



Land Use Services Department
Code Enforcement

Terri Rahhal
Director

NOTICE AND ORDER TO REPAIR

NATIONAL
\$949

\$1250 / 6 mos

NEXT TUES, AUG 31ST

VIA FIRST CLASS AND CERTIFIED MAIL

August 10, 2021

Santiago, Joseph
403 10th St
Huntington Beach, CA 92648

LEGAL NOTICE AND ORDER of the Code Official of the County of San Bernardino

RE: 53385 Pioneertown Rd., Pioneertown, CA 92268

CASE: C201903524

APN: 0594-201-09-0000

LEGAL DESCRIPTION: ASSESSORS MAP NO 13 LOT 146

Dear Property Owner(s):

The Code Official or designee has made an inspection of this property as authorized by Chapter 19 of Division 3 of Title 6 of the San Bernardino County Code, also known as the International Property Maintenance Code. This inspection was made on April 20, 2021. Using the following definitions from **Section 108.1.5** of the International Property Maintenance Code, which states that for the **“for the purposes of this code any structure, or premises that has any or all of the [following] conditions or defects...shall be considered dangerous.** Inspectors found and determined that the building(s) on your property meet the following conditions and are unsafe and/or dangerous.

Section 108.1.5 Dangerous structure or premises, Number 4: Any portion of a building, or any member, appurtenance or ornamentation of the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one half the original designed value.

BOARD OF SUPERVISORS

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Inspection records dating back to June 2020 and confirmed again during the April 20, 2021 inspection show that portions of a structure stored on the subject parcel remain unanchored to any foundation and are presently stored/balanced on box cribbing.

Section 108.1.5 Dangerous structure or premises, Number 6: The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

The parts of the structure stored on this property remain unattached, open and abandoned, and unfit for occupancy.

Section 108.1.5 Dangerous structure or premises, Number 7: The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act:

The parts of the structure stored on this property remain open to access and present an attractive nuisance to children, vagrants, and the public at large.

Section 108.1.5 Dangerous structure or premises, Number 11: Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

The parts of the structure stored on this property remain open to access and are an attractive nuisance and hazard to the public.

On the basis of the findings of this inspection and under the provision of Sections 107 and 108 of the 2015 International Property Maintenance Code, I declare all the buildings on this property to be dangerous, and that these dangerous conditions constitute a threat to the life, health and safety of the public.

These dangerous conditions must be abated by repair, removal, or demolition. Before any repairs are begun, you must contact the Building & Safety Division of San Bernardino County Land Use Services Department to determine what permits will be necessary for the required repairs, if any. Failure to obtain necessary permits will result in the County continuing to view this building as dangerous or substandard even if repairs have been made. After repairs have been made, this property must be maintained in such a way so that the property will not constitute a public nuisance.

In order to comply with this Notice and Order you must satisfy the following timeline: (1) Immediately and within 30 days, secure the parts of the structure currently supported by box cribbing with security fencing to prevent any unauthorized access; (2) Submit required plans for required permits within 20 days of the date of this Notice and Order; (3) Obtain valid building permit(s) for the set-down and rehabilitation of the structure within 60 days of the date of this Notice and Order; and (4) Repairs or demolition must commence within 90 days of the date of this Notice and Order. Failure to commence work or obey this Notice and Order may

result in one or more of the following:

- Our causing the buildings on the property to be demolished and charging that cost against the property.
- The issuance of administrative fines and/or civil penalties, for ongoing daily violations.
- Our petitioning the Court for the appointment of a receiver pursuant to State housing law.

Any person directly affected by this Notice and Order for the above referenced property may appeal this Notice and Order. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. Such an appeal must be made in writing and filed with the Code Official within 20 days of the date of service, which is the day that this Notice and Order was mailed via certified mail. All appeals must comply with the requirements of County Code Section 63.0105 of Chapter 1, Division 3 of Title 6, a copy of which has been enclosed with this Notice and Order. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of this matter. If you choose to appeal this Notice and Order, you should read the attachment that explains the purpose and procedure of an appeal.

Lessors cannot retaliate against a lessee as described in Civil Code Section 1942.5.

Finally, Sections 17274 and 24436.5 of the California Revenue and Taxation Code provide, in part, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with health, safety, or building, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation or taxes attributable to each substandard structure where the substandard conditions are not corrected within six (6) months after notice of violation by the regulatory agency, in the same taxable year. The date of service of this Notice and Order marks the beginning of that six-month period. The County is required by law to notify the Franchise Tax Board of failure to comply with the code sections listed herein.

If you have any questions regarding this Notice and Order, please contact David Jorgenson at (909) 387-0115 or (909) 884-4056, Monday through Friday, 8:00 a.m. to 5:00 p.m., except holidays, or in writing at County of San Bernardino, 172 W. 3rd St., Fourth Floor, San Bernardino, CA 92415.

Respectfully:

Julie Hernandez

Julie Hernandez, Interim Code Enforcement Chief
Land Use Services Department
Code Enforcement Division