



COUNTY OF LAKE
CODE ENFORCEMENT

255 N. FORBES ST | LAKEPORT, CA 95453 | (707) 263-2309

NOTICE OF NUISANCE AND ORDER TO ABATE

PURSUANT TO LAKE COUNTY CODE, CHAPTER 13, Sections 13-6 ET. SEQ.

A. **CASE NUMBER:** ENF23-00517
SITE ADDRESS: 265 Butler St, Clearlake Oaks, CA
PROPERTY OWNER: Hacker, Robert L & Patricia
ASSESSOR PARCEL #: 035-391-58
MAILING ADDRESS: PO Box 1501, Clearlake Oaks, CA 95423

INTERESTED PARTY: Mr. Cooper Research Department
 PO Box 612488, Dallas, TX, 75261

B. **THE FOLLOWING CONDITION(S) CONSTITUTE A PUBLIC NUISANCE AND/OR VIOLATION OF THE LAKE COUNTY CODE (LCC):**

Located and/or existing on the property is/are: (1) any building, dwelling, manufactured home, or other structures: that is lacking habitual presence of persons who have a legal right to be on the premises or at which substantially all lawful business operations or residential occupancy has ceased; and whose doors, windows or other openings are broken or missing, so as to allow uncontrolled access to the interior or exposure to the elements; (2) visible mold; (3) dampness of habitable rooms; (5) lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit; (6) lack of, or improper kitchen sink; (7) garbage, rubbish, refuse, or waste matter; (8) inoperable vehicles.

Code sections in violation:

- Chapter 5, Article VII, Section 5-35.1 – Standards for Securing a Building
- CA Health and Safety Code 17920.3 (a) (1) – Lack of, or Improper Lavatory
- CA Health and Safety Code 17920.3 (a) (3) – Lack of, or Improper Kitchen Sink
- CA Health and Safety Code 17920.3 (a) (13) – Visible Mold Growth
- CA Health and Safety Code 17920.3 (a) (11) – Dampness of Habitable Rooms
- Chapter 13, Article I, Section 13-3.1 (e) (13) – Inoperable Vehicles
- Chapter 13, Article I, Section 13-3.1 (e) (7) – Garbage, Rubbish, Refuse, or Waste Matter

C. **ORDER IS GIVEN TO COMMENCE ABATEMENT OF THE CODE VIOLATION(S) OF THE LAKE COUNTY CODE WITHIN THIRTY (30) DAYS OF THE DATE ON THIS NOTICE AND CORRECT THE CONDITIONS DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS. FAILURE TO DO SO MAY RESULT IN THE IMPOSITION OF AN ADMINISTRATIVE PENALTY/CITATION:**

1. (a) Remove all waste, rubbish or debris from the interior of the structure;
- (b) Remove all waste, rubbish, debris or excessive vegetation from the premises surrounding the vacant structure;
- (c) Barricade all unsecured doorways, windows, or exterior openings with minimum five-eighths (5/8) inch thickness exterior grade plywood which shall extend to the molding stops or studs;
- (d) Mount at least two (2) wood stocks of minimum two by four (2×4) inch thickness to the reverse face of the plywood with minimum three-eighths (3/8) inch carriage bolts mated with nuts and two (2) flat washers;
- (e) Extend the stock a minimum of eight (8) inches on each side of the interior wall;

See reverse side of this document for information that may affect your rights.

- (f) Paint all exterior barricade material the predominant color of the structure;
- (g) Terminate all utility service to the dwelling or building by removal of the meters and termination of electric power at the pole. Compliance with this subsection may be waived in writing by the County Building Official as to the electric utility service if electricity is needed to power exterior security lighting, an alarm system, or equipment to be used in connection with rehabilitation of the dwelling or building for which there is an active and current building permit;
- (h) If applicable, cap the sewer in a manner approved by the County Building Official to prevent the accumulation of methane gas in the dwelling or building;
- (i) Post the premises. One or more laminated signs must be posted at or near each entrance to the structure and on fences or walls as appropriate. The signs must remain posted until the structure is either lawfully occupied or demolished. Signs must contain the following information:

"DO NOT ENTER. It is illegal to enter or occupy this building or premises or to remove or deface this notice. Trespassers will be prosecuted. (Lake County Building Code Sections 5-14, 5-36.1 and Penal Code Sections 602.5 and 616)"

- 2. Ensure lavatories and kitchen sink are installed properly and in compliance with CA Health and Safety Code.
- 3. Clean and/or repair any visible mold growth.
- 4. Clean/dry/repair dampness in any habitable rooms.
- 5. Remove and properly dispose of any inoperable vehicles and/or parts thereof.

D. YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED OR AS TO WHY THE PROPERTY SHOULD NOT BE CONSIDERED A PUBLIC NUISANCE, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING AN APPEAL HEARING REQUEST FORM OR BY SUBMITTING A WRITTEN APPEAL IN WRITING. AND MUST BE FILED WITHIN TWENTY-ONE (21) DAYS OF SERVICE OF THE NOTICE OF VIOLATION. THE APPEAL SHOULD STATE THE CODE SECTION THAT YOU ARE APPEALING AND PROVIDE A REASON FOR THE APPEAL. IF YOU FAIL TO REQUEST A NUISANCE ABATEMENT HEARING, ALL RIGHTS TO APPEAL ANY ACTION OF THE COUNTY TO ABATE THE NUISANCE WILL BE WAIVED. THE APPEAL FORM MAY BE OBTAINED OR SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT, CODE ENFORCEMENT DIVISION 255 N. FORBES ST., THIRD FLOOR, LAKEPORT, CA 95451

E. WHERE THE ENFORCEMENT OFFICIAL HAS DETERMINED THAT THE CONDITION CAUSING THE NUISANCE IS IMMINENTLY DANGEROUS TO HUMAN LIFE OR LIMB, OR IS UNSAFE, OR IS DETRIMENTAL TO THE PUBLIC HEALTH OR SAFETY, HE MAY ORDER THAT THE BUILDING OR STRUCTURE AFFECTED BE VACATED, PENDING THE CORRECTION OR ABATEMENT OF THE CONDITIONS CAUSING THE NUISANCE.

F. PURSUANT TO CHAPTER 13 OF THE LAKE COUNTY CODE, IF YOU FAIL TO CORRECT THE NUISANCE CONDITIONS BY THE DATE SPECIFIED IN SECTION C OF THIS NOTICE AND ORDER OR ANY SUBSEQUENT TIME EXTENSION GRANTED BY THE ENFORCEMENT OFFICIAL, AND/OR FAIL TO SUCCESSFULLY SHOW CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS SPECIFIED IN SECTION D OF THIS NOTICE, THE ENFORCEMENT OFFICIAL MAY RECORD THIS NOTICE AND ORDER AND MAY ABATE THE PUBLIC NUISANCE. THE COSTS OF SAID ABATEMENT WILL BE RECOVERED BY ONE OR MORE OF THE FOLLOWING MEANS:

- 1) A CHARGE AGAINST THE PREMISES WITH THOSE COSTS MADE A SPECIAL ASSESSMENT AGAINST THE PREMISES. SAID SPECIAL ASSESSMENT MAY BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS IS PROVIDED FOR THE COLLECTION OF ORDINARY COUNTY TAXES, AND SHALL BE SUBJECT TO THE SAME PENALTIES, INTEREST AND TO THE SAME PROCEDURES OF FORECLOSURE AND SALE IN THE CASE OF DELINQUENCY AS IS PROVIDED FOR ORDINARY COUNTY TAXES.
- 2) PAID THROUGH A CODE ENFORCEMENT DEBT REDUCTION AGREEMENT THAT HAS BEEN NEGOTIATED WITH THE LAKE COUNTY TREASURER – TAX COLLECTOR.
- 3) REFERRED TO A DEBT COLLECTION AGENCY LICENSED BY THE STATE OF CALIFORNIA IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 26220(a).



**Christopher Colen, CODE ENFORCEMENT OFFICER
COMMUNITY DEVELOPMENT DEPARTMENT
COUNTY OF LAKE, STATE OF CALIFORNIA**

DATED: May 24, 2023