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### BOARD OF SUPERVISORS' MEETING (January 26, 2021)

FILE NUMBER:	CDEF2019-047
PROPERTY OWNER:	Alberto Baragan Mendoza
TYPE OF APPLICATION:	Recovery of Administrative Penalties

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*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

January 12, 2021

**Maurice L. Anderson, Director**  
707 Nevada Street, Suite 5  
Susanville, CA 96130-3912  
Phone: 530 251-8269  
Fax: 530 251-8373  
email: landuse@co.lassen.ca.us  
website: www.co.lassen.ca.us

TO: Board of Supervisors  
Agenda Date: January 26, 2021

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

SUBJECT: Hearing to Consider Recordation of an Administrative Penalty Lien Pursuant to Lassen County Code Section 1.18.170 (i)

Recommendation

1. Receive the Enforcing Officer's Report; and
2. Conduct a public hearing; and
3. Adopt a resolution ordering recordation of a lien against real property described herein, on which a public nuisance was identified in violation of Chapter 1.18 of the Lassen County Code, in order to recover administrative penalties as established by the Lassen County Hearing Officer.

Summary

The purpose of this public hearing is to determine whether or not the Board of Supervisors should order staff to record a lien against real property located in Lassen County, in order to recover administrative penalties established through enforcement of the Lassen County Public Nuisance Ordinance. As stipulated under Section §1.18.090(c) of County Code, the decision of the Hearing Officer, with regard to the existence a public nuisance, is final. The property described herein (Exhibit A of Draft Resolution), is owned by Alberto Baragan Mendoza and was found to be in violation of Lassen County Code Chapter 1.18 as outlined in the Decision of Hearing Officer dated December 16, 2019.

In this case the identified nuisance was not abated as ordered by the Enforcing Officer and an Administrative Hearing was held on December 4, 2019. The Hearing Officer determined that the nuisance did exist as posted, and that the property owner failed to abate as ordered. In addition to affirming the Enforcing Officers Report, the Hearing Officer ordered Administrative penalties to the property owner in the amount of \$12,000.00. The decision of the Administrative Hearing Officer is attached with this Board letter. Interest has accrued on the unpaid fines bringing the total requested lien amount to \$13,292.05.

## RESOLUTION NO. \_\_\_\_\_

**RESOLUTION ORDERING RECORDATION OF AN ADMINISTRATIVE PENALTY  
LIEN PURSUANT TO LASSEN COUNTY CODE SECTION 1.18.170 (i)**

**WHEREAS**, Assessor's Parcel Number 125-151-19, described in Exhibit A, is owned by Alberto Baragan Mendoza; and

**WHEREAS**, on December 4, 2019, the Administrative Hearing Officer rendered a Decision ordering the abatement of a public nuisance pursuant Lassen County Code Chapter 1.18 and ordered a civil penalty against the property; and

**WHEREAS**, on January 26, 2021, the Board of Supervisors conducted a noticed public hearing whereat evidence was presented and consideration was made regarding administrative civil penalties, attached as Exhibit B.

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the foregoing recitals are true and correct.
2. That notice of the hearing has been given as required by the Lassen County Code.
3. That the information provided in the Board packet for this hearing is true and correct.
4. That the administrative civil penalty sum of \$12,000, combined with interest at \$1,292.60, is hereby affirmed and shall be assessed against real property as described in Exhibit A, also known as Assessor's Parcel Number 125-151-19.
5. That the Lassen County Board of Supervisors hereby orders that a lien be placed against Assessor's Parcel Number 125-151-19 in accordance with Lassen County Code subsection 1.18.170(i), to recuperate the cost affirmed herein (\$13,292.05).
6. Notice of this resolution shall be given to Alberto Baragan Mendoza as follows:
  1. First class mail.
  2. Certified mail.
  3. Posting this resolution on the property.

The foregoing resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 26<sup>th</sup> day of January 2021, by the following vote:

RESOLUTION NO. \_\_\_\_\_

Alberto Baragan Mendoza

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
CHAIRMAN of the Board of Supervisors,  
County of Lassen, State of California

ATTEST:  
JULIE BUSTAMANTE  
Clerk of the Board

BY \_\_\_\_\_  
MICHELE J. YDERRAGA, Deputy Clerk of the Board

MICHELE J. YDERRAGA, Deputy Clerk of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 26<sup>th</sup> day of January 2021.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen Board of Supervisors



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All that certain real property situated in a portion of Section 8, Township 28 North, Range 9 East, Mount Diablo Base and Meridian, in the unincorporated territory of Lassen County, California, more particularly described as follows:

Lot 308, in Block 33, as shown on that certain map entitled "Westwood Subdivision Unit No. 1", filed June 24, 1957, in the Office of the Lassen County Recorder in Book 3 of Maps at Pages 71-75.

### Interest Charge on Administrative Fee

**Owner:** MENDOZA, ALBERTO BARAGAN

**Property Address:** 308 Delwood St.

Print Date: 01/04/2021

**APN:** 125-151-19-11

**Case Number:** CDEF2019-047

[illegible]

[illegible]



**LASSEN COUNTY**  
**NOTICE TO ABATE – NOTICE OF PROPOSED PENALTY**  
**NOTICE OF ADMINISTRATIVE ORDER TO SHOW CAUSE**

Property Owner Name and Last Known Address:  
**Alberto Baragan Mendoza**      **1514 Kingsland Ln**  
**Modesto, CA 95356**

Occupant:

Site Address:  
**308 Delwood St**  
**Westwood, CA**

Assessor's Parcel Number: **125-151-19**

Enforcing Officer: **Steen/Guess**

Inspection Date: **10-23-19**

TO OWNER AND RESIDENT: **YOU ARE HEREBY NOTIFIED** that conditions exist on the above premises, which constitute a **PUBLIC NUISANCE** under Title 1.18 of the Lassen County Code. Such condition(s) violate(s) the following specific provision(s) of the Lassen County Code:

**Large accumulation of trash, junk, and debris throughout the property.**

You are required to abate the above violation(s) within **THIRTY (30) CALENDAR DAYS** of this notice by:

**11-21-2019**. To abate the nuisance, you must take the following action: **Clean up the entire property of all garbage, junk, and debris**

You may present yourself before a hearing officer to show good cause why this nuisance should not be abated by the enforcing officer. The date, time, and location of this hearing are listed below. You will be given an opportunity at this hearing to present testimony or other evidence why the conditions on the listed property do not constitute a nuisance and should not be abated. There is no fee for this hearing.

If you do not abate the nuisance yourself, or show good cause to the hearing officer why it should not be abated, the enforcing officer may come on your property and abate the nuisance him or herself. All abatement costs, including administrative costs, may be made a special assessment added to the tax roll and become a lien on this real property, or be placed on the unsecured tax roll (see back side for more information).

Also, if you do not abate this nuisance by the date set forth above, you will be charged an administrative penalty of **\$1000.00** PER DAY beginning on **11-22-2019** and continuing until the nuisance is abated and the abatement is confirmed by an enforcement officer (see back side for more information).

**YOU** are responsible for reporting to the County that you have abated this nuisance. To do so, **YOU** must contact the Enforcement Officer at 530-251-8269 to report having corrected the problem.

**DATE: December 4, 2019**

**TIME: At or After 3:00 P.M.**

**ADDRESS: 707 Nevada St. Suite 5, Susanville, CA, 96130 (Conference Room)**

  
 \_\_\_\_\_  
 Attestation of Enforcing Officer

**10-23-2019**  
 \_\_\_\_\_  
 Date of Notice

(S/PLA/Building/CODE/000MASTER DOCS/NoticeToAbate-ProposedPenalty-AdminOrderPg1/Rev. 9/15/2017)



DUE PROCESS FOR ALLEGED VIOLATORS  
OF LASSEN COUNTY CODE

You have been notified of activity on land that you are associated with that allegedly constitutes a violation of Lassen County Code. You have two choices. You can either correct the problem by abating the nuisance by the date ordered (see front of notice) or you can challenge the order to abate and order proposing administrative penalties. If you voluntarily abate the nuisance by the date ordered on the front of this notice, you must still notify the enforcing officer of this fact and have them come and confirm that you have done so. The enforcing officer is available by phone at 530.251.8269.

If you choose to challenge the order to abate and order for proposed administrative penalties you must attend the administrative hearing at the date, time, and location identified on the front of this notice. If you do not show up, you lose your right to challenge the order to abate and any proposed penalties. Also, if you do not show up at that hearing, you will have failed to exhaust your administrative remedies and any order of the hearing officer will become final for all purposes.

At the administrative hearing, the alleged violator may present evidence to the hearing officer to show good cause why:

- (i) The identified public nuisance should not be abated;
- (ii) The proposed amount of administrative penalty set forth in this notice should not be imposed, in whole or in part; and
- (iii) The means of abatement set forth in this notice are not proper.

Once the hearing officer renders a decision, that decision will be sent to you at the address you receive your property tax bill. If the hearing officer upheld the order to abate the nuisance or any proposed penalties, you must immediately abate the nuisance and you have 20 days within which to pay any administrative penalties. Payment of administrative penalties shall be made to the Lassen County Tax Collector at 220 S. Lassen St., Susanville, CA 96130.

If you challenge the order to abate the nuisance or any proposed penalties at a hearing and lose your challenge, and you do not abate the nuisance, the enforcing officer may come onto your property without your permission and legally abate the nuisance him or herself. Likewise, if you challenge any proposed administrative penalties and lose that challenge and do not subsequently pay them to Lassen County, those penalties will continue to accrue per day until such time as the nuisance is abated and such abatement is confirmed by an enforcing officer. Moreover, these penalties will become a lien on the real property and can be a cause of forced sale of the real property at some time in the future.

If you have any questions about how this process works or about the Lassen County Code in general, contact Lassen County Planning and Building Services at 530.251.8269 or in person at 707 Nevada St., Susanville, CA 96130.



Case No: CDEF2019-047

**DECLARATION OF SERVICE BY FIRST CLASS MAIL**

**I, THE UNDERSIGNED, DECLARE THAT:**

1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitled cause or matter;
2. My business address is 707 Nevada Street, Room 236, Susanville, California 96130; and;
3. I served the foregoing **NOTICE TO ABATE – NOTICE OF PROPOSED PENALTY – NOTICE OF ADMINISTRATIVE ORDER TO SHOW CAUSE** on the interested parties in said cause by depositing a true copy thereof enclosed in a sealed envelope and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with first class postage fully paid in Susanville, California, on October 23, 2019, addressed as follows:

ALBERTO BARAGAN MENDOZA  
1514 KINGSLAND LN  
MODESTO, CA 95356

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this October 23, 2019, at Susanville, California 96130.

  
\_\_\_\_\_  
Brooke Suarez



*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

Maurice L. Anderson, *Director*

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: [landuse@co.lassen.ca.us](mailto:landuse@co.lassen.ca.us)

website: [www.co.lassen.ca.us](http://www.co.lassen.ca.us)

**NOTICE AND ORDER TO CORRECT VIOLATIONS**

CERTIFIED MAIL/RETURN RECEIPT

7017 0660 0000 6271 4018

October 23, 2019

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Alberto Baragan Mendoza

1514 Kingsland Ln

Modesto, CA 95356

RE: Code Enforcement Case No. 2016-047  
308 Delwood St  
Westwood, CA 96137  
A.P.N. 125-151-19

Dear Mr. Mendoza:

This letter is in regard to the above referenced property, which is in violation of *Lassen County Code*, the *California Penal Code* and the *California Health and Safety Code*. This property is less than one acre in size and is zoned R-1-B-D (Single family residential, building site, design combining district).

**PUBLIC NUISANCE**

During a site inspection on October 23, 2019, Code Enforcement staff determined that conditions on your property present a public nuisance. The specific conditions noted were a large amount a large accumulation of trash, garbage, and debris piled and scattered throughout the property. These conditions are in violation of Lassen County Code §1.18.020, and California Penal Code §370 and §372 and California Health and Safety Code §17920.3(j).

California Penal Code §370, declares a property in such condition to be a "Public Nuisance". California Penal Code §372 further states:

*Every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, or who willfully omits to perform any legal duty relating to the removal of a public nuisance, is guilty of a misdemeanor.*

Alberto Mendoza  
October 23, 2019  
Page 2

California Health and Safety Code §17920.3(j) states:

*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.*

### REMEDY

To remedy these violations, you must remove and dispose of all remaining garbage, trash, debris, appliances, and furniture (receipts will be required to verify proper disposal) from the property no later than thirty (30) days from the date the property was posted.

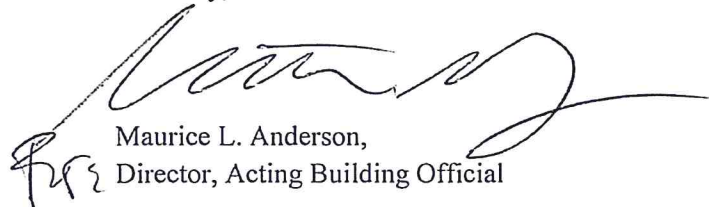
### ENFORCEMENT

Failure to correct this violation within thirty (30) days of posting may result in the issuance of an administrative citation, penalties to accrue at \$1000 per day, if the violation continues to exist after the thirty (30) day notification. A follow up inspection will be conducted to confirm or dismiss if the work has been completed. A hearing has been scheduled on December 4, 2019, and administrative abatement pursuant to Lassen County Code Title 1.18.120, may be ordered at that time.

Additional enforcement actions such as administrative abatement, criminal prosecution, and/or civil injunction may also be utilized to correct the violation.

If you have any questions, contact Code Enforcement Officer Robert Steen or Officer Jorden Guess. (530) 251-8269.

Sincerely,



Maurice L. Anderson,  
Director, Acting Building Official

MLA: jpg JFG



CDEF2016-047  
7017 0660 0000 6271 4018

## DECLARATION OF SERVICE BY CERTIFIED/RETURN RECEIPT AND FIRST CLASS MAIL

### I, THE UNDERSIGNED, DECLARE THAT:

1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitle cause or matter;
2. My business address is 707 Nevada Street, Susanville, California 96130 and;
3. I served the foregoing **NOTICE AND ORDER TO CORRECT VIOLATIONS** on the interested parties in said cause by depositing true copies thereof enclosed in sealed envelopes and placing the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in sealed envelopes with postage fully paid for both Certified/Return receipt and 1<sup>st</sup> Class, in Susanville, California on Monday, October 28, 2019, addressed as follows:

Alberto Baragan Mendoza  
1514 Kingsland Ln.  
Modesto, CA 95356



I declare under penalty of perjury that the foregoing is true and correct. Executed on Monday, October 28, 2019, at Susanville, California, 96130.

\_\_\_\_\_  
Brooke Suarez

7017 0660 0000 6271 4018

<b>U.S. Postal Service™</b> <b>CERTIFIED MAIL® RECEIPT</b> <i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ <u>3.50</u>	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input checked="" type="checkbox"/> Adult Signature Required \$ <u>2.20</u>	
Postage \$ <u>.56</u>	
Total Postage and Fees \$ <u>6.26</u>	
Sent To Street and Apt. No., or PO Box <u>Alberto Baragan Mendoza</u> City, State, ZIP+4® <u>1514 Kingsland Ln.</u> <u>Modesto, CA 95356</u>	

PS Form 3800, April 2015 PSN 7530-02-000-9077

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;">           Alberto Baragan Mendoza            1514 Kingsland Ln.            Modesto, CA 95356         </div> <div style="text-align: center;">             9590 9402 4063 8079 5843 89         </div> <p>2. Article Number (Transfer from service label)</p> <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">           017 0660 0000 6271 4018         </div>		<p>A. Signature</p> <p>X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p><i>Wisdano B</i></p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <div style="text-align: center; border: 1px solid black; padding: 10px; margin: 10px 0;"> <b>RECEIVED</b>            NOV 05 2019         </div> <p>3. Service type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input checked="" type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> </div> <div style="width: 45%;"> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> </div> </div> <p><i>Essex County, Oregon</i></p> <p><i>Shipping and</i></p> <p><i>DEF2016-047</i></p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt





Decision of Administrative Hearing Officer  
(Lassen County Code Title: 1.18)

ADMINISTRATIVE HEARING #: 19-047

CDEF: 2019-047

DATE OF HEARING: 12/04/2019

Property Owner Name and Last Known Address:

Occupant: Unknown

Alberto Baragan Mendoza  
1514 Kingsland Lane  
Modesto, CA 95356

Site Address:

Assessor's Parcel Number: 125-151-19

308 Delwood St.  
Westwood, CA 96137

Hearing Officer:  
Lynn M. Strom

Date of Administrative Hearing: 12/04/2019

**WHEREAS**, the enforcing officer scheduled an Administrative Hearing on 12/04/2019, giving the owner(s) and/or occupant(s) of the premises an opportunity to present evidence and elicit testimony regarding (i) whether the conditions existing on the premises constitute a nuisance and/or whether there is any good cause why those conditions should not be abated, and (ii) whether the proposed amount of administrative penalty set forth in the Notice shall be imposed, modified, or disapproved, in whole or in part.

The following owner(s) and/or occupant(s) and/or representatives/legal counsel appeared:

☐ \_\_\_\_\_

☐ \_\_\_\_\_

☒ Failure of an owner or occupant to appear and present evidence at the hearing constitutes a failure to exhaust their administrative remedies. (Lassen County Code (LCC) Title 1.18.100(c))

**NOW, THEREFORE**, as the Hearing Officer for the County of Lassen and based upon the record before me, I issue the following findings and declarations:

☒ The enforcing officer ☒ **DID** ☐ **DID NOT** properly serve the Notice of Order to Show Cause on the owners and/or occupants pursuant to LCC 1.18.060 – 1.18.080.

☒ I **HEREBY FIND** that the alleged violation(s) ☒ **DID** ☐ **DID NOT** exist on the Premises and the owner/ occupants failed to abate the nuisance based upon the following evidence presented at this hearing and/or continuance of hearing:

☒ The Staff Report, attached hereto and incorporated herein, as well as the marked exhibits A-1, A-2, B-1 through B-5 (photos dated 10/23/19 and satellite image of the premises), C-1 through C-4 (notices and letters to the owner) and D-1 through D3 (photos of continuing nuisance after notice and letters, dated 11/22/2019)

☒ Statements from the enforcing officer Jordan Guess attesting that:

☒ The information contained in the Staff Report is true and accurate; and

☐ Other: \_\_\_\_\_; and

☒ Photograph(s) of the violation(s) taken and submitted as evidence at this Hearing by:

☒ Enforcing Officer: and

☐ Other: \_\_\_\_\_; and

☒ Other evidence submitted at this Hearing by:

☒ Enforcing Officer: and

☒ Other: \_\_\_\_\_; and

☒ **I HEREBY FIND**, based on the foregoing evidence presented at this Hearing, the alleged violation(s):

☒ Continued to exist unabated on the Premises; and

☐ Were abated by the county Planning and Building Services Department.

☐ Other: \_\_\_\_\_; and

☒ **I HEREBY FIND** that the proposed administrative penalty set forth in the Notice is:

☒ Imposed in the amount stated in the Notice. [12 days penalty @ \$1,000.00 per day]

☐ Modified to be: \_\_\_\_\_.

☐ Disapproved.

☐ Other: \_\_\_\_\_.

☒ Based on the above findings, I hereby find the violation(s) alleged in the Notice are factually true and constitute a public nuisance under Lassen County Code Title 1.18, as set forth in the Notice; and

☒ The public nuisance on the premises is subject to abatement in accordance with Lassen County Code Title 1.18.120, and the means of abatement set forth in the Notice are proper.

**NOW, THEREFORE**, as the Hearing Officer for the County of Lassen and based upon the record before me, issue the following orders:

☒ The Notice issued by the enforcing officer on 10/23/2019 is hereby affirmed in full; and

☒ A public nuisance on the premises shall be abated by the owner(s) and/or occupant(s) of the premises, in the manner set forth in the Notice, within five **CALENDAR DAYS** of service of this Decision (LCC Title 1.18.120); and

☐ The public nuisance was not abated by the owner(s) and/or occupant(s) of the premises as ordered by the Hearing Officer, or the nuisance continued to exist, and the Enforcing Officer abated, or caused to be abated, the nuisance in accordance with Lassen County Code Title 1.18.120, and kept an itemized account of the costs incurred by the County to abate the nuisance, to be charged against the premises and against each person who causes, permits, suffers, or maintains the nuisance, in accordance with the provisions of Lassen County Code Title 1.18.130

☒ The amount of administrative penalty, as set forth above, shall be final and conclusive. Payment of the administrative penalty specified in this Decision shall be made in the manner set forth in Lassen County Code Title 1.18.

☒ Other: If the owner fails to timely abate the nuisance, the enforcing officer shall abate the nuisance pursuant to LCC Ch. 1.18.120 in the manner described in the Notice.

#### **ATTENTION!**

If the amount of administrative penalty is imposed or modified, you are required to pay that amount within **TWENTY (20) CALENDAR DAYS** after service of this Decision.

If the administrative penalty is not satisfied **IN FULL** within **NINETY (90) DAYS** and/or has not been challenged by a timely writ of mandate or appeal, the Board of Supervisors may authorize recordation of a Notice of Administrative Penalty Lien against the Premises. (Government Code section 53069.4)

**ATTENTION!**

If the Enforcing Officer is required to abate the nuisance, you are required to pay the cost of abatement, including cost of administration, within **NINETY (90) CALENDAR DAYS** after service of this Decision.

If the cost of abatement, including cost of administration, is not satisfied in full within **NINETY (90) DAYS** and/or has not been challenged by a timely writ of mandate, the Board of Supervisors may specially assess the costs on the County tax roll and authorize recordation of a Notice of Abatement Lien against the Premises. (Government Code section 25845).

12/16/2019

\_\_\_\_\_  
Date of Decision

  
Lynn M. Strom  
Lassen County Administrative Hearing Officer





**County of Lassen**  
**Department of Planning and Building Services**

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

**Maurice L. Anderson, Director**  
 707 Nevada Street, Suite 5  
 Susanville, CA 96130-3912  
 Phone: 530 251-8269  
 Fax: 530 251-8373  
 email: [landuse@co.lassen.ca.us](mailto:landuse@co.lassen.ca.us)  
 website: [www.co.lassen.ca.us](http://www.co.lassen.ca.us)

**NOTICE OF HEARING OFFICER DECISION**

CERTIFIED MAIL/RETURN RECEIPT  
 7017 0660 0000 6271 4780

December 19, 2019

Zoning & Building  
 Inspection Requests  
 Phone: 530 257-5263

Alberto Baragan Mendoza  
 1514 Kingsland Lane  
 Modesto, CA 95356

RE: Code Enforcement Case No. 2019-047  
 308 Delwood Street  
 Westwood, CA 96137  
 A.P.N. 125-151-19

Dear Mr. Mendoza:

The intent of this letter is to inform you of the Hearing Officer's decision from the administrative hearing held on December 4, 2019. On December 4, 2019, Hearing Officer Lynn Strom determined that the voluntary abatement of a public nuisance was not completed and an administrative penalty has been set for \$12,000. The Hearing Officer's Decision is attached.

The Hearing Officer also ordered the public nuisance on the Premises to be abated by the owner(s) and or occupants(s) of the Premises within five (5) calendar days of service of this decision. In the event that the nuisance is not abated within the allotted time frame the Planning and Building Services Department shall abate the public nuisance.

**TITLE 1.18.170 ADMINISTRATIVE CIVIL PENALTIES**

1.18.170 (g): *Payment of an administrative penalty specified in the hearing officer's order shall be made to the county within twenty days of service of the order, unless timely appealed to the Superior Court in accordance with Government Code Section 53069.4, subdivision (b)*

1.18.170 (h): *Interest shall accrue on all amounts due under this section, from the effective date of the administrative penalty order, as set forth in this section, to the date paid pursuant to the laws applicable to civil money judgments.*

1.18.170 (i): *In addition to any other legal remedy, whenever the amount of any administrative penalty imposed pursuant to this section has not been satisfied in full within ninety days and has not been timely appealed to the Superior Court in accordance with Government Code Section 53069.4, subdivision (b), or if appealed, such appeal has been dismissed or denied, this obligation may be enforced as a lien against the real property on which the violation occurred.*

Alberto Mendoza  
December 19, 2019  
Page 2 of 2

Payment of administrative penalties must be made to Lassen County Planning and Building Services Department located at 707 Nevada Street, Suite 5 Susanville, CA. 96130.

Should you have any questions, contact Code Enforcement Officer Rob Steen or Jordan Guess (530) 251-8269.

Sincerely,

  
Maurice L. Anderson,  
Director, Acting Building Official

MLA:rls (8)

Enclosure: Hearing Officer Decision



CDEF2019-047  
7017 0660 0000 6271 4780

## DECLARATION OF SERVICE BY CERTIFIED/RETURN RECEIPT AND FIRST CLASS MAIL

### I, THE UNDERSIGNED, DECLARE THAT:

1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitle cause or matter;
2. My business address is 707 Nevada Street, Susanville, California 96130 and;
3. I served the foregoing **NOTICE OF HEARING OFFICER DECISION** on the interested parties in said cause by depositing true copies thereof enclosed in sealed envelopes and placing the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in sealed envelopes with postage fully paid for both Certified/Return receipt and 1<sup>st</sup> Class, in Susanville, California on Thursday, December 19, 2019, addressed as follows:

MENDOZA, ALBERTO BARAGAN  
1514 KINGSLAND LN  
MODESTO, CA 95356

I declare under penalty of perjury that the foregoing is true and correct. Executed on Thursday, December 19, 2019, at Susanville, California, 96130.

\_\_\_\_\_  
Brooke Suarez

7017 0660 0000 6271 4780

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL® RECEIPT</b>	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$ <u>3.50</u>	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____ <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input checked="" type="checkbox"/> Adult Signature Required \$ <u>2.80</u> <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ <u>15.30</u>	
Total Postage and Fees \$ <u>6.75</u>	
Sent To Street and Apt. No., or PO <u>Alberto Baragan Mendoza</u> City, State, ZIP+4® <u>1514 Kingsland Lane</u> <u>Modesto, CA 95356</u>	

PS Form 3800, April 2019



*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

Maurice L. Anderson, *Director*

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: [landuse@co.lassen.ca.us](mailto:landuse@co.lassen.ca.us)

website: [www.co.lassen.ca.us](http://www.co.lassen.ca.us)

Zoning & Building

Inspection Requests

Phone: 530 257-5263

## NOTICE OF INTENT TO RECORD A LIEN

CERTIFIED MAIL/RETURN RECEIPT

7017 0660 0000 6271 3813

June 8, 2020

Alberto Baragan Mendoza  
1514 Kingsland Lane  
Modesto, Ca 95356

RE: CDEF 2019-047  
308 Delwood  
Westwood, CA.  
A.P.N. 125-151-19

Dear Mr. Mendoza:

The intent of this letter is to remind you of the Hearing Officer's decision from the administrative hearing held on December 4, 2019. On December 16, 2019, Hearing Officer Lynn Cottier (Strom) determined that the voluntary abatement a public nuisance was not completed and an administrative penalty was set for \$12,000. The Hearing Officer's Decision is attached.

### TITLE 1 CHAPTER 1.18.170 ADMINISTRATIVE CIVIL PENALTIES

1.18.170 (g): *Payment of an administrative penalty specified in the hearing officer's order shall be made to the county within twenty days of service of the order, unless timely appealed to the Superior Court in accordance with Government Code Section 53069.4, subdivision (b)*

1.18.170 (h): *Interest shall accrue on all amounts due under this section, from the effective date of the administrative penalty order, as set forth in this section, to the date paid pursuant to the laws applicable to civil money judgments.*

1.18.170 (i): *In addition to any other legal remedy, whenever the amount of any administrative penalty imposed pursuant to this section has not been satisfied in full within ninety days and has not been timely appealed to the Superior Court in accordance with Government Code Section 53069.4, subdivision (b), or if appealed, such appeal has*

Alberto Mendoza  
June 8, 2020  
Page 2 of 2

*been dismissed or denied, this obligation may be enforced as a lien against the real property on which the violation occurred.*

The administrative penalty \$12,088.77 (\$12,000 imposed + \$88.77 interest) was not paid in full within (90) days, as required by section 1.18.170 (i) of the Lassen County Code. That said, this letter also serves as a final warning of the Departments intent to record the total balance of the outstanding administrative penalties, as a lien against your property should you fail to make payment.

REMEDY:

You have (30) days from the date of this letter to contact the Office of the Treasurer Tax Collector if you would like to avoid this Department filing of a lien against your property. Once you contact the Treasurer Tax Collectors Office, you may either pay the remaining balance of administrative penalties in full, or you may request to enter into a payment plan.

Should you have any questions, please feel free to contact Code Enforcement at (530) 251-8269.  
Sincerely,



Maurice L. Anderson,  
Director, Acting Building Official

MLA:mcrm

Enclosure: Hearing Officer Decision

CC: Nancy Cardenas, Treasurer Tax Collector



CDEF2019-047  
7017 0660 0000 6271 3813

## DECLARATION OF SERVICE BY CERTIFIED/RETURN RECEIPT AND FIRST CLASS MAIL

### I, THE UNDERSIGNED, DECLARE THAT:

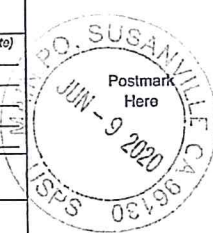
1. I am an employee of Lassen County, California, over the age of eighteen years and not a party to the within entitle cause or matter;
2. My business address is 707 Nevada Street, Susanville, California 96130 and;
3. I served the foregoing **NOTICE OF INTENT TO RECORD A LIEN** on the interested parties in said cause by depositing true copies thereof enclosed in sealed envelopes and placing the envelopes for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in sealed envelopes with postage fully paid for both Certified/Return receipt and 1<sup>st</sup> Class, in Susanville, California on Tuesday, June 09, 2020, addressed as follows:

ALBERTO BARAGAN MENDOZA  
1514 KINGSLAND LANE  
MODESTO, CA 95356

I declare under penalty of perjury that the foregoing is true and correct. Executed on Tuesday, June 09, 2020, at Susanville, California, 96130.

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL® RECEIPT</b>	
<i>Domestic Mail Only</i>	
<small>For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>®.</small>	
<b>OFFICIAL USE</b>	
Certified Mail Fee	\$ _____
<b>Extra Services &amp; Fees (check box, add fee as appropriate)</b>	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input checked="" type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____
Total Postage and Fees	\$ _____
Sent To	
Street and Apt. No., or P.O.B.	
City, State, ZIP+4®	
<b>Alberto Baragan Mendoza</b> <b>1514 Kingsland Lane</b> <b>Modesto, CA 95356</b>	
<small>PS Form 3800, April 2015 PSN 7530-02-000-9047</small>	

  
 \_\_\_\_\_  
 Brooke Suarez





*County of Lassen*  
Department of Planning and Building Services

• Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

**NOTICE OF PUBLIC HEARING**

**Maurice L. Anderson, Director**  
707 Nevada Street, Suite 5  
Susanville, CA 96130-3912  
Phone: 530 251-8269  
Fax: 530 251-8373  
email: landuse@co.lassen.ca.us  
website: www.co.lassen.ca.us

January 12, 2021

RE: CDEF2019-047  
308 Delwood Street  
Westwood, CA 96137

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263


**NOTICE OF PUBLIC HEARING**  
**LASSEN COUNTY BOARD OF SUPERVISORS**

The Lassen County Board of Supervisors solicits the aid of public agencies and the general public in consideration of the following item:

**Property Owner:** Alberto Baragan Mendoza  
**File Number:** CDEF2019-047  
**Project:** Public Hearing to consider recovery of Administrative Penalties  
Pursuant to Title 1, Chapter 1.18.170(i) of Lassen County Code.  
**Location:** 308 Delwood Street, Westwood, CA 96137  
**A.P.N.:** 125-151-19

The Board of Supervisors will hold a public hearing on this item at 10:10 AM, on Tuesday, January 26, 2021, at Lassen County Fairgrounds, Jensen Hall, 195 Russel Avenue, Susanville, CA 96130. All interested persons and agencies are invited to attend the meeting and be heard, or to submit comments to the Department of Planning and Building Services, 707 Nevada Street, Suite 5, Susanville, CA 96130.

Sincerely,

  
Maurice L. Anderson,  
Director, Acting Building Official

MLA:rls

**NOTE:** Anyone wishing to challenge in court an action on the project described above may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered at, or prior to, said public hearing.



















