

**LOS ANGELES FIRE
DEPARTMENT
BRUSH CLEARANCE
UNIT**



**2013 BRUSH CLEARANCE
ASSESSMENT HEARINGS
REPORT, PROPOSED DECISIONS
AND RECOMMENDATIONS**

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REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 28, 2014 PACKAGE NO: 2013181017
COUNCIL DISTRICT: 12

NAME: MELAMED, TAMIR
8591 BIG ROCK TRL
MAILING ADDRESS: CANOGA PARK CA 91304

SITUS ADDRESS: 8591 BIG ROCK TRL

ASSESSOR'S ID NO: 2017021016 / INVOICE NO: BC14000145

ASSESSMENT: \$1,338.00

Cost of Clearance	Administrative Fee	Total Assessment
\$400.00	\$938.00	\$1,338.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on April 28, 2014, and stated that while he never received the First Notice of Noncompliance, the Second Notice was received. The property was previously bank-owned and the sale was recorded on March 20, 2013.

Appellant provided the Second Notice printed August 25, 2013, which was date-stamped September 4, 2013, arguing that the Notice had in fact been mailed after the City had already sent out a clearance crew two days before his Notice letter was mailed. Appellant then stated that the fire hazards still existed on the property, and he hired Moses Cohen Landscaping Services on September 10, 2013, and provided Invoice # 154; photographs, and video as evidence of the brush clearance work having to be redone as the clearance crew had not cleared the whole property.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 30, 2013, with a Compliance due date of June 22, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 23, 2013.

A work order was prepared and the property was posted subsequently contracted to a City Contractor, who completed clearance on the property on August 23, 2013. The Department's Inspector indicated that there were no photographs on file showing the condition of the property before, during and after clearance.

The Department's Inspector indicated that since no images provided by the contractor, the Appellant should not be responsible for either the Cost of Clearance or the Administrative fee.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

However, since there does appear to have been a mix-up of the notices mailed to the Appellant, who provided the proof that he had been notified after the clearance work had already been completed, it is recommended that the Administrative fee be waived. Since a benefit was conferred on the property, it is recommended that Appellant be responsible only for the Cost of Clearance.

The Total assessment due would be \$400.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013181018
COUNCIL DISTRICT: 3
NAME: REINGOLD, LEON
MAILING ADDRESS: 6520 PLATT AVE UNIT 209
WEST HILLS CA 91307
SITUS ADDRESS: 6210 ELLENVIEW AVE
ASSESSOR'S ID NO: 2032008002 / INVOICE NO: BC14000186
ASSESSMENT: \$2,138.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,200.00	\$938.00	\$2,138.00

SUBSTANCE OF PROTEST

The Appellant wished to contest the Brush Clearance Assessment by written appeal. Appellant wrote that he had purchased the property on August 21, 2013, and that there was no brush of any kind. Appellant provided a Grant Deed dated August 16, 2013, as proof of purchase.

On April 24, 2014, Appellant faxed a second Grant Deed recorded on January 16, 2014, granting the property to another party. Appellant wrote that he took possession of the property long after the inspection on August 13, 2013.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 24, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 23, 2013.

A work order was prepared and the property was posted on July 23, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 31, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with

Signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

However, since there does appear to have been a mix-up of the notices mailed to the Appellant, and Department notes indicate that the change of ownership information was updated in the Department's records on December 10, 2013.

The purchase of the property took place after the first notice and before the second, therefore it is likely that the notices went to the bank that owned the property at that time, but apparently did not undertake clearance.

This Hearing Officer recommends that Appellant has provided sufficiently credible evidence sufficient to establish that notices could have not been received by him, and it is recommended that the Cost of Clearance be reduced and the Administrative fee be waived. Since a benefit was conferred on the property, it is recommended that Appellant be responsible only for half of the Cost of Clearance.

The Total assessment due is \$600.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 28, 2014 PACKAGE NO: 2013181019
NAME: AHARI, NAZDANEH K COUNCIL DISTRICT: 3
MAILING ADDRESS: 5857 EL CANON AVE
WOODLAND HILLS, CA 91367
SITUS ADDRESS: 5857 EL CANON AVE
ASSESSOR'S ID NO: 2046004013 / INVOICE NO: BC14000210

ASSESSMENT: \$2,138.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,200.00	\$938.00	\$2,138.00

SUBSTANCE OF PROTEST

The owner acknowledges notice but said that he has owned the property since 2005 and has relied upon his gardener. Mr. Ahari himself did not find a serious or significant hazard.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 17, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 24, 2013.

A work order was prepared and the property was posted on July 24, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 31, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Total assessment due is \$2,138.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 8, 2014 PACKAGE NO: 2013175004
COUNCIL DISTRICT: 3

NAME: DUGAN, WILLIAM L

MAILING ADDRESS: 7553 REMMET AVE
CANOGA PARK CA 91303

SITUS ADDRESS: 7553 REMMET AVE

ASSESSOR'S ID NO: 2111004007 / INVOICE NO: BC14000244

ASSESSMENT: \$11,438.00

Cost of Clearance	Administrative Fee	Total Assessment
\$10,500.00	\$938.00	\$11,438.00

SUBSTANCE OF PROTEST

Mr. William Dugan appeared personally, as did his relative, Mr. Hugh Dugan, who assisted with a crew in trying to abate the hazard in March 2013. Mr. William Dugan testified that he was mistreated, and should not have to pay a single penny. He explained that he spent some of the time in assist living in a nursing home, although he acknowledges having seen the notice posted at reinspection on May 7, 2013.

Mr. Dugan has owned the property since 1967, and had been told not to “touch” certain City-owned trees for which the Department now seeks to hold him responsible. Further as to trees, Mr. Dugan testified at length about some of his neighbors’ trees, which are equally hazardous; about his view that certain trees cited here are not even on his property; and about the work Mr. Hugh and his assistants performed after the first notice in March, but before the re-inspection.

Then Mr. Hugh Dugan testified, explaining that his crew emphasized removal of combustibles, although certain noncombustible such as washing machines remained in place. He said that his crew tried to help his ill relative, the owner; that certain Department of Transportation personnel aggravated the situation, when they removed at least one disabled car, and left a “mess”; and that his crew sought to leave a “path” for firefighter ingress and egress, although perfect clearance was not obtained.

Mr. William Dugan asserted finally that the Department continually changed its demands of him; that the City contractors wrongfully took and sold metal, including fencing; and that, as an educated safety engineer, he knows what must be done to comply.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on March 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on May 7, 2013.

A work order was prepared and the property was posted on March 7, 2013. The property was subsequently contracted to a City Contractor and work was completed on May 15, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The evidence demonstrates that the Fire Department afforded due process, via timely notice and clear explanations. Although Mr. Hugh Dugan performed good work before the reinsertion in May, Mr. William Dugan allowed and/or created a significant risk, to himself and to his neighbors, and to any first responders. Little or no defensible space existed, at the time of clearance, and it is insufficient to provide a "path" for firefighters, who must instead have fully defensible space for themselves and for fire-suppression and rescue equipment. Frankly, Mr. Dugan offered no testimony in support of his claim to have been "mistreated," and offered no detail to support the hardship claim which Mr. Hugh Dugan alluded to in his testimony.

The Total assessment due is \$11,438.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 8, 2014 PACKAGE NO: 2013175020
COUNCIL DISTRICT: 3
NAME: PEPPER, JIMMIE AND SILVA N
MAILING ADDRESS: 5650 TAMPA AVE
TARZANA CA 91356
SITUS ADDRESS: 5650 TAMPA AVE
ASSESSOR'S ID NO: 2156005017 / INVOICE NO: BC14000277
ASSESSMENT: \$11,338.00

Cost of Clearance	Administrative Fee	Total Assessment
\$10,400.00	\$938.00	\$11,338.00

SUBSTANCE OF PROTEST

The owner's representative, and the site's resident, Mr. Robert Simon, appeared on their behalf. Mr. Simon acknowledged receipt of the notices, and agreed that the serious hazard needed to be cleared.

He contended that he was in a position to have finished the clearance if given another week; that the situation arose only because he suffered foreclosure at another home, from which he had to hurriedly move his property, which for lack of room was stored outside; and that his income is limited, and that he fears that the owners who include his sister will make him leave as the result of this proposed assessment.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on August 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 21, 2013.

A work order was prepared and the property was posted on August 21, 2013. The property was subsequently contracted to a City Contractor and work was completed August 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

PEPPER, JIMMIE AND SILVA N.
APN: 2156005017
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The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Your Hearing Examiner takes Mr. Simon's age, and straitened circumstances, into account, in recommending a small reduction of the administrative fee. He made some effort to reduce the hazard. But he was afforded sufficient time to comply before the City contractor arrived, and this serious hazard required clearance, and the maintenance of defensible space around the house.

The Total assessment due is \$11,000.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013178032
NAME: MEADOW DEVELOPMENT LLC COUNCIL DISTRICT: 5
MAILING ADDRESS: 3537 MOUND VIEW AVE
STUDIO CITY CA 91604
SITUS ADDRESS: 14974 VALLEY VISTA BLVD
ASSESSOR'S ID NO: 2277007001 / INVOICE NO: BC14000681

ASSESSMENT: \$1,718.00

Cost of Clearance	Administrative Fee	Total Assessment
\$780.00	\$938.00	\$1,718.00

SUBSTANCE OF PROTEST

The owner denies having received mailed notices and the Fire Departments record reflects returned mail.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 22, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 29, 2013.

A work order was prepared and the property was posted on July 29, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 18, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Fire Departments record reflects returned mail. Although the posting provided effective legal notice the Totality of the circumstances that the administrative fee be waived and that only a portion of the clearance fee be imposed upon the owner.

The Total assessment due is \$390.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 28, 2014 PACKAGE NO: 2013174027

NAME: MCNAUGHTON, DEAN AND JESSICA COUNCIL DISTRICT: 5

MAILING ADDRESS: 3750 SHERIDGE DR
SHERMAN OAKS CA 91403 0000

SITUS ADDRESS: 3750 SHERIDGE DR

ASSESSOR'S ID NO: 2279001006 / INVOICE NO: BC14000715

ASSESSMENT: \$1,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,000.00	\$938.00	\$1,938.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance Hearing, and stated that in July 2013, they had been able to remove their renter, and were in the process of selling their house. The Appellant stated that the red notice was received.

Appellant then stated that the fire hazards on the property were cleared by their gardener removing bamboo to what he thought were to the code requirements, and provided an invoice dated July 15, 2013, from gardener "Andrew" in the amount of \$1,940.00.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on June 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on June 21, 2013.

A work order was prepared and the property was posted on June 21, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 20, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

While it appears that an effort was made to complete clean-up of the property by Appellants own proffered evidence, this took place after the compliance due date. Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,938.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 23, 2014 PACKAGE NO: 2013178037
NAME: AGHNAMI,HASSAN COUNCIL DISTRICT: 5
MAILING ADDRESS: 2121 AVENUE OF THE STARS STE 2550
LOS ANGELES CA 90067
SITUS ADDRESS: VL NEXT TO 3375 VISTA HAVEN
ASSESSOR'S ID NO: 2279024024 / INVOICE NO: BC14000723

ASSESSMENT: \$3,238.00

Cost of Clearance	Administrative Fee	Total Assessment
\$2,300.00	\$938.00	\$3,238.00

SUBSTANCE OF PROTEST

The owners' representative Mr. Robert Habibi asserts that the owner did not receive mailed notices. The Fire Departments record affirms that mail was returned during the time in issue although the property was posted in September 2013.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 13, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 5, 2013.

A work order was prepared and the property was posted on September 13, 2013. The property was subsequently contracted to a City Contractor and work was completed September 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do indicate that mail was returned. The Department's records also indicate that the property was properly posted with signs.

The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. The Department's address of record did not reflect the 2011 address change and under the totality of the circumstances the posting though legal notice cannot be viewed as practical notification to clear this vacant lot.

The Total assessment due is \$0.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 28, 2014 PACKAGE NO: 2013178037
NAME: ASHBEL LLC COUNCIL DISTRICT: 5
MAILING ADDRESS: 15015 OXNARD ST
VAN NUYS CA 91411
SITUS ADDRESS: 3454 GREEN VISTA DR
ASSESSOR'S ID NO: 2287010061 / INVOICE NO: BC14000756

ASSESSMENT: \$2,538.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,600.00	\$938.00	\$2,538.00

SUBSTANCE OF PROTEST

The owner Ms. Greta Ashbel explained that the property underwent a number of ownership changes arising from her divorce and claimed not to have received timely notice.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 7, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 21, 2013.

A work order was prepared and the property was posted on August 21, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Although the owner benefited from the clearance due process required that she receive timely notification from the Fire Department. Posting on August 21, 2013, constituted legal notice. On balance the notice record seems to ambiguous to warrant the full assessment and some waiver should be effected.

The Total assessment due is \$1,600.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013181033
COUNCIL DISTRICT: 5

NAME: ADOLPH, ARIC K AND LAURA E

MAILING ADDRESS: 4670 ENCINO AVE
ENCINO CA 91316

SITUS ADDRESS: 4670 ENCINO AVE

ASSESSOR'S ID NO: 2290021003 / INVOICE NO: BC14000798

ASSESSMENT: \$2,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$2,000.00	\$938.00	\$2,938.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on April 24, 2014, and stated that the fire hazards on the property were cleared by the gardener to what she and her husband thought were to the code requirements.

Appellant stated that her husband had handled all of the details, and that the cost of the Total assessment was a financial burden given some adversities their family had suffered monetarily.

Appellant added that while they previously lived on the property, there is a tenant now renting, but that the tenant had passed along to them the Department notices.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 21, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 23, 2013.

A work order was prepared and the property was posted on October 23, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 15, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

ADOLPH,ARIC K AND LAURA E
APN: 2290021003
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The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$2,938.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 23, 2014 PACKAGE NO: 2013175028
NAME: GINGER INVESTORS LLC COUNCIL DISTRICT: 2
MAILING ADDRESS: PO BOX 571191
TARZANA CA 91357
SITUS ADDRESS: 7128 BELLAIRE AVE
ASSESSOR'S ID NO: 2324021011 / INVOICE NO: BC14000830

ASSESSMENT: \$1,288.00

Cost of Clearance	Administrative Fee	Total Assessment
\$350.00	\$938.00	\$1,288.00

SUBSTANCE OF PROTEST

The owner representative Mr. Vic Vartanian testified that he received the first notice and asked his tenant (who lived next to the lot) to see to the clearance. Some work was done but not in time or in sufficient degree to constitute compliance.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on September 18, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 9, 2013.

A work order was prepared and the property was posted on October 9, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 28, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs.

The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. The Fire Departments notices satisfied due process requirements and the Departments contractor properly cleared the existing hazard.

The Total assessment due is \$1,288.00.

**REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE**

HEARING DATE:	May 2, 2014	PACKAGE NO: 2013174027
NAME:	MARTIN,CYNTHIA L TR	COUNCIL DISTRICT: 5
MAILING ADDRESS:	9 PONDEROSA LN ROLLING HILLS ESTATES CA 90274 0000	
SITUS ADDRESS:	V/L W/OF 3333 BEVERLY RANCH RD	
ASSESSOR'S ID NO:	2386004005 / INVOICE NO: BC14001044	
ASSESSMENT:	\$1,938.00	

Cost of Clearance	Administrative Fee	Total Assessment
\$1,000.00	\$938.00	\$1,938.00

SUBSTANCE OF PROTEST

The property co-owner who is divorced from Ms. Cynthia Martin is Mr. Richard Martin. Mr. Martin provided evidence that his former wife presented this issue in mid-October 2013, and that he promptly paid others to address the problem.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 21, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 29, 2013.

A work order was prepared and the property was posted on July 29, 2013. The property was subsequently contracted to a City Contractor and work was completed September 3, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs.

The co-owner concurred that his ex-wife probably received the notices in a timely fashion and the hearing concluded with his stated intention to provide a supplemental address for the future. On balance your Hearing Officer recommends a limited waiver of the administrative fee, light of the co-owners personal diligence and of his separated expenses.

The Total assessment due is \$1,750.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183017
COUNCIL DISTRICT: 2
NAME: BIDARI, TAIMOOR TR
MAILING ADDRESS: 19326 VENTURA BLVD UNIT 201
TARZANA CA 91356 0000
SITUS ADDRESS: 8410 LA TUNA CANYON RD
ASSESSOR'S ID NO: 2401030001 / INVOICE NO: BC14001101
ASSESSMENT: \$1,838.00

Cost of Clearance	Administrative Fee	Total Assessment
\$900.00	\$938.00	\$1,838.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on April 24, 2014, and stated that while he is not discounting the work done on this property, he never received either the First Notice of Noncompliance, or the Second Notice.

Appellant then stated that the fire hazards on the property were cleared by the gardener to what he thought were the code requirements. Appellant provided a County Tax bill which purported to show a changed address from the one provided to the County Assessor upon the recording on the property on April 15, 2013. Appellant stated that the Notices had to have been sent to the previous owner.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 15, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 28, 2013.

A work order was prepared and the property was posted on August 28, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Appellant stated that the Notices must have been sent to the previous owner, which is a Trust with an address in Tarzana. Appellant also stated that the correct address is in Calabasas. However, Appellant admitted that he is the "trustee" of the trust of what he claimed to be the previous owner.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,838.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 28, 2014 PACKAGE NO: 2013183016
NAME: CHEKERDEMIAN, ANAHID CO TR ET AL COUNCIL DISTRICT: 2
MAILING ADDRESS: 10043 BENARES PL
SUN VALLEY, CA 91352
SITUS ADDRESS: 10043 BENARES PL
ASSESSOR'S ID NO: 2403020043 / INVOICE NO: BC14001234

ASSESSMENT: \$1,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,000.00	\$938.00	\$1,938.00

SUBSTANCE OF PROTEST

Appellant was accompanied by her sister Ms. Salpi Havandjian, she stated that the area is tough to clean as it is a hillside with a steep slope, and that she was going through a loan modification and was not sure of her continued occupancy. Appellant also added that she was unsure of her exact property lines.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 14, 2013, with a compliance due date of June 5, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 26, 2013. A work order was prepared and the property was posted subsequently contracted to a City Contractor, who completed clearance on the property on September 30, 2013.

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

PROPOSED DECISION AND RECOMMENDATION

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. The Total Assessment should be upheld.

The Total assessment due is \$1,938.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183016
COUNCIL DISTRICT: 2

NAME: SONNEBORN, JANE T
10560 ART ST
MAILING ADDRESS: SUNLAND, CA 91040

SITUS ADDRESS: 10560 ART ST

ASSESSOR'S ID NO: 2542018005 / INVOICE NO: BC14001259

ASSESSMENT: \$3,738.00

Cost of Clearance	Administrative Fee	Total Assessment
\$2,800.00	\$938.00	\$3,738.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on April 24, 2014 and stated that she was disputing neither the work performed nor the charges levied.

However, she stated that she was on a fixed income, and that paying the assessment was a severe hardship. She indicated that she was in danger of losing this house that she was owned since 1967. Appellant did not provide any additional documentation.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 14, 2013, with a compliance due date of June 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 26, 2013. A work order was prepared and the property was posted subsequently contracted to a City Contractor, who completed clearance on the property on September 30, 2013.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs.

Although the Appellant provided no documentation, she provided credible testimony that she is in some kind of financial distress. It is this Hearing Examiner's recommendation that if some kind of payment plan is available, it could be extended to the Appellant to allow her to make payments in portions.

The Total assessment due is \$3,738.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183019
NAME: SWEETWATER MANAGEMENT CO TR COUNCIL DISTRICT: 2
MAILING ADDRESS: 9466 SUNLAND BLVD
SUN VALLEY, CA 91352
SITUS ADDRESS: 9466 SUNLAND BLVD
ASSESSOR'S ID NO: 2544010008 / INVOICE NO: BC14001283

ASSESSMENT: \$3,498.00

Cost of Clearance	Administrative Fee	Total Assessment
\$2,560.00	\$938.00	\$3,498.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 24, 2014, therefore no evidence in opposition was presented. In a previous letter to the Department, Appellant claimed collusion between the Department Inspectors to conspire against him, harass him, and remove twelve vehicles that he had stored on his property.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 10, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 8, 2013. A work order was prepared and the property was posted. The property was subsequently contracted to a City Contractor and work was completed on November 6, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. Total Assessment should be upheld.

The Total assessment due is \$3,498.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183018
NAME: PYLE, GLEN TR COUNCIL DISTRICT: 2
MAILING ADDRESS: 9466 SUNLAND BLVD
SUN VALLEY, CA 91352
SITUS ADDRESS: V/L SW/OF 9466 SUNLAND BL
ASSESSOR'S ID NO: 2544010012 / INVOICE NO: BC14001291
\$1,238.00

ASSESSMENT:

Cost of Clearance	Administrative Fee	Total Assessment
\$300.00	\$938.00	\$1,238.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 24, 2014, therefore no evidence in opposition was presented.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 10, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 8, 2013.

A work order was prepared and the property was posted on July 8, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 15, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs.

There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,238.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183009
COUNCIL DISTRICT: 2
NAME: HTSC HOMES INC
MAILING ADDRESS: 18543 DEVONSHIRE ST UNIT 444
NORTHRIDGE CA 91324 0000
SITUS ADDRESS: 11494 DELLMONT DR
ASSESSOR'S ID NO: 2552043028 / INVOICE NO: BC14001341
ASSESSMENT: \$1,838.00

Cost of Clearance	Administrative Fee	Total Assessment
\$900.00	\$938.00	\$1,838.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 24, 2014, therefore no evidence in opposition was presented. The records indicate that the property was purchased at a Lien Sale on September 5, 2013, but are sold subject to encumbrances.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 13, 2013, with a compliance due date of June 3, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 17, 2013.

A work order was prepared and the property was posted on July 17, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 19, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs.

HTSC HOMES INC
APN: 2552043028
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There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,838.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183010
COUNCIL DISTRICT: 2
NAME: LAUTERBACK, STEVEN J AND
MAILING ADDRESS: 2734 ALABAMA ST
LA CRESCENTA, CA 91214
SITUS ADDRESS: 7540 THOUSAND OAKS DR
ASSESSOR'S ID NO: 2563007035 / INVOICE NO: BC14001473

ASSESSMENT: \$1,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,000.00	\$938.00	\$1,938.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on April 24, 2014, and stated that the fire hazards on the property were cleared by the gardener to what he thought were the code requirements. He stated that he thought that his house would go up in flames before the weeds on his property would.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 7, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 29, 2013.

A work order was prepared and the property was posted on July 29, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 20, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs.

There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Total assessment due is \$1,938.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183015
COUNCIL DISTRICT: 2

NAME: MORENO,JOE AND MARIA H
24365 HARTLAND ST
MAILING ADDRESS: CANOGA PARK, CA 91307

SITUS ADDRESS: V/L S/OF 6108 SISTER ELSIE DR

ASSESSOR'S ID NO: 2569009014 / INVOICE NO: BC14001937

ASSESSMENT: \$1,163.00

Cost of Clearance	Administrative Fee	Total Assessment
\$225.00	\$938.00	\$1,163.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 24, 2014, therefore no evidence in opposition was presented.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 14, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 9, 2013.

A work order was prepared and the property was posted on August 9, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 27, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Total assessment due is \$1,163.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013183015
NAME: MORENO,JOE AND MARIA H COUNCIL DISTRICT: 2
MAILING ADDRESS: 24365 HARTLAND ST
CANOGA PARK, CA 91307
SITUS ADDRESS: V/L S/OF 6108 SISTER ELSIE DR
ASSESSOR'S ID NO: 2569009015 / INVOICE NO: BC14001945

ASSESSMENT: \$1,163.00

Cost of Clearance	Administrative Fee	Total Assessment
\$225.00	\$938.00	\$1,163.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 24, 2014, therefore no evidence in opposition was presented.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 14, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 9, 2013.

A work order was prepared and the property was posted on August 9, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 27, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Total assessment due is \$1,163.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013181022
COUNCIL DISTRICT: 12

NAME: KULOW, RICHARD AND BEVERLY TRS
11979 SALEM DR
MAILING ADDRESS: GRANADA HILLS, CA 91344

SITUS ADDRESS: 11979 SALEM DR

ASSESSOR'S ID NO: 2606020001 / INVOICE NO: BC14002117

ASSESSMENT: \$2,138.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,200.00	\$938.00	\$2,138.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on May 6, 2014 and stated that while she never received the First Notice of Noncompliance, the Second Notice was received. Appellant provided evidence in the form of a Check # 1004 for brush clearance paid to her gardener on September 8, 2013, in the amount of \$900.00.

Appellant then stated that the fire hazards on the property were cleared by the gardener to what she thought were to the code requirements, adding that since she had not received the first notice she did not know that her property was not in compliance, and after receiving the second took steps. While she stated she did not object to the clearance work *per se*, she was upset over the process on the contractors showing up unannounced on her property, which led to her calling out the LAPD. Appellant added that her husband had recently passed away and the fee assessments constituted a hardship.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 23, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 16, 2013.

A work order was prepared and the property was posted on August 16, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 21, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current

KULOW,RICHARD AND BEVERLY TRS

APN: 2606020001

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address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned. The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance was properly assessed. However, with regard to the Administrative fee, it does appear that the Appellant spent \$900.00 in brush clearance fees just three days prior to the contractors showing up, and that Appellant had made an effort to comply. Therefore it is recommended that the Administrative Fee be reduced by \$350.00, and the Total Assessment should be upheld but reduced.

The Total assessment due is \$1,788.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013175033
COUNCIL DISTRICT: 12

NAME: FRERKING, DARYL A AND CHERYL F
PO BOX 950991
MAILING ADDRESS: MISSION HILLS CA 91395

SITUS ADDRESS: 10407 DENSMORE AVE

ASSESSOR'S ID NO: 2668016009 / INVOICE NO: BC14002133

ASSESSMENT: \$10,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$10,000.00	\$938.00	\$10,938.00

SUBSTANCE OF PROTEST

The owner acknowledged that the parcel contained "a lot of material", before abatement. Mr. Frerking said also that he had been asked by the Department of building and Safety to address the condition at various time in the past and had made agreement to do so.

He testified finally that the Fire Department contractor with seven employees worked for approximately four to five days; effectively stole valuable items from him, in some instances or at least took items which he could have donated; and along with Inspector Paul Terris treated him disrespectfully at times. However, Mr. Frerking also admitted that he made no police report of theft, and that although he had commenced to clean his property, the Departments photographs accurately depict the condition of his home as of the start of abatement.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on November 15, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on December 5, 2013.

A work order was prepared and the property was posted on December 5, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 18, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current

FRERKING,DARYL A AND CHERYL F

APN: 2668016009

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address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The total assessment is \$10,938.00. Inspector Terris explained that this residence had virtually no defensible space, and presented an immediate danger to the property owners themselves, to their neighbors, and to any potential first responder. Inspector Terris said; and Mr. Frerking obliquely confirmed, that any valuable items could have segregated and removed, even though the contractor himself could not perform the segregation. The Department afforded the owner twenty days to clear the property himself. He did not avail himself of that opportunity. Finally the Inspector believes that the owner misconstrued his demeanor, when the Inspector spoke with contractor's foreman. The assessment should be imposed.

The Total assessment due is \$10,930.00.

REPORT AND PROPOSED DECISION
ON ASSESTMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO:
COUNCIL DISTRICT:

NAME: SHOHET, HOUSHANG C
22648 QUINTA RD
MAILING ADDRESS: WOODLAND HILLS, CA 91364 4014
SITUS ADDRESS: 21048 NASHVILLE ST
ASSESSOR'S ID NO: 2706003025 / INVOICE NO: BC14002141
\$2837.00

ASSESSMENT:

Cost of Clearance	Administrative Fee	Total Assessment
\$1,899.00	\$938.00	\$2,837.00

SUBSTANCE OF PROTEST

Mr. Shohet appeared personally, and explained that contrary to the Department's record, mail sent to him at a Post Office Box was returned. He received only one notice, which made its way to him even though misdirected. Mr. Shohet cited another Fire Department office, that of Accounting, which received returned mail from P.O. Box 64674, and he showed a Post Office forwarding order requiring mail addressed to the site's Nashville Street address to go to his own Quinta Road residence. That order has been in place since February 4, 2013. Mr. Shohet testified to conversations he has had with Captain Knight and others, and said that he only used P.O. Box 64674 from February to December 2010.

More broadly, Mr. Shohet explained that the subject property had been his father's, and that he has taken over responsibility for clearance; that these issues have lingered for many years; and that, even aside from the notice questions, the Department's and contractor's photographs do not clearly demonstrate the need for work, or the scope of work allegedly performed. Finally, Mr. Shohet contended that he performed work, at the cost of \$1,300.00, although regrowth may have occurred, and that his physical condition and job situation together would impose a hardship, should he have to pay this assessment.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on August 8, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 18, 2013.

A work order was prepared and the property was posted on October 18, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 20, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The owner, who devoted a considerable amount of time to retrying last year's case, acknowledged that he receives Nashville Street mail at Quinta. Your Hearing Officer concludes that, by a preponderance of the evidence, mailed notices were received, due process was satisfied, and this hazard properly was abated at a reasonable cost. However it is noted that the Appellant has made an effort to comply, it recommends the administrative fee be waived.

The Total assessment due is \$1,899.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013181023
COUNCIL DISTRICT: 12

NAME: RAC DEVELOPMENT INC TR
150 N SANTA ANITA AVE STE 645
MAILING ADDRESS: ARCADIA CA 91006

SITUS ADDRESS: 22231 CHATSWORTH ST

ASSESSOR'S ID NO: 2723006003 / INVOICE NO: BC14002166

ASSESSMENT: \$2,438.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,500.00	\$938.00	\$2,438.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for May 6, 2014, and the recommendation will be made based on the documentation in the case file.

Appellants stated that the company did not obtain possession of the property until October 2, 2013, previously in the process of obtaining an eviction of the previous tenant who did not allow them access. Appellant contended that after gaining possession the company was able to regain access onto the property, obtaining permits to undertake needed and necessary repairs. Appellants provided a Quitclaim Deed dated February 22, 2013.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 23, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 8, 2013.

A work order was prepared and the property was posted on August 8, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 7, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Information in the case file shows ownership was updated on March 14, 2013, however the timing of when the effective date of mail change shows to be August 18, 2013. This creates the possibility that Appellant presumptively did not receive the first notice, but was on title before the second. It is therefore likely that the second non-compliance notices reached this Appellant.

However, given the fact that there was some delay regarding notices being updated, the Administrative fees should be waived. Since a benefit was conferred upon the property, this Hearing Officer recommends that the Cost of Clearance be upheld.

The Total assessment due is \$1,500.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 30, 2014 PACKAGE NO: 2013181028
COUNCIL DISTRICT: 12

NAME: STEPNER, DAVID AND KYLEE
18815 NAU AVE
MAILING ADDRESS: NORTHRIDGE, CA 91326

SITUS ADDRESS: 18815 NAU AVE

ASSESSOR'S ID NO: 2871006006 / INVOICE NO: BC14002240

ASSESSMENT: \$1,638.00

Cost of Clearance	Administrative Fee	Total Assessment
\$700.00	\$938.00	\$1,638.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance Assessment Hearing scheduled for April 30, 2014, and stated that he believed that all of the required brush clearance had been properly completed by him prior to the proposed assessment.

Appellant provided Invoice # 095 to Sal's Tree Service dated May 31, 2013 in the amount of \$2,400.00, for extensive clean-up, and the removal of a large palm tree that had succumbed to attack by a bark beetle.

Appellant also provided a variety of financial documents indicating that after all expenses; he, his wife, and their two twins have limited available resources.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 17, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 19, 2013.

A work order was prepared and the property was posted on September 19, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 26, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

STEPNER,DAVID AND KYLEE
APN: 2871006006
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The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

However, the Appellant had made conscientious efforts to undertake clearance after the First Notice, and before the due date for compliance, and expended \$2,400.00 in the process, only later to find an additional fee. It is recommended that the Cost of Clearance be reduced to \$500.00, and that Administrative fee be waived.

The Total assessment due is \$700.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013181028
COUNCIL DISTRICT: 12

NAME: TAN, HAN SHUE AND LEE WHEI
1181 SUNLIGHT CIR
MAILING ADDRESS: CONCORD, CA 94518

SITUS ADDRESS: 18834 DUKAS ST

ASSESSOR'S ID NO: 2871014009 / INVOICE NO: BC14002265

ASSESSMENT: \$1,638.00

Cost of Clearance	Administrative Fee	Total Assessment
\$700.00	\$938.00	\$1,638.00

SUBSTANCE OF PROTEST

The Appellants appearing at the hearing on April 24, 2014, were Ms. Jennine Kidd, representing a property management company, the owner Mr. Han Shue Tan, and the contracted landscaper Mr. Orlando De Leon.

Ms. Kidd stated that she has had the contract to manage this property by the owner through her property management and rental company since 1998. During that time, Mr. De Leon has cleared this and many other properties in her portfolio, and that the front and the rear of the property had been cleared. She added that while a mistake might have been made in not clearing the palm fronds, no negligence was at play and that the Department's notices had been unclear. Ms. Kidd stated that a reasonable fee for the palm tree was about \$400.00, and that the administrative fee should be completely waived.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 1, 2013, with a compliance due date of June 10, 2013. Therefore a Second Notice of Noncompliance was issued on July 19, 2013.

There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. A work order was prepared and the property was subsequently contracted to a City Contractor, who completed clearance on the property on October 26, 2013. The Department's Inspector indicated that there were no photographs on file showing the condition of the property before, during and after clearance.

The Department's Inspector indicated that since no images provided by the contractor, the Appellant should not be responsible for either the Cost of Clearance or the Administrative fee.

Therefore, a Second Notice of Noncompliance was issued on September 19, 2013.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

While likely that there might well have been an oversight in the Appellants' collective undertaking clearance work and omitting the dry palm fronds, a hazardous situation remained which finally led to abatement by a City contractor.

The Total assessment due is \$1,638.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013181027
COUNCIL DISTRICT: 12

NAME: TAJYAR,ATAURAHMAN CO TR
18748 ACCRA ST
MAILING ADDRESS: NORTHRIDGE, CA 91326

SITUS ADDRESS: 18748 ACCRA ST

ASSESSOR'S ID NO: 2871018008 / INVOICE NO: BC14002273

ASSESSMENT: \$1,288.00

Cost of Clearance	Administrative Fee	Total Assessment
\$350.00	\$938.00	\$1,288.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on April 24, 2014, and stated that while he never received the First Notice of Noncompliance, the Second Notice was received.

Appellant then stated that the fire hazards on the property were cleared by the gardener to what he thought were the requirements as stated in the notice; he did not know that he was also required to clear the dry fronds off his palm tree 23 feet in the air.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 20, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 12, 2013.

A work order was prepared and the property was posted on September 12, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 19, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,288.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013181027
COUNCIL DISTRICT: 12

NAME: GOLAN,ZEEV AND IRIT
8276 CAMINITO MODENA
MAILING ADDRESS: LA JOLLA CA 92037

SITUS ADDRESS: 11318 DULCET AVE

ASSESSOR'S ID NO: 2871019019 / INVOICE NO: BC14002281

ASSESSMENT: 1,188.00

Cost of Clearance	Administrative Fee	Total Assessment
\$250.00	\$938.00	\$1,188.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on May 6, 2014, and stated that he never received any notices. When the Invoice did arrive in January 2014, he immediately hired a construction company to do the brush clearance work which they completed on January 28, 2014.

Appellant stated that the fire hazards on the property were cleared by the gardener to what he thought were to the code requirements, and that he believes that the tenants that he rented to may not have passed the notices along to him.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 20, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 12, 2013.

A work order was prepared and the property was posted on September 12, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 19, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned. The Department's records also indicate that the property was properly posted with signs.

GOLAN,ZEEV AND IRIT
APN: 2871019019
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There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. Information retrieved from the County Assessor's Office shows Appellant recorded the property on July 7, 1999, and the mailing address for the Appellant is current.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,188.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 25, 2014 PACKAGE NO: 2013178040
COUNCIL DISTRICT: 5

NAME: SAMUELSON, KJELL TR
P O BOX 17374
MAILING ADDRESS: BEVERLY HILLS CA 90209
SITUS ADDRESS: 9924 BEVERLY GROVE DR
ASSESSOR'S ID NO: 4356026012 / INVOICE NO: BC14002364
ASSESSMENT: \$3,238.00

Cost of Clearance	Administrative Fee	Total Assessment
\$2,300.00	\$938.00	\$3,238.00

SUBSTANCE OF PROTEST

The owners demonstrated that the posted notice while placed on their property reflected their neighbors name and address. The owners' pool man found that notice which may have misled the owner and his gardener.

The owner also expressed some doubt about his ownership of part of the cleared ground. This issue was resolved to your Hearing Officers satisfaction at the hearing via reference to photographs and the ZIMAS map.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 10, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 26, 2013.

A work order was prepared and the property was posted on August 26, 2013. The property was subsequently contracted to a City Contractor and work was completed on November 25, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

SAMUELSON,KJELL TR
APN: 4356026012
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The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

While the posting was in error; mailed notice appears not to have been returned. Although the owner testified to some past problems receiving mail at a post office box and to having been out of town for a time in 2013, your Hearing Officer is persuaded that the Fire Department mailed notice and then properly abated a hazard owner's property. Because of the posted wrong address, however and because of the risk of miscommunication it created waiver of the administrative fee is reasonable.

The Total assessment due is \$2,300.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013174022
COUNCIL DISTRICT: 5

NAME: 3100 BENEDICT CANYON RD LLC

MAILING ADDRESS: 1061 1/2 N SPAULDING AVE
WEST HOLLYWOOD CA 90046 0000

SITUS ADDRESS: 3100 BENEDICT CANYON DR

ASSESSOR'S ID NO: 4382001023 / INVOICE NO: BC14002513

ASSESSMENT: \$3,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$3,000.00	\$938.00	\$3,938.00

SUBSTANCE OF PROTEST

The Appellants appearing at the hearing on April 24, 2014 were Mr. Joeffrey Koeppel; Mr. Francisco Chacon; and Ms. Pinky Clamoi.

Mr. Joeffrey Koeppel stated that he and his company, and Mr. Chacon, cleared the hillside and did the brush clearance work prior to the City contractor's appearance. Mr. Koeppel stated that he was paid on August 13, 2013, for the clearance work, and that there existed a "window" of time between his clearance work on August 13, 2013, and the eventual clearance work completed by the City contractor on August 14, 2013, one day later.

Ms. Clamoi stated that her company is the manager of the property, and that the property was purchased by grant deed on July 17, 2013, and her company hired Mr. Koeppel's company to do the brush clearance work.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 22, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 18, 2013.

A work order was prepared and the property was posted subsequently contracted to a City Contractor, who completed clearance on the property on August 23, 2013.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

3100 BENEDICT CANYON RD LLC
APN: 4382001023
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The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

While the LLC was as claimed not the property owner at the time of the first notice, they had also only purchased the property one day prior to the second notice. Appellants provided proof sufficient to show the purchase date was before the first notice and second notices. It is the recommendation of this Hearing Examiner that the Administrative fee be waived. Since a benefit was conferred on the property, it is recommended that Appellant be responsible only for the Cost of Clearance.

The Total assessment due is \$3,000.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 29, 2014 PACKAGE NO: 2013174041
COUNCIL DISTRICT: 5
NAME: PARRY,NORMA
MAILING ADDRESS: 13200 MULHOLLAND DR
LOS ANGELES, CA 90210
SITUS ADDRESS: 13200 MULHOLLAND DR
ASSESSOR'S ID NO: 4385020017 / INVOICE NO: BC14002661

ASSESSMENT: \$1,918.00

Cost of Clearance	Administrative Fee	Total Assessment
\$980.00	\$938.00	\$1,918.00

SUBSTANCE OF PROTEST

The owner, represented by her counsel, Ali Nosrat, Esq., presented the live testimony of her daughter, Ms. Susan Hannaford, who testified via telephone from Las Vegas. The owner explained that she employs a full-time gardener, who is familiar with the Brush Clearance rules. Next the owner testified that Inspector Sesma made several trips to the site, she believed in October 2013; that he "moved the goal posts," in your Hearing Examiner's expression, imposing different requirements during a visit following the initial inspection; and then, to the owner's surprise, sent a City contractor to clear the hazard on November 5, 2013.

Ms. Hannaford confronted the crew, whose foreman admitted to her that the property was in compliance, but who added that he and his crew had to enter her property in any event, because otherwise the Fire Department would not compensate them. While making entry, the crew damaged an automatic gate, which the owner had to spend more than ten thousand dollars to repair and reinstall. The owner provided no written verification of the cost of repair at the hearing, but was afforded additional time within which to offer such evidence.

The owner stated finally that the crew did not stay long; performed no "weed-whacking"; actually damaged living trees, and (stated through counsel) destroyed a historic tree; and should not face liability for this assessment on the strength of Inspector Terris's testimony, and only Inspector Sesma has personal knowledge of the facts.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 17, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 5, 2013. A work order was prepared and the property was posted on August 5, 2013.

The property was subsequently contracted to a City Contractor and work was completed on November 18, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.. The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Your Hearing Examiner reviewed the testimony of both sides, and does not reject Inspector Terris's testimony merely because he was not the Inspector of this property. Inspectors have sufficient training to review others' files, and Inspector Terris testified generally to the contents of the file, including especially the contractors' photographs.

Those photographs contradict, and in your Hearing Examiner's view refute, Ms. Hannaford's claim about the scope of the work performed in November. Clearly that work included customary brush clearance what Ms. Hannaford described as "weed-whacking" as well as the proper removal of living leaves below the mark which the Fire Department sets for proper abatement. The photographs also belie Ms. Hannaford's claim of the crew foreman's statement about finding compliance, but "needing" to "do something" nonetheless. The crew evidently did more than observe some ritual; it actually cleared the hazard.

Your Hearing Examiner supplemented the testimony by contacting Mr. Cadiz, the principal of Avalon, and by contacting Inspector Sesma. Each witness gave testimony refuting the owner's claims which seemed frankly incredible in your Hearing Examiner's experience of many years' conduct of these and other hearings, even before the supplemental information was considered. In particular, your Hearing Examiner is persuaded that the gate's damage, if present at all and not pre-existing, did not come as a result of this clearance, or of this crew. One reason is that, according to the evidence of more than one witness, the street adjacent to the gate was undergoing improvement and maintenance at the time in question, and the crew had other access from a lot at the opposite side of the parcel.

The Total assessment due is \$1,918.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 22, 2014 PACKAGE NO: 2013171027
COUNCIL DISTRICT: 11
NAME: GARDENHIRE, OPAL
MAILING ADDRESS: 11942 SHASTA CIR
CERRITOS, CA 90703
SITUS ADDRESS: V/L E/O 949 N. ENCHANTED WAY
ASSESSOR'S ID NO: 4419001030 / INVOICE NO: BC14002794

ASSESSMENT: \$5,138.00

Cost of Clearance	Administrative Fee	Total Assessment
\$4,200.00	\$938.00	\$5,138.00

SUBSTANCE OF PROTEST

The owner Ms. Opal Gardenhire appeared with Mr. James Weatherall and Mr. David Bailey. Ms. Gardenhire testified that she is an honest person who is prepared to pay a fair amount of this proposed assessment. The owner said that this small parcel cannot be built upon; that in fact another agency the Department of Water and Power has traversed it without payment and that this proposed assessment actually exceeds the properties value.

Ms. Gardenhires testified that she could have had the work done for less money than the City paid to clear. Mr. Weatherall supplanted Ms. Gardenhires testimony stating that she should have been provided a breakdown of the tasks for which the assessment was made, although the amount is excessive for the scope of work under any circumstances.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on August 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on November 5, 2013.

A work order was prepared and the property was posted on November 5, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 12, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Your Hearing Officer recognizes the owners' dilemma in owning property which thus far appears to have provided her little value. According to the Fire Department record due process in the form of notice was satisfied and although the Inspector quoted the owner (in April 2014) as having reported a "fixed income", she did not repeat the claim in our hearing nor did the owner deny the hazards existence contending instead and possibly accurately that she may have been able to clear the lot for less. Your Hearing Officer cannot recommend waivers arbitrarily, that would be unfair to other owners and to the Department. On balance only a modest waiver can be recommended.

The Total assessment due is \$4,638.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 30, 2014 PACKAGE NO: 2013171017
COUNCIL DISTRICT: 11
NAME: BEN COHEN, MANSOUR AND ASHRAF TRS
MAILING ADDRESS: 1135 S CARMELINA AVE
LOS ANGELES, CA 90049 5811
SITUS ADDRESS: 2444 WESTRIDGE RD
ASSESSOR'S ID NO: 4492026017 / INVOICE NO: BC14002828
ASSESSMENT: \$1,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,000.00	\$938.00	\$1,938.00

SUBSTANCE OF PROTEST

The Appellant appeared on behalf of her parents who are the property owners at the Brush Clearance Assessment Hearing scheduled on April 30, 2014, and stated that she believed that all of the required brush clearance had been properly completed by her brother prior to the proposed assessment.

Appellant produced her parents' drivers' licenses, and a check # 14980 in the amount of \$1,500.00 for the brush clearance work that had been contracted for. Appellant added that it was a severe hardship for her parents to afford the Total assessment.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 15, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 15, 2013.

A work order was prepared and the property was posted on July 15, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 10, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. While some work was acknowledged to have been completed, it was not of a level sufficient to abate the hazardous conditions.

However, the Appellants did appear to have spent \$1,500.00 undertaking clearance, and it is this Hearing Examiner's recommendation that some acknowledgement be allowed for the efforts and funds expended. Therefore, it is recommended that the Cost of Clearance be reduced by \$500.00, that the Administrative fees were properly assessed.

The Total assessment due is \$1,438.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 22, 2014 PACKAGE NO: 2013173031
NAME: SON, WOO JONG COUNCIL DISTRICT: 1
MAILING ADDRESS: 125 S CAMPUS DR 14-304
FEDERAL WAY WA 98023
SITUS ADDRESS: 484 CLIFTON ST
ASSESSOR'S ID NO: 5206024013 / INVOICE NO: BC14002844
ASSESSMENT: \$2,138.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,200.00	\$938.00	\$2,138.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for May 8, 2014. In a letter, unsigned and undated, Mr. Woo Jong Son wrote that the former property owner didn't explain to him about the brush clearance requirements, and stated that his first notice were the invoices that had been sent to him.

Appellant added that according to the LA County Assessor's Office the date ownership changed to his name was September 30, 2013.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 21, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on November 2, 2013.

A work order was prepared and the property was posted on November 2, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 28, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly posed fire safety hazards prior to contractor cleanup.

served and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the Department records do indicate that mail was returned. Appellant had in fact also called the Departments Inspector and told them that he was not the owner.

It appears that the Appellant was not the owner at the time of the first and second inspections and these fees and assessments were the responsibility of the previous owner. Appellant was the owner at the time of the second notice on November 2, 2013. Therefore it appears the Assessment fee should be waived. However since a benefit was conferred on the property, the Cost-of-Clearance should be upheld.

The total assessment due is \$1,200.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 29, 2014 PACKAGE NO: 2013173019
COUNCIL DISTRICT: 1

NAME: SANCHEZ, ERNEST AND MARILYN

MAILING ADDRESS: 424 E AVENUE 39
LOS ANGELES, CA 90031

SITUS ADDRESS: 424 E AVENUE 39

ASSESSOR'S ID NO: 5207019006 / INVOICE NO: BC14002851

ASSESSMENT: \$1,488.00

Cost of Clearance	Administrative Fee	Total Assessment
\$550.00	\$938.00	\$1,488.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance Assessment Hearing scheduled for April 29, 2014, and stated that he believed that all of the required brush clearance had been properly completed by him prior to the proposed assessment.

Appellant stated that in previous years his wife had taken care of the brush clearance details. He said that he had pulled up a black walnut tree which was protected by the State to be in compliance, and that the plants were bought and natural. He added that he had cleared his yard, and that his neighbors had similar growth and never been cited. In addition, he added that he had been in contact with his Councilperson's office to request more time, but when they spoke to the Inspector they were told it was too late to stop the City contractor from going out to clear the property.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 15, 2013 with a compliance due date of June 18, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 31, 2013.

A work order was prepared and the property was posted on July 31, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 26, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current

SANCHEZ,ERNEST AND MARILYN
APN: 5207019006
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address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,488.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013173018
NAME: SUN, DORIS COUNCIL DISTRICT: 1
MAILING ADDRESS: 867 CABOT LN
FOSTER CITY CA 94404 0000
SITUS ADDRESS: VACANT LOT
ASSESSOR'S ID NO: 5209022015 / INVOICE NO: BC14003057
ASSESSMENT: \$1,237.00

Cost of Clearance	Administrative Fee	Total Assessment
\$299.00	\$938.00	\$1,237.00

SUBSTANCE OF PROTEST

The Appellant wished for her Brush Clearance Assessment Hearing to be adjudicated in-writing. In a letter unsigned but dated April 15, 2013, Appellant stated she had established general precautions against fires, and had hired a landscaper Mr. Justin Hall to whom she paid \$300 by check # 1964 on April 27, 2013. Since she was going through postpartum disability, she stated she was unable to physically travel to the property but received photographs back to show what she believed to be her property in compliance. Appellant added that she is a single-mother and a college student, unemployed at the moment, and that the Total assessment would be a financial hardship.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 8, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 6, 2013.

A work order was prepared and the property was posted on August 6, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 3, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

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The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,237.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 1, 2014 PACKAGE NO: 2013173030
NAME: JAWDE,JOSEPH COUNCIL DISTRICT: 1
MAILING ADDRESS: PO BOX 582
CHINO, CA 91708
SITUS ADDRESS: VACANT LOT
ASSESSOR'S ID NO: 5209023025 / INVOICE NO: BC14003107

ASSESSMENT: \$1,238.00

Cost of Clearance	Administrative Fee	Total Assessment
\$300.00	\$938.00	\$1,238.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for May 1, 2014, therefore no evidence in opposition was presented. No letter was provided; therefore no evidence in opposition was presented.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on August 6, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 18, 2013.

A work order was prepared and the property was posted on October 18, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 18, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,238.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 30, 2014 PACKAGE NO: 2013173026
NAME: SHAIQ,FAWAD AND NADIA COUNCIL DISTRICT: 14
MAILING ADDRESS: 2125 CARMONA AVE
LOS ANGELES CA 90016
SITUS ADDRESS: VACANT LOT
ASSESSOR'S ID NO: 5216012010 / INVOICE NO: BC14003594

ASSESSMENT: \$1,538.00

Cost of Clearance	Administrative Fee	Total Assessment
\$600.00	\$938.00	\$1,538.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance Assessment Hearing scheduled for April 30, 2014, and stated that he believed that all of the required brush clearance had been properly completed by him prior to the proposed assessment.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 21, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 30, 2013.

A work order was prepared and the property was posted on August 30, 2013. The property was subsequently contracted to a City Contractor and work was completed on November 2, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld. According to the County Assessor's Office, the relevant parcel was recorded on February 25, 2013 to the Appellant's acknowledged mailing address.

The Total assessment due is \$1,538.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 25, 2014 PACKAGE NO: 2013182023
COUNCIL DISTRICT: 13
NAME: RAMIREZ, MARION G
MAILING ADDRESS: 1311 WATERLOO ST
LOS ANGELES, CA 90026
SITUS ADDRESS: 1311 WATERLOO ST
ASSESSOR'S ID NO: 5424023009 / INVOICE NO: BC14003982
ASSESSMENT: \$2,388.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,450.00	\$938.00	\$2,388.00

SUBSTANCE OF PROTEST

The Appellant failed to appear at the Brush Clearance Hearing scheduled on April 25, 2014.

According to the Department's notes, Mr. Adam Gower indicated that he was purchasing the building through probate. In a letter signed and dated February 3, 2014, Mr. Gower provided the following chronology: That the owner of the property, Ms. Marion Ramirez, died in May 2002 intestate; that a veteran Mr. Daniel Zachery was living in the property; that no-one resided at the property to receive mail; and that he under the direction of the Abandoned Building inspectors of the City of Los Angeles already paid \$2,400.00 on December 23, 2013.

Also included by Mr. Gower was a Los Angeles Fire Department report dated April 16, 2009, indicating a fire that originated in the basement and caused significant damage. The occupants had been identified as Mr. Daniel Zachery, a Veteran, and Mr. John Pohwat. After the fire, and the resultant damage, the City of Los Angeles, Department of Building and Safety, Code Enforcement Bureau, had filed a Notice dated April 24, 2009 that the building was a nuisance and uninhabitable.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on June 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 24, 2013.

A work order was prepared and the property was posted on October 24, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 6, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The property had sustained fire damage to a level sufficient to have the property and its charred structure declared a public nuisance. The owner passed away intestate in May 2002. There is no record of Mr. Gower having purchased the property, or being on record as the new owner. Therefore, the recommendation of this Hearing Officer is that the Administrative fee should be waived.

However, it appears that the contractor clearance conferred a benefit to the property, that this cost was properly assessed, and that the Cost of Clearance should be upheld.

Therefore, the total assessment due is \$1,450.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 25, 2014 PACKAGE NO: 2013182019
COUNCIL DISTRICT: 13
NAME: ANJ PROPERTIES LLC TR
MAILING ADDRESS: 8391 SAN FERNANDO RD SP 23
SUN VALLEY, CA 91352
SITUS ADDRESS: 2412 W RIVERSIDE DR
ASSESSOR'S ID NO: 5438005016 / INVOICE NO: BC14004030
ASSESSMENT: \$1,388.00

Cost of Clearance	Administrative Fee	Total Assessment
\$450.00	\$938.00	\$1,388.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 25, 2014, therefore no evidence in opposition was presented.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on June 21, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 24, 2013.

A work order was prepared and the property was posted on September 24, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 28, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The total assessment due is \$1,388.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013175032
COUNCIL DISTRICT: 1
NAME: MOSQUEDA,JORGE
MAILING ADDRESS: 3317 DARWIN AVE
LOS ANGELES, CA 90031
SITUS ADDRESS: 430 W AVENUE 37
ASSESSOR'S ID NO: 5451024014 / INVOICE NO: BC14004162
ASSESSMENT: \$1,838.00

Cost of Clearance	Administrative Fee	Total Assessment
\$900.00	\$938.00	\$1,838.00

SUBSTANCE OF PROTEST

The owner cleared the property on June 8, 2013, according to his photographs. He believed initially that he was charged in part for work performed on a neighbor's property and believes that his neighbor initiates many complaints respecting regrowth.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on June 1, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 18, 2013.

A work order was prepared and the property was posted on October 18, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 11, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by

MOSQUEDA,JORGE

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the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The owners June 8, 2013, work was effective for a time and he believed that a single annual clearance sufficed. But the chance of regrowth makes brush clearance a year-round responsibility and the Fire Department satisfied its due process obligations.

The Total assessment due is \$1,838.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE:	April 25, 2014	PACKAGE NO: 2013182016
NAME:	BUNCE, AMY E	COUNCIL DISTRICT: 14
MAILING ADDRESS:	5400 JARVIS ST FAYETTEVILLE NC 28314	
SITUS ADDRESS:	V/L 150 FT W/OF 2539 SUNDOWN	
ASSESSOR'S ID NO:	5462001002 / INVOICE NO: BC14004295	

ASSESSMENT: \$1,163.00

Cost of Clearance	Administrative Fee	Total Assessment
\$225.00	\$938.00	\$1,163.00

SUBSTANCE OF PROTEST

The owner failed to appear for the scheduled hearing.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 14, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 9, 2013.

A work order was prepared and the property was posted on August 9, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 15, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,163.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 8, 2014 PACKAGE NO: 2013175026
NAME: AMERICANA TRUST DEED SERVICES COUNCIL DISTRICT: 14
760 N EUCLID ST STE 102
MAILING ADDRESS: ANAHEIM, CA 92801 4123
SITUS ADDRESS: 626 E FRONTENAC AVE
ASSESSOR'S ID NO: 5465003007 / INVOICE NO: BC14004964

ASSESSMENT: \$1,788.00

Cost of Clearance	Administrative Fee	Total Assessment
\$850.00	\$938.00	\$1,788.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for May 8, 2014, therefore no evidence in opposition was presented.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 16, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 9, 2013.

A work order was prepared and the property was posted on September 9, 2013. The property was subsequently contracted to a City Contractor and work was completed October 10, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Information in the case file notes indicate that property owner on file in the County Assessor's Office records coincides with the current owner, who recorded on January 5, 2010.

The Total assessment due is \$1,788.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013175027
NAME: RODRIGUEZ, HECTOR AND COUNCIL DISTRICT: 14
MAILING ADDRESS: 8914 NEVADA AVE
ROSEMEAD CA 91770
SITUS ADDRESS: V/L ADJ. TO 711 MOON
ASSESSOR'S ID NO: 5466004007 / INVOICE NO: BC14005003

ASSESSMENT: \$1,188.00

Cost of Clearance	Administrative Fee	Total Assessment
\$250.00	\$938.00	\$1,188.00

SUBSTANCE OF PROTEST

The co-owner Mr. Lazaro Fonta testified that he changed the record address to the current one in 2012 and the Fire Department reflects returned mail which had been sent to the old address.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 18, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 7, 2013.

A work order was prepared and the property was posted on October 7, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Posting to which Inspector Terris testified provided adequate legal notice on October 7, 2013. Further the owners and the City benefited from the abatement. The failure of mail notice, however; warrants waiver of the administrative fee.

The Total assessment due is \$250.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013175029
NAME: PAYNE, JASON AND COUNCIL DISTRICT: 14
MAILING ADDRESS: 2055 LAUREL CANYON BLVD
LOS ANGELES, CA 90046
SITUS ADDRESS: VAC LOT ACROSS FROM 4848 GLENALB
ASSESSOR'S ID NO: 5466030008 / INVOICE NO: BC14005094

ASSESSMENT:	\$1,538.00	
Cost of Clearance	Administrative Fee	Total Assessment
\$600.00	\$938.00	\$1,538.00

SUBSTANCE OF PROTEST

The owner did not dispute receipt of the notices, but believed that he would receive a third one before abatement. In the past he has permitted the City to perform the work as it had been cost effective to do so.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 18, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 19, 2013.

A work order was prepared and the property was posted on October 19, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Notice and due process satisfied, and the owners' previous practice of relying upon the City contract may or may not have proven cost effective in this instance.

The Total assessment due is \$1,538.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013175015
NAME: DONOVAN B ISSAC FAMILY TRUST AND COUNCIL DISTRICT: 14
136 N GRAND AVE NO 303
MAILING ADDRESS: WEST COVINA, CA 91791
SITUS ADDRESS: V/L S/OF 4373 SCANDIA WAY
ASSESSOR'S ID NO: 5472011056 / INVOICE NO: BC14005326

ASSESSMENT: \$1,238.00

Cost of Clearance	Administrative Fee	Total Assessment
\$300.00	\$938.00	\$1,238.00

SUBSTANCE OF PROTEST

The appellant did not appear for the scheduled hearing.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 18, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on October 7, 2013.

A work order was prepared and the property was posted on October 7, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 30, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

The Fire Department's record reflects the necessity of abatement as well as compliance with the requirements of due process. According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,238.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 30, 2014 PACKAGE NO: 2013173025
COUNCIL DISTRICT: 14
NAME: TEITELMAN,SARA J AND
MAILING ADDRESS: 921 CRESTWOOD TER
LOS ANGELES CA 90042
SITUS ADDRESS: 921 CRESTWOOD TER
ASSESSOR'S ID NO: 5480014034 / INVOICE NO: BC14005458
ASSESSMENT: \$1,238.00

Cost of Clearance	Administrative Fee	Total Assessment
\$300.00	\$938.00	\$1,238.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance Assessment Hearing scheduled for April 30, 2014, and stated that he believed that all of the required brush clearance had been properly completed by him prior to the proposed assessment.

Appellant also stated that he had left messages for the Department's Inspector, but due to miscommunication was unable to understand fully what was required of him to do on his property. Appellant added that he has owned the property for the past five years, and that up until 2013 it had always been in compliance, and that the Total assessment was a financial burden.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 31, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 22, 2013.

A work order was prepared and the property was posted on August 22, 2013. The property was subsequently contracted to a City Contractor and work was completed on November 2, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,238.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013179017
COUNCIL DISTRICT: 4

NAME: GILERMAN,ERINA

MAILING ADDRESS: 19641 ROSITA ST
TARZANA CA 91356

SITUS ADDRESS: 8031 FLORAL AVE

ASSESSOR'S ID NO: 5551032033 / INVOICE NO: BC14005664

ASSESSMENT: \$1,838.00

Cost of Clearance	Administrative Fee	Total Assessment
\$900.00	\$938.00	\$1,838.00

SUBSTANCE OF PROTEST

The Appellants appearing at the hearing on April 24, 2014, were Ms. Erina Gilerman, and her brother Mr. Alex Gudis.

Ms. Gilerman stated that her brother was more familiar than she was with the property. Mr. Gudis stated that the vacant lot had been owned since 1998, when this and another property could be built on, beginning in 2003. Development had been stopped and started when there was litigation that ensued, and that between 2004 and 2010 building was halted. The green light was given again in February 2013. Mr. Gudis added that the red posted notice was posted on what he said was not his property, and where the red notice could not be visible.

Mr. Gudis provided an invoice from Gonzalez Construction dated May 13, 2013, for hillside clearing. Appellants stated that they believed they were not responsible for any charges which were the responsibility of the previous owner.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 7, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on November 14, 2013.

A work order was prepared and the property was posted subsequently contracted to a City Contractor, who completed clearance on the property on December 30, 2013.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current

GILERMAN,ERINA
APN: 5551032033
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address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

According to the Department records on January 28, 2014 the previous owner had called regarding the property having been sold and notices still being sent to her. According to the County records, Ms. Erina Gilerman was the recorded owner as of April 12, 2013. While the First notice did not reach her, the Second notice was mailed to the recorded address. While it was possible that hillside clearance work had been completed by the Appellants, it is likely that there was re-growth of the brush in the seven months between the notices.

The Total assessment due is \$1,838.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 6, 2014 PACKAGE NO: 2013174031
COUNCIL DISTRICT: 5
NAME: CONVERSION OF RCCI LLC
MAILING ADDRESS: 1912 E VERNON AVE
VERNON, CA 90058
SITUS ADDRESS: 8686 EDWIN DR
ASSESSOR'S ID NO: 5564002029 / INVOICE NO: BC14005987
ASSESSMENT: \$4,938.00

Cost of Clearance	Administrative Fee	Total Assessment
\$4,000.00	\$938.00	\$4,938.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance hearing scheduled on May 6, 2014, and stated that he was the attorney of record representing the LLC, and was not contesting the Cost of Clearance work done on the property, but was requesting waiver of the Administrative fee.

Appellant stated that the property had been acquired in 2012 after foreclosure, after which followed a lengthy adverse possession challenge which was finally resolved after litigation.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on August 29, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 29, 2013.

A work order was prepared and the property was posted on August 29, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 12, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$4,938.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 1, 2014 PACKAGE NO: 2013174031
COUNCIL DISTRICT: 5
NAME: KJOI INC
MAILING ADDRESS: 3400 W OLIVE AVE STE 550
BURBANK, CA 91505
SITUS ADDRESS: V/L S/OF 8307 SKYLINE DR
ASSESSOR'S ID NO: 5564008030 / INVOICE NO: BC14005995

ASSESSMENT: \$1,738.00

Cost of Clearance	Administrative Fee	Total Assessment
\$800.00	\$938.00	\$1,738.00

SUBSTANCE OF PROTEST

The appellant did not appear for the scheduled hearing.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 29, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 29, 2013.

A work order was prepared and the property was posted on August 29, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 2, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. The Fire Department satisfied the requirements of due process and cleared the hazardous condition. Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,738.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013174031
NAME: VLASSIS, MICHAEL COUNCIL DISTRICT: 5
MAILING ADDRESS: 2134 RIDGEMONT DR
LOS ANGELES, CA 90046
SITUS ADDRESS: 2134 RIDGEMONT DR
ASSESSOR'S ID NO: 5564023016 / INVOICE NO: BC14006001

ASSESSMENT:	\$1,838.00	
Cost of Clearance	Administrative Fee	Total Assessment
\$900.00	\$938.00	\$1,838.00

SUBSTANCE OF PROTEST

Appellant wished to adjudicate his protest of the Total assessment in writing, but provided no letter to enunciate the substance of his appeal. Therefore, a decision will be made on the information on hand in the case file.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 29, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 28, 2013.

A work order was prepared and the property was posted on August 28, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 2, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The County Assessor's information shows that the Appellant's recording date of February 15, 2013, showing the property and mailing address as the same.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Total assessment due is \$1,838.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 1, 2014 PACKAGE NO: 2013174034
NAME: NILCHIAN,ZAHRA AND COUNCIL DISTRICT: 4
MAILING ADDRESS: 2425 MOUNT OLYMPUS DR
LOS ANGELES, CA 90046
SITUS ADDRESS: 2425 MOUNT OLYMPUS DR
ASSESSOR'S ID NO: 5565020034 / INVOICE NO: BC14006134

ASSESSMENT: \$4,738.00

Cost of Clearance	Administrative Fee	Total Assessment
\$3,800.00	\$938.00	\$4,738.00

SUBSTANCE OF PROTEST

The appellant contends that she hired workers to clear the brush in June or July 2013, after receiving the first citation; that she receives only \$1,085.00 per month from Social Security which is her sole income and that she is a widow in straitened circumstances.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on June 6, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 11, 2013.

A work order was prepared and the property was posted on September 11, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 15, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

The Department's records indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Your Hearing Examiner recognizes the owners' hardship. But she has chosen to retain the property, which contained a hazard demanding abatement. Public Safety and Firefighter Safety require that some significant assessment be imposed.

The Total assessment due is \$2,938.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 21, 2014 PACKAGE NO: 2013174038
COUNCIL DISTRICT: 4

NAME: LA PROPERTIES INC

MAILING ADDRESS: 3685 MOTOR AVE UNIT 200
LOS ANGELES CA 90034

SITUS ADDRESS: 8030 MULHOLLAND DR

ASSESSOR'S ID NO: 5570018020 / INVOICE NO: BC14006282

ASSESSMENT: \$2,388.00

Cost of Clearance	Administrative Fee	Total Assessment
\$1,450.00	\$938.00	\$2,388.00

SUBSTANCE OF PROTEST

Appellant elected to contest the Total assessment via an in-writing appeal. In a fax, signed and dated April 18, 2014, Appellants stated that their property had been inspected and found to be in non-compliance, and that they were given a form August 30, 2013 to September 19, 2013, in which time to comply. Appellant wrote that the work was completed by their contractor sometime in early October 2013, and that they were then sent a cost of clearance bill in January 2014, for work that was "completed twice."

Appellants provided an Invoice from Gold Coast Tree Service dated October 15, 2013, for a variety of clearance work to be completed at a cost of \$3,000.00, but no property address listed. Also included was a check duplicate for apparently the self-same \$3,000.00 invoice with the date unintelligible.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 29, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 30, 2013.

A work order was prepared and the property was posted on August 30, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 17, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Appellant has not produced evidence sufficient to waive or reduce the Total assessment fees imposed.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$2,388.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 29, 2014 PACKAGE NO: 2013179012
COUNCIL DISTRICT: 4
NAME: HESKE,WILLIAM G
MAILING ADDRESS: 218 N SERRANO AVE
LOS ANGELES, CA 90004
SITUS ADDRESS: 6462 DEEP DELL PL
ASSESSOR'S ID NO: 5576007051 / INVOICE NO: BC14006399
ASSESSMENT: \$1,238.00

Cost of Clearance	Administrative Fee	Total Assessment
\$300.00	\$938.00	\$1,238.00

SUBSTANCE OF PROTEST

The Appellant appeared at the Brush Clearance Assessment Hearing scheduled for April 29, 2014, and stated that he did not take issue with the brush clearance work that had been undertaken by the Department, just that he had never received any of the notices. Appellant added that he owns a variety of properties, and wished to ensure that all the notices for all his holdings went to the correct address where he could receive his mail.

Appellant presented a Tax Bill for the property indicating a Calabasas address, and stated that a Los Angeles address was incorrect. Department records did indicate address switching back and forth

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 17, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 28, 2013.

A work order was prepared and the property was posted on August 28, 2013. The property was subsequently contracted to a City Contractor and work was completed on October 1, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

The Department records do not indicate that any mail was returned.

The Department's records also indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

Additionally, Appellant stated that the Notices were sent to the previous owner, a trust and an individual. Appellant also stated that he was the Trustee for the Trust. The Department sent Notices to the information that the Appellants had filed with the County Assessor's Office regarding mailing addresses and contact information.

Therefore, it appears that the Cost of Clearance and the Administrative fees were properly assessed, and the Total Assessment should be upheld.

The Total assessment due is \$1,238.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013179019
NAME: PATEL, CHANDU AND TARA AND COUNCIL DISTRICT: 4
MAILING ADDRESS: 6826 W SUNSET BLVD
HOLLYWOOD CA 90028
SITUS ADDRESS: VACANT LOT at 423 IVERENE
ASSESSOR'S ID NO: 5576013082 / INVOICE NO: BC14006407

ASSESSMENT: \$4,838.00

Cost of Clearance	Administrative Fee	Total Assessment
\$3,900.00	\$938.00	\$4,838.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for April 24, 2014. In a letter, signed but undated, Appellant stated that there were two trees on his property that needed to be cut, and that they had left messages for the Department's Inspector to "get educated on the trees". While the Appellants waited, a City Contractor finally appeared and cut the trees and cleared the brush.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 30, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on November 12, 2013.

A work order was prepared and the property was posted on November 12, 2013. The property was subsequently contracted to a City Contractor and work was completed on December 28, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

The Department's records indicate that the property was properly posted with signs. There appears to be no issue as to whether the Appellant was properly served, and the Department has been able to present documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The Total assessment due is \$4,838.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: May 8, 2014 PACKAGE NO: 2013179011
NAME: LANG,NATHAN COUNCIL DISTRICT: 4
MAILING ADDRESS: 213 SMOKE TREE AVE
OAK PARK CA 91377
SITUS ADDRESS: 3205 TARECO DR
ASSESSOR'S ID NO: 5579035014 / INVOICE NO: BC14006415

ASSESSMENT: \$1,838.00

Cost of Clearance	Administrative Fee	Total Assessment
\$900.00	\$938.00	\$1,838.00

SUBSTANCE OF PROTEST

The Appellant did not appear at the scheduled Brush Clearance hearing scheduled for May 8, 2014. In a letter, unsigned but dated February 12, 2014, Appellant stated that he had purchased the property and it recorded on June 17, 2013, but he did not move in until September 2013, when repairs were completed on this Bank-owner property. Appellant added that the title company placed the wrong address on record, "213" Smoke Tree Avenue instead of "216" Smoke Tree Avenue (as shown on his provided driver's license).

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 28, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on July 11, 2013.

A work order was prepared and the property was posted on July 11, 2013. The property was subsequently contracted to a City Contractor and work was completed September 21, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address. However, the Appellant has provided information to show that there was an error in the listed mailing address. The Department's records do indicate that the property was properly posted with signs. However, there does appear to be an issue as to whether the Appellant was properly served and had sufficient notice. As such, it is recommended that while the Cost of Clearance should be upheld for the benefit conveyed on the property, the associated Administrative fee should be waived.

The Total assessment due is \$900.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 22, 2014 PACKAGE NO: 2013175022
NAME: LONGORIA, VINCENT AND JULIA COUNCIL DISTRICT: 3
MAILING ADDRESS: 4026 RANDOLPH ST
BELL CA 90201
SITUS ADDRESS: VACANT LOT
ASSESSOR'S ID NO: 5679019032 / INVOICE NO: BC14006472

ASSESSMENT: \$1,388.00

Cost of Clearance	Administrative Fee	Total Assessment
\$450.00	\$938.00	\$1,388.00

SUBSTANCE OF PROTEST

The owners' representative Mr. John Carbajal testified that owners should not be liable for regrowth as the code and law are unclear. Mr. Carbajal also advocated the use of certified mail to give notice.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on May 15, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 8, 2013.

A work order was prepared and the property was posted on September 8, 2013. The property was subsequently contracted to a City Contractor and work was completed on August 28, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address.

The Department's records indicate that the property was properly posted with signs. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. The Fire Department's record reflects no returned mail and at least one owner appears to have acknowledged receipt of mail at the address of record. The Department satisfied its due process obligations and properly abated the hazard via the contractor.

The Total assessment due is \$1,388.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 22, 2014 PACKAGE NO: 2013175022
NAME: J CARBAJAL DEVT GROUP INC COUNCIL DISTRICT: 3
 3520 AMETHYST ST
MAILING ADDRESS: LOS ANGELES CA 90032
SITUS ADDRESS: VACANT LOT
ASSESSOR'S ID NO: 5679019033 / INVOICE NO: BC14006480

ASSESSMENT:	\$1,388.00	
Cost of Clearance	Administrative Fee	Total Assessment
\$450.00	\$938.00	\$1,388.00

SUBSTANCE OF PROTEST

The owner Mr. John Carbajal denies having received the notices other than the billing. He does not feel that the notices should be sent other than by certified mail and contend that in instances of regrowth is insufficiently clear to guide owners seeking to comply.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on August 8, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on September 5, 2013.

A work order was prepared and the property was posted on September 5, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 28, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup.

The California evidence code established a reputable presumption that these notices correctly addressed were received. The owner offered no testimony in rebuttal. The Code is sufficiently clear that clearance is a year-round responsibility. No waiver is warranted on these facts.

The Total assessment due is \$1,388.00.

REPORT AND PROPOSED DECISION
ON ASSESSMENT HEARING FOR
2013 BRUSH CLEARANCE

HEARING DATE: April 24, 2014 PACKAGE NO: 2013175017
COUNCIL DISTRICT: 4

NAME: YATES,LESLIE J

MAILING ADDRESS: 1040 E CAMERON AVE
WEST COVINA CA 91790

SITUS ADDRESS: 8212 S MAIN ST

ASSESSOR'S ID NO: 6030007003 / INVOICE NO: BC14006522

ASSESSMENT: \$27,438.00

Cost of Clearance	Administrative Fee	Total Assessment
\$26,500.00	\$938.00	\$27,438.00

SUBSTANCE OF PROTEST

The appellant failed to appear for the hearing.

DEPARTMENT INFORMATION

The Department issued an F-1308 Notice of Noncompliance on July 25, 2013. There was no record of an F-1307 Cleared-By-Owner Inspection Report on file. Therefore, a Second Notice of Noncompliance was issued on August 14, 2013.

A work order was prepared and the property was posted on August 14, 2013. The property was subsequently contracted to a City Contractor and work was completed on September 11, 2013. Photographs are on file showing the condition of the property before, during and after clearance.

PROPOSED DECISION AND RECOMMENDATION

According to the Department records, notice was sent to the Appellant's current address, as reflected on official records pertaining to the property owner's address. The Department's records also indicate that the property was properly posted with signs.

The Department has no documentation sufficient to show that the brush clearance and abatement work had not been fully completed by the property owner according to the necessary code requirements to negate the posed fire safety hazards prior to contractor cleanup. The serious hazard required abatement.

The Total assessment due is \$27,438.00.