

City of Santa Rosa
Administrative Hearings
100 Santa Rosa Ave.
Santa Rosa, CA 95404

File # CE 17-0251

ADMINISTRATIVE ENFORCEMENT ORDER

- 1-A Responsible Party: Craig Torango**
- 1-B Address: 944 Temple Ave. Santa Rosa, CA 95404**
- 2. Location of Violation: 944 Temple Ave. Santa Rosa, CA 95404**
- 3. APN: 009-316-018 Zoning District: PD 73-001**
- 4. Administrative Hearing Officer's Decision:**

A Noticed Hearing was held on October 18, 2017 commencing at 1:00 p.m. in the Santa Rosa City Council Chambers located at 100 Santa Rosa Ave before the undersigned regarding violations alleged by the City of Santa Rosa("City") of the Santa Rosa City Code at the above referenced property. Present at the hearing were City of Santa Rosa Code Enforcement Officer/Building Inspector Mark Maystrovich and Michael J. Reynolds, on behalf of the "City". Responsible Party Craig Torango failed to appear at the hearing and no one appeared on behalf of the Responsible Party or filed any response on behalf of the Responsible Party.

After consideration of the testimony Mr. Maystrovich and Mr. Reynold and the documentary evidence contained in the staff report dated October 4, 2017, the hearing officer makes the following findings:

- A. The City has complied with all applicable notice requirements for the hearing, and
- B. The record contains sufficient evidence to show that the Responsible Party is in violation of the Code section(s) listed below that are set forth in the Staff Report dated October 4, 2017 and the Administrative Notice and Order issued in this matter by the "City" on September 21, 2017.
- C. The Administrative Notice and Order of September 21, 2017 is upheld as follows:

- D. Based on these findings I assess a penalty of \$ 2700.00 (see attached penalty calculation sheet) plus administrative costs against the Responsible Party in the amount of \$ 1829.00 which includes the cost incurred for the appearance of Mr. Maystrovich on behalf of the City at the hearing for one hour. In addition, the cost of the Administrative Hearing officer of \$ 375.00 shall be an additional administrative cost chargeable to the Responsible Party, which cost includes preparation for the hearing, hearing time, review and analysis of the applicable law, the testimony and documentary evidence, rendering and preparation of this decision, and service of this order by mail upon the responsible party and the City's Code Enforcement Officer /Building Inspector Mr. Maystrovich.
- E. I shall serve by mail this Administrative Enforcement Order on each party and their attorney, if any, and the Code Enforcement Officer Mr. Maystrovich. When the Administrative Enforcement Order is served by mail on the Code Enforcement Officer, the Order shall be final.
- F. This shall serve as notice to the Responsible Party that the penalties and administrative costs are special assessments against the subject property where the violations occurred and if payment is not received within thirty (30) days of the date of this Order, it will be confirmed by the City Council. The penalty for late payment of the assessed penalty is 7% pro-rated daily from the payment due date.
- G. Should violations continue the Responsible Party may be subject to additional penalties as authorized by law. The penalty for a subsequent violation within thirty-six (36) months of an initial violation is up to \$1000.00 for each day the violation continues.
- H. Within thirty (30) days from the date of this Order, the responsible party shall take corrective action to remedy the violation(s), by removal of the unlicensed/inoperable vehicle(s) and removal of all trash, rubbish and debris at the property; obtain the services of a licensed professional exterminator to abate the rodent infestation and complete and provide a remediation report for same; trim all vegetation in the rear yard of the property to 4" (four) or less; reduce plant growth in front of the house/windows to 3 (three) feet or less; maintain the entire property free of rubbish, garbage and unlicensed/inoperable vehicles and maintain the interiors and exteriors of the structures on the property in a safe, sound and sanitary manner.
- I. Pursuant to SRCC Section 1-30.210, a copy of which is attached to the Administrative Notice and Order served by mail on September 21, 2017, any person contesting the Administrative Order may seek review by filing an

appeal with the Sonoma County Superior Court within twenty (20) days of this Order.

Dated: October 27, 2017

BY ORDER OF

A handwritten signature in black ink, appearing to read 'S. Lander', written over a horizontal line.

STEVEN M. LANDER
Administrative Hearing Officer

PENALTY CALCULATION SHEET

- 1 a. Responsible Party: Craig Torango
- 1 b. Address: 944 Temple Ave, Santa Rosa, CA 95404
- 2. Location of Violation: 944 Temple Ave, Santa Rosa, CA 95404
- 3. APN: 009-316-018
- 4. The penalty for initial each code violation is up to \$500.00 per day for each day the violation continues. In this proceeding, there are nine (9) violations.
- 5. Date Violations were to be corrected: October 8, 2017
- 6. Date of Administrative Hearing: October 18, 2017
- 7. Number of Days between in dates listed in items 5 and 6 above: 10 days

Total penalty assessed is \$ 2700.00*

1 (one) day x \$300.00 per day X 9 (nine) violations.

* Penalties reduced at the request of the City at the hearing.

- 8. Administrative costs are assessed in the sum of \$ 2204.00 which are as follows:

A. Letters, meetings, hearing preparation

2.0 hrs. @\$ 169.00 per hour \$ 338.00

B. 3 site visits, total of 2.0 hrs. @ \$169 per hour \$ 507.00

C. Sr. Administrative Assistant-4hrs. @ \$ 159.00 per hr. \$ 636.00

D. Sr. Code Enforcement Officer 1.0 hr. @ \$178.00 per hr. \$ 178.00

E. Administrative Hearing time 1.0hr. @ \$170.00 per hr. \$ 170.00

F. Hearing Officer time 1.5 hrs. @ \$250.00 per hr. \$ 375.00

Total \$2204.00

Total administrative costs. \$2204.00

Penalty from item 7: \$2700.00

Total penalties and costs: \$4904.00