

ATTACHMENT E

Tahir #CE19-0141

APN 315-173-004

1. Recent Site History
2. Notice Documents July 2019
  - a. Cover Letter for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty
  - b. Notice of Violation and Proposed Administrative Civil Penalty
  - c. Notice to Abate Nuisance
  - d. Proof of Service for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty
3. Warning Letter March 2020
4. Search Warrant Inspection Report August 2021
5. Notice Documents August 2021
  - a. Cover Letter for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty
  - b. Notice of Violation and Proposed Administrative Civil Penalty
  - c. Notice to Abate Nuisance
  - d. Proof of Service for Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty
6. Abatement Review
7. Notice of Administrative Civil Penalty Assessment with Proof of Service (based on 2019 notices)

Recent Site History:  
APN: 315-173-004-000

Approximately **6,092 sq. ft.** of Cultivation

The screenshot displays the Humboldt County Internal Web GIS interface. At the top, the title bar includes "Humboldt County Internal Web GIS", "Planning & Building Department", "WebGIS Portal", "Comments", "Help", and "Legend Key". A search bar on the left contains the text "Parcel APN, or Location". The main map area shows an aerial view of a forested area with yellow parcel boundaries. A specific parcel is highlighted with a red semi-transparent overlay. A "Query" window is open on the right side of the map, displaying the following information:

Query	
OPTIONS	Results
Number of features found: 1	
APN:	315-173-004-000
Owner Name:	Tahir Jalal A
Situs Address:	
Situs City:	

At the bottom of the map, there is a scale bar and coordinates: "40.7007 -123.6253 Degrees". The bottom right corner features logos for "USDA FSA", "Humboldt County GIS", "Esri", "HERE", "Garmin", "IPC", and "esri".

Parcel Boundaries and Cultivation Site Reference Map



Recent Site History:  
APN: 315-173-004-000

Cultivation Site



June 3, 2016

Recent Site History:  
APN: 315-173-004-000

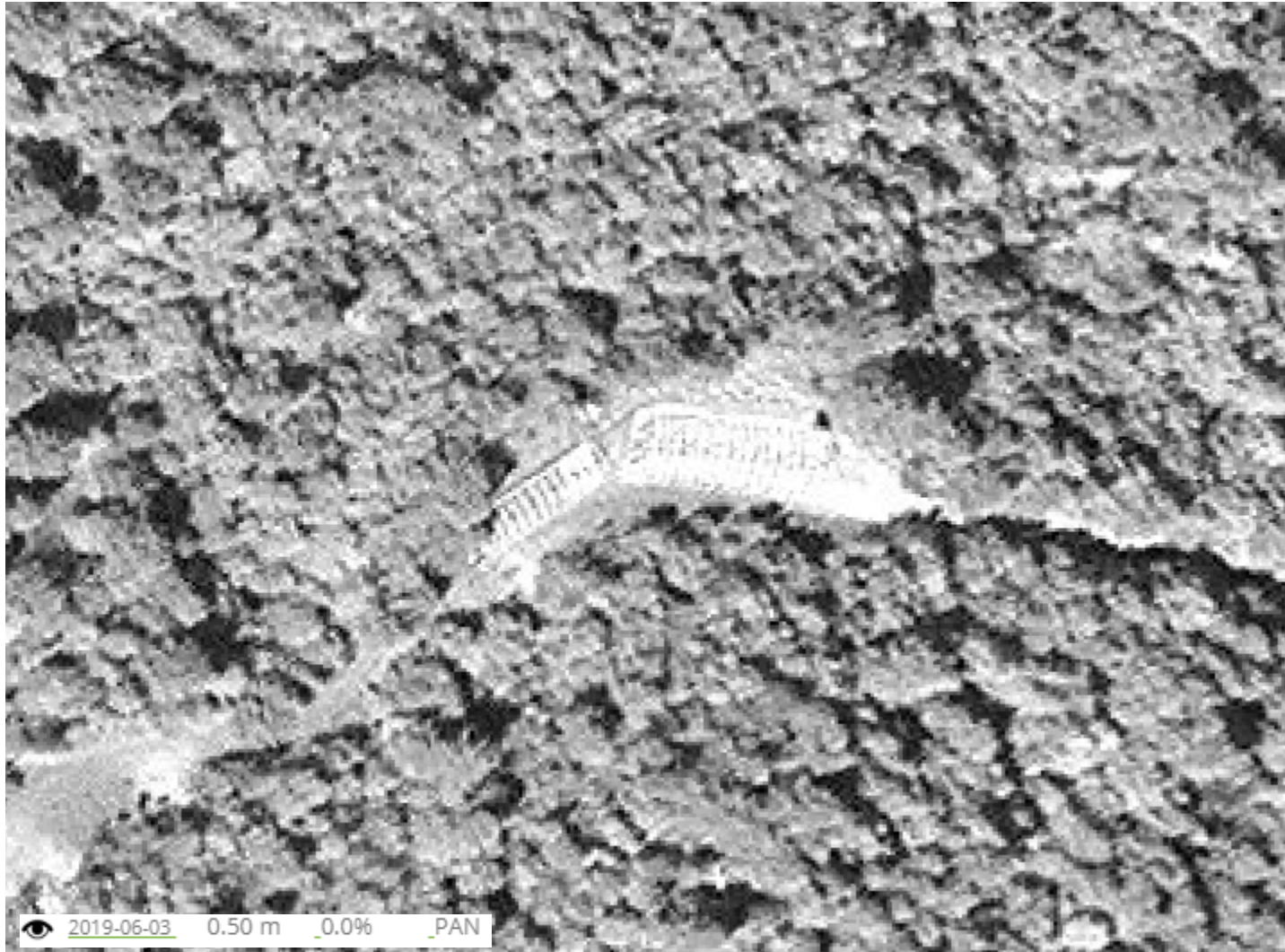
Cultivation Site



July 13, 2018

**Recent Site History:  
APN: 315-173-004-000**

**Cultivation Site**



**June 3, 2019**

**Recent Site History:  
APN: 315-173-004-000**

**Cultivation Site**



**July 18, 2019**





CODE ENFORCEMENT UNIT  
**COUNTY OF HUMBOLDT**

3015 H STREET  
EUREKA, CALIFORNIA 95501  
PHONE: (707) 476-2429 FAX: (707) 268-3792

July 30, 2019

Jalal A Tahir  
632 S 1st St. #12  
El Cajon, CA 92019

Re: Service of a Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty; Jalal A Tahir; US Forest Service Route 1, Blue Lake, CA 95525; APN(s): 315-173-004-000

To Jalal A Tahir:

The Code Enforcement Unit recently inspected your above described property and observed violations of County Code. We are serving you with the attached *Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty* for the following violations:

314-55.4.3:	<i>Violation of the Commercial Cannabis Land Use Ordinance</i>
331-28; 314-55.4.3:	<i>Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;</i>
	<i>Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance</i>

The Notices state the enforcement actions that can be taken to bring the property into compliance with Humboldt County Codes. Please also note that the attached *Notice of Violation and Proposed Administrative Civil Penalty* states that the County propose an administrative civil penalty in the amount of \$16,000 per day for a period of ninety days. The administrative civil penalty will begin to accumulate ten days after the Notice is served. The Notices list options that may be taken by you and/or the property owner in response to these Notices. If you are willing to bring the property into compliance with Humboldt County Codes but believe more than 10 days will be required to complete the work, the County of Humboldt may be willing to enter into a *Compliance Agreement* with the property owner and set an extended time frame to complete the corrective actions.

To discuss these documents and the required actions available to you If you have any questions or concerns about these documents or the code enforcement process in general, please feel free to call me at #707-476-2429 or email me at [BBowes1@co.humboldt.ca.us](mailto:BBowes1@co.humboldt.ca.us).

Sincerely,

Brian Bowes  
Investigator, Code Enforcement Unit

Enclosures:  
Notice to Abate Nuisance  
Notice of Violation and Proposed Administrative Civil Penalty



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

# NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

[Humboldt County Code §352-7]

**Address of Affected Property:**

US Forest Service Route 1, Blue Lake, CA 95525

**Assessor's Parcel Number:**

315-173-004-000

**To Owner:**

Jalal A Tahir  
632 S 1st St. #12  
El Cajon, CA 92019

**NOTICE IS HEREBY GIVEN** that conditions described in "Attachment A – Conditions Constituting a Violation" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "violation" pursuant to Humboldt County Code Section 352-3(t).

**YOU ARE HEREBY ORDERED** to **CORRECT** or **OTHERWISE REMEDY** said violation within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Violation" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, a daily administrative penalty of **Sixteen Thousand Dollars (\$16,000)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 352-5.

**NOTICE IS FURTHER GIVEN** that each calendar day the violation occurs, continues or exists between the date on which the civil administrative penalty is imposed and the date on which the violation is corrected or otherwise remedied shall constitute a separate violation up to the ninetieth (90<sup>th</sup>) calendar day.



**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that an appeal of the Code Enforcement Unit's determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty must be prepared using the form attached hereto as "Attachment C – Administrative Civil Penalty Appeal Hearing Request Form," and signed under penalty of perjury.

**NOTICE IS FURTHER GIVEN** that, upon receipt of an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Administrative Civil Penalty Appeal Hearing as set forth in Humboldt County Code Section 352-9.

**NOTICE IS FURTHER GIVEN** that the date of the Administrative Civil Penalty Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Appeal Hearing is served.

**NOTICE IS FURTHER GIVEN** that the imposition of the administrative civil penalty shall become final and the Code Enforcement Unit shall acquire jurisdiction to collect the full amount thereof, along with any and all administrative costs and/or attorney's fees associated therewith, as follows:

- Within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, if an appeal of the Code Enforcement Unit's determination that a violation has occurred, and/or an appeal of the amount of the administrative civil penalty, is not filed; or
- Within twenty (20) calendar days after service of the Finding of Violation and Order Imposing Administrative Civil Penalty, if a request for judicial review of the Hearing Officer's imposition of the final administrative civil penalty is not filed with the Humboldt County Superior Court as set forth in California Government Code Section 53069.4(b)(1)-(2); or
- Within ten (10) calendar days after service of the Humboldt County Superior Court's decision regarding the hearing officer's imposition of the final administrative civil penalty, if the Court finds in favor of the Code Enforcement Unit.

**NOTICE IS FURTHER GIVEN** that the final administrative civil penalty, along with any and all administrative costs and/or attorney's fees associated therewith, may become a lien against the property on which the violation occurred or exists that 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.

**NOTICE IS FURTHER GIVEN** that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

For the Humboldt County Code Enforcement Unit:

Signature: 

Title: Investigator

Name: Brian Bowes

Date: July 30, 2019

## ATTACHMENT A

### CONDITIONS CONSTITUTING A VIOLATION

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Violation Category (1-4)	Proposed Civil Administrative Penalty
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operation with approximately 6,091 square feet of cultivation.	4	\$8,000 per day
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Four greenhouse/hoop-house structures facilitating commercial cannabis activity and constructed contrary to the provisions of Humboldt County Code.	4	\$8,000 per day

# **ATTACHMENT B LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 28 and the Northeast Quarter of the Northeast Quarter of Section 33, Township 4 North, Range 5 East, Humboldt Meridian.



**ATTACHMENT C**  
**ADMINISTRATIVE CIVIL PENALTY APPEAL HEARING**  
**REQUEST FORM**

**Address of Affected Property:**

US Forest Service Route 1, Blue Lake, CA 95525

**Assessor's Parcel Number:**

315-173-004-000

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

Pursuant to Humboldt County Code Section 352-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the proposed administrative civil penalty is inappropriate under the circumstances, if applicable]: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the proposed administrative civil penalty is inappropriate under the circumstances, if applicable]: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

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: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_



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

# NOTICE TO ABATE NUISANCE

[Humboldt County Code §351-7]

**Address of Affected Property:**

US Forest Service Route 1, Blue Lake, CA 95525

**Assessor's Parcel Numbers:**

315-173-004-000

**Owners:**

Jalal A Tahir  
632 S 1st St. #12  
El Cajon, CA 92019

**NOTICE IS HEREBY GIVEN** that conditions described in “Attachment A – Conditions Constituting a Nuisance” exist on property situated in the County of Humboldt, State of California, as described in “Attachment B – Legal Description,” which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a “nuisance” pursuant to Humboldt County Code Section 351-3.

**YOU ARE HEREBY ORDERED** to **ABATE** said nuisance within ten (10) calendar days after service of this Notice to Abate Nuisance.

**NOTICE IS FURTHER GIVEN** that, if the Humboldt County Code Enforcement Unit determines that the condition or conditions causing said nuisance is imminently dangerous to human life or limb or is detrimental to the public health or safety, the Code Enforcement Unit may order that the affected property be vacated pending the correction or abatement of the condition or conditions causing the nuisance.

**NOTICE IS FURTHER GIVEN** that you may not retaliate against a lessee of the affected property pursuant to Section 1942.5 of the California Civil Code.

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an appeal of the determination that a nuisance exists on the affected property within ten (10) calendar days after service of this Notice to Abate Nuisance.

APN: 315-173-004-000

**NOTICE IS FURTHER GIVEN** that an appeal of the Code Enforcement Unit’s determination that a nuisance exists on the affected property must be prepared using the form attached hereto as “Attachment C – Code Enforcement Appeal Hearing Request Form.”

**NOTICE IS FURTHER GIVEN** that, upon receipt of an appeal of the determination that a Nuisance exists on the affected property, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Code Enforcement Appeal Hearing as set forth in Humboldt County Code Section 351-9.

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

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in “Attachment A – Conditions Constituting a Nuisance” is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice to Abate Nuisance, or in case of an appeal, the time limits set forth in the Finding of Nuisance and Order of Abatement, the Code Enforcement Unit may correct or abate the condition or conditions causing the nuisance on the affected property pursuant to Humboldt County Code Section 351-13.

**NOTICE IS FURTHER GIVEN** that the costs of the required abatement may become a charge against the affected property and made a special assessment against the property, and that said special assessment 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 costs of the required abatement 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.

**NOTICE IS FURTHER GIVEN** that any personal property collected by the Code Enforcement Unit during the correction or abatement of the condition or conditions causing the nuisance on the affected property may be sold in the same manner as surplus personal property of the County of Humboldt, and the proceeds from such sale shall be paid into the revolving fund created pursuant to the provisions of the Humboldt County Code.

For the Humboldt County Code Enforcement Unit:

Signature: 

Title: Investigator

Name: Brian Bowes

Date: July 30, 2019



## ATTACHMENT A

### CONDITIONS CONSTITUTING A NUISANCE

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Corrective Action Required
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operation with approximately 6,091 square feet of cultivation.	Cease all commercial cannabis cultivation operations and remove all cannabis and infrastructure supporting commercial cannabis including water infrastructure and power sources.
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Four greenhouse/hoop-house structures facilitating commercial cannabis activity and constructed contrary to the provisions of Humboldt County Code.	Remove all structures with a nexus to cannabis cultivation and constructed in violation of Humboldt County Code, including applying for and obtaining a demolition permit when applicable.

# **ATTACHMENT B**

## **LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 28 and the Northeast Quarter of the Northeast Quarter of Section 33, Township 4 North, Range 5 East, Humboldt Meridian.

# ATTACHMENT C

## CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

**Address of Affected Property:**

US Forest Service Route 1, Blue Lake, CA

**Assessor's Parcel Number:**

315-173-004-000

**To:** Humboldt County Code Enforcement Unit

3015 H Street  
Eureka California, 95501

Pursuant to Humboldt County Code Section 351-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination that a nuisance exists on the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

[Brief statement of the material facts that the requesting party claims support the contention that a nuisance does not exist on the affected property]: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination that a nuisance exists on the affected property]:

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 appeal hearing, as set forth in the Notice of Code Enforcement Appeal Hearing issued pursuant to Humboldt County Code Section 351-9, the Code Enforcement Unit's determination that a nuisance exists on the affected property will become final after ten (10) calendar days after service of the Notice to Abate Nuisance pursuant to Humboldt County Code Section 351-13.

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: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_



PROOF OF SERVICE

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF HUMBOLDT )

I, TASHEENA EVENSON, 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 30, 2019 I served a true copy **NOTICE TO ABATE NUISANCE AND NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY.**

  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 and Cert.)

Jalal A Tahir  
632 S 1st St. #12  
El Cajon, CA 92019

           by personally hand delivering a true copy thereof to the occupant 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 30 day of July, 2019, in the City of Eureka, County of Humboldt, State of California.



Tasheena Evenson - Code Enforcement Legal Office Assistant

PROOF OF SERVICE

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF HUMBOLDT )

I, Branden Howton, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on July 30, 2019, I served a true copy of **NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTIES & NOTICE TO ABATE NUISANCE.**

\_\_\_\_\_ by placing a true copy thereof enclosed in a sealed envelope and depositing the envelope at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar, addressed as set forth below:

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

X \_\_\_\_\_ by personally posting a true copy thereof on a gate allowing access to property:  
**US Forest Service Route 1, Blue Lake, CA 95525**  
**APN: 315-173-004-000; GPS 40.68097, -123.60607**

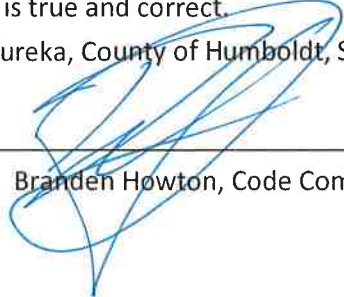
\_\_\_\_\_ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below:

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

\_\_\_\_\_ by fax as set forth below:

\_\_\_\_\_ by electronic service as set forth below:

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on this 30 day of July, 2019, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Branden Howton, Code Compliance Officer



County of Humboldt  
Planning & Building Dept.  
Code Enforcement  
3015 H Street  
Eureka, CA 95501

March 09, 2020

## OVER 90 DAYS UNRESOLVED WARNING: NOTICE TO ABATE NUISANCE AND NOTICE OF VIOLATION

Jalal A Tahir  
3931 E St. Apt. A  
Eureka, CA 95503

Case Number: CE19-0141  
APN: 315-173-004-000

To Jalal A Tahir:

On July 30, 2019, the Code Enforcement Unit served you with a *Notice to Abate Nuisance* and a *Notice of Violation and Proposed Administrative Civil Penalty* ("Notice of Violation") pertaining to the violations that had occurred and/or exist on the property described as Assessor's Parcel Number 315-173-004-000 ("Subject Property"). These Notices notified you that a daily administrative civil penalty in the amount of \$16,000 would be imposed for a period of up to ninety (90) days if the required corrective action(s) were not completed within ten (10) calendar days after service


**This letter is to inform you that more than ninety (90) days have passed since the ten (10) day period to abate the nuisance(s) and correct the violation(s) has expired.** To date, our department has not received sufficient evidence of timely abatement in order to close the case and release the Notices nor has a compliance agreement been entered into between yourself and the County of Humboldt to stay enforcement and collection of the above-referenced daily administrative civil penalty in exchange for your promise to settle and resolve the violations within agreed to timelines.

**As a result, the daily administrative civil penalty in the amount of \$16,000 has accrued for a maximum of ninety (90) days.** At this time, the Code Enforcement Unit has jurisdiction to collect the total amount of accrued daily administrative civil penalty and could proceed to formally assess the administrative civil penalty and initiate the process of recording a lien on the property for the assessed penalty.

Please contact Code Enforcement staff within ten (10) days of receiving this letter to discuss outstanding Notices and the options available to you to bring the property into compliance and to settle and resolve case.

To contact Code Enforcement, call the Code Enforcement Line at (707) 476-2429 or e-mail Code Compliance Officer, Warren Black, at [WBlack2@co.humboldt.ca.us](mailto:WBlack2@co.humboldt.ca.us). Thank you for your cooperation.

### **COUNTY OF HUMBOLDT:**

By:   
Code Enforcement Investigator, Brian Bowes  
Humboldt County Planning and Building Department

Date: March 09, 2020

**County of Humboldt Code Enforcement Unit  
Inspection Notes**

<b>Inspector: Branden Howton</b>	<b>Date: August 05, 2021</b>
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<b>PROPERTY DETAILS</b>	
<b>Type of Inspection:</b> Search Warrant	<b>Main Agency:</b> HCSO
<b>Property Name(s):</b> Jalal Tahir 3931 E St. #A Eureka, CA 95503	<b>APN(s):</b> 315-173-004-000
<b>Situs Address/Area:</b> USFS Route 1	<b>Zoning:</b> TPZ
<b>Ownership History; Purchased:</b> September 23, 2016	<b>Grant Deed:</b> 2016-18069

<b>Planning &amp; Building Records</b>	
<b>Permits / Applications:</b> None.	<b>Applicant:</b>
<b>Special Notes:</b> Initial Contact made in March 2020. None since.	<b>CEU Case:</b> CE19-0141

<b>INSPECTION DETAILS</b>	
<b>Meet up:</b> Berry Summit Overlook	<b>Time:</b> 0700
<b>Other Agencies:</b>	

**SUMMARY: 315-173-004-000 Jalal Tahir**

In support of Law Enforcement Operations on August 09, 2021, at approximately 08:45, I accompanied the Humboldt County Sheriff's Office (HCSO) on a Search Warrant for parcel number 315-173-004-000, located on USFS Route 1. Other agencies on scene were the California Department of Fish and Wildlife (CDFW), AP Helicopter, National Guard, US Ranger Service, Counter Drug Task Force, and County Hazmat. Once the area was secured for entry, I entered the property and conducted a site inspection on behalf of Humboldt County Code Enforcement where I verified and documented the violations of Improper Storage and / or Removal of Solid Waste, Unpermitted Well, Use of a Recreational Vehicle as a Residence, Unapproved Sewage Disposal System, Construction in Violation of Building Codes, Grading without Permits, and Violation of the Humboldt County Commercial Cannabis Land Use Ordinance (CCLUO).

315-174-003-0000

I immediately noted a well on the road allowing access to the rest of the property. At time of inspection, it did not have a pump attached to it but it did appear to a recent well as no dirt or weathering was apparent on the cement pad surrounding the caisson / riser. Research found no permits for the well constituting a violation of unpermitted well. Had a water line been attached to the riser, a violation of non-approved water supply system would have been noted.

Area 1

I then made my way to the cannabis cultivation operation on the property. The operation was taking place on a graded area (Graded Flat 1) near the center of the property. Graded Flat 1 measured approximately 14,300 ft<sup>2</sup> in area, had a high geo instability rating, and was found on a slope listed as 15 – 50%. I also noted Greenhouse 1 was on a separate terrace than Greenhouses 2 and 3, and a 10' foot cut bank was located on the Northwest side of the flat.

Any graded area where excess of 50 cubic yards of earth is moved, or is in a moderate to high geo instability area, or has a 15% or greater slope, or is created for the placement of structures upon it requires a grading permit. Since no such permits associated with this parcel were located, a violation of unpermitted grading is warranted.

I documented three (3) greenhouse structures (Greenhouses 1 -3) built from PVC conduit using wood for bracing on Graded Flat 1. Each of the greenhouses were found to have raised beds filled with soil containing perlite. Greenhouse 1 was void of cannabis at time of inspection, but on the adjacent property to the North (315-173-004-000), also owned by Jalal Tahir, I located a wooden structure (Dry Shed) filled with hanging cannabis. Since all other greenhouses located on the properties still had growing cannabis within, this suggests the



cannabis from Greenhouse 1 was harvested and placed into the Dry Shed for processing. Details of the greenhouses can be found in the “Locations of Interest” section below.

Only Six (6) cannabis plants per permitted residential structure, per parcel is allowed per California State Ordinances, and Humboldt County Code, without the proper County Permits and State Licenses. Additionally, any structure measuring 120 ft<sup>2</sup> or larger in size requires a permit per Humboldt County Code 331-11. Since no permits were found associated with this site, violations of unpermitted structures and the CCLUO were noted for each greenhouse.

Surrounding Graded Flat 1, I also noted two (2) Recreational Vehicles (RV) and multiple structures being utilized. One RV was found to have been empty and according to HCSO staff, was until recently on its side. The other RV was being used as a residence so a violation of such was noted.

The three (3) structures located on site were all constructed of wood and had a pier-and-post foundation. There was an Outhouse, Shower (Building 1), and residence (Building 2). Also surrounding Graded Flat 1 were multiple piles of solid waste. Although the structures found are below the 120 ft<sup>2</sup> threshold requiring a building permit, the purpose for which the structures were being utilized also requires a permit. For this reason, violations of unpermitted sewage disposal system and violations of the Building Code were noted. Further details of these items are in the “Locations of Interest” section below.

315-173-004-000

## Area 2

I then headed to the next Parcel (315-173-004-000) located North of 315-174-003-000. This parcel is also owned by Jalal Tahir and consists of two (2) areas, each with greenhouses and supporting infrastructure for the cannabis cultivation operation.

Area 2 is found on the Southern part of the parcel and encompasses two (2) graded flats (Graded Flats 2 and 3), each with a greenhouse upon it, and a few wooden buildings. Graded Flat 2 measured 7,700 ft<sup>2</sup> in area and Graded Flat 3 measured 8,600 ft<sup>2</sup>. Both had a high geo instability rating and were found on slopes listed as 0 – 30%.

The two (2) greenhouses (Greenhouse 4 on Graded Flat 2 and Greenhouse 5 on Graded Flat 3) located in Area 2 are of the same construction as those found in Area 1 on parcel 315-074-003-000. Each contained flowering cannabis standing 3’ – 6’ feet in height placed in raised beds. Measurements and details of Greenhouses 4 and 5 are located in the “Locations of Interest” section below.

To the West of Greenhouse 4, I located a wooden structure (Dry Shed) measuring 640 ft<sup>2</sup> in size. The Dry Shed was filled with bucked cannabis plants hanging from metal lines spanning the width of the building. Additionally, I noted electrical and venting installed throughout the

building. Again, any structure measuring 120 ft<sup>2</sup> or larger in size requires a permit per Humboldt County Code 331-11. Since no permits were found associated with this site, violations of unpermitted structures were noted.

Moreover, all the greenhouses located on this property, Greenhouses 4 – 8, were filled with growing cannabis. The only greenhouse found during the service of this warrant where the cannabis plants were harvested, was located on the adjacent parcel 315-174-003-000. As stated before, both parcels have the same property owner. This suggests the unpermitted cannabis cultivation operations occurring on both parcels are part of one larger operation.

Just behind the Dry Shed, to the West, I located another wooden structure (Building 3). Building 3 measured 64 ft<sup>2</sup> in size and was being utilized for storage of wood.

Slightly to the North of these buildings, I located another Outhouse building, as well as a shower (Building 4). This is an additional violation of unpermitted sewage disposal system. The Outhouse and shower will have to be removed and the pit filled in for the violations to be abated.

I also documented a set of water tanks (Water Tanks 1) consisting of two (2) tanks with a total capacity of 5,600 – gallons.

### Area 3

Area 3 is found on the Northern part of the parcel (315-173-004-000) and consists of one (1) graded flat (Graded Flat 4), with three (3) greenhouses (Greenhouses 6 – 8) upon it. Graded Flat 4 measured 14,800 ft<sup>2</sup> in area, has a high geo instability rating and was found on a slope listed as 30 – 50%.

Once again, any graded area where excess of 50 cubic yards of earth is moved, or is in a moderate to high geo instability area, or has a 15% or greater slope, or is created for the placement of structures upon it requires a grading permit. Since no such permits associated with this parcel were located, a violation of unpermitted grading is warranted.

The three (3) greenhouses located in Area 3 (Greenhouses 6, 7 and 8) were also of the same construction as those found in Area 1 located on 315-174-003-000 to the South and Area 2 of this parcel. This suggests the cannabis cultivation operations in all three (3) areas are related and not being performed by separate individuals. They all contained budding cannabis standing 3' – 4' feet in height placed in raised beds. Additional details are located in the "Locations of Interest" section below.

On the South side of Graded Flat 4, I documented set of water tanks (Water Tanks 2). The set of three (3) water tanks had a total capacity of 7,500 – gallons and appeared to be feeding the cannabis cultivation located here.

I also noted several piles of solid waste throughout both properties. CDFW and Water Boards personnel found an illegal point of diversion used to fill the water tanks supplying the cannabis cultivation operation.

This concludes my report. Reference Map included below.

<b>Locations of Interest: 315-174-003-000 Jalal Tahir (Area 1)</b>			
<b>Lat.</b>	<b>Long.</b>	<b>Description</b>	<b>Violation</b>
40.68894	-123.61122	Well	631-3
40.68830	-123.61108	Water tanks	314-55.4
		<b>Area 1</b>	
40.68831	-123.61022	Graded Flat 1; 14,300 ft <sup>2</sup> ; 15 – 50% slope, high geo instability, terraced; Location of Greenhouses 1 – 3, RV 1 and RV 2, Outhouse, and Building 1.	314-55.4 331-14
40.688831	-123.61039	Greenhouse 1; 720 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting; Cannabis; void, recently harvested, raised beds.	314-55.4 331-28
40.68840	-123.61010	Greenhouse 2; 780 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting, plumbing; Cannabis; flowering, 3' – 5' feet in height, raised beds.	314-55.4 331-28
40.68848	-123.61014	Greenhouse 3; 780 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting, plumbing; Cannabis; flowering, 3' – 5' feet in height, raised beds.	314-55.4 331-28
40.68866	-123.61001	RV 1; unused, solid waste.	521-4
40.68815	-123.61032	RV 2; used as residence, sewage discharge.	314-81.1
40.68851	-123.61001	Outhouse; outside pit toilet.	331-28 611-3
40.68851	-123.60996	Building 1; 16 ft <sup>2</sup> ; wooden, used as shower.	331-28
40.68845	-123.61002	Building 2; 96 ft <sup>2</sup> ; wooden; electrical, lighting; pier-and-post foundation. Used as Residence.	331-28

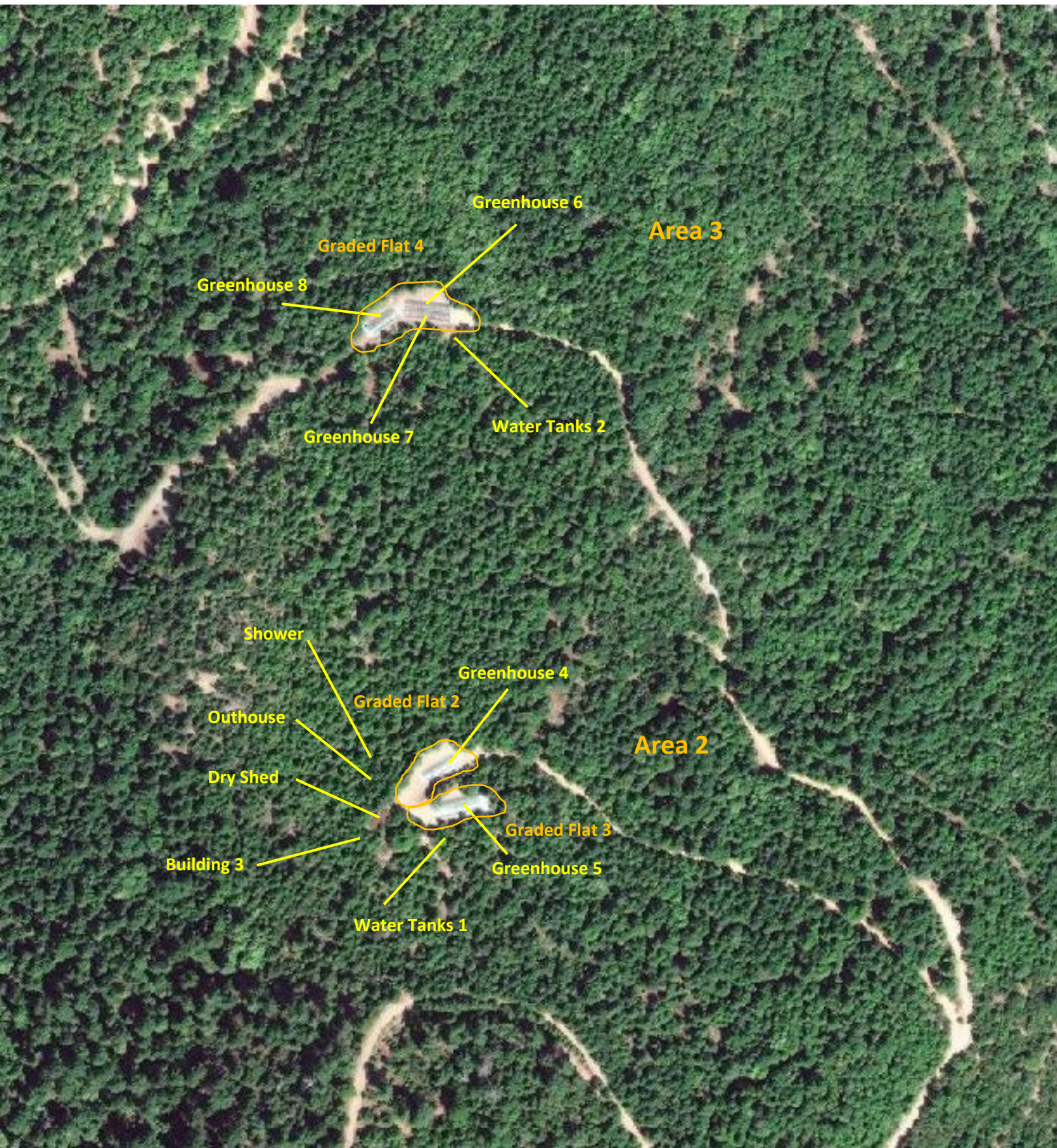
<b>Locations of Interest: 315-173-004-000 Jalal Tahir (Areas 2 &amp; 3)</b>			
<b>Lat.</b>	<b>Long.</b>	<b>Description</b>	<b>Violation</b>
		<b>Area 2</b>	
40.69157	-123.61286	Graded Flat 2; 7,700 ft <sup>2</sup> ; 0 – 30% slope, high geo instability; Location of Greenhouse 4.	314-55.4 331-14
40.69153	-123.61283	Greenhouse 4; 1,254 ft <sup>2</sup> ; PVC with wood bracing; plumbing; Cannabis; flowering, 3' – 6' feet in height, raised beds, plastic netting.	314-55.4 331-28
40.69132	-123.61282	Graded Flat 3; 8,600 ft <sup>2</sup> ; 0 – 30% slope, high geo instability; Location of Greenhouses 5.	314-55.4 331-14
40.69136	-123.61272	Greenhouse 5; 2,158 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting, plumbing; Cannabis; flowering, 3' – 5' feet in height, raised beds, netting.	314-55.4 331-28
40.69129	-123.61323	Dry Shed; 640 ft <sup>2</sup> ; wooden; electrical, venting; pier-and-post foundation; Used to dry and process cannabis.	314-55.4 331-28
40.69124	-123.61331	Building 3; 64 ft <sup>2</sup> ; used as storage.	
40.69142	-123.61321	Outhouse; pit toilet.	331-28 611-3
40.69145	-123.61322	Building 4; 32 ft <sup>2</sup> ; shower.	331-28
40.69121	-123.61282	Water Tanks 1; two tanks; capacity 5,600 – gallons. 1 @ 3,000 – gallons. 1 @ 2,600 – gallons.	314-55.4
		<b>Area 3</b>	
40.69371	-123.61305	Graded Flat 4; 13,600 ft <sup>2</sup> ; 30 – 50% slope, high geo instability; Location of Greenhouses 6 – 8, Water Tanks 2.	314-55.4 331-14
40.69371	-123.61289	Greenhouse 6; 1,200 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting, plumbing; Cannabis; budding, 3' – 5' feet in height, raised beds.	314-55.4 331-28
40.69366	-123.61294	Greenhouse 7; 1,200 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting, plumbing; Cannabis; budding, 3' – 5' feet in height, raised beds.	314-55.4 331-28
40.69364	-123.61322	Greenhouse 8; 1,080 ft <sup>2</sup> ; PVC with wood bracing; electrical, lighting, plumbing; Cannabis; budding, 3' – 5' feet in height, raised beds.	314-55.4 331-28
40.69357	-123.61277	Water Tanks 2; three tanks; capacity 7,500 – gallons. 3 @ 2,500 – gallons.	314-55.4

<b>VIOLATIONS FOR PARCEL: 315-174-003-000 Jalal Tahir (Area 1)</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	1,560 ft <sup>2</sup>
331-14	Grading Without Permits	14,300 ft <sup>2</sup>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	6
611-3	Unapproved Sewage Disposal System	1
631-3	Unpermitted Well	1
314-81.1	Use of a Recreational Vehicle or Mobile Home as a Residence	1
521-4	Improper Storage and Removal of Solid Waste	6

<b>VIOLATIONS FOR PARCEL: 315-173-004-000 Jalal Tahir (Areas 2 &amp; 3)</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	6,892 ft <sup>2</sup>
331-14	Grading Without Permits	29,900 ft <sup>2</sup>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	8
611-3	Unapproved Sewage Disposal System	1
521-4	Improper Storage and Removal of Solid Waste	14

<b>NOTES: 315-174-003-000 / 315-173-004-000 Jalal Tahir</b>	
<b>Number of Plants:</b>	4,037 cannabis plants eradicated
<b>Processed:</b>	None
<b>People on Site:</b>	None
<b>Other Notes:</b>	<p>Due to connectivity, and proximity to one another, I wrote one report for APNs 315-174-003-000 and 315-173-004-000. Both properties are owned by the same person, Jalal Tahir, and have the same status. The "Locations of Interest" and "Violations for Parcel" are separated by parcel numbers.</p>









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 No.:

August 19, 2021

Jalal A Tahir  
3931 E St. #A  
Eureka, CA 95503

Re: Service of a Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty; Jalal A Tahir; ; APN(s): 315-173-004-000

To Jalal A Tahir:

The Code Enforcement Unit recently inspected your above described property and observed violations of County Code. We are serving you with the attached **Notice to Abate Nuisance & Notice of Violation and Proposed Administrative Civil Penalty** for the following violations:

314-55.4.3:	<i>Violation of the Commercial Cannabis Land Use Ordinance</i>
314-61.1; 314-55.4.3:	<i>Development within a Streamside Management Area; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance</i>
331-14; 314-55.4.3:	<i>Grading without Permits; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance</i>
331-28; 314-55.4.3:	<i>Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes; Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance</i>
521-4:	<i>Improper Storage and Removal of Solid Waste</i>
611-3:	<i>Unapproved Sewage Disposal System</i>

The **Notice to Abate Nuisance** states the enforcement actions that can be taken to bring the property into compliance with Humboldt County Codes. Please also note that the attached **Notice of Violation and Proposed Administrative Civil Penalty** states that the County proposes an **administrative civil penalty in the amount of \$42,000.00 per day** for a period of ninety days. **The administrative civil penalty will begin to accumulate ten days after the Notice is served if required corrective actions are not completed.** The Notices list options that may be taken by you and/or the property owner in response to these Notices.

To discuss these documents and the required actions available to you, please feel free to call or email Code Enforcement Liaison Officer Warren Black at phone # 707-441-2636 or email [WBlack2@co.humboldt.ca.us](mailto:WBlack2@co.humboldt.ca.us)

Sincerely,

A handwritten signature in blue ink that reads "B Bowes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brian Bowes  
Investigator, Code Enforcement Unit

Enclosures:

Notice to Abate Nuisance

Notice of Violation and Proposed Administrative Civil Penalty



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

Government Code § 27383

# NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY

[Humboldt County Code §352-7]

**Address of Affected Property:**

**Assessor's Parcel Number:**

315-173-004-000

**To Owner:**

Jalal A Tahir  
3931 E St. #A  
Eureka, CA 95503

**NOTICE IS HEREBY GIVEN** that conditions described in "Attachment A – Conditions Constituting a Violation" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "violation" pursuant to Humboldt County Code Section 352-3(t).

**YOU ARE HEREBY ORDERED** to **CORRECT** or **OTHERWISE REMEDY** said violation within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Violation" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, a daily administrative penalty of **Forty-Two Thousand Dollars (\$42,000.00)** will be imposed for a period of up to ninety (90) calendar days pursuant to Humboldt County Code Section 352-5.

**NOTICE IS FURTHER GIVEN** that each calendar day the violation occurs, continues or exists between the date on which the civil administrative penalty is imposed and the date on which the violation is corrected or otherwise remedied shall constitute a separate violation up to the ninetieth

APN: 315-173-004-000

(90<sup>th</sup>) calendar day.

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty.

**NOTICE IS FURTHER GIVEN** that an appeal of the Code Enforcement Unit's determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty must be prepared using the form attached hereto as "Attachment C – Administrative Civil Penalty Appeal Hearing Request Form," and signed under penalty of perjury.

**NOTICE IS FURTHER GIVEN** that, upon receipt of an appeal of the determination that a violation has occurred or exists and/or the amount of the proposed administrative civil penalty, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Administrative Civil Penalty Appeal Hearing as set forth in Humboldt County Code Section 352-9.

**NOTICE IS FURTHER GIVEN** that the date of the Administrative Civil Penalty Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Appeal Hearing is served.

**NOTICE IS FURTHER GIVEN** that the imposition of the administrative civil penalty shall become final and the Code Enforcement Unit shall acquire jurisdiction to collect the full amount thereof, along with any and all administrative costs and/or attorney's fees associated therewith, as follows:

- Within ten (10) calendar days after service of this Notice of Violation and Proposed Administrative Civil Penalty, if an appeal of the Code Enforcement Unit's determination that a violation has occurred, and/or an appeal of the amount of the administrative civil penalty, is not filed; or
- Within twenty (20) calendar days after service of the Finding of Violation and Order Imposing Administrative Civil Penalty, if a request for judicial review of the Hearing Officer's imposition of the final administrative civil penalty is not filed with the Humboldt County Superior Court as set forth in California Government Code Section 53069.4(b)(1)-(2); or
- Within ten (10) calendar days after service of the Humboldt County Superior Court's decision regarding the hearing officer's imposition of the final administrative civil penalty, if the Court finds in favor of the Code Enforcement Unit.

**NOTICE IS FURTHER GIVEN** that the final administrative civil penalty, along with any and all administrative costs and/or attorney's fees associated therewith, may become a lien against the property on which the violation occurred or exists that 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.

**NOTICE IS FURTHER GIVEN** that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

For the Humboldt County Code Enforcement Unit:

Signature: 

Title: Investigator

Name: Brian Bowes

Date: August 19, 2021

## ATTACHMENT A

### CONDITIONS CONSTITUTING A VIOLATION

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Violation Category (1-4)	Proposed Civil Administrative Penalty
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operation with approximately 6,892 square feet of cultivation.	4	\$10,000.00
314-61.1; 314-55.4.3	Development within a Streamside Management Area;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Points of diversion from watercourse to support cannabis cultivation operation.	4	\$10,000.00
331-14; 314-55.4.3	Grading without Permits;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Development without permits in or around an excess of 50 cubic yards of cut/fill, to support a structure, on slopes greater than 15%, or in a moderate to high geo-instability area, to facilitate commercial cannabis cultivation activity.	4	\$10,000.00
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Six (6) structures facilitating commercial cannabis activity and constructed contrary to the provisions of Humboldt County Code.	4	\$10,000.00
521-4	Improper Storage and Removal of Solid Waste	Multiple piles of solid waste.	4	\$1,000.00
611-3	Unapproved Sewage Disposal System	Outhouse toilet.	4	\$1,000.00



# ATTACHMENT B LEGAL DESCRIPTION

**For APN/Parcel ID(s): 315-173-004 and 315-174-003**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 28 and the Northeast Quarter of the Northeast Quarter of Section 33, Township 4 North, Range 5 East, Humboldt Meridian.

**ATTACHMENT C**  
**ADMINISTRATIVE CIVIL PENALTY APPEAL HEARING**  
**REQUEST FORM**

**Address of Affected Property:**

**Assessor's Parcel Number:**  
315-173-004-000

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

Pursuant to Humboldt County Code Section 352-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]:

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[Brief statement of the material facts that the requesting party claims support the contention that the amount of the proposed administrative civil penalty is inappropriate under the circumstances, if applicable]:

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[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City, State: \_\_\_\_\_

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: \_\_\_\_\_



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

Government Code § 27383

# **NOTICE TO ABATE NUISANCE**

[Humboldt County Code §351-7]

**Address of Affected Property:**

**Assessor's Parcel Numbers:**

315-173-004-000

**Owners:**

Jalal A Tahir  
3931 E St. #A  
Eureka, CA 95503

**NOTICE IS HEREBY GIVEN** that conditions described in "Attachment A – Conditions Constituting a Nuisance" exist on property situated in the County of Humboldt, State of California, as described in "Attachment B – Legal Description," which are in violation of state law and/or the Humboldt County Code. Such conditions exist to an extent that constitutes a "nuisance" pursuant to Humboldt County Code Section 351-3.

**YOU ARE HEREBY ORDERED to ABATE** said nuisance within ten (10) calendar days after service of this Notice to Abate Nuisance.

**NOTICE IS FURTHER GIVEN** that, if the Humboldt County Code Enforcement Unit determines that the condition or conditions causing said nuisance is imminently dangerous to human life or limb or is detrimental to the public health or safety, the Code Enforcement Unit may order that the affected property be vacated pending the correction or abatement of the condition or conditions causing the nuisance.

**NOTICE IS FURTHER GIVEN** that you may not retaliate against a lessee of the affected property pursuant to Section 1942.5 of the California Civil Code.

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an appeal of the determination that a nuisance exists on the affected property within ten (10) calendar days after service of this Notice to Abate Nuisance.

APN: 315-173-004-000

**NOTICE IS FURTHER GIVEN** that an appeal of the Code Enforcement Unit's determination that a nuisance exists on the affected property must be prepared using the form attached hereto as "Attachment C – Code Enforcement Appeal Hearing Request Form."

**NOTICE IS FURTHER GIVEN** that, upon receipt of an appeal of the determination that a Nuisance exists on the affected property, the Code Enforcement Unit shall set the matter for hearing before a County appointed hearing officer and issue a Notice of Code Enforcement Appeal Hearing as set forth in Humboldt County Code Section 351-9.

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

**NOTICE IS FURTHER GIVEN** that, if the required corrective action or actions set forth in "Attachment A – Conditions Constituting a Nuisance" is not commenced, prosecuted and completed within ten (10) calendar days after service of this Notice to Abate Nuisance, or in case of an appeal, the time limits set forth in the Finding of Nuisance and Order of Abatement, the Code Enforcement Unit may correct or abate the condition or conditions causing the nuisance on the affected property pursuant to Humboldt County Code Section 351-13.

**NOTICE IS FURTHER GIVEN** that the costs of the required abatement may become a charge against the affected property and made a special assessment against the property, and that said special assessment 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 costs of the required abatement 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.

**NOTICE IS FURTHER GIVEN** that any personal property collected by the Code Enforcement Unit during the correction or abatement of the condition or conditions causing the nuisance on the affected property may be sold in the same manner as surplus personal property of the County of Humboldt, and the proceeds from such sale shall be paid into the revolving fund created pursuant to the provisions of the Humboldt County Code.

For the Humboldt County Code Enforcement Unit:

Signature: 

Title: Investigator

Name: Brian Bowes

Date: August 19, 2021

## ATTACHMENT A CONDITIONS CONSTITUTING A NUISANCE

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Corrective Action Required
314-55.4.3	Violation of the Commercial Cannabis Land Use Ordinance	Unpermitted commercial cannabis operation with approximately 6,892 square feet of cultivation.	Cease all commercial cannabis cultivation operations and remove all cannabis and infrastructure supporting commercial cannabis including water infrastructure and power sources.
314-61.1; 314-55.4.3	Development within a Streamside Management Area;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Points of diversion from watercourse to support cannabis cultivation operation.	Remove impermanent materials from waterway. If applicable, submit and obtain approval for a restoration plan to remediate development in Streamside Management Area. Obtain all permits needed for restoration, complete the approved work, and pass a final inspection.
331-14; 314-55.4.3	Grading without Permits;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Development without permits in or around an excess of 50 cubic yards of cut/fill, to support a structure, on slopes greater than 15%, or in a moderate to high geo-instability area, to facilitate commercial cannabis cultivation activity.	Submit and obtain approval for a restoration plan that provides for the remediation of the graded area(s). Obtain all permits required for approved restoration plan, complete the approved work, and pass a final inspection.
331-28; 314-55.4.3	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes;  Facilities/Activities in Violation of the Commercial Cannabis Land Use Ordinance	Six (6) structures facilitating commercial cannabis activity and constructed contrary to the provisions of Humboldt County Code.	Remove all structures with a nexus to cannabis cultivation and constructed in violation of Humboldt County Code, including applying for and obtaining a demolition permit when applicable.
521-4	Improper Storage and Removal of Solid Waste	Multiple piles of solid waste.	Contain & dispose of all solid waste properly
611-3	Unapproved Sewage Disposal System	Outhouse toilet.	Apply for & receive permit from Environmental Health Department for sewage disposal system

# ATTACHMENT B LEGAL DESCRIPTION

**For APN/Parcel ID(s): 315-173-004 and 315-174-003**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 28 and the Northeast Quarter of the Northeast Quarter of Section 33, Township 4 North, Range 5 East, Humboldt Meridian.



# ATTACHMENT C

## CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

Address of Affected Property:

Assessor's Parcel Number:

315-173-004-000

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

Pursuant to Humboldt County Code Section 351-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination that a nuisance exists on the above-referenced property.

[Brief statement setting forth the interest that the requesting party has in the Code Enforcement Unit's determination that a violation has occurred or exists on the affected property]: \_\_\_\_\_

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[Brief statement of the material facts that the requesting party claims support the contention that a nuisance does not exist on the affected property]: \_\_\_\_\_

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[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination that a nuisance exists on the affected property]:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City, State: \_\_\_\_\_

I understand, and agree, that if I fail to appear at the place and time set for the requested appeal hearing, as set forth in the Notice of Code Enforcement Appeal Hearing issued pursuant to Humboldt County Code Section 351-9, the Code Enforcement Unit's determination that a nuisance exists on the affected property will become final after ten (10) calendar days after service of the Notice to Abate Nuisance pursuant to Humboldt County Code Section 351-13.

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, DELILAH MOXON, 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 August 24, 2021 I served a true copy **NOTICE TO ABATE NUISANCE AND NOTICE OF VIOLATION AND PROPOSED ADMINISTRATIVE CIVIL PENALTY.**

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 and Cert.)

**Jalal A Tahir  
3931 E St. #A  
Eureka, CA 95503**

\_\_\_\_\_ by personally hand delivering a true copy thereof to the occupant at the premises located at:

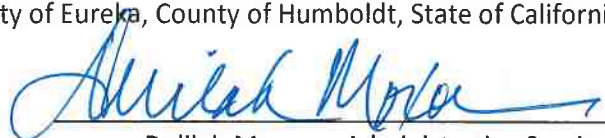
\_\_\_\_\_ by personally posting a true copy thereof on the premises located at:

\_\_\_\_\_ 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 24<sup>th</sup> day of August, 2021, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Delilah Moxon – Administrative Services Manager





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

# NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT

[Humboldt County Code §352-15]

**Address of Affected Property:**

**Assessor's Parcel Number:**  
315-173-004-000

**Owner:**  
Jalal A Tahir  
3931 E St. #A  
Eureka, CA 95503

**NOTICE IS HEREBY GIVEN** that a final administrative civil penalty in the amount of **One Million Eight Hundred Thousand Dollars (\$1,800,000.00)** has been imposed based on the Humboldt County Code Enforcement Unit's determination that a violation, as defined by Humboldt County Code Section 352-3(t), has occurred or exists on the above-referenced property situated in the County of Humboldt, State of California, as described in "Attachment A – Legal Description."

**NOTICE IS FURTHER GIVEN** that the Code Enforcement Unit will seek to levy an administrative civil penalty assessment against the property on which the violation occurred or exists in the amount of **One Million Eight Hundred One Thousand Three Hundred Twenty-Seven Dollars and thirty-nine cents (\$1,801,327.39)** in order to collect the administrative civil penalty and recover the administrative costs and/or attorney's fees, as described in "Attachment B – Account of Costs Incurred," associated with the actions taken by the Code Enforcement Unit to impose the administrative civil penalty, as described in "Attachment C – Actions Required to Impose Administrative Civil Penalty."

**NOTICE IS FURTHER GIVEN** that you may file with the Code Enforcement Unit an objection to the proposed assessment that is limited to the amount of the administrative civil penalty, and/or the amount of the administrative costs and/or attorney's fees associated therewith, within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

APN: 315-173-004-000

**NOTICE IS FURTHER GIVEN** that an objection to the proposed assessment, must be prepared using the form attached hereto as "Attachment D – Administrative Civil Penalty Assessment Appeal Hearing Request Form," and signed under penalty of perjury.


**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 Administrative Civil Penalty Assessment Appeal Hearing as set forth in Humboldt County Code Section 352-17.

**NOTICE IS FURTHER GIVEN** that the date of the Administrative Civil Penalty Assessment Appeal Hearing shall be no sooner than fifteen (15) calendar days after the date on which the Notice of Administrative Civil Penalty Assessment Appeal 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 an Administrative Civil Penalty Assessment Appeal Hearing, if an objection to the proposed assessment is not filed within ten (10) calendar days after service of this Notice of Administrative Civil Penalty Assessment.

**NOTICE IS FURTHER GIVEN** that the final administrative civil penalty assessment, as approved by the Humboldt County Board of Supervisors, may become a lien against the property on which the violation occurred or exists that 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.

**NOTICE IS FURTHER GIVEN** that an additional Notice of Violation and Proposed Administrative Civil Penalty can be served upon you, if the violation occurs, continues or exists after ninety (90) days from the date on which the initial civil administrative penalty is imposed.

Signature: 

Title: Director, Planning & Building Dept.

Name: John Ford

Date: 8/19/2021

# **ATTACHMENT A LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

The East Half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 28 and the Northeast Quarter of the Northeast Quarter of Section 33, Township 4 North, Range 5 East, Humboldt Meridian.

# ATTACHMENT B ACCOUNT OF COSTS INCURRED

ADMINISTRATIVE COSTS		
Violation(s)	Nature of Cost Incurred	Amount
§314-55.4  §331-28	Satellite Inspection of Property	
	1 Staff Hour	\$ 115.00
	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting, by Mail, and Legal Advertisement	
	2.83 Staff Hours Grant Deed Cost Certified Mailing Cost Driving Mileage Cost Legal Advertisement Cost	\$ 514.95
	Preparation and Service of "90 Days Accrued Penalty Warning Letter" by Mail	
	0.5 Staff Hours	\$ 41.50
	Agency Assistance on Law Enforcement Search Warrant	
	5.75 Staff Hours Driving Mileage Cost	\$ 655.94
		<b>Total Cost \$ 1,327.39</b>



**ATTACHMENT C  
ACTIONS REQUIRED TO IMPOSE  
ADMINISTRATIVE CIVIL PENALTY**

Violation(s)	Nature of Actions Taken To Impose Administrative Civil Penalty	Date
§314-55.4	Satellite Inspection of Property	July 23, 2019
§331-28	Preparation and Service of Notice to Abate Nuisance & Notice of Violation by Posting, by Mail, and Legal Advertisement	July 30, 2019
	Preparation and Service of "90 Days Accrued Penalty Warning Letter" by Mail	March 9, 2020
	Agency Assistance on Law Enforcement Search Warrant	August 9, 2021

**ATTACHMENT D**  
**ADMINISTRATIVE CIVIL PENALTY ASSESSMENT APPEAL**  
**HEARING REQUEST FORM**

**Address of Affected Property:**

**Assessor's Parcel Number:** 315-173-004-000

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

Pursuant to Humboldt County Code Section 352-17, I am requesting a hearing to contest the amount of the administrative civil penalty assessment proposed to be levied against the property on which the violation occurred or exists in order to collect the final administrative civil penalty and recover the administrative costs and/or attorney's fees associated with the actions taken by the Humboldt County Code Enforcement Unit to impose the administrative civil penalty.

[Brief statement of the material facts that the requesting party claims support the contention that the amount of the administrative penalty, and/or the administrative costs and/or attorney's fees associated therewith, are inappropriate under the circumstances of this case]:

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[Address at which the requesting party agrees to accept service of any additional notices or documents relating to the Code Enforcement Unit's determination of the amount of the proposed administrative civil penalty for the above-referenced property.]:

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City, State: \_\_\_\_\_

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, DELILAH MOXON, 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 August 24, 2021 I served a true copy **NOTICE OF ADMINISTRATIVE CIVIL PENALTY 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 and Cert.)

**Jalal A Tahir  
3931 E St. #A  
Eureka, CA 95503**

\_\_\_\_\_ by personally hand delivering a true copy thereof to the occupant 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 24<sup>th</sup> day of August, 2021, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Delilah Moxon – Administrative Services Manager

**PROOF OF SERVICE**

STATE OF CALIFORNIA    )  
  ) ss.  
COUNTY OF HUMBOLDT )

I, Branden Howton, 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 County of Humboldt Planning & Building Dept.; 3015 H Street, Eureka, California; that on August 20, 2021, I served a true copy of **NOTICE OF ADMINISTRATIVE CIVIL PENALTY ASSESSMENT.**

\_\_\_\_\_ by placing a true copy thereof enclosed in a sealed envelope and depositing the envelope at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices with which I am readily familiar, addressed as set forth below:

\_\_\_\_\_ 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 a gate allowing access to property:

**US Forest Service Route 1, Blue Lake, CA 95525**  
**APN: 315-173-004-000; GPS 40.68097, -123.60607**

\_\_\_\_\_ 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:

\_\_\_\_\_ by fax as set forth below:

\_\_\_\_\_ by electronic service as set forth below:

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

Executed on this 23<sup>rd</sup> day of August, 2021, in the City of Eureka, County of Humboldt, State of California.

  
\_\_\_\_\_  
Branden Howton, Code Compliance Officer