

Humboldt County V. Lucas K Bode

A.P. No. 016-011-066-000

CE23-2092

# EXHIBIT "I "

Building Official Written Recommendation.



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT

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Building Official Written Recommendation to the County of Humboldt, Board of Appeals regarding case number CE23-2092.

Appellant Information:

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Project Information:

Case Number: CE23-2092  
Project Address: 2335 TOGO STREET, EUREKA, CA 95501  
Project Description: This is a hearing for an appeal to the board of appeals for the posted Notice and Order of Substandard Housing and Order to Vacate as allowed by Humboldt County Code 331-11.  
Parcel Number: 016-011-066-000

Recommendation:

The board of appeals must uphold the posted notice and order of substandard housing and the order to vacate, as the property/dwelling in question has been identified as non-compliant with multiple provisions of the Uniform Housing Code (UHC), the 2021 International Property Maintenance Code (IPMC) as adopted by Humboldt County, and several sections of the California Health and Safety Code (HSC) Sections 17910 et seq. Our thorough investigation revealed critical hazards that jeopardize the safety of all occupants, representing serious risks not only to residents but also to the broader community. The notice details specific serious deficiencies, including structural instability, inadequate sanitation, and the absence of safe electrical installations, all of which have been corroborated through comprehensive inspections and documented reports. Upholding this order is crucial for ensuring adherence to local housing regulations, protecting public health, and preventing the further decline of the property, thereby preserving the welfare of residents, and maintaining the integrity of the neighborhood. Neglecting to enforce these essential standards could result in heightened liability for the jurisdiction and prolong unsafe living conditions.

The Title and scope of the Uniform Housing Code as follows:

| <b>Chapter 1<br/>TITLE AND SCOPE</b>   |   |
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| <b>SECTION 101 — TITLE</b><br>These regulations shall be known as the <i>Uniform Housing Code</i> , may be cited as such, and will be referred to herein as "this code."   | tion. Such occupancies in existing buildings may be continued as provided in Section 3401 of the Building Code, except such structures as are found to be substandard as defined in this code.  |
| <b>SECTION 102 — PURPOSE</b><br>The purpose of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use and occupancy, location, and maintenance of all residential buildings and structures within this jurisdiction.<br>The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code. | Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this code shall apply to the separate portions as if they were separate buildings.<br>Rooming houses, congregate residences or lodging houses shall comply with all the requirements of this code for dwellings.   |
| <b>SECTION 103 — SCOPE</b><br>The provisions of this code shall apply to all buildings or portions thereof used, or designed or intended to be used, for human habita-   | <b>SECTION 104 — APPLICATION TO EXISTING BUILDINGS AND STRUCTURES</b><br><b>104.1 Additions, Alterations or Repairs.</b> For additions, alterations or repairs, see Section 3403 of the Building Code.<br><b>104.2 Relocation.</b> Buildings or structures moved into or within this jurisdiction shall comply with the requirements in the Building Code for new buildings and structures. |

The following items are in substandard condition for parcel 016-011-066-000, as detailed in Exhibit D of the building inspector's report and Exhibit E of the Notice and Order of Substandard Housing and Order to Vacate.

1. The basement/mud area's water closet is unsafe and not permitted. HSC §17920.3(a)(1)
2. The first-floor common bathroom is inaccessible, creating a fire hazard. HSC §17920.3(a)(1)
3. The first-floor bathroom has no tank on the water closet. HSC §17920.3(a)(1)
4. Evidence of dampness in bedrooms, kitchen, front room, and bottom floor. HSC §17920.3(a)(11).
5. Evidence of rodent infestation in dwelling and subarea. HSC §17920.3(a)(12)
6. Kitchen and bathroom walls appear to have dampness and mold. HSC §17920.3(a)(13)
7. Exterior siding and trim needs repair. HSC §17920.3(a)(14)
8. Interior wall and ceiling covering need repair. HSC §17920.3(a)(14)
9. Interior doors and trim need of repair. HSC §17920.3(a)(14)
10. Electrical hazards throughout dwelling. HSC §17920.3(a)(14)
11. The sewer lift pump requires correct electrical and venting connections. HSC §17920.3(a)(15)
12. The foundation stem wall footings have been excavated around them, creating structural hazards. HSC §17920.3(b)(1)
13. The foundation footings for the point load post are cracked and have been undermined. HSC §17920.3(b)(1)

14. The area beneath the dwelling has been excavated to the point of undermining the foundation and footings, causing structural damage to the building. HSC §17920.3(b)(1)
15. The point load post and structural brackets have been compromised by removing dirt and broken concrete around the bracket. HSC §17920.3(b)(4)
16. The electrical panel in the garage is a fire hazard due to the wiring in the panel, which has double wire to breaker lugs, wrong wire size to breakers, extension cords in the panel, unsafe exposed wires, and shock hazards. HSC §17920.3(d)
17. The electrical wiring in the garage is exposed, creating a fire hazard. HSC §17920.3(d)
18. Many unattached light fixtures are hanging in the house, causing an unsafe condition. HSC §17920.3(d)
19. There are exposed wiring in several areas inside the house. HSC §17920.3(d)
20. Solid waste and debris are obstructing access to the first-floor bathroom. HSC §17920.3(e)
21. The water closet tank is missing from the first-floor bedroom's bathroom. HSC §17920.3(e)
22. An unpermitted water closet in the foundation sub-area has an unsafe platform and hazardous conditions. HSC §17920.3(e)
23. The bottom floor gas fireplace has combustibles stacked around the appliance. HSC §17920.3(f)
24. The pilot light of the gas fireplace on the bottom floor seems to be on and will require service by a licensed mechanical contractor. HSC §17920.3(f)
25. Exterior siding needs repair and weather sealing. HSC §17920.3(g)(2)
26. The exterior doors have some damage and need repair. HSC §17920.3(g)(2)
27. The exterior siding stain and/or paint has faded and needs repair. HSC §17920.3(g)(3)
28. Solid waste is present around the dwelling and in the backyard area. HSC §17920.3(j)
29. Heavy equipment is broken down in the backyard. HSC §17920.3(j)
30. There are piles of dried wood in the backyard. HSC §17920.3(j)
31. Egress windows and doors in the sleeping rooms are blocked by debris inside dwelling. HSC §17920.3(k)
32. Numerous electrical Hazards in the Garage and throughout the dwelling. HSC §17920.3(k)
33. Foundation and footings have been excavated and dug out in the sub-area. HSC §17920.3(k)
34. Point load footings have been excavated to create structural hazards. HSC §17920.3(k)
35. Numerous unsafe plumbing issues. HSC §17920.3(k)

36. Structural footings in the sub-area have been undermined creating structural hazard. UHC 1001.4(1)
37. Point load footing holding structural post have been dug out and created structural hazard to the building. UHC 1001.4(1)
38. Accumulation of solid waste around the exterior of the structure. UHC 1001.4, 401
39. Presence of broken-down heavy equipment in the backyard. UHC 1001.4, 401
40. Piles of dried wood and other debris in the backyard. UHC 1001.4, 401
41. Lumber, windows, and additional debris are scattered around the backyard. UHC 1001.4, 401
42. The interior of the dwelling is cluttered with piles of old clothes and solid waste, along with car and motorcycle parts, scattered around. UHC 1001.4(7)
43. The kitchen is messy and unsanitary, with leftover food and dishes left everywhere. UHC 1001.4(7)
44. Install working smoke alarms. IPMC 704
45. Install working carbon monoxide alarms. IPMC 705

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

The building violations noted in the Notice and Order of Substandard Housing and Order to Vacate, shall be abated by repair, rehabilitation, demolition, or removal in accordance with procedure specified in Chapter 11 of the UHC.

UHC

**SECTION 202 — SUBSTANDARD BUILDINGS**

Buildings or portions thereof that are determined to be substandard as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Chapter 11 of this code.

**Code exhibit:**

**UHC excerpt:**

**1997 UNIFORM HOUSING CODE (UHC), CHAPTER 10**

**CHAPTER 10**

**SUBSTANDARD BUILDINGS**

**SECTION 1001 — DEFINITION**

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

**Health and Safety codes (HSC):**

**Inadequate Sanitation**

Dampness of habitable rooms. HSC §17920.3(a)(11).

Lack of, or improper water closet, lavatory, bathtub, or shower in a dwelling unit. HSC §17920.3(a)(1).

Visible mold growth, as determined by a health officer or a code enforcement officer, as defined in

Section 829.5 of the Penal Code, excluding the presence of mold that is minor and found on surfaces that can accumulate moisture as part of their properly functioning and intended use. HSC §17920.3(a)(13).

General dilapidation or improper maintenance. HSC §17920.3(a)(14).

**Structural Hazards**

Deteriorated or inadequate foundations. HSC §17920.3(b)(1).

Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration. HSC §17920.3(b)(4).

### **Hazardous Electrical Wiring**

All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly. HSC §17920.3(d).

### **Hazardous Plumbing**

All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures. HSC §17920.3(e).

### **Hazardous Mechanical Equipment**

All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly. HSC §17920.3(f).

### **Faulty Weather Protection**

Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors. HSC §17920.3(g)(2).

### **Hazardous or Insanitary Premises**

Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards. HSC §17920.3(j).

Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code. HSC §17920.3(k).

## **Uniform Housing Code (UHC):**

### **Nuisance**

Deteriorated or inadequate foundations. UHC 1001.4(1).

Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building, or on an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation that may prove a hazard for inquisitive minors. UHC 1001.4, 401.

Uncleanliness, as determined by the health officer. UHC 1001.4(7).

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

## **International Property Maintenance Code (IPMC):**

Fire protection system IPMC 704

IPMC SECTION 705 CARBON MONOXIDE ALARMS AND DETECTION

### **Cited Code References:**

Health and Safety Code (HSC)

Uniform Housing Code (UHC)

International Property Maintenance Code (IPMC)