City of Santa Rosa
Administrative Hearings
100 Santa Rosa Avenue
Santa Rosa, CA 95404

File # CE18-0320

ADMINISTRATIVE ENFORCEMENT ORDER

Property Address: 961 Stony Point Road, Santa Rosa, CA 95407

Responsible Party: Gary A. Pigsley and Lili F. Pigsley

Assessor's Parcel Number: 035-121-052-000 Zoning: R-1-6

Administrative Hearing Officer's Decision:

A noticed Hearing was held for this matter on May 14, 2025 commencing at approximately 1:00 p.m., in the Santa Rosa City Council Chambers, before the undersigned ("Hearing Officer"), who called the Administrative Hearing Calendar to order. Appearing at the Hearing on behalf of the City of Santa Rosa ("City") was Megan Lackie, City Certified Code Enforcement Officer ("Ms. Lackie"). Also attending for City was Deputy City Attorney Kelly Leonhardt, and Cassidy Anderson of the City Code Enforcement Division. Responsible Party, Gary A. Pigsley and Lili F. Pigsley appeared in person, as did their daughter, Regina Pigsley. Appearing as a witness to the conditions at the subject property was Tom O'Kane. No request was made for a continuance of the Hearing.

The Hearing concerned allegations by City of twelve (12) unabated violations of the City Code at the improved real property located at 961 Stony Point Road, Santa Rosa, CA 95407, also known as APN: 035-121-052-000 ("the property"). All City Code Sections discussed below will be styled "Section" followed by the specific number.

Prior to the Hearing, the Hearing Officer was provided with Ms. Lackie's ADMINISTRATIVE HEARING STAFF REPORT and supporting attachments ("Report"), consisting of 599 pages, plus an index and Proofs of Service. The Hearing Officer read the Report in its entirety before the Hearing, and carefully reviewed all color photos therein. During the Hearing, Ms. Lackie identified and submitted additional photos of the property taken on the morning of the Hearing, together with a Revised Administrative Costs Calculation Sheet. Also,

Responsible Party, Lili F. Pigsley identified and submitted recent photos of the property. The Report, together with the additional photos and Revised Administrative Costs Calculation Sheet submitted by Ms. Lackie and Lili F. Pigsley were received in evidence.

After calling the Hearing to order the Hearing Officer administered oaths to Ms. Lackie, Lili F. Pigsley and Gary A. Pigsley. Later during the Hearing, the Hearing Officer administered oaths to Regina Pigsley, and witness, Tom O'Kane, before their testimony. Ms. Lackie gave her testimony summarizing the chronology of City's Code Enforcement activity with the property dating back to 2018, and authenticated her Report and all photos. When Ms. Lackie completed her testimony, Lili Pigsley and Gary Pigsley were given the opportunity to ask cross examinations, but what ensued was argumentative statements. The Pigsleys were then given the opportunity to present their case in opposition to the Revised Administrative Notice and Order at issue, which was heard by the Hearing Officer. Regina Pigsley testified about her recent efforts to improve the conditions at the property, and the needs of her parents. Witness, Tom O'Kane testified about his observations as to the conditions at the propery, and was cross examined by Lili F. Pigsley. This matter was then submitted for a decision by the Hearing Officer, and adjourned at approximately 1:45 p.m.

Considering all of the oral and documentary evidence presented before and during the Hearing, the Hearing Officer makes the following findings:

A. City has complied with all notice requirements for the Hearing.

B. The Revised Administrative Notice and Order issued by City on April 16, 2025 is uphled with the modifications discussed below.

C. By a preponderance of the evidence, Gary A. Pigsley and Lili F. Pigsley—the Responsible Party herein—are in violation of Sections of the City Code and California Law, itemized in the Revised Administrative Notice and Order, as follows:

Violation #1: Section 1-30.030 (G)3(f): Nuisance standards. For several years, the property has/had an alarming accumulation of trash, debris, rubbish and other belongings throughout the property, creating junkyard-like conditions, such that the property is a nuisance under this Section.

Violation #2: Section 18-20.302.8: Failure to remove inoperable/stored vehicles in the front, side and rear yard setback.

Violation #3: Section 18-20.302.1: Failure to keep the exterior and interior of the property in clean and sanitary condition, with the accumulation of used furniture, shopping carts, tools and construction materials.

Violation #4: California Health and Safety Code Section 17920.3: Maintaining the property

and the buildings/dwelling units in substandard conditions that endanger the life, limb, health, property, safety or welfare of the public or the occupants thereof, etc.

Violation #5: Section 18-20.505.1: The property lacks plumbing connections and a water source, etc., since May 8, 2024, as a result of Responsible Party failing to pay the City water service invoices for the property.

Violation #6: Section 18-20.605.1: The property owners/Responsible Party have failed to maintain the interior and exterior of the property free from electrical hazards. Many photos depict the improper use of extension cords, and exposed electrical wiring—all obviously in violation of this Section requiring that all electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

Violation #7: Section 18-20.304.14: Failure to have proper window and door screens for insect control and ventilation. This failure is depicted in many photos taken throughout City's dealings with the property dating back to 2018.

Violation #8: Section 18-20.306.1.1: Unsafe conditions (component serviceability). Many photos depict conditions of a defective/leaking roof, with corresponding interior ceiling and other damage in need of repair.

Violation #9: California Building Code Section 105.1: Building Permits Required. Responsible Party failed to obtain legally required building permits for corrective actions they were required to take for illegal electrical installations, and needed building repairs under a prior Administrative Enforcement Order dated April 29, 2019, and recorded May 1, 2019, as Document Number 2001928936 of Official Records of Sonoma County.

Violation #10: Section 18-20.108.1.3: The residential structures at the property are unfit for human occupancy, per the Notice and Order to Vacate posted to the property residence(s) on October 30, 2024. Responsible Party appealed this Order to Vacate to the Board of Building Regulation Appeals ("BOBRA"), and the appeal was denied by said Board.

Violation #11: Section 18-20.302.5: The interior and exterior conditions of the property were not maintained so as to prevent a rodent harborage and infestation. Many photos received in evidence depict this infestation and the presence of rodent droppings.

Violation #12: Section 18-32.400.12: Responsible Party trenched and installed PVC piping to route electrical extension cords in the driveway/side yard as a substitute for the fixed wiring of the structures at the property; in violation of this Section. Photos depict this improper installation.

From the photos received in evidence during the Hearing submitted by Ms. Lackie and Lili F. Pigsley, it appears that progress has been made by Responsible Party and their daughter, to abate

the deplorable conditions at the property, but unfortunately—those improvements were made too late to avoid this case proceeding to Hearing. It also appears from those photos, that although significant clearing/removal of materials, trash and inoperable vehicles has occurred, not all areas of the property and residence rooms have been cleared. The Hearing Officer also notes that City was compelled to obtain an Inspection Warrant dated March 20, 2025 from the Sonoma County Superior Court to gain access to the property, had to consider a formal Receivership action, and had to communicate with Adult Protective Services re the activities of—and City's dealings with Responsible Party. There is no evidence that the BOBRA's denial of Responsible Party's appeal of the Notice and Order to Vacate the property was improper. Finally, City has been dealing with City Code violations at the property since 2018, and Responsible Party failed to comply with a prior Administrative Enforcement Order.

D. Good cause exists for an Order requiring Responsible Party to abate the above violations immediately, and to refrain from future violations of the City Code.

Responsible Party **IS HEREBY ORDERED** to abate the twelve violations listed above within seven (7) days of the date this Order becomes final—which is the date this Order is mailed to Ms. Lackie. Should Responsible Party fail to so abate the violations, including obtaining all required permits and inspections to abate the violations, City is authorized to enter upon the property, and if necessary, employ contractors who may enter upon the property, and take whatever action is necessary to abate the violations. Responsible Party **IS FURTHER ORDERED TO CEASE AND DESIST** from any acts—or failures to act—that would cause any of the above violations to continue, or constitute new violations of the City Code. **IT IS FURTHER ORDERED** that Responsible Party shall not interfere with any abatement activities carried out by City or the contractors employed by City, if such activities become necessary. Further, all costs incurred by City in abating the violations shall be an additional cost Responsible Party shall owe to City.

E. The Hearing Officer assesses Penalties and Administrative Costs to Responsible Party as detailed below. The Hearing Office has discretion to assess penalties *up to* $ 500.00 per day for each violation upheld. As mentioned above, some late progress has been made, and it is hoped that the influence of the daughter(s) of Responsible Party will inspire further progress.

1. As for Violation #2, the Hearing Officer finds that the inoperable vehicles were removed from the property before the Hearing, but not before May 4, 2025. The penalty for this violation is:

One violation x $ 200.00 per day x 5 days = $ 1,000.00

As for Violations #1, #3, #4, #5, #6, #7, #8, #9, #10, and #12, due to the recent efforts by Responsible Party to partially abate them, the penalty is:

Eleven violations x $ 400.00 per day x 10 days = $ 44,000.00

Total penalty assessed to Responsible Party is: **$ 45,000.00**

2. The Hearing Officer assesses Administrative Costs to Responsible Party as follows:

a. Attached hereto is a copy of the "REVISED ADMINISTRATIVE COSTS CALCULATION SHEET" received in evidence, which itemizes the Administrative Costs incurred by City prior to the Hearing. Those pre-hearing costs came to a total of $ 11,133.18. Because of the timely appearance of Ms. Lackie at the Hearing, until it was submitted for decision and adjourned at 1:45 p.m., the Administrative Costs are increased by the sum of $ 81.53 (one hour).

Total Pre-Hearing City Administrative Costs assessed to Responsible Party are: **$ 11,214.71**

b. Per Section 1-30.030, the Services of the Hearing Officer are an Administrative Cost. The Hearing Officer's time included: reading the Report; careful review of all photos of the property; legal research applicable City Codes and California Law; preparing for the Hearing; travel to and from the City Council Chambers; conducting the Hearing; review of all oral and documentary evidence received during Hearing; preparing this Administrative Enforcement Order, and a Proof of Service By Mail; and service of this Order by Mail on the Responsible Party and Ms. Lackie. The total additional Administrative Costs assessed herein to Responsible Party for the services of the Hearing Officer is: **$ 2,919.69**

Total Penalty Assessed to Responsible Party: $ 45,000.00
Total Administrative Costs Assessed to Responsible Party: $ 14,134.40

F. The Hearing Officer will serve copies of this Order on Responsible Party and Ms. Lackie by U.S. Mail. When the Order is so mailed on Ms. Lackie, the Order will be final.

G. This Order shall serve as notice to the Responsible Party that if the above Penalty and Administrative Costs assessed are not received by City within thirty (30) days of the date of this Order, City may seek to enforce it through judicial review. The penalty for late payment of the assessed penalty and administrative costs is 7% per annum, pro-rated daily from the payment due date. The above assessed Penalty and Administrative Costs may become the subject of a special assessment against the property if payment is not received within thirty (30) days of the date this Order becomes final. Should Responsible Party cause a delay in City's efforts to correct the above violations, Responsible Party may be subject to additional penalties authorized by law.

H. Per Section 1-30.120 of the City Code, and person contesting this Administrative Enforcement Order may seek review by filing an appeal with the Sonoma County Superior Court within twenty (20) days of this Order.

Dated: May 23, 2025 **BY ORDER OF** Leonard C. Curry

Leonard C. Curry
Administrative Hearing Officer

City of Santa Rosa
Administrative Hearings
100 Santa Rosa Avenue
Santa Rosa, California 95404

File # CE18-0320

REVISED ADMINISTRATIVE COSTS CALCULATION SHEET

Appendix No. 7-E

1a. Responsible Party: **Gary A Pigsley/ Lili F Pigsley**
1b. Address: **PO Box 7490**
Santa Rosa, CA 95407

2. Location of Violation in the City of Santa Rosa: **961 Stony Point Road**

3. Assessor Parcel Number: 035-121-052 Zoning District: R-1-6

4. Date of Administrative Hearing: May 14, 2025

5 **Administrative Costs: $11,133.18**
See description beginning with item 5a, below:

a.	Letters, meetings, hearing preparation 75 hr(s). @ $81.53/hr. =	$6,114.75
b.	14 site visit(s) 14 hr(s). @ $81.53/hr. =	$1,141.42
c.	Senior Administrative Assistant –6 hr(s). @ $56.31/hr. =	$337.86
d.	Senior Code Enforcement Officer – 7 hr(s). @$90.13/hr. =	$630.91
e.	Assistant Chief Building Official – 4 hr(s). @114.56/hr. =	$458.24
f.	Assistant City Attorney = 7 hr(s). @ $350.00/hr =	$2,450.00

7. Administrative Hearing Time for Code Enforcement Officers 1.0 hr(s). @ $81.53/hr. = $ 81.53 (to be added by Hearing Officer after hearing)

Date: May 14, 2025

BY ORDER OF M. Lackie

Name: Megan Lackie
Title: Code Enforcement Officer
Telephone: 707-543-3329

PROOF OF SERVICE BY MAIL

I am self employed in the County of Sonoma, State of California. I am over eighteen years of age and not a party to the within action. My business address is 115 West First Street, Cloverdale, California 95425.

On May 23, 2025, I served the attached **ADMINISTRATIVE ENFORCEMENT ORDER** on the interested parties in this proceeding, by placing true copies of the documents in a sealed envelope, and mailing same with the United States Postal Service at Healdsburg, California, that same day addressed as follows:

1. Megan Lackie
   City of Santa Rosa Code Enforcement Officer
   100 Santa Rosa Avenue, Room 3
   Santa Rosa, CA 95404

2. Gary A. Pigsley and Lili F. Pigsley
   961 Stony Point Road
   Santa Rosa, CA 95407

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on May 23, 2025, at Healdsburg, California.

Leonard C. Curry