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CE25-1191

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ADMINISTRATIVE ENFORCEMENT ORDER

Property Address:	2555 GOBAR LN.
Assessor's Parcel Number:	034-820-010
Property Owner(s) and Address:	ANTHONY G SMITH 2555 GOBAR LN. SANTA ROSA, CA 95403

CITY OF SANTA ROSA

ADMINISTRATIVE ENFORCEMENT ORDER

ASSESSOR'S PARCEL NUMBER 034-820-010

2555 GOBAR LANE, SANTA ROSA, CALIFORNIA

FILE #CE25-1191

HEARING DATE OCTOBER 8, 2025

RESPONSIBLE PARTY:

ANTHONY SMITH

SUMMARY OF PROCEEDINGS

Santa Rosa City Code section 1-30.020 declares that a violation of the Santa Rosa City Code or any ordinance enacted by the Santa Rosa City Council is subject to an administrative fine or penalty. Pursuant to Santa Rosa City Code section 1-30.040, whenever a Code Enforcement Officer determines that a violation of an ordinance has occurred, the Code Enforcement Officer may issue an administrative notice and order to the responsible party for the violation.

The purpose of this hearing was to provide a review of the Administrative Notice and Order dated September 9, 2025, and issue orders. An in-person hearing was commenced by Administrative Hearing Officer Charles Tarr, appointed pursuant to Santa Rosa City Code section 1-30.080.

The Owner/Responsible Party Anthony Smith was present. Code Enforcement Technician Ryan West presented oral testimony and documentary evidence on behalf of the City of Santa Rosa in support of the Administrative Notice and Order. Also present on behalf of the City was Code Enforcement Officer Cassidy Anderson.

ENFORCEMENT HISTORY

Code Enforcement action commenced after a site visit on August 5, 2025 after a complaint was received regarding accumulation of trash and debris on the property, a dismantled vehicle in the driveway that was blocking the sidewalk and another vehicle parked in a field next to the property. The evidence established that a Notice of Violation dated August 8, 2025 with a compliance date of August 23, 2025 was mailed on August 8, 2025.

Set forth below, verbatim, are the case chronology entries from the Staff Report for the period August 5, 2025 through September 30, 2025:

8-5-2025: Complaint received via email to code@srcity.org stating accumulation of trash and debris on the front of the property as well as a dismantled silver BMW in the driveway that was blocking the sidewalk, and another vehicle parked in the dry grass field next to this parcel.

8-5-2025: CE25-1191 Code Enforcement case was assigned to Ryan West for Investigation.

8-6-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed and photographed debris and vehicle parts as well as maintenance equipment in plain view from the public right of way. In addition, I also observed a silver BMW in disrepair up on jacks and a dark colored GMC truck parked between the subject property and the adjacent lot. For context the adjacent property is 2406 Fulton Rd, owned by North Village Investors LLC. The adjacent lot is referenced only due to the fact that the vehicle appears to be parked on both lots, was included in the complaint submitted and owner Anthony Smith admitted that this vehicle does belong to him.

8-8-2025: A Notice of Violation and an Administrative Citation with compliance dates of 8-23 2025 was mailed by regular mail to the property owner's mailing address 2555 Gobar Ln. Santa Rosa, CA 95403.

8-19-2025: I received an additional complaint of debris on the property as well as a dismantled BMW and a vehicle parked in the lot next to the subject property.

8-25-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed and photographed debris and vehicle parts as well as maintenance equipment in plain view from the public right of way. In addition, I also observed a silver BMW in disrepair up on jacks and a dark colored GMC truck parked between the subject property and the adjacent unimproved lot.

8-26-2025: An Administrative Citation with a compliance date of 9-2-2025 was mailed by regular mail to the property owner's mailing address 2555 Gobar Ln. Santa Rosa, CA 95403.

9-3-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed and photographed debris and vehicle parts as well as maintenance equipment in plain view from the public right of way. In addition, I also observed a silver BMW in disrepair up on jacks and a dark colored GMC truck parked between the subject property and the adjacent unimproved lot.

9-3-2025: An Administrative Citation with a compliance date of 9-10-2025 was mailed by regular mail to the property owner's mailing address 2555 Gobar Ln. Santa Rosa, CA 95403.

9-5-2025: A Notice of Non-Compliance was recorded with Sonoma County Recorder's Office.

9-9-2025: An Administrative Notice and Order was posted at the subject property 2555 Gobar Ln. While at the property, I also met with the owner Anthony Smith to discuss the issues at the property. I advised him that this property has had multiple code cases throughout the last few years, and I directed him to abate the debris and maintenance equipment still on the premises, and to store both his vehicles in a manner that is compliant with City of Santa Rosa code. In addition, I also advised him to update the Vacant Buildings and Lots registration on his property, to reflect his ownership of it and if he can start tackling these issues I will cease issuing citations to the property in the future. I exchanged emails with Anthony Smith so that we would be able to better stay in contact.

For context, due to a previous Notice of Default recorded against the property, this property has already been registered with the City's Vacant Buildings and Lots program. It was registered by the mortgage company, but Anthony Smith has since addressed the Notice of Default.

9-10-2025: The Administrative Notice and Order was mailed by regular mail and certified mail to the property owner Anthony Smith, 2555 Gobar Ln. Santa Rosa, CA 95403.

9-10-2025: I received an email from the property owner Anthony Smith containing photos showing a text message conversation between Anthony Smith and his daughter, Casstia about the issues at the property and eviction, as well as an accident report from California Highway Patrol, and a hospital work status summary stating physical limitations per his doctor's orders. Anthony Smith submitted documentation from The Medical Center of Marin - San Rafael.

9-11-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed and photographed that most of the original scattered debris and vehicle maintenance equipment was removed from the property. I also observed a silver BMW in disrepair that was no longer obstructing the sidewalk and was moved into the driveway of the subject property and a dark colored GMC truck parked between the subject property and the adjacent unimproved lot.

9-16-2025: I emailed the owner of the subject property, Anthony Smith to check in regarding the status of the property and the Vacant Building's and Lots registration as I had not received the updated paperwork for his property. Anthony Smith replied in the same day that he had gotten Covid but was beginning to feel better so will begin working on the property again.

9-18-2025: I spoke to the owner of the subject property, Anthony Smith, on the phone and answered his questions about how to complete the updated paperwork for the subject property's Vacant Buildings and Lots registration.

9-18-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed and photographed a few bits of scattered debris still on the property. I also observed a silver BMW in disrepair in the driveway of the subject property and a dark colored GMC truck parked between the unimproved lot adjacent to the subject property.

9-25-2025: I received an email from Water Utility Billing that the water service was shut off due to non-payment on September 10, 2025.

9-25-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed and photographed a few bits of scattered debris still on the property. I also observed a silver BMW in disrepair in the driveway of the subject property and a dark colored GMC truck parked between the unimproved lot adjacent to the subject property.

9-30-2025: I conducted a field inspection at the subject property 2555 Gobar Ln. I observed that the conditions had not changed, reflecting trash and debris, the silver BMW in disrepair in the driveway and a dark colored GMC truck parked between the unimproved lot adjacent to the subject property were both still present.

EXHIBITS

Prior to the October 8, 2025 hearing, Code Enforcement tendered the following documents:

1. 96 page Staff Report dated September 30, 2025, which included the Administrative Notice and Order dated September 9, 2025 and documentary evidence, which was received into evidence as Code Enforcement Exhibit 1.
2. Email dated October 6, 2025 with attached 2 page VBL record detail and 3 page property inspection form from the mortgage company, received into evidence as Code Enforcement Exhibit 2.
3. Email dated October 6, 2025 with attached 7 page updated VBL registration documents, 4 page Notice of Default and 1 page Rescission of Notice of Default, received into evidence as Code Enforcement Exhibit 3.

At the October 8, 2025 hearing, Code Enforcement tendered the following documents:

4. 3 color photographs dated and time stamped October 7, 2025, 10:32AM-10:33AM, and a Revised Administrative Cost Calculation sheet, received into evidence as Code Enforcement Exhibit 4.

WITNESSES

- | | |
|---------------------|-----------------------------|
| 1. Ryan West | Code Enforcement Technician |
| 2. Anthony Smith | Owner/Responsible Party |
| 3. Cassidy Anderson | Code Enforcement Officer |

VIOLATIONS ALLEGED IN THE ADMINISTRATIVE NOTICE AND ORDER

The Administrative Notice and Order dated September 9, 2025 Appendix 5 asserted four violations as set forth below:

Violation #1

SRCC 19-20.308.1 Accumulation of Rubbish or garbage

The property owner failed to remove scattered debris and trash from the property as well as debris that was spilling over into the adjacent undeveloped parcel.

Violation #2

SRCC 18-20.302.8(A)(B)(C) Motor Vehicles

The property owner failed to remove a vehicle up on jacks on the front driveway and that was partially on the sidewalk and failed to remove a vehicle that was parked on an adjacent empty, undeveloped parcel.

Violation #3

SRCC 9-24.020 Registration and monitoring requirements

The property owner failed to comply with the registration and monitoring requirements of the VBL ordinance.

Violation #4

SRCC9-24.060 VBL Maintenance, inspection and registration requirements

The property owner failed to maintain the property, conduct initial and monthly maintenance inspections and reports and failed to post proper signage and failed to correct nuisances on the property.

Violation #5

SRCC 18.20.302.10 Other property nuisances

The property owner did not maintain the property in harmony with adjacent properties, causing visual blight to the building and neighborhood.

APPLICATION OF THE VBL TO THIS PROPERTY

Chapter 9-24 of the Santa Rosa City Code contains the Vacant Building and Lot ordinance, hereinafter referred to as the "VBL". Read as a whole, the VBL contains a broad set of enforcement, maintenance, improvement, monitoring, reporting and registration requirements which are co-extensive with other Code Enforcement remedies.

Santa Rosa City Code section 9-24.030(A) states that "Every owner, as defined by this chapter, is responsible for maintaining their property in accordance with the applicable standards as set forth in this code and any other applicable regulation or law."

Santa Rosa City Code section 9-24.010(E) defines "foreclosed" as a real property for which the foreclosure process has begun with the filing of a notice of default. Santa Rosa City Code section 9-24.010(F) defines "Notice of Default" as a recorded notice that a default has occurred under a deed of trust.

Santa Rosa City Code section 9-24.010(L)(1)(b) provides that a building is considered an "abandoned building" if it is under a current notice of default. Santa Rosa City Code section 9-24.020(C) provides that the registration requirement is triggered within 10 days after a property is found to be a vacant or abandoned building or a notice of default has been recorded.

A Notice of Default was recorded November 27, 2024. The property became subject to registration in the VBL program 10 days thereafter. However, the evidence established that "Notice of Rescission of Default" was recorded on April 10, 2025. Hence, at the time of the service of the Administrative Notice and Order, the property was not subject to a "current notice of default". The legal issue of whether the registration requirement of the VBL can be enforced

in this Administrative Notice and Order proceeding as a result of the recording of a notice default need not be resolved, as alternatively, Santa Rosa City Code section 9-24.020(C)(1) provides that the registration requirement is triggered within 10 days after a property is found to be a vacant or abandoned building as defined in Santa Rosa City Code section 9-24.010(L)(1).

Santa Rosa City Code section 9-24.020(I) provides that a Notice of Violation will be issued with a 30-day compliance period, or shorter, depending on the severity of the violations, within the discretion of the Code Enforcement Division, and failure to comply will subject the property to the registration requirements of the VBL. The Notice of Violation dated August 8, 2025 specified that the compliance date was August 23, 2025. The property became subject to registration thereafter as the violations had not been abated.

FINDINGS OF FACTS

SERVICE OF DOCUMENTS

The evidence established that the owner/responsible party had notice of all proceedings and received all documents. The hearing officer finds that the Administrative Notice and Order and all attachments were duly served.

NAMING OF RESPONSIBLE PARTY

Based on documentary evidence and oral evidence, the hearing officer finds that Anthony G. Smith is properly named as the responsible party pursuant to Santa Rosa City Code section 1-30.030(B)(1)(2), (3) and (5). The grant deed established the property owner as Anthony G. Smith.

VIOLATIONS ALLEGED IN THE ADMINISTRATIVE NOTICE AND ORDER

Violation #1

SRCC 19-20.308.1 Accumulation of Rubbish or garbage

Based on oral testimony, photographic and other documentary evidence, the existence of the violation on September 9, 2025, the date of issuance of the Administrative Notice and Order, was established by a preponderance of the evidence. The property owner failed to remove scattered debris and trash from the property as well as debris that was spilling over into the adjacent empty property.

The evidence established that there had been compliance as of September 30, 2025 as to the property to the left of the fence. However, the site photographs dated October 7, 2025, showed a very small amount of what appears to be construction debris to the right side of the within property fence. The hearing officer inquired as whether any of this debris was within the boundaries of the subject parcel. The City did not prove the location of the property boundary with relation to this debris by a preponderance of the evidence or if any portion was on the within property.

Mr. Smith testified that a small amount if it “might” be on his property, and that he intended to forthwith, remove any debris that was on his property. This is discussed under the “Penalties” section below.

Violation #2

SRCC 18-20.302.8(A)(B)(C) Motor Vehicles

Based on oral testimony, photographic and other documentary evidence, the existence of the violation on September 9, 2025, the date of issuance of the Administrative Notice and Order, was established by a preponderance of the evidence. The property owner had failed to remove a vehicle up on jacks on the front driveway which was partially on the sidewalk and had failed to remove a vehicle that was parked on an adjacent undeveloped parcel. The evidence established that there had been compliance as of September 30, 2025. See discussion under “Penalties” below.

Violation #3

SRCC 9-24.020 Registration and monitoring requirements

Based on oral testimony, photographic and other documentary evidence, the existence of the violation as of the September 9, 2025 issuance date of the Administrative Notice and Order was established by a preponderance of the evidence. The evidence established that the property owner complied with the registration requirement on September 22, 2025 and complied with the monitoring and inspection requirements of the VBL ordinance on September 23, 2025. See discussion under “Penalties” below.

Violation #4

SRCC9-24.060 VBL Maintenance, inspection and registration requirements

Based on oral testimony, photographic and other documentary evidence, the existence of the violation as of the September 9, 2025 issuance date of the Administrative Notice and Order was established by a preponderance of the evidence. The property owner failed to maintain the property, failed to complete the initial and monthly maintenance inspection and report, failed to post proper signage and failed to correct nuisances on the property. The evidence established that the property owner corrected the nuisances as set forth in the factual findings in Violation 1 above, and complied with the registration requirement on September 22, 2025 and complied with the monitoring and inspection requirements of the VBL ordinance on September 23, 2025. There had been no posting of signage as required by Santa Rosa City Code section 9-24.030(F) as of the September 28, 2025 compliance deadline. See discussion under “Penalties” below.

Violation #5

SRCC 18.20.302.10 Other property nuisances

Based on oral testimony, photographic and other documentary evidence, the existence of the violation as of the September 9, 2025 issuance date of the Administrative Notice and Order was established by a preponderance of the evidence. The property owner did not maintain the property in harmony with adjacent properties, causing visual blight to the building and

neighborhood. The evidence established that the property owner corrected the nuisances as set forth in the factual findings in Violation 1 above and there had been compliance as of September 30, 2025. See discussion under "Penalties" below.

FINDINGS OF FACTS AS TO ADMINISTRATIVE COSTS

Santa Rosa City Code section 1-30.030(F) provides that costs shall be imposed and assessed by the hearing officer pursuant to Santa Rosa City Code section 1-30.100(D), including but not limited to costs of investigation, staffing costs incurred in preparation for the hearing and for the hearing itself, the services of the hearing officer, any abatement costs, costs for all reinspections necessary to enforce the Administrative Notice and Order or the Administrative Enforcement Order, including attorney's fees.

The Revised Administrative Costs Calculation Sheet, Appendix 7-E to the Staff Report, submitted at the hearing as part of Code Enforcement Exhibit 4 had an incorrect date, as it bore the same date as the cost recovery sheet submitted with the Staff Report. The amount claimed was different as were the number of site visits. The hearing officer inquired of Code Enforcement as to the discrepancy. Mr. West's testimony established that this was a clerical error. The hearing officer allowed an amendment to state the correct date of October 7, 2025.

The Revised Administrative Costs Calculation Sheet requested \$2590.29 plus an allowance for additional time for Code Enforcement Officer attendance at the hearing at the rate of \$81.53/hr. The hearing officer allows one hour of time for a total of \$81.53/hr. Total allowed staff cost recovery is \$2671.82

Total Administrative Hearing Officer fees and costs for hearing preparation, conducting the hearing, review of evidence, and preparation and service of the Administrative Enforcement Order are \$3434.61. Pursuant to Santa Rosa City Code sections 1-30.030(F) and 1-30.100(D), total administrative costs to be recovered are \$6106.43.

PENALTIES

The hearing officer is tasked with determining penalties to be imposed. This determination is based upon a number of factors including the seriousness of the violations, length of time the violations have existed, degree of cooperation and diligence or lack thereof, effect on other properties, culpability, economic incentive or benefit to the owner, impact on the community, involvement of City departments and the sophistication of the violator. Compliance with zoning laws and other provisions of the law are legal duties attendant to ownership of property.

While the remedies provided for in Administrative Notice and Order proceedings are in addition to and cumulative of all other remedies, criminal or civil which may be pursued to address any violation of ordinances, fundamental to the setting of penalties is adherence to principles of due process and avoidance of the imposition of excessive or unreasonable penalties or imposition of excessive penalties as a result of stacking. This is especially so when fines for the same violations have already been imposed with the issuance of two Administrative Citations.

Penalties should be fashioned not only to impose punishment for violations, but also to incentivize compliance and as a deterrent. Penalties must be proportional to the violation and not

1. The owner/responsible party shall comply with Santa Rosa City Code section 9-24.030 as to property posting, maintenance, inspection and reporting requirements.
2. The owner/responsible party shall forthwith remove any debris to the right of the subject property fence that lies within the boundaries of the subject property.
3. Pursuant to Santa Rosa City Code section 9-24.030(D), if the owner/responsible party is unable to personally fulfill the requirements of Chapter 9-24, those requirements shall be satisfied by contracting with an appropriate service provider or agent to inspect, maintain, and report on the registered property. Should the property owner/responsible parties choose this option, they shall provide evidence of such contract to Code Enforcement within seven days. As required by Santa Rosa City Code section 9-24.030(D), this service provider or agent shall be available 24 hours per day, seven days per week, for the purpose of responding within one hour to complaints regarding the condition of the registered property. The property owner shall remain responsible for any service provider's or agent's failure to meet the requirements of Chapter 24.
4. The responsible party shall provide regular updates of efforts toward compliance with regard to removal of any remaining debris and signage posting at least every five (5) business days to Code Enforcement Technician R. West via email at rwest1@srcity.org or by phone at 707-543-3225.

If the City of Santa Rosa exercises its authority and power under the applicable statutes to enter the property and proceed with abatement, all costs are chargeable to the responsible parties. Failure to comply with any provisions of this order may result in the issuance of administrative citations, an Administrative Notice and Order or other enforcement remedies available to Code Enforcement.

B. Penalties are imposed as follows:

Violation #1

SRCC 19-20.308.1 Accumulation of Rubbish or garbage

A penalty of \$250 is imposed. As for removal of any of the debris to the right of the subject property fence that may be within the property line, an additional penalty of \$100 per day is imposed. Accrual of those penalties are stayed through October 18, 2025 to allow time for compliance. As to any debris remaining on the subject property after October, 18, 2025, penalties of \$100 per day begin to accrue and continue until corrected.

Violation #2

SRCC 18-20.302.8(A)(B)(C) Motor Vehicles

There being one day of non-compliance as to removal of the two motor vehicles, penalties in the amount of \$200 are imposed.

Violation #3

SRCC 9-24.020 Registration and monitoring requirements

The evidence having established that the registration process was completed on September 22, 2025 and the monitoring, inspection and reporting requirements had been complied with prior to the September 28, 2025 deadline in the Administrative Notice and Order, no penalties are imposed.

Violation #4

SRCC9-24.060 VBL Maintenance, inspection and registration requirements

Penalties in the amount of \$75.00 per day are imposed for failure to post the required signage. In light of the substantial compliance, accrual of those penalties are stayed through October 18, 2025 to allow time for compliance. Thereafter penalties begin to accrue at the rate of \$75 per day until corrected.

Violation #5

SRCC 18.20.302.10 Other property nuisances

This violation is coextensive in scope with violation 1 as to which penalties have been imposed. No separate penalties are imposed for this violation.

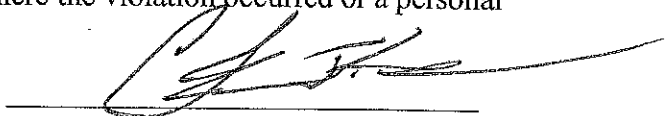
C. The property owner/responsible parties shall pay administrative costs of \$6106.43. Payment shall be made within 30 days of the date of this order.

D. This decision is a final decision upon service and subject to judicial review in accordance with California Code of Civil Procedure section 1094.6 or pursuant to Santa Rosa City Code section 1-30.120.

E. Pursuant to Santa Rosa City Code section 1.30.100(E), the responsible parties are hereby notified that penalties and administrative costs may become the subject of a special assessment against the property where the violations occurred if payment is not received within 30 days of the date of the final order. The penalty for any late payment is set forth below in paragraph F.

F. This shall serve as notice to the responsible parties that if the penalties and administrative costs as ordered are not received within 30 days of the date of this Administrative Enforcement Order, the City may seek to enforce it through judicial review. The penalty for late payment of the assessed penalty is 7% per annum, pro-rated daily from the payment due date. The penalty for a subsequent violation within thirty-six months of an initial violation is \$1,000 for each day the violation continues. Pursuant to City Council Resolution 26900, any penalty may be deemed either a special assessment lien against the property where the violation occurred or a personal obligation of the party responsible for the violation.

Dated : October 21, 2025



Charles J. Tarr

Administrative Hearing Officer

PROOF OF SERVICE

I am employed in the County of Sonoma, State of California. I am over the age of eighteen years and not a party to the within action; my business address is P.O. Box 190, Santa Rosa, CA 95402.

On October 21, 2025 I served the within attached document entitled **ADMINISTRATIVE ENFORCEMENT ORDER 2555 GOBAR LANE** on the interested parties in said matter by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Ryan West
Code Enforcement
100 Santa Rosa Avenue, Ste 3
Santa Rosa, CA 95404

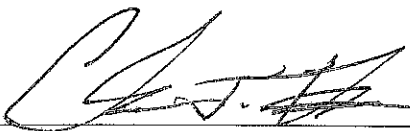
Anthony Smith
2555 Gobar Ln.
Santa Rosa, CA 95403

Anthony Smith
35 DeFord Dr.
San Rafael, CA 94903

Anthony Smith
4 Corte La Paz
San Rafael, CA 94903

☒ On October 21, 2025 I deposited such envelopes in the mail at Santa Rosa, California. The envelopes were mailed both via Priority Mail and First Class mail with postage thereon fully prepaid.

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 October 21, 2025.



Charles J. Tarr