

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

File # CE 18-0341

ADMINISTRATIVE ENFORCEMENT ORDER

- 1-A Responsible Party(ies): Norma M. Cronin**
- 1-B Address: 1597 West Avenue, Santa Rosa, CA 95407-6302**
- 2. Location of Violation: 1597 West Avenue, Santa Rosa, CA 95407-6302**
- 3. APN: 125-371-039 Zoning District: R-1-6**
- 4. Administrative Hearing Officer's Decision:**

A Noticed Hearing was held on March 13, 2024, 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 was City of Santa Rosa Code Enforcement Officer Lizzette Marquez on behalf of the "City". Responsible Party(ies) Norma M. Cronin was not present. Appearing on her behalf was her son, Daniel Cronin, who lives on the premises.

After consideration of the testimony Ms. Marquez and Mr. Cronin presented, the 371 pages of documentary evidence dated March 5, 2024, including the Staff Report, Certificate of Service, Administrative Notice and Order dated December 27, 2023, Penalty Calculation Worksheet, Site Inspection photos, and additional photos presented at the hearing (24 pages) totaling 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 March 5, 2024 and the Administrative Notice and Order issued in this matter by the "City" on December 27, 2023:**

Violation #1

International Property Maintenance Code (IPMC) 301.2 Responsibility. The owner of the premises has failed to maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping it in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

Violation #5

Health and Safety 17920.3 (j) Substandard Housing Conditions. Accumulation of junk, trash and debris, garbage, recyclables, household appliances, and furniture throughout the exterior of the premises creating rodent harborage.

Violation #7

IPMC 605.1 Electrical Equipment. Interior and exterior light fixtures lack covers.

Violation # 9

SRCC 18-20.702.1 General. The exterior of the sleeping room sliding door is blocked by clothes, junk and other miscellaneous items.

Violation # 10

IPMC 305.3 Interior Surfaces. Holes in walls and doors, including the garage. Interior surfaces including walls, doors and floors in unsanitary conditions. Pot in the garage with maggots around it. Kitchen cabinets have insects/gnats in the exterior doors. Cracked flooring.

Violation # 11

IPMC 605.1 Electrical Equipment Installation. Exterior outlet not secured to the wall. Opening between the exterior electrical box and the wall. Opening between the electrical outlet in the garage and the wall. The electrical panel is missing the dead front, and door.

Violation # 12

SRCC 18-20.302.4 Weeds. Overgrown vegetation in the parcel.

Violation # 13

SRCC 18-20.304.14 Insect screens. Missing window insect screens.

Violation # 14

SRCC 18-36.104.1 and 18-36.105.2 Mechanical Permits and Inspections Required. Heater installation without proper plans, approvals, and permits and inspections.

Violation # 15

SRCC 18-44.509.1.1 Fire Code. Utility identification. Electrical panel not labeled.

Violation # 16

SRCC Sec. 20-30.110.D Limitations on the use of setbacks. Two sheds and a vehicle on the setbacks. Furniture on the front required setback.

C. The record does not contain sufficient evidence of the following violation:

Violation #6

SRCC Sec.20-42.040(B) Animal keeping. A total of five animals (domestic or excocot) may be kept on one lot, of which not more than three may be dogs.

D. The following violations were withdrawn by the City:

Violation #2

SRCC Sec. 18-16-111.1 Use and Occupancy- Lack of certificate of occupancy for the occupation of the shed in rear yard.

Violation #3

SRCC Sec. 18—20.108.1 (IPMC) General. Shed unfit for human occupancy. Condemned by the Code Enforcement Officer.

Violation #4

SRCC Sec. 18-20-302.8 (A)(C)(IPMC) Motor Vehicles. Stored vehicle in a required setback.

Violation # 8

IPMC 605.4 Wiring. Flexible cords used in the interior of the shed and the interior of the main dwelling, including garage. Flexible cords from the exterior to the interior of the dwelling.

E. The Administrative Notice and Order of October 22, 2019 is modified as follows:

Responsible Party is **HEREBY ORDERED** to correct the violations set forth above by doing the following:

1. Replace the covers on all interior and exterior light fixtures.
2. Label the electrical panel and replace the doors and front.
3. Repair all electrical outlets not secured to the wall.
4. Maintain all required setbacks by removing the sheds and vehicle. Obtain demolition permits if required.
5. Repair all holes in walls and doors.
6. Replace the screens in the kitchen and bedroom.
7. Maintain exterior of the property in a clean, safe and sanitary condition by removing all trash and debris, and weeds.
8. Maintain the interior of the property in a clean, safe and sanitary condition.

Responsible party is **HEREBY ORDERED** to cease and desist from permitting the violation(s) set forth above or from repeating the existing or similar violations;

- F. Based on these findings, I assess a penalty of \$16,500 (see attached penalty calculation sheet) plus administrative costs against the Responsible Party(ies) in the amount of \$ 3,552.40 which includes the cost incurred for the appearance of Ms. Marquez on behalf of the City at the hearing for .90 hours. In addition, the cost of the Administrative Hearing Officer of \$1,038.50 shall be an additional administrative cost chargeable to the Responsible Party(ies), 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(ies) and the City's Code Enforcement Officer, Ms. Marquez.
- G. I shall serve by mail this Administrative Enforcement Order on each party and their attorney, if any, and the Code Enforcement Officer Ms. Marquez. When the Administrative Enforcement Order is served by mail on the Code Enforcement Officer, the Order shall be final.

- H. 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, the City may seek to enforce it through judicial review. The penalty for late payment of the assessed penalty is 7% pro-rated daily from the payment due date.
- I. 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 \$1,000.00 for each day the violation continues.
- J. Within thirty (30) days from the date of this Order, the responsible party shall take corrective action to remedy the violation(s), by doing the following:
1. Replace the covers on all interior and exterior light fixtures.
 2. Label the electrical panel and replace the doors and front.
 3. Repair all electrical outlets not secured to the wall.
 4. Maintain all required setbacks by removing the sheds and vehicle. Obtain demolition permits if required.
 5. Repair all holes in walls and doors.
 6. Replace the screens in the kitchen and bedroom.
 7. Maintain exterior of the property in a clean, safe and sanitary condition by removing all trash and debris, and weeds.
 8. Maintain the interior of the property in a clean, safe and sanitary condition.
- K. Pursuant to SRCC Section 1-30.210, a copy of which is attached to the Administrative Notice and Order served by mail on December 27, 2023, 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: March 18, 2024

BY ORDER OF 
DIANE AQUI
Administrative Hearing Officer

PENALTY CALCULATION SHEET

- 1-A Responsible Party(ies): Norma M. Cronin
- 1-B Address: 1597 West Avenue, Santa Rosa, CA 95407-6302
- 2. Location of Violation: 1597 West Avenue, Santa Rosa, CA 95407-6302
- 3. APN: 125-371-039
- 4. The penalty for each initial code violation is up to \$500.00 per day for each day the violation continues. In this proceeding, there are eleven (11) violations.
- 5. Date Violations were to be corrected: February 4, 2024
- 6. Date of Administrative Hearing: March 13, 2024
- 7. Number of Days between dates listed in items 5 and 6 above: twenty eight (28) days

Total penalty assessed is \$ 16,500.00

10 days (reduced from 28 days) x \$150 per day x eleven (11) violations.

- 8. Administrative costs are assessed in the sum of \$ 3,552.40 which are as follows:

A. Letters, meetings, hearing preparation

7.0 hrs. @ \$ 181.00 per hour	\$	1,267.00
B. 2 site visits, @ \$181 per hour	\$	362.00
C. Senior Administrative Assistant 2.0 hrs. @170.00 per hr.	\$	340.00
D. Sr. Code Enforcement Officer 2.0 hrs.@ \$191.00 per hr.	\$	382.00
E. Administrative Hearing time .90 hr. @ \$181.00 per hr.	\$	162.90
F. Hearing Officer time 3.1 hrs. @ \$335 per hr.	\$	<u>1,038.50</u>
Total	\$	3,552.40

Total administrative costs: \$ 3,552.40
Penalty from item 7: \$16,500.00
Total penalties and costs: \$ 20,052.40

PROOF OF SERVICE

I declare as follows:

I am over the age of 18 years and not a party to the within action. My business address is 418 B Street, Santa Rosa, CA 95401.

On March 18, 2024, I served the attached:

ADMINISTRATIVE ENFORCEMENT ORDER

For

1597 West Avenue, Santa Rosa, CA
(File # CE 18-0341)

on the following parties by placing a true copy therein a sealed envelope addressed as follows:

Norma M. Cronin
1597 West Avenue
Santa Rosa, CA 95407-6302

Lizette Marquez, Code Enforcement Officer
Santa Rosa Building and Code Compliance Division
100 Santa Rosa Ave.
Santa Rosa, CA 95404

___ By Regular U.S. Mail. The documents were placed for collection and mailing, following ordinary business practice for deposit in the United States Postal Service, in a sealed envelope, with the postage thereon fully prepaid, addressed as stated.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 18, 2024, at Santa Rosa, California.



Diane Aqui