former Investigator Karen Quenell	May 21, 2020
	Drive By Conducted; Case Notes and Photographs Uploaded to Case	May 21, 2020
§354-1	Case Research: Contact Humboldt County Sheriff's Office RE: Property	Dec. 15, 2020
	Case Research: Contact Humboldt County Tax Assessor's Office and Read Prior Code Enforcement Case Concerning the Property	Dec. 23, 2020
&	Draft and Mail Letter Requesting Consent to Inspect Property	Jan. 4, 2021
	Contact Established with Property Occupants Via E-mail	Jan. 12, 2021
§331-28	Telephone Call with Property Occupant	Jan. 19, 2021
	Contact From Multiple Complainants: Three Telephone Calls and One Email	Jan. 19, 2021 through Jan. 22, 2021
&	Telephone Call with Property Occupant; Property Inspection Scheduled	Jan. 22, 2021
	Property Inspection Conducted	Jan. 27, 2021
§UHC 1001.11 and H&S 17920.3	Contact Received from Property Occupant via Telephone	Feb. 11, 2021
	Contact Received from Adult Protective Services via Telephone Regarding Property Owner	Feb. 19, 2021
	Case Research: Correct Property Address	Feb. 23, 2021
	Investigative Report Written	Feb. 24, 2021
	Notice to Abate Nuisance Written and Prepared for Mailing and Posting	Feb. 24, 2021
	Notice to Abate Nuisance Posted at Property	Mar. 1, 2021
	Notice to Abate Nuisance Mailed to Property via First Class and Certified Mail by Legal Office Assistant Daniela Parada	Mar. 1, 2021
	Notice to Abate Nuisance Re-Sent to Property due to Tracking Number Error on the March 1, 2021 Mailing	Mar. 4, 2021
	Telephone Call from Jessica Adams	Mar. 10, 2021
	Prepare Compliance Agreement	Mar. 12, 2021 through April 15, 2021
Communicate with Fiscal Department RE: Administrative Costs Accrued to Date	Mar. 23, 2021	
Telephone Call from Adult Protective Services	Apr. 2, 2021	

§521-4 &	Attempt to Contact Property Owner and Occupants via Telephone Regarding the Completed Compliance Agreement without Success	Apr. 15, 2021
	Deliver Compliance Agreement to Property in Person	Apr. 15, 2021
§354-1 &	Compliance Agreement Sent via Certified Mail to Property Owner and Occupants by Legal Office Assistant Daniela Parada	Apr. 16, 2021
	Communication from Property Owner and Occupants; Compliance Agreement and Compliance Agreement Process Explained	Apr. 19, 2021 through Apr. 22, 2021
§331-28 &	Telephone Call from Property Owner Regarding Compliance Agreement	Apr. 27, 2021
	Compliance Agreement Signed into Effect by Deputy Director Robert Russell	May 4, 2021
§311-10.3 &	Conducted Drive By Inspection of Property	May 27, 2021
	Compliance Inspection Conducted - Property not Compliant	June 21, 2021
§UHC 1001.11 and H&S 17920.3	Email Compliant Received from a Third Complainant via Email Regarding Substandard Housing on the Property	June 24, 2021
	Phone Call to Property Owner Regarding Breach of Compliance Agreement and Possibility of Compliance Agreement Extension	June 25, 2021
	Prepare Compliance Agreement Extension and Contact Recology Regarding Free Dumpster Delivery to Property	June 25, 2021
	Substandard Housing Inspection Scheduled via Telephone with Property Owner	June 30, 2021
	Substandard Housing Inspection Conducted with Building Inspector	July 8, 2021
	Delivered Compliance Agreement Extension to Property	July 13, 2021
	Phone Call to Property Owner Regarding Compliance Agreement Extension	July 20, 2021
	Compliance Agreement Extension Signed into Effect	July 22, 2021
	Final Compliance Check - Property Not in Compliance	Aug. 5, 2021
	Prepare Effect of Noncompliance with Compliance Agreement and Notice of Intent to Conduct County Abatement	Aug. 11, 2021
	Property Inspection Conducted by Request of Property Owner's Son	Sep 14, 2021
	Complaint Received via Telephone Regarding Condition of Property	Nov. 8, 2021
	Drive By Inspection Conducted	Nov. 15, 2021
	Complaint Received	Dec. 29, 2021
	Prepare Declaration in Support of an Inspection Warrant and Order of Abatement	Dec. 6, 2021 through May 2, 2022
	Drive By Inspection Conducted to Follow Up on Complaint Received	Jan. 3, 2022
Communicate with Property Owner and Contractor via telephone and Email to Schedule Inspection of the Property for Abatement Purposes	Mar. 16, 2022 Through April 12, 2022	

§521-4 &	Pre-Abatement Inspection with Contractor	Apr. 14, 2022
	Junk / Inoperable Vehicles Tagged for Abatement	Apr. 15, 2022
§354-1 &	Write Inspection Report	Apr. 15, 2022
	Contact Humboldt County Sheriff's Office for Register Owner Information and Respond to Courthouse to Retrieve Paperwork	Apr. 18, 2022
§331-28 &	Notice of Intent to Abate and Remove Junk Vehicles Prepared	Apr. 18, 2022
	Prepare Inspection Warrant and Order of Abatement	Apr. 18, 2022
§UHC 1001.1 1 and H&S 17920. 3	Prepare Warrant Attachments	Apr. 18, 2022
	Contact Complainant via Telephone	Apr. 19, 2022
	Notices of Intent to Abate and Remove Junk and/or Inoperable Vehicles Mailed	Apr. 20, 2022
	Have Notice to Abate Nuisance Notarized by Notary Public	Apr. 22, 2022
	Prepare Notice to Abate Nuisance to be Sent to Humboldt County Recorder's Office	Apr. 26, 2022
	Research Storage Sheds on Property	Apr. 26, 2022
	Received Contractor's Estimate and Proposal	Apr. 27, 2022
	Received Telephone Call from Property Owner's Social Worker	Apr. 28, 2022
	Final Proofreading of Declaration in Support of Application for An Inspection Warrant & Order of Abatement; and Inspection Warrant & Order of Abatement; And Warrant Attachments.	May 2, 2022
	Submit Warrant Declaration and Inspection Warrant and Order of Abatement to County Counsel for Review	May 2, 2022
	Prepare Pre-Abatement Day Instructions for Property Owner and Occupants	May 12, 2022
	Phone Call Received from Complainant	May 16, 2022
	Warrant Declaration Revised as per Suggestions Received from County Counsel; Warrant Attachments Revised and Corrected	May 17, 2022
Prepared Notice of intent to Serve Inspection Warrant and Order of Abatement	May 17, 2022	
Prepare Warrant Declaration and Inspection Warrant and Order of Abatement for Submittal to Humboldt Superior Court via Email.	May 18, 2022	
Submit Email Containing Warrant Declaration, Warrant Attachments and Inspection Warrant and Order of Abatement to Humboldt Superior Court; and Call Court Administrative Office	May 18, 2022	
Post Notice of Intent to Serve Inspection Warrant and Order of Abatement	May 19, 2022	

§521-4		
&	General Warrant Service Prep Work Performed	May 19, 2022
§354-1	Answer Telephone Call from Complainant	May 19, 2022
&	Inspection Warrant and Order of Abatement SW2200322 Served	May 23, through May 31, 2022
§331-28	Communications from and/or to: Property Owner, Complainants, Adult Protective Services Case Manager, and Contractor via Phone and Text	May 27, 2022
&	Prepare Warrant Service Report	June 1, 2022 through June 6, 2022
§UHC 1001.1 and H&S 17920.3	Phone Call Received from Property Owner's Out of Town Son	June 3, 2022
	Return Inspection Warrant and Order of Abatement to Humboldt Superior Court	June 6, 2022
	Prepare Notice of Nuisance Abatement Assessment	June 13, 2022 through June 28, 2022
	Prepare Cover Letter for Notice of Nuisance Abatement Assessment	June 28, 2022

ATTACHMENT B LEGAL DESCRIPTION

That real property situate in the County of Humboldt, State of California, described as follows:

Those portions of the Southwest Quarter of the Northeast Quarter of Section 20, Township 4 North, Range 1 West, Humboldt Meridian, described as follows:

PARCEL ONE:

BEGINNING at a point 2359.76 feet West and 1753.04 feet South of the Northeast corner of said Section, said point being the Northeast corner of the land conveyed to Fred J. Sepic and Shirley A. Sepic, his wife, by deed recorded November 7, 1952 under Recorder's File No. 13512, in the office of the County Recorder of Humboldt County;

thence South 4 degrees 22 minutes 20 seconds East 89 feet;

thence South 37 degrees 55 minutes 10 seconds West 33.62 feet;

thence North 89 degrees 30 minutes West 232.46 feet to a point on the West line of the land conveyed to Kristen J. Jensen and wife by deed recorded July 30, 1945 in Book 275 of Deeds page 152 in the office of the County Recorder of said County, said point being the true point of beginning;

feet;
thence along said West line South 7 degrees 00 minutes West 87.43

feet;

thence South 89 degrees 30 minutes East 153.72 feet;

of said Sepic land;

and thence along said South line North 89 degrees 30 minutes West 148.66 feet to the true point of beginning.

PARCEL TWO:

A non-exclusive easement for ingress and egress and public utility purposes over a strip of land, 20 feet in width, the West and South lines of which are described as follows:

BEGINNING at the Northeast corner of the parcel of land first above described;

thence South 3 degrees 41 minutes West 275 feet, more or less, to the North line of land conveyed to William F. Briody and wife by deed recorded July 20, 1950 under Recorder's Serial No. 7401 in the Office of the County Recorder of said County;

and thence South 89 degrees 30 minutes East 850 feet, more or less to the County Road.

Being the same easement as conveyed to Pearl Mangum and husband by Deed recorded June 1, 1960 in Book 588 of Official Records page 643.

ATTACHMENT C

ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

ABATEMENT COSTS		
Violation	Nature of Cost Incurred	Amount
§521-4	Labor, Equipment, Materials, Disposal Fees, Permit Costs	\$29,334.95
&		
§354-1		
&		
§331-28	Total:	\$29,334.95
&		
§UHC 1001.11and H&S 17920.3		
ADMINISTRATIVE COSTS		
Violation	Nature of Cost Incurred	Amount
§521-4	Staff Time: Code Compliance Officer 11.75 hours at \$106 an hour	\$1,245.50
&	Code Enforcement Investigator 64.90 hours at \$115 an hour	\$7,463.50
	Legal Office Assistant 2.15 hours at \$83 an hour	\$178.45
	Staff Time Total:	\$8,887.45
§354-1	Mileage: Miles at \$0.54 a mile	\$119.51
&		
§331-28	Mailing Costs Including Certified Mail:	\$30.25
&		
§UHC 1001.11and H&S 17920.3	Total:	\$ 9,037.21

ATTACHMENT C
ACCOUNT OF COSTS INCURRED AND PROCEEDS RECEIVED

Nature of Cost Incurred	Amount
Staff Time: Deputy County Counsel 1 Hour at \$134 an hour	\$134.00
Staff Time: Deputy County Counsel 2 Hours at \$136 an hour	\$272.00
Total:	\$406.00
Property Sold	Amount Received
None	\$0.00

ATTACHMENT D COST RECOVERY HEARING REQUEST FORM

Address of Affected Property: 7218 Summit Ridge Dr. Eureka, CA 95503

Assessor's Parcel Number: 306-291-018

To: Humboldt County Code Enforcement Unit
3015 H Street
Eureka California, 95501

Pursuant to Humboldt County Code Section 351-18, I am requesting a hearing to contest the amount of the nuisance abatement assessment proposed to be levied against the affected property in order to recover the abatement costs, administrative costs and/or attorney's fees incurred by the Humboldt County Code Enforcement Unit during the performance of the actions required to correct the condition or conditions found to constitute a nuisance on the affected property.

[Brief statement of the material facts that the requesting party claims support the contention that amount of the proposed assessment is inappropriate under the circumstances of this case]: _____

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the amount of the proposed assessment]:

Name: _____

Address: _____

City, State: _____

Telephone Number: _____

I understand, and agree, that if I fail to appear at the place and time set for the requested Cost Recovery Hearing, as set forth in the Notice of Cost Recovery Hearing issued pursuant to Humboldt County Code Section 351-18, the amount of the proposed assessment will become final, and be summarily approved by the Humboldt County Board of Supervisors, ten (10) calendar days after service of the Notice of Nuisance Abatement Assessment pursuant to Humboldt County Code Section 351-21.

I hereby declare under the penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge.

Signature: _____

Date: _____

Name: _____

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, CHRISTINE WERNER, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Planning and Building Department, 3015 H Street, Eureka, California; that on July 8, 2022, I served a true copy of NOTICE OF NUISANCE ABATEMENT ASSESSMENT.

XXX by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, California, in the ordinary course of business as set forth below (First Class & Certified Mail):

Jessica Adams
7218 Summit Ridge
Eureka, CA 95503

David Mahle
7218 Summit Ridge
Eureka, CA 95503

Sarah Burke
7218 Summit Ridge
Eureka, CA 95503

_____ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

_____ by personally posting a true copy thereof on the premises located at:

_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

_____ by placing a true copy in the County's Mailroom designated to the attorney named below:

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

Executed on this 8th day of July 2022, in the City of Eureka, County of Humboldt, State of California.



Christine Werner – Investigator

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF HUMBOLDT)

I, CHRISTINE WERNER, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Planning and Building Department, 3015 H Street, Eureka, California; that on July 8, 2022, I served a true copy of **NOTICE OF NUISANCE ABATEMENT ASSESSMENT.**

_____ by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, California, in the ordinary course of business as set forth below (First Class & Certified Mail):

_____ by personally hand delivering a true copy thereof to the occupant who resides at the premises located at:

XXX by personally posting a true copy thereof on the premises located at:

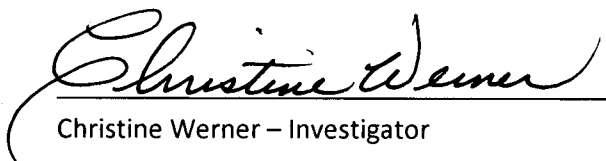
**7218 Summit Ridge
Eureka, CA 95503**

_____ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

_____ by placing a true copy in the County's Mailroom designated to the attorney named below:

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

Executed on this 8th day of July 2022, in the City of Eureka, County of Humboldt, State of California.



Christine Werner – Investigator