



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Type: Zoning Item **Status:** Passed
File created: 9/8/2022 **In control:** Planning and Building
On agenda: 9/20/2022 **Final action:** 9/20/2022
Title: 1:30 PM - Continued Cost Recovery Hearing on Property Located at 7218 Summit Ridge Drive, Humboldt Hill (APN 306-291-018)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment A - Photos 09.06.2022.pdf, 3. Attachment B - Resolution (dates to be entered).pdf, 4. Resolution No. 22-124.pdf

Date	Ver.	Action By	Action	Result
9/20/2022	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Time Certain Matter

SUBJECT:

1:30 PM - Continued Cost Recovery Hearing on Property Located at 7218 Summit Ridge Drive, Humboldt Hill (APN 306-291-018)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Confirm the proposed Nuisance Abatement Assessment on the property located at 7218 Summit Ridge Drive, Humboldt Hill (APN 306-291-018, CE19-0400) in the amount of \$38,778.16 in accordance with Section 351-20 titled Cost Recovery Hearing of Title III, Division 5, Chapter 2 of the Humboldt County Code.
2. Adopt the Resolution to confirm the proposed Nuisance Abatement Assessment against Jessica Adams pursuant to Humboldt County Code sections 351-1 *et seq.*

SOURCE OF FUNDING:

General Fund, Code Enforcement (1100269) Nuisance Abatement (631130).

DISCUSSION:

The Board of Supervisors continued this item from the meeting on Aug. 23, 2022. During that meeting it became apparent that if the Board took the action recommended by staff the property owner would likely lose her house due to her inability to pay the assessment lien. The continuance allowed for

additional time for the Planning and Building Department to explore alternate paths forward for the property owner. Productive discussions were undertaken, but the property owner is unwilling to take actions which would be beneficial to her and resolve the situation.

Code Enforcement staff has researched potential housing options for the property owner by contacting various housing authority personnel and forwarding application materials to the property owner and her son. Code Enforcement has also contacted animal control to research what can be done regarding the aggressive dogs that were left in the care of the property owner but who does not own or want the dogs on the premises.

The Planning and Building Department met with the property owner's son, Joshua Adams, on Aug. 26 to discuss the case and the situation the property owner finds herself in. The property owner's son agreed to step in and assist the property owner with addressing her situation.

On Aug. 29, 2022, the Planning and Building Department met with the Department of Health and Human Services (DHHS) to discuss the handling of cases where services provided by DHHS may benefit property owners with open Code Enforcement cases. It was generally agreed on that the two departments already work well together and that moving forward they would continue to support each other's efforts.

On Sept. 1, 2022, the Planning and Building Department met with the property owner and her son, Mr. Adams, to discuss the likely outcomes of her situation.

Code Enforcement staff visited the property on Sept. 6, 2022, to assess current conditions. There are violations reemerging on the property that include solid waste and junk vehicle accumulation. (See Attachment A)

Code Enforcement staff contacted Mr. Adams to check the status of progress on Sept. 7, 2022. According to Mr. Adams, the property owner has changed her mind about taking actions that would protect her interests and will not agree to taking any action toward resolving her situation.

The violations are recurring on the property and complaints continue resulting in the need for Code Enforcement to serve notices and restart enforcement on this property. Encouraging the property owner to sell the property before the violations escalate may be a way for the property owner to retain some equity from the property and avoid homelessness. Repeated county abatements and the liens associated with those abatements will devalue the property to less than the amount owed for abatements. At this point the property owner is unwilling to take any action that would protect her interests and the county is not in a position to force her to take any action against her will.

Your Board is being asked to confirm the proposed Nuisance Abatement Assessment for Jessica Adams involving a real property located at 7218 Summit Ridge Drive, Humboldt Hill (APN 306-291-018) in the amount of \$38,778.16. This represents costs that have already been incurred.

Upon the approval of the Nuisance Abatement Assessment, the property owners will be served a Notice of Nuisance Abatement Assessment Lien. This notice will inform the property

owners of the assessment and provide the property owners 45 calendar days to pay the assessment before the recording of the Notice of Nuisance Abatement Assessment Lien.

Pursuant to HCC section 351-24 after the Notice of Nuisance Abatement Assessment Lien is recorded “the Humboldt County Auditor-Controller shall enter each Nuisance Abatement Assessment upon the affected Property on the Humboldt County Secured Tax Roll. The Nuisance Abatement Assessment shall continue until it is paid, together with interest at the legal maximum rate computed from the Imposition date until payment is received. The Nuisance Abatement Assessment may be collected at the same time and in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ordinary property taxes...”. The Nuisance Abatement Assessment shall also have 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.*

FINANCIAL IMPACT:

The cost of preparing the case and serving the notices has been included as administrative costs in accordance with established policies and code sections. Administrative staff costs associated with this Nuisance Abatement Assessment total \$9,037.21 and have been budgeted in the salaries and expenses of budget unit 1100-269 (Code Enforcement). The cost of the abatement totals \$38,778.16 and was paid out of monies set aside for County abatements in the General Fund and transferred to budget unit 1100-269. The total Nuisance Abatement Assessment is proposed in the amount of \$38,778.16. In the event that the property owners fail to pay the final assessment, the Nuisance Abatement Assessment will be recorded as a lien on the property pursuant to the timeline and procedures specified in the County Code and if necessary, the assessment will be returned to the Humboldt County upon the sale of the property. With staff recommendation, there is no impact to the General Fund with this Board item.

STRATEGIC FRAMEWORK:

This action supports your Board’s Strategic Framework by enforcing laws and regulations to protect residents

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board could choose not to approve the Nuisance Abatement Assessment. However, this is not recommended because staff recommendations align with Title III, Division 5 of Humboldt County Code. By choosing this option there will be no reimbursement from the property owner for the public funds spent to clean up and abate the public nuisance.

ATTACHMENTS:

Attachment A - Inspection Photos September 6, 2022
Attachment B - Resolution to Confirm NTA Assessment

PREVIOUS ACTION/REFERRAL:

Board Order No.: K-1

Meeting of: 8-23-2022

File No.: 22-1031