

Board of Housing Appeals

Michael Estrada
Chair
Second District

San Joaquin County

Vacant
First District

Marian Norris
Vice Chair
Fourth District

Public Health Services Auditorium
1601 East Hazelton Avenue
Stockton, CA

Jeff Sanguinetti
Third District

John Muniz
Fifth District

MINUTES

Of the Board of Housing Appeals Meeting
Wednesday, November 20, 2019

I. ROLL CALL/CALL TO ORDER

Vice chairperson Marian Norris called the meeting to order at 7:07 p.m.

Members Present: Marian Norris
 Jeff Sanguinetti
 John Muniz

Ms. Kasey Foley, Interim Director, San Joaquin County Environmental Health Department, Secretary

Members Absent: None
Members Excused: Mike Estrada

Agency Representatives: Ms. Betty Ho, REHS, San Joaquin County Environmental Health Department; Ms. Kimberly Johnson, Deputy County Counsel, San Joaquin County Counsel; Mr. Weaver, Deputy, San Joaquin County Sheriff's Office; Mr. Jay Clayton, Building Inspector, San Joaquin County Community Development Department.

II. MINUTES

The minutes of the regular meeting of July 17, 2019, were approved upon motion by Mr. John Muniz and seconded by Mr. Jeff Sanguinetti.

AYES: Norris, Sanguinetti, Muniz
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

III. APPEALS

1. **Appeal hearing concerning the Statement of Expense dated August 1, 2019, for Enforcement Costs for the property located at 3521 West Michigan Avenue, Stockton CA; APN: 109-080-29; Property Owner(s): Nazia Shaneen; Case Number PR0544516; District #3.**

The Board received a report, which stated that the property owner of record was sent a Notice of Public Hearing of tonight's meeting by mail. The Staff Report presented by the Environmental Health Department recommended the Board confirm the statement of expense and deny the appeal.

Property representation: Muhammad Yousaf (owner of record's father)

Neighborhood representation: None

Following a discussion by the Board members, a motion was introduced by Mr. Jeff Sanguinetti to confirm the Statement of Expense and deny the Appeal. The motion was seconded by Mr. John Muniz. Approved RA 19-09.

AYES: Norris, Sanguinetti, Muniz

NOES: None

ABSENT: None

EXCUSED: Estrada

(ABSTAIN): None

CONSENT: None

CONTINUED:

1. Continued abatement hearing from the July 17, 2019, Board of Housing Appeals Hearing concerning the substandard structure(s) located at 4408 North Virgil Street, Stockton CA; APN: 087-122-05; Owner(s): Edson, William Floyd; Beneficiaries: None; Case No.: PR0542392; District #2.

The Board received a report, which stated that the property owner of record was sent, by certified mail, a Notice to Abate Nuisance before the Board of Housing Appeals as notification of tonight's meeting. The Staff Report presented by the Environmental Health Department showed no or inadequate progress toward correcting the State Housing Law violations.

Property representation: None

Neighborhood representation: None

Following a discussion by the Board members, a motion to continue was introduced by Mr. Jeff Sanguinetti to continue this item until the next BOHA meeting after obtaining information on the "historical page" for this site. Mr. Jeff Sanguinetti would also like the new Community Development Department director, David Kwong to attend the next BOHA meeting. The motion was seconded by Mr. John Muniz.

AYES: Norris, Sanguinetti, Muniz

NOES: None

ABSENT: None

EXCUSED: Estrada

(ABSTAIN): None

IV. HEARINGS

1. Abatement hearing concerning the substandard structure(s) located at 1628 North Golden Gate Avenue, Stockton CA; APN: 143-128-16; Owner(s): Bruno & Rosa Tostado ETAL; Beneficiaries: None; Case No.: PR0541198; District #2.

The Environmental Health Department continued this hearing item as to provide a translator, as requested by the owner, at the next meeting.

2. Abatement hearing concerning the substandard structure(s) located at 9533/9562 East Melton Road, Manteca CA; APN: 257-210-02; Owner(s): Manuel Toste; Beneficiaries: None; Case No.: PR0543807; District #5.

The Board received a report, which stated that the property owner of record was sent, by certified mail, a Notice to Abate Nuisance before the Board of Housing Appeals as notification of tonight's meeting. The Staff Report presented by the Environmental Health Department showed no or inadequate progress toward correcting the State Housing Law violations.

Property representation: Alex Toste (Deceased owner of record's son)

Neighborhood representation: None

Following a discussion by the Board members, a motion was introduced by Mr. Jeff Sanguinetti to confirm the Findings of Violations, provide ten days to board and secure all points of entry to the property, thirty days to obtain a written clearance report from a licensed septic contractor after contractor assesses the septic system, sixty days to apply to the California Housing Community Development Department for all necessary permits, nine months to have all permits complete and violations cleared by the San Joaquin County Environmental Health Department; and to authorize the Environmental Health Department to institute an appropriate action or proceeding consistent with the case conditions that may include the vacation, repair, or demolition of all posted structure(s) and appurtenances thereto, the removal of refuse, debris, solid waste, scrap metal and hazardous wastes from the premises, if the above time constrains or condition are not met. The motion was seconded by Mr. John Muniz. Approved R 19-12.

AYES: Norris, Sanguinetti, Muniz
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

3. Abatement hearing concerning the substandard structure(s) located at 3425 Mourfield Avenue, Stockton CA; APN: 175-160-07; Owner(s): Nicandra Ferreira; Beneficiaries: None; Case No.: PR0541943; District #1.

The Board received a report, which stated that the property owner of record was sent, by certified mail, a Notice to Abate Nuisance before the Board of Housing Appeals as notification of tonight's meeting. The Staff Report presented by the Environmental Health Department showed no or inadequate progress toward correcting the State Housing Law violations.

Property representation: Nicandra Ferreira (Owner of record)

Neighborhood representation: None

Following a discussion by the Board members, a motion was introduced by Mr. Jeff Sanguinetti to deny the Findings of Violations, to always maintain structure secure at all points of entry, to have all permits complete and violations cleared by the San Joaquin County Environmental Health Department by August 26, 2020, and to return it to the Board if time restraints are not met. The motion was seconded by Mr. John Muniz. Denied R 19-13.

AYES: Norris, Sanguinetti, Muniz
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

4. Abatement hearing concerning the substandard structure(s) located at 1848 West South Tuxedo Avenue, Stockton CA; APN: 123-202-11; Owner(s): Randall R Sutphin; Beneficiaries: None; Case No.: PR0524421; District #1.

The Board received a report, which stated that the property owner of record was sent, by certified mail, a Notice to Abate Nuisance before the Board of Housing Appeals as notification of tonight's meeting. The Staff Report presented by the Environmental Health Department showed no or inadequate progress toward correcting the State Housing Law violations.

Property representation: None

Neighborhood representation: None

Following a discussion by the Board members, a motion was introduced by Mr. John Muniz to confirm the Findings of Violations and authorize the Environmental Health Department to institute an appropriate action or proceeding consistent with the case conditions that may include the vacation, repair, or demolition of all posted structure(s) and appurtenances thereto, the removal of refuse, debris, solid waste, scrap metal and hazardous wastes from the premises. The motion was seconded by Mr. Jeff Sanguinetti. Approved R 19-14.

AYES: Norris, Sanguinetti, Muniz
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

VI. PUBLIC COMMENTS None

VII. STAFF REPORTS

Ms. Kasey Foley, introduced the proposal to adjust the meeting start time to 6:00p.m. or 6:30p.m.

Following a discussion by the Board members, a motion was introduced by Mr. John Muniz to approve the proposal and the start time of all future Board of Housing Appeals would be at 6:00p.m. The motion was seconded by Mr. Jeff Sanguinetti. Approved.


AYES: Norris, Sanguinetti, Muniz
NOES: None

ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

Adjourn To Wednesday January 15, 2020, at 6:00p.m.

There being no further business, Vice Chairperson Marian Norris adjourned the meeting at 8:19 p.m.

Kasey Foley, Interim Director
San Joaquin County
Environmental Health Department
Secretary, Board of Housing Appeals
of San Joaquin County

By 

Kasey Foley

Recording Requested By:

Return To:

San Joaquin County Environmental Health Department
1868 East Hazelton Avenue
Stockton CA 95205
(209) 468-3420

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**SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS
STATE OF CALIFORNIA
ABATEMENT RESOLUTION R 19-12**

PROPERTY LOCATION: 9533/9562 East Melton Road, Manteca CA
APN#: 257-210-02
OWNER(S): Manuel Toste
BENEFICIARIES: None
ENFORCEMENT AGENCY: San Joaquin County Environmental Health Department
CASE NUMBER: PR0543807
SUPERVISOR DISTRICT: #5
DATE OF HEARING: November 20, 2019

**RESOLUTION AND ORDER OF THE
SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS**

WHEREAS, on November 20, 2019, the San Joaquin County Board of Housing Appeals conducted a public hearing on this matter, notice of which hearing was given in accordance with law, and oral and documentary evidence having been received in favor of or opposed to said matter, and the San Joaquin County Board of Housing Appeals being advised on the premise; and

WHEREAS, the conditions of the property are in violation of the California Health and Safety Code, Section 17920.3 to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants constituting a substandard building due to general dilapidation or improper maintenance.

WHEREAS, the conditions of the property constitute a nuisance.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the San Joaquin County Board of Housing Appeals, the Enforcement Agency is authorized to proceed with abatement in a manner and form prescribed by law, if any of the following time constraints and/or conditions are not met:

1. Ten (10) days to board and secure all points of entry to property.
2. Thirty (30) days to obtain a written clearance report from a licensed septic contractor and submit it to the San Joaquin County Environmental Health Department.
3. Sixty (60) days to apply to the California Housing Community Development Department for all necessary permits(s) for the substandard structure(s).
4. Nine (9) months to have all permits complete and violations cleared by San Joaquin County Environmental Health Department.

AUTHORIZED ABATEMENT:

Should the above time constraints not be met, or initiated within nine (9) months after posting of this resolution, the Enforcement Agency is authorized to perform the necessary abatement activities.

1. Institute an appropriate action or proceeding consistent with the case conditions that may include the vacation, repair, or demolition of all posted structure(s) and appurtenances thereto, the removal of refuse, debris, solid waste, scrap metal and hazardous wastes from the premises.

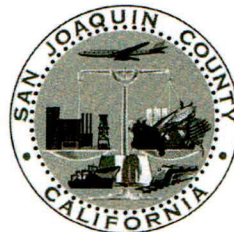
PASSED AND ADOPTED this 20th day of November 2019, by the vote of the Board of Housing Appeals, to wit:

AYES:	Norris, Sanguinetti, Muniz
NOES:	None
ABSENT:	None
EXCUSED:	Estrada
(ABSTAIN):	None

Marian Muniz, Chairman
 Board of Housing Appeals of San Joaquin County,
 State of California

Attest: Kasey Foley, Interim Director
 Secretary of the Board of Housing Appeals
 of San Joaquin County,
 State of California

By Kasey Foley
 Kasey Foley



Certification of Posting

12/23/19
 Date [Signature]
 Registered Environmental Health Specialist

Recording Requested By:

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1868 East Hazelton Avenue
Stockton CA 95205
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**SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS
STATE OF CALIFORNIA
ABATEMENT RESOLUTION R 19-13**

PROPERTY LOCATION: 3425 Mourfield Avenue, Stockton CA
APN#: 175-160-07
OWNER(S): Nicandra Ferreira
BENEFICIARIES: None
ENFORCEMENT AGENCY: San Joaquin County Environmental Health Department
CASE NUMBER: PR0541943
SUPERVISOR DISTRICT: #1
DATE OF HEARING: November 20, 2019

**RESOLUTION AND ORDER OF THE
SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS**

WHEREAS, on November 20, 2019, the San Joaquin County Board of Housing Appeals conducted a public hearing on this matter, notice of which hearing was given in accordance with law, and oral and documentary evidence having been received in favor of or opposed to said matter, and the San Joaquin County Board of Housing Appeals being advised on the premise; and

WHEREAS, the conditions of the property are in violation of the California Health and Safety Code, Section 17920.3 to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants constituting a substandard building due to general dilapidation or improper maintenance.

WHEREAS, the conditions of the property constitute a nuisance.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the San Joaquin County Board of Housing Appeals, the Enforcement Agency will return this case to the board, if any of the following time constraints and/or conditions are not met:

1. To always maintain structure secure at all points of entry and to have all permits complete and violations cleared by San Joaquin Environmental Health Department by August 26, 2020.

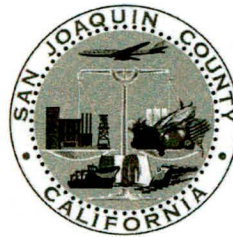
PASSED AND ADOPTED this 20th day of November 2019, by the vote of the Board of Housing Appeals, to wit:

AYES: Norris, Sanguinetti, Muniz
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

Marcus Muniz, Chairman
Board of Housing Appeals of San Joaquin County,
State of California

Attest: Kasey Foley, Interim Director
Secretary of the Board of Housing Appeals
of San Joaquin County,
State of California

By Kasey Foley
Kasey Foley



Certification of Posting

12/23/19

Date

[Signature]
Registered Environmental Health Specialist

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**SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS
STATE OF CALIFORNIA
ABATEMENT RESOLUTION R 19-14**

PROPERTY LOCATION: 1848 West South Tuxedo Avenue, Stockton CA
APN#: 123-202-11
OWNER(S): Randall R Sutphin
BENEFICIARIES: None
ENFORCEMENT AGENCY: San Joaquin County Environmental Health Department
CASE NUMBER: PR0524421
SUPERVISOR DISTRICT: #1
DATE OF HEARING: November 20, 2019

**RESOLUTION AND ORDER OF THE
SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS**

WHEREAS, on November 20, 2019, the San Joaquin County Board of Housing Appeals conducted a public hearing on this matter, notice of which hearing was given in accordance with law, and oral and documentary evidence having been received in favor of or opposed to said matter, and the San Joaquin County Board of Housing Appeals being advised on the premise; and

WHEREAS, the conditions of the property are in violation of the California Health and Safety Code, Section 17920.3 to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants constituting a substandard building due to general dilapidation or improper maintenance.

WHEREAS, the conditions of the property constitute a nuisance.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the San Joaquin County Board of Housing Appeals, the Enforcement Agency is authorized to proceed with abatement in a manner and form prescribed by law.

AUTHORIZED ABATEMENT:

1. Institute an appropriate action or proceeding consistent with the case conditions that may include the vacation, repair, or demolition of all posted structure(s) and appurtenances thereto, the removal of refuse, debris, solid waste, scrap metal and hazardous wastes from the premises.

PASSED AND ADOPTED this 20th day of November 2019, by the vote of the Board of Housing Appeals, to wit:

AYES: Norris, Sanguinetti, Muniz
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

Marcus Nor, Chairman
Board of Housing Appeals of San Joaquin County,
State of California

Attest: Kasey Foley, Interim Director
Secretary of the Board of Housing Appeals
of San Joaquin County,
State of California

By Kasey Foley
Kasey Foley



Certification of Posting

12/23/19

Date

[Signature]

Registered Environmental Health Specialist

Recording Requested By:

Return To:

San Joaquin County Environmental Health Department
1868 East Hazelton Avenue
Stockton CA 95205
(209) 468-3420

**SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS
STATE OF CALIFORNIA
ABATEMENT RESOLUTION RA 19-09**

PROPERTY LOCATION: 3521 West Michigan Avenue, Stockton CA
APN#: 109-080-29
OWNER(S): Nazia Shaneen
BENEFICIARIES: Unknown
ENFORCEMENT AGENCY: San Joaquin County Environmental Health Department
CASE NUMBER: PR0544516
SUPERVISOR DISTRICT: #3
DATE OF HEARING: November 20, 2019

**RESOLUTION AND ORDER OF THE
SAN JOAQUIN COUNTY BOARD OF HOUSING APPEALS**

WHEREAS, on November 20, 2019, the Board of Housing Appeals of San Joaquin County conducted a public hearing on this matter, notice of which hearing was given in accordance with law, and oral and documentary evidence having been received in favor of or opposed to said matter, and the Board of Housing Appeals of San Joaquin County being advised on the premise enforcement cost; and

WHEREAS, the Environmental Health Department has the authority to enforce and recover costs associated with substandard housing enforcement cases; and

WHEREAS, the Environmental Health Department followed and executed the proper processes, notifications and document recordings pursuant to California Health and Safety Code, the Uniform Code for the Abatement of Dangerous Buildings and associated regulations; and

WHEREAS, the Environmental Health Department costs charged for time, services, and materials for this case were reasonable and consistent with housing program protocols and with the authority granted to the Environmental Health Department.

NOW, THEREFORE, BE IT RESOLVED by the San Joaquin County Board of Housing Appeals that the appeal of the August 1, 2019, Statement of Expense is denied.

PASSED AND ADOPTED this 20th day of November 2019, by the vote of the Board of Housing Appeals, to wit:

AYES: Norris, Muniz, Sanguinetti
NOES: None
ABSENT: None
EXCUSED: Estrada
(ABSTAIN): None

Mariano Torres, Chairman
Board of Housing Appeals of San Joaquin County,
State of California

Attest: Kasey Foley, Interim Director
Secretary of the Board of Housing Appeals
of San Joaquin County,
State of California

By Kasey Foley
Kasey Foley

