

Exhibit D

Notice to Abate
Nuisance and Notice
of Violation and
Proposed Civil
Penalty



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

August 15, 2022

Certified Mail No.: 9171 9690 0935 0252 8869 23

Jon Japport
7660 Myrtle Ave. #70
Eureka, CA 95503

**Re: Service of Notice to Abate Nuisance and
Notice of Violation and Proposed Administrative Civil Penalty**
Property location: 1989 Peninsula Dr., Arcata, CA 95521
APN: 506-102-001

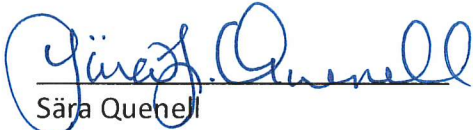
Jon Japport,

The Code Enforcement Unit recently inspected your above-described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance and Notice of Violation and Proposed Administrative Civil Penalty. The Notice of Violation and Proposed Administrative Civil Penalty informs you that we have issued an administrative penalty in the amount of \$10,000.00 per day for a period of ninety (90) days. The penalty will begin to accumulate ten days after the Notice is served. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the penalty will be dismissed as if it was never issued.
2. Request a hearing before a hearing officer to contest the determination that a violation exists and/or the reasonableness of the amount of the penalty. You may request a hearing by completing the attached hearing request form and submitting it to Code Enforcement within ten (10) days of the service of the Notice.
3. Enter into a Compliance Agreement with the County that would suspend the penalty for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then some and possibly the entire penalty could be dismissed.
4. You can do nothing. At the end of the ninety (90) day period, the penalty will become final, and the County will take steps to have the total amount of the penalty (\$900,000.00) recorded as a lien against your property.

If you have any questions or concerns, I may be contacted by phone at (707)441-2621 or by email at squenell@co.humboldt.ca.us

For the County of Humboldt Code Enforcement Unit,

A handwritten signature in blue ink, appearing to read "Sara Quenell", written over a horizontal line.

Sara Quenell
Code Enforcement Investigator

Attachment: Notice to Abate Nuisance
Notice of Violation
Notice and Order of Substandard Housing and Order to Vacate



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

August 15, 2022

Certified Mail No.: 9171 9690 0935 0252 8869 16

Violet Japport
7660 Myrtle Ave. #70
Eureka, CA 95503

**Re: Service of Notice to Abate Nuisance and
Notice of Violation and Proposed Administrative Civil Penalty**
Property location: 1989 Peninsula Dr., Arcata, CA 95521
APN: 506-102-001

Violet Japport,

The Code Enforcement Unit recently inspected your above-described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance and Notice of Violation and Proposed Administrative Civil Penalty. The Notice of Violation and Proposed Administrative Civil Penalty informs you that we have issued an administrative penalty in the amount of \$10,000.00 per day for a period of ninety (90) days. The penalty will begin to accumulate ten days after the Notice is served. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the penalty will be dismissed as if it was never issued.
2. Request a hearing before a hearing officer to contest the determination that a violation exists and/or the reasonableness of the amount of the penalty. You may request a hearing by completing the attached hearing request form and submitting it to Code Enforcement within ten (10) days of the service of the Notice.
3. Enter into a Compliance Agreement with the County that would suspend the penalty for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then some and possibly the entire penalty could be dismissed.
4. You can do nothing. At the end of the ninety (90) day period, the penalty will become final, and the County will take steps to have the total amount of the penalty (\$900,000.00) recorded as a lien against your property.

If you have any questions or concerns, I may be contacted by phone at (707)441-2621 or by email at squenell@co.humboldt.ca.us

For the County of Humboldt Code Enforcement Unit,



Sara Quenell

Code Enforcement Investigator

Attachment: Notice to Abate Nuisance
Notice of Violation
Notice and Order of Substandard Housing and Order to Vacate



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

August 15, 2022

Certified Mail No.: 9171 9690 0935 0252 8869 09

Occupants of:
1989 Peninsula Drive
Arcata, CA 95521

**Re: Service of Notice to Abate Nuisance and
Notice of Violation and Proposed Administrative Civil Penalty
Property location: 1989 Peninsula Dr., Arcata, CA 95521
APN: 506-102-001**

Occupants of 1989 Peninsula Drive, Arcata, CA,

The Code Enforcement Unit recently inspected your above-described property and confirmed violations of County Code. As a result, we are serving you with the attached Notice to Abate Nuisance and Notice of Violation and Proposed Administrative Civil Penalty. The Notice of Violation and Proposed Administrative Civil Penalty informs you that we have issued an administrative penalty in the amount of \$10,000.00 per day for a period of ninety (90) days. The penalty will begin to accumulate ten days after the Notice is served. You have the following options:

1. Correct the violations within ten (10) days of the service of the Notice. Once you contact us with this information and we are able to confirm it, the penalty will be dismissed as if it was never issued.
2. Request a hearing before a hearing officer to contest the determination that a violation exists and/or the reasonableness of the amount of the penalty. You may request a hearing by completing the attached hearing request form and submitting it to Code Enforcement within ten (10) days of the service of the Notice.
3. Enter into a Compliance Agreement with the County that would suspend the penalty for a reasonable amount of time to allow you to correct the violations. If the conditions of the agreement are met, then some and possibly the entire penalty could be dismissed.
4. You can do nothing. At the end of the ninety (90) day period, the penalty will become final, and the County will take steps to have the total amount of the penalty (\$900,000.00) recorded as a lien against your property.

If you have any questions or concerns, I may be contacted by phone at (707)441-2621 or by email at squenell@co.humboldt.ca.us

For the County of Humboldt Code Enforcement Unit,


Sara Quenell
Code Enforcement Investigator

Attachment: Notice to Abate Nuisance
Notice of Violation
Notice and Order of Substandard Housing and Order to Vacate



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:

1989 Peninsula Drive, Arcata, CA 95521

Assessor's Parcel Number:

506-102-001

Owner:

Jon Japport
7660 Myrtle Avenue #70
Eureka, CA 95503

Violet Japport
7660 Myrtle Avenue #70
Eureka, CA 95503

Occupants:

Occupants of (names unknown)
1989 Peninsula Drive
Arcata, CA 95521

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 **Ten Thousand Dollars (\$10,000.00)** 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 (90th) 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: Code Enforcement Investigator

Name: Sara Quenell Date: 8/15/2022

ATTACHMENT A

CONDITIONS CONSTITUTING A NUISANCE

Code Section(s)	Nature of Violation	Conditions Causing Nuisance	Violation Category (1-4)	Proposed Civil Administrative Penalty
331-28, 312-3, UHC 1001 and H&S 17290.3 and 352(t)(3)	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes, Development in the Coastal Zone Without Permits, Substandard Housing	Refer to the Humboldt County Planning and Building Department's Notice and Order of Substandard Housing and Order to Vacate dated November 15, 2021	4	\$6,000
521-4	Improper Storage and Removal of Solid Waste	Solid waste openly stored about the property in an improper manner creating egress hazards and fire hazards	3	\$3,000
354-1	Junk and/or Inoperable Vehicles	Multiple junk and/or inoperable vehicles openly stored about the property	2	\$1,000

ATTACHMENT B

LEGAL DESCRIPTION

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

That portion of the Southeast Quarter of the Southeast Quarter of Section 34, Township 6 North, Range 1 West, Humboldt Base and Meridian, described as follows:

BEGINNING at a point on the Westerly line of the County Road right of way at a point 416.7 feet West and 740.0 feet North of the Southeast corner of said Section; and running

thence Southwesterly along the Westerly line of said County Road, 429.5 feet to the Southeast corner of land conveyed to Frank K. Lindley and wife by Deed recorded October 9, 1950, under Recorder's Serial No. 10467, Humboldt County Records;

thence North 69 degrees 41 minutes West along the Southerly line of land described in said Deed, 94.73 feet, more or less, to the Easterly line of the right of way of the Humboldt Northern Railway Company, as described in Deed recorded in Book 93, page 322 of Deeds, Humboldt County Records;

thence Northeasterly along the East line of said last mentioned right of way, 214.4 feet to the true point of beginning;

thence continuing Northeasterly along the Easterly line of said last mentioned right of way, 107.2 feet;

thence South 69 degrees 41 minutes East, 95 feet, more or less, to the Westerly line of aforementioned County Road right of way;

thence Southwesterly along said last mentioned line, 107 feet, more or less, to a point which is South 69 degrees 41 minutes East from the true point of beginning;

thence North 69 degrees 41 minutes West, 95 feet, more or less, to the true point of beginning.

ATTACHMENT C
ADMINISTRATIVE CIVIL PENALTY APPEAL HEARING
REQUEST FORM

Address of Affected Property: 1989 Peninsula Drive, Arcata, CA 95521506-

Assessor's Parcel Number: 506-102-001

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

Pursuant to Humboldt County Code Section 352-9, I am requesting a hearing to contest the Humboldt County Code Enforcement Unit's determination that a violation has occurred or exists on the above-referenced property and/or the amount of the proposed administrative civil penalty.

[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 violation has not occurred, and/or does not exist, on the affected property, 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 that a violation has occurred or exists on the affected property and/or the amount of the proposed administrative penalty]:

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:

1989 Peninsula Drive, Arcata, CA 95521

Assessor's Parcel Numbers:

506-102-001

Owners:

Jon Japport
7660 Myrtle Avenue #70
Eureka, CA 95503

Violet Japport
7660 Myrtle Avenue #70
Eureka, CA 95503

Occupants:

Occupants of (names unknown)
1989 Peninsula Drive
Arcata, CA 95521

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.

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: Code Enforcement Investigator

Name: Sára Quenell

Date: 8/15/2022

ATTACHMENT A

CONDITIONS CONSTITUTING A NUISANCE

Code Section	Description	Corrective Action
UHC 1001 and H&S 17290.3 and 352(t)(3)	Substandard Housing	Correct or repair substandard conditions as required by the Humboldt County Planning and Building Department's Notice and Order of Substandard Housing and Order to Vacate dated November 15, 2021, including obtaining necessary building permits through the State and/or Humboldt County Planning and Building Department where applicable.
331-28	Construction of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes.	Apply for and obtain permits, complete work required by permit, and complete final inspection to confirm work OR If building permit is unobtainable, apply for and obtain demolition permit, complete required work for permit, and complete final inspection
312-3	Development in the Coastal Zone Without Permits	Cease use and/or development and apply for and obtain permit, complete work required by permit, and complete final inspection to confirm work OR If building permit in unobtainable, apply for and obtain demolition permit, complete required work for permit, and complete final inspection
521-4	Improper Storage and Removal of Solid Waste	Contain and dispose of all solid waste in a proper and legal manner.
354-1	Junk and/or Inoperable Vehicles	a.) Restore vehicle(s) to operative condition, and/or b.) Remove inoperable vehicles, and/or c.) Store inoperative vehicles within an enclosed legal structure

ATTACHMENT B LEGAL DESCRIPTION

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

That portion of the Southeast Quarter of the Southeast Quarter of Section 34, Township 6 North, Range 1 West, Humboldt Base and Meridian, described as follows:

BEGINNING at a point on the Westerly line of the County Road right of way at a point 416.7 feet West and 740.0 feet North of the Southeast corner of said Section; and running

thence Southwesterly along the Westerly line of said County Road, 429.5 feet to the Southeast corner of land conveyed to Frank K. Lindley and wife by Deed recorded October 9, 1950, under Recorder's Serial No. 10467, Humboldt County Records;

thence North 69 degrees 41 minutes West along the Southerly line of land described in said Deed, 94.73 feet, more or less, to the Easterly line of the right of way of the Humboldt Northern Railway Company, as described in Deed recorded in Book 93, page 322 of Deeds, Humboldt County Records;

thence Northeasterly along the East line of said last mentioned right of way, 214.4 feet to the true point of beginning;

thence continuing Northeasterly along the Easterly line of said last mentioned right of way, 107.2 feet;

thence South 69 degrees 41 minutes East, 95 feet, more or less, to the Westerly line of aforementioned County Road right of way;

thence Southwesterly along said last mentioned line, 107 feet, more or less, to a point which is South 69 degrees 41 minutes East from the true point of beginning;

thence North 69 degrees 41 minutes West, 95 feet, more or less, to the true point of beginning.

ATTACHMENT C

CODE ENFORCEMENT APPEAL HEARING REQUEST FORM

Address of Affected Property: 1989 Peninsula Drive, Arcata, CA 95521

Assessor's Parcel Number: 506-102-001

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: _____

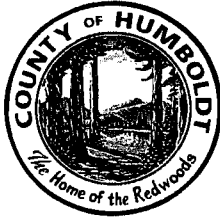
I understand, and agree, that if I fail to appear at the place and time set for the requested appeal hearing, as set forth in the Notice of Code Enforcement Appeal Hearing issued pursuant to Humboldt County Code Section 351-9, the Code Enforcement Unit's determination that a nuisance exists on the affected 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: _____



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

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

Certified Mail No.:9171 9690 0935 0252 8843 01

DATE: 11/15/2021
APN: 506-102-001-000
NAME: Japport Jon & Violet
ADDRESS: 1989 Peninsula Dr, Arcata, CA
SUBJECT: Notice and order of substandard housing and order to vacate
Case Number: CE21-1401

NOTICE AND ORDER OF SUBSTANDARD HOUSING AND ORDER TO VACATE

PLEASE TAKE NOTICE that an inspection was performed on 11/5/2021, of the dwelling at the above location by the Humboldt County Building Division acting under the authority, and whose observations are reviewed and approved, by the Humboldt County Chief Building Official. The inspection revealed conditions that are in violation of the 1997 Uniform Housing Code (UHC) and the 2018 International Property Maintenance Code (IPMC) adopted by the County of Humboldt. The building has been found by the County Chief Building Official to constitute substandard housing per Chapter 10, §1001 of UHC and various state and local laws and regulations.

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

Chapter 3 - Exterior Property and Areas - IPMC § 302

1. Rodent harborage. Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation. IPMC 302.5
- **Exterior of house has signs of rodent infestation due to the high volume of debris.**
2. Motor vehicles. Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes. IPMC 302.8
- **Multiple inoperable vehicles on property in violation of county ordinances**

Chapter 3 - Exterior Structure - IPMC § 304

1. General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. IPMC 304.1
 2. Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: (1) the nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength. (2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects. (3) Structures or components thereof that have reached their limit state. (4) Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight. (5) Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects. (6) Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. (7) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. (8) Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects. (9) Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects. (10) Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. (11) Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. (12) Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. (13) Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects. Exceptions: Where substantiated otherwise by an approved method. Demolition of unsafe conditions shall be permitted where approved by the code official. IPMC 304.1.1
- **Explosion in building displaced walls and roof at ceiling level about 6in. Damage is evident in two bedrooms.**

Chapter 3 - Interior Structure - IPMC § 305

1. 2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects. IPMC 305.1.1(2)

- **Explosion in building displaced walls and roof at ceiling level about 6in. Damage is evident in two bedrooms.**

Chapter 3 - Rubbish and Garbage - IPMC § 308

1. Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. IPMC 308.1
- **Exterior of structure is littered with debris creating egress hazards and fire hazards.**

Chapter 4 - Ventilation - IPMC § 403

1. Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated. IPMC 403.2
- **Bathroom has no functioning mechanical ventilation or passive window ventilation**

Chapter 5 - Toilet Rooms - IPMC § 503

1. Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling. IPMC 503.1
- **There is no door to bathroom.**

Chapter 5 - Water System - IPMC § 505

- Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters. IPMC 505.4
- **Water heater is improperly installed**

Chapter 6 - Heating Facilities - IPMC § 602

1. Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. Exceptions: (1) When the outdoor temperature is below the winter outdoor design temperature for

the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code. (2) In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained. IPMC 602.3

2. Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall IPMC 602.5
- **Structure does not have any fixed heating system.**

Chapter 7 - Fire Protection Systems - IPMC § 704

1. Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations: (1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bed rooms. (2) In each room used for sleeping purposes. (3) In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level. IPMC 704.6.1.2
- **No smoke alarms installed**

Chapter 7 - Carbon Monoxide Alarms and Detection - IPMC § 705

1. General. Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the International Fire Code, except that alarms in dwellings covered by the International Residential Code shall be installed in accordance with Section R315 of that code. IPMC 705.1
- **No Carbon monoxide alarms installed**

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

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

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

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

pursuant to the provisions of the Building Code. Any person violating this subsection shall be guilty of a misdemeanor.

The following corrections must be commenced by December 16, 2021, including the securing of all necessary permits, if any. These same corrections must be completed within such time as determined is reasonable per UHC §1101.2(3) (3.1). Micah Mathieson is the building inspector to contact.

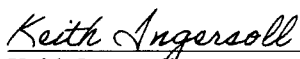
- Obtain As built permit from HCBD for construction of residence without permits or Obtain permit to demolish structure.
- As Built permit shall include all necessary repairs to structure listed above
- All inoperable vehicle shall be removed from property.
- Remove debris from the exterior of the structure.

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

The Substandard conditions noticed by the Humboldt County Building Division were determined to be caused by the Owners Jon Japport and Violet Japport . Therefore the Tenant would qualify for the health and safety code article 2.5 tenant relocation assistance [17975-17975.10]

RIGHT TO APPEAL: Any person having any record title or legal interest in the building and premises may appeal this Notice and Order or any action of the Humboldt County Chief Building Official to the housing advisory and appeals board provided the appeal is made in writing as provided in the UHC 1201 and Humboldt County Code 331-11 and filed with the Humboldt County Building Official within 30 (thirty) days from the date of service of this order (UHC 203.1, 1201.1). Failure to appeal will constitute a waiver of all rights to an administrative hearing and adjudication of the notice and order and any determination/action of the County Chief Building Official (UHC 1202).

Signed,



Keith Ingersoll
County of Humboldt
Chief Building Official

Micah Mathieson

Micah Mathieson
Building Inspector
Humboldt County Building Division

Enclosure(s):

Exhibit 1: Legal description

Code Sections.

Photo documentation.

Do not enter unsafe to occupy placard.

Tenant relocation assistance.