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and the City of San Diego

No Fee GC § 6103

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF
CALIFORNIA and CITY OF SAN DIEGO,
a municipal corporation,

Plaintiffs,

v.

EDWIN DEWEY AUSTIN, an individual; and
DOES 1 through 50, inclusive,

Defendants.

Case No.

UNLIMITED JURISDICTION

**COMPLAINT FOR INJUNCTION, CIVIL
PENALTIES, AND OTHER EQUITABLE
RELIEF FOR:**

**(1) APPOINTMENT OF A RECEIVER
(CAL. HEALTH & SAFETY CODE
§ 17980.7(c);**

**(2) MAINTENANCE OF A PUBLIC
NUISANCE (CAL. CIV. CODE
§§ 3479 – 3480); AND**

**(3) VIOLATIONS OF THE SAN DIEGO
MUNICIPAL CODE**

Plaintiffs, the People of the State of California and City of San Diego, a municipal corporation (Plaintiffs), appearing by and through their attorneys, Heather Ferbert, City Attorney, and Karen Barragan, Deputy City Attorney, allege the following based upon information and belief:

JURISDICTION AND VENUE

1. Plaintiffs, by this action and pursuant to California Health and Safety Code section 17980.7(c), California Code of Civil Procedure sections 526 and 731, and San Diego Municipal Code (Municipal Code) sections 12.0202 and 121.0311, seek the appointment of a receiver and a

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temporary restraining order, preliminary injunction and permanent injunction prohibiting Defendant from using or maintaining a substandard property in violation of state and local ordinance provisions and as a public nuisance which is a threat to the health, safety and welfare of the public and its occupants, and also seek to obtain civil penalties, costs, and other equitable relief.

2. The omission or commission of acts and violations of law by Defendant as alleged in this Complaint occurred within the city of San Diego, state of California. Defendants at relevant times mentioned in this Complaint have transacted business within the city of San Diego, or are residents of San Diego County, within the state of California, or both.

3. The property where the acts and practices described in this Complaint were performed is in the city of San Diego.

THE PARTIES

4. Plaintiff the People of the State of California brings this action by and through, Heather Ferbert, City Attorney for the City of San Diego.

5. Plaintiff City of San Diego (City) is a municipal corporation and charter city, organized and existing under the laws of the State of California.

6. At all times relevant to this action, EDWIN DEWEY AUSTIN (Defendant) was and is the owner of record of 3384-3386 Dale Street, San Diego, California 92104 (Property), where the substandard conditions and nuisance are being maintained.

7. Defendant EDWIN DEWEY AUSTIN is believed or known to be a resident of the city and county of San Diego, state of California.

8. Defendant, as the owner of the property, is a “Responsible Person” within the meaning of Municipal Code section 11.0210 for allowing and maintaining violations of the Municipal Code at the property. Defendant is also strictly liable for all code violations occurring at the property pursuant to Municipal Code section 121.0311 and applicable California law.

9. Defendants DOES 1 through 50, inclusive, are sued as fictitious names, under the provisions of California Code of Civil Procedure section 474, their true names and capacities are unknown to Plaintiffs. Plaintiffs are informed and believe that each Defendant, DOES 1 through

50, is either responsible, in whole or in part, for the violations and conduct alleged, or has, or claims to have, an interest in the property, the exact nature of which is presently unknown to Plaintiffs. When the true names and capacities are ascertained, Plaintiffs will seek leave of court to amend this Complaint and to insert in lieu of such fictitious names the true names and capacities of the fictitiously named Defendants.

PROPERTY

10. The legal address of the property where the substandard buildings are located, and the nuisance is occurring, is 3384-3386 Dale Street, San Diego, California 92104, also identified as Assessor's Parcel Number 453-481-25-00, according to the San Diego County Recorder's Grant Deed document number 90-189399, recorded on April 9, 1990 (Grant Deed).

11. The legal description of the Property is:

LOT 23 BLOCK 2 LYNHURST IN THE CITY OF SAN DIEGO,
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA,
ACCORDING TO MAP THEREOF NO. 1262 FILED IN THE
OFFICE OF THE COUNTY RECORDER OF SAN DIEGO
COUNTY, MAY 25, 1910.

12. On or about March 10, 1986, the Property was transferred from Nelo L. Whidby and Nancy E. Whidby, husband and wife, to Edwin D. Austin, by Grant Deed recorded by the San Diego County Recorder's Office on April 9, 1990, as Document No. 90-189399.

13. The Property is located in a Residential Single Unit (RS 1-7) zone in the Greater North Park neighborhood of the City of San Diego. The Property was originally developed in 1914 as a single-family dwelling with two bedrooms, one bathroom, one kitchen, one living room, one dining room, and a detached garage/hobby shed. In 1947 there was an additional single-family dwelling with two bedrooms, one bathroom, one kitchen, and a dining room.

FACTUAL ALLEGATIONS

14. Beginning on an unknown date but since at least May 6, 2024, the Property has been in a state of disrepair, contained unsanitary and substandard living conditions, and been maintained with extensive damage and unpermitted modifications to the dwelling. Additionally, there has been criminal and nuisance activity taking place by transients/squatters.

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1 15. The Properties located at 3384-3386 Dale Street and 3392 Dale Street are located
2 next to each other. The property at 3392 Dale Street occupies a corner lot. The nuisance and
3 criminal activity occur at both properties due to the proximity of the structures and the access
4 hole created by squatters in the fence dividing the parcels. This allows individuals to go between
5 the properties often without being noticed. Moreover, the Building and Land Use violations are
6 almost identical at both Dale Street Properties due to similar activity occurring at both locations.

7 **A. HISTORY OF BUILDING AND LAND USE VIOLATIONS**

8 16. On or about May 6, 2024, the City's Building and Land Use Enforcement Division
9 (BLUE), received a complaint alleging uninhabitable living conditions existing at the Property.
10 The complaint indicated that there was transient activity between 3384-3386 Dale Street, and
11 3392 Dale Street including but not limited to trespassing, the use of blow torches, cutting locks,
12 non-incidental storage on the exterior, as well as constant fighting and activity throughout the day
13 and night.

14 17. On or about May 8, 2024, BLUE accompanied by San Diego Police Department
15 (SDPD) inspected the Property and encountered three individuals inside the Property. BLUE
16 observed unlocked doors, transient activity, junk in the interior, water shut off in certain
17 structures, the bathroom was backed up, and the exterior had an excessive accumulation of non-
18 incidental storage.

19 18. On or about May 16, 2024, BLUE received photos of squatters returning to the
20 residence after BLUE inspected a few days prior.

21 19. On or about May 17, 2024, BLUE received an additional complaint alleging there
22 was transient activity and active squatting with multiple units.

23 20. On or about June 6, 2024, BLUE conducted a second inspection of the Property
24 with SDPD present. BLUE staff observed wastewater in the toilet, an unstrapped water heater,
25 and trash throughout the interior. On the exterior there was excessive trash and debris stacked
26 between the units and raw sewage spilling onto the yard.

27 21. On or about July 23, 2024, BLUE Zoning Investigator Matt Ryan (Investigator
28 Ryan) traveled to the Property to view it from the public right-of-way (PROW). He observed one
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of the rear unit doors was open to the elements. The sewer line had been severed, and he could smell the raw sewage from the PROW.

22. On or about July 25, 2024, BLUE Building Inspector Brian Vanella (Inspector Vanella) and Investigator Ryan issued a Notice of Abatement of Vacant and Unsecured Structure (Notice of Abatement) to the Defendant via regular, certified mail and posting, after determining that the structures at the Property violated section 17920.3 of the California Health and Safety Code, as well as numerous provisions of the Municipal Code.

23. In the Notice of Abatement, BLUE detailed violations observed at the Property on May 8, 2024, June 6, 2024, and July 23, 2024; informed Defendant that the conditions at the Property violated Municipal Code section 54.0306 (requiring that vacant properties be boarded and secured) and created a public nuisance pursuant to California Health and Safety Code section 17920.3. The Notice of Abatement ordered Defendant to board and secure the Property and remove all litter, rubbish, and debris from the premises by August 9, 2024. It also ordered Defendant to file a Letter of Agency with the San Diego Police Department in accordance with Municipal Code section 54.0306(g) and to file a Statement of Intent pursuant to Municipal Code section 54.0313.

24. Defendant failed to file the required Letter of Agency or the Statement of Intent.

25. From May through August of 2024, Defendant continuously refused to comply with requests from BLUE. Defendant did not begin the eviction process, did not address any of the violations listed on the Notice of Abatement, and did not return BLUE's attempts to contact.

26. On or about August 19, 2024, BLUE referred the Property to the Nuisance Abatement Unit of the San Diego City Attorney's Office (City Attorney's Office) due to its substandard conditions and Defendant's continued lack of compliance.

27. On or about August 20, 2024, when SDPD had concluded the execution of the search warrant, Inspector Vanella conducted an inspection from the PROW and observed the burnt out structure in the rear of the property. Later that same day, Defendant coordinated with a handyman to board and secure the Property.

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1 28. On or about August 22, 2024, Inspector Vanella conducted a follow-up inspection
2 from the PROW and he observed that the Property had been boarded and secured. However,
3 Defendant did not board and secure the Property to the required specifications, all which BLUE
4 delineated in the Notice of Abatement Vacant and Unsecured Structure posted to the Property and
5 mailed to Defendant on July 25, 2024.

6 29. On or about September 10, 2024, BLUE inspectors mailed a Notice and Order to
7 Vacate and Repair or Demolish Substandard Building (Notice and Order) to Defendant for 3384-
8 3386 Dale Street. The Notice and Order, issued pursuant to California Health and Safety Code
9 section 17980.6, provided additional details about violations observed at the Property on May 8,
10 June 6, and July 23, 2024. The Notice and Order required that the Property be vacated, and either
11 correct the violations or demolish the building, and advised that failure to comply could result in
12 the City seeking the appointment of a receiver. The substandard conditions and violations listed in
13 the Notice and Order at the Property included:

14 a. Inadequate Sanitation – Lack of or improper water closet, lavatory or bathtub or
15 shower in a dwelling unit. There is a lack of connection to the City sewer system resulting in the
16 presence of human feces and sewer waste materials accumulating inside and outside the dwelling.
17 Cal. Health & Safety Code § 17920.3(a)(1), (e).

18 b. Lack of Smoke and Carbon Monoxide Alarms – Missing smoke and carbon
19 monoxide alarms where required in all units. California Residential Code §§ R314 and R315.

20 c. General Dilapidation or Improper Maintenance – Damaged eaves were observed to
21 be in disrepair. Cal. Health & Safety Code § 17920.3(a)(14).

22 d. Any Nuisance – The unsanitary conditions existing at the Property create a public
23 nuisance. Additionally, there was a fire at the Property causing damage to the structures. Police
24 also respond often to the Property to address nuisance and criminal activity. Cal. Health & Safety
25 Code § 17920.3(c); San Diego Municipal Code §§ 121.0302(a); 121.0302(b)(4).

26 e. Excessive Outdoor Storage – Remove all waste and non-incidental storage,
27 including, but not limited to, all trash, debris, and filth, from the rear and side yards. SDMC
28 §142.1110.

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1 f. Improper Seismic Provisions – The water heater for the rear unit is not strapped
2 properly. Cal. Plumbing Code §507.2.

3 g. Improper Use of Garage – The garage/hobby shed is not permitted to be used as a
4 dwelling unit. The plumbing and electrical modifications require a permit. Additionally, this use
5 has eliminated the required off-street parking. SDMC §§ 129.0202; 129.0302; 129.0402;
6 142.0510.

7 30. On or about September 10, 2024, Investigator Ryan posted a copy of the Notice
8 and Order in a conspicuous place on the Property.

9 31. On or about September 26, 2024, Investigator Ryan, Senior Zoning Investigator
10 Maria Arechiga, Code Enforcement Coordinator Elizabeth Brennan and SDPD, met at the
11 Property with a contractor to walk through and discuss proper boarding and securing of the
12 structures since it was not done to the required City specifications on August 20, 2024.

13 32. Throughout this time, Defendant failed to make any effort to move forward with
14 addressing the substandard conditions at the Property. Defendant claimed on more than one
15 occasion that he was going to hire a licensed contractor but failed to do so. Defendant does not
16 return calls and merely boarded and secured the Property. While this was a relief for the
17 surrounding community, the Defendant failed to address the remaining conditions with the raw
18 sewage that accumulated in the yard of the Property for months, failed to address the structural
19 concerns with the burnt structure at 3384-3386 Dale Street, and failed to make any effort to hire a
20 professional contractor to address the substandard aforementioned conditions making the
21 Property an attractive nuisance for squatters. The neighbors continue to deal with squatters
22 attempting to return to the Property and break into the structures, and SDPD must repeatedly
23 respond to keep the buildings vacant.

24 33. On or about October 10, 2024, Code Enforcement Coordinator, Christopher
25 Cardwell, Recorded the Notice and Order against title for the Property.

26 34. On or about January 22, 2025, Inspector Vanella conducted an inspection from the
27 Public Right of Way (PROW) which showed that the Property was boarded and secure with no
28 signs of intrusions.

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1 35. On or about February 25, 2025, Investigator Ryan conducted an inspection from
2 the PROW which showed the Property was boarded and secure with no signs of intrusions.

3 36. On or about April 29, 2025, Investigator Ryan conducted an inspection from the
4 PROW which showed the Property was boarded and secure with no signs of intrusions.

5 37. On or about May 29, 2025, Investigator Ryan conducted an inspection from the
6 PROW which showed the Property was boarded and secure with no signs of intrusions.

7 38. On or about June 24, 2025, Investigator Ryan conducted an inspection from the
8 PROW which showed the Property was boarded and secure with no signs of intrusions.

9 39. On or about June 30, 2025, Inspector Vanella conducted an inspection from the
10 PROW and observed the Property was boarded and secure.

11 40. On or about July 29, 2025, Investigator Ryan conducted an inspection from the
12 PROW which showed the Property was boarded and secure with no signs of intrusions.

13 41. August 28, 2025, Investigator Ryan conducted an inspection from the PROW
14 which showed the Property was boarded and secure with no signs of intrusions.

15 42. October 22, 2025, Investigator Ryan conducted an inspection from the PROW
16 which showed the Property was boarded and secure with no signs of intrusions.

17 43. December 30, 2025, Investigator Ryan conducted an inspection from the PROW
18 which showed the Property was boarded and secure with no signs of intrusions.

19 44. February 26, 2026, Investigator Ryan conducted an inspection from the PROW
20 which showed the Property was boarded and secure with no signs of intrusions.

21 45. Defendant has done nothing to address the remaining conditions cited herein as of
22 the time of filing this action.

23 **B. PUBLIC NUISANCE ACTIVITY**

24 46. Between November 25, 2023, and April 7, 2026, SDPD received 48 calls for
25 service for disturbance of the peace, trespassing, a search warrant and a fire. Defendant forced the
26 SDPD to spend over 340 hours at the Property.

27 47. On or about November 25, 2023, SDPD responded to a report of a break-in at the
28 Property. The reporting party stated the gate and front door were usually locked but both were

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1 open. When SDPD officers arrived, they did not observe signs of forced entry.

2 48. On or about January 31, 2024, SDPD responded to a report of transients getting
3 inside the structures, setting up tarps and disconnecting the security lights at the Property.

4 49. On or about February 3, 2024, SDPD responded to a call of a male tampering with
5 a door at the Property. The suspect appeared to have lock picking tools and a bicycle with him.

6 50. On or about March 23, 2024, SDPD responded to a report of a female going
7 between the Property and 3392 Dale Street barefoot. The female appeared to be under the
8 influence.

9 51. On or about April 27, 2024, SDPD responded to the property for a report of
10 multiple people coming and going between the Property and 3392 Dale Street.

11 52. On or about April 28, 2024, SDPD responded to report of a male at the Property
12 looking into reporting party's backyard.

13 53. On or about May 3, 2024, SDPD responded to a report of a squatter from the
14 Property trespassing onto the reporting party's Property.

15 54. On or about May 8, 2024, at 10:55 a.m., while accompanying BLUE on an
16 inspection SDPD called SDFD because a squatter inside the Property was so ill, he required
17 medical attention. The individual was transported to the hospital via an ambulance.

18 55. On or about May 8, 2024, at 11:28 p.m., SDPD responded to the Property to a
19 report of an unknown person yelling inside the Property.

20 56. On or about May 9, 2024, SDPD responded to a report of squatters inside the
21 Property. The reporting party also stated trash was scattered on the interior and exterior of the
22 Property.

23 57. On or about July 5, 2024, SDPD responded to a report of narcotics and prostitution
24 activity taking place at the Property for the past six months. The reporting party stated that they
25 saw a male escorting a juvenile from one structure to the next.

26 58. Between July 10, 2024, and July 26, 2024, SDPD responded to the Property on
27 five occasions to address reports of criminal and nuisance activity.

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59. On or about July 30, 2024, SDPD responded to a report of two individuals going into the Property with what they believed was a stolen computer.

60. On or about August 8, 2024, SDFD and SDPD responded to the Property for a report of a female that lost consciousness. Upon arrival, SDFD provided medical attention to the female and transported her to the hospital. SDPD arrested a male living inside the Property with an active warrant.

61. On or about August 9, 2024, SDPD Officers responded to a report of a domestic violence fight taking place inside the Property.

62. On or about August 12, 2024, SDPD responded to the Property due to a report of a male using narcotics inside a vehicle in the back alley of the Property and moved the vehicle front of the Property.

63. On or about August 20, 2024, at 5:55 a.m., SDFD responded to a report of a fire on the Property. SDFD dispatched 11 units to the Property along with two ambulances. SDFD spent over 20 hours at the Property addressing fire related concerns including but not limited to the structural damage caused to the burnt structure. The SDFD Red Tagged the structures.

64. The SDFD Fire Marshall opined that the conditions at the Property, including the excessive pooled sewage spilled throughout the interior and exterior of the structures; the significant quantity of junk, trash and debris filling the dwelling and spread across the yard; and the blocked emergency egress from the dwelling pose a significant fire and life safety hazard to its occupants, the community, and emergency first responders.

65. On or about August 20, 2024, SDPD officers executed a search warrant following the fire at the Property. SDPD recovered documents indicating habitation, along with drug paraphernalia, a cellphone and a gun holster.

66. On or about August 22, 2024, SDPD officers responded to a report of squatters trying to get access to the Property despite it being boarded and secured.

67. On or about August 24, 2024, SDPD responded to the Property for a report of a transient male using pliers to try and get into one of the structures.

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1 68. On or about August 25, 2024, SDPD responded to the Property to a report of a
2 transient that got inside the Property despite it being boarded and secure. SDPD officers did not
3 locate the subject upon arrival. Later, a company secured the Property again by securing the
4 openings.

5 69. On or about August 27, 2024, SDPD officers responded to the Property to report
6 of multiple people trying to access the structures. Upon arriving at the Property, SDPD officers
7 detained two individuals and arrested a third.

8 70. On or about August 28, 2024, SDPD responded to the Property to ensure that
9 transients had not made their way inside the structures. When SDPD officers arrived, they did not
10 find anyone inside.

11 71. On or about September 1, 2024, SDPD officers responded to a report of a trespass
12 at the Property. When SDPD officers arrived the suspect who had been throwing bricks at the
13 boarded windows was no longer there and did not return while officers were there.

14 72. On or about September 7, 2024, SDPD Officers responded to the Property to
15 ensure that transients had not breached the structures.

16 73. On or about September 17, 2024, SDPD responded to the Property to a report of a
17 female that entered the Property and left her bicycle in the front yard.

18 74. On or about November 18, 2024, SDPD Officers responded to the Property to
19 reports of trespassing. Upon arrival, SDPD officers did not locate any suspects trespassing and
20 the structures remained boarded, and secure.

21 75. On or about July 26, 2025, SDPD responded to the Property and observed that the
22 property was boarded and secure. There were no signs of habitation.

23 76. On or about August 2, 2025, SDPD responded to the Property and observed that
24 the property was boarded and secure.

25 77. On or about September 24, 2025, SDPD responded to the Property to a report of
26 trespassing. The reporting party stated that the trespasser was using a power tool to rip off the
27 boards at the property.

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1 78. The substandard and public nuisance conditions existing at the Property pose a
2 significant danger and fire hazard to the occupants and the community, as well as law
3 enforcement personnel responding to the premises. The Property, while vacant, still remains an
4 attractive nuisance to squatters who continue to try and establish themselves there.

5 79. The unsanitary conditions at the Property endanger the health and welfare of the
6 community. The City inspected the Property approximately eight times since May 6, 2024, and
7 been to the Property at least five additional times, and Defendant has not brought any structure
8 into compliance. Even though SDPD executed a search warrant which removed the squatters
9 from the Property, Defendant still made no effort to bring the Property into compliance. The
10 squatters at the Property severed the sewer line and had raw sewage spilling into the lawn.
11 Eventually, the squatters caused a fire on the Property. The conditions at the Property pose a
12 significant health hazard and risk of infectious diseases to the community at large.

13 80. On or about September 23, 2026, in accordance with California Health and Safety
14 Code section 17980.7(c), the City posted its notice of the intent to petition this Court for the
15 appointment of a receiver on the Property in a prominent place and mailed that same day by first-
16 class mail to all parties with a recorded interest in the Property. *See* Declaration of Manuel
17 Gamboa attached as Exhibit A; Proof of Service by First-Class Mail-Civil of Miriam Grable
18 attached as Exhibit B; and true and correct copies of the Notice of Petition Letters dated
19 September 24, 2026, attached as Exhibit C.

20 81. The substandard and public nuisance conditions existing at the Property pose a
21 significant danger and fire hazard to the community, as well as law enforcement responding to the
22 premises.

23 82. To this day, the City continues to receive complaints from community members
24 regarding the negative effects and conditions the Property has on surrounding residences. The
25 neighbors at the Property live in constant fear that criminals will again take over the structures.
26 Defendant made no effort to address the burnt structure nor the raw sewage that spilled onto the
27 lawn. Neighbors of the Property are concerned about the state of disrepair of the structures and
28 the constant criminal and nuisance activity.

83. Defendant is blatantly, and willfully, in violation of the Municipal Code and the California Health and Safety Code. Defendant continues and will continue to maintain the unlawful code violations and public nuisance conditions at the Property well into the future unless the Court intervenes. Absent injunctive relief, the City will be irreparably harmed, and the ongoing violations will continue to harm the health, safety, and welfare of the citizens of San Diego.

84. Plaintiffs have no adequate remedy at law and seek the immediate appointment of a Health and Safety Receiver pursuant to California Health and Safety Code section 17980.7(c) and a temporary restraining order to prohibit Defendant from continuing to violate the law.

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FIRST CAUSE OF ACTION

APPOINTMENT OF A RECEIVER PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 17980.7(C) ALLEGED BY PLAINTIFF CITY OF SAN DIEGO AGAINST ALL DEFENDANTS

85. Plaintiff City of San Diego incorporates by reference all allegations in paragraphs 1 through 84 of this Complaint as though fully set forth here in their entirety.

86. Plaintiff City of San Diego, by and through Heather Ferbert, City Attorney for the City of San Diego, brings this cause of action for appointment of a receiver pursuant to California Health and Safety Code section 17980.7(c).

87. California Health and Safety Code section 17980.6 authorizes local code enforcement agencies to issue an order or notice to Property owners to repair, abate or demolish a building if: (1) the building is maintained in a manner that violates any provisions of California Health and Safety Code section 17920.3 or similar local ordinance provisions; and (2) the violations are so extensive and of such a nature that the health and safety of residents or the public is substantially endangered.

88. California Health and Safety Code section 17980 authorizes an enforcement agency to “institute appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance” if the Property owner fails to repair or demolish the Property in a

reasonable time as required by a notice and order issued by the enforcement agency.

89. California Health and Safety Code section 17980.7(c) states:

If the owner fails to comply within a reasonable time with the terms of the order or notice issued pursuant to Section 17980.6 . . . [t]he enforcement agency . . . may seek and the court may order, the appointment of a receiver for the substandard building pursuant to this subdivision.

90. Beginning on an exact date unknown to the City, but since at least May 6, 2024, Defendant used or maintained the Property in violation of California Health and Safety Code section 17920.3 and similar local ordinances.

91. On or about September 10, 2024, the City issued and mailed Defendant a Notice and Order to Vacate and Repair or Demolish Substandard Building pursuant to California Health and Safety Code 17980.6. The Notice and Order advised Defendant of the unlawful and dangerous conditions existing at the Property and declared that the conditions at the Property violate California Health and Safety Code section 17920.3. The Notice and Order also declared that the conditions at the Property are substandard and create a public nuisance.

92. On or about September 10, 2024, the City posted the Notice and Order in a conspicuous place at the Property. The Notice and Order advised Defendant that if he failed to comply as directed, the City could seek the appointment of a receiver under California Health and Safety Code section 17980.7(c).

93. The substandard violations existing at the Property and referenced in the Notice and Order are specified in paragraph 29 above.

94. Defendant had ample time, more than two years, to comply with the City's Notice and Order and has failed to do so. Defendant continues to maintain the Property in violation of the California Health and Safety Code in the same manner as described above.

95. Due to the long-term cumulative effect of substandard conditions at the Property, these violations are so extensive and of such a nature that they substantially endanger the health and safety of Defendant, neighbors, and the public.

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96. The City posted in a conspicuous place at the Property and mailed via first-class mail to each person with a recorded interest in the Property notice of the City's intent to seek the appointment of a receiver at least three days before filing this Complaint, as required per California Health and Safety Code section 17980.7(c).

97. Unless this Court appoints a receiver pursuant to California Health and Safety Code section 17980.7(c), Defendant will continue to maintain the Property in a manner which constitutes a violation of the California Health and Safety Code and local ordinance provisions.

II

SECOND CAUSE OF ACTION

**MAINTENANCE OF A PUBLIC NUISANCE IN VIOLATION
OF CALIFORNIA CIVIL CODE SECTIONS 3479 AND 3480
ALLEGED BY PLAINTIFF THE PEOPLE OF THE STATE
OF CALIFORNIA AGAINST ALL DEFENDANTS**

98. Plaintiff the People of the State of California incorporates by reference all allegations in paragraphs 1 through 97 of this Complaint as though fully set forth here in their entirety.

99. California Civil Code sections 3479 and 3480 provide that:

Anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property . . . is a nuisance. . . . A public nuisance is one which affects . . . an entire community or neighborhood. . . .

100. California Civil Code section 3491 specifies the remedies against a public nuisance, including indictment or information, a civil action or abatement. California Civil Code section 3494 states that “[a] public nuisance may be abated by any public body or officer authorized thereto by law.”

101. California Code of Civil Procedure section 731 authorizes a city attorney to bring an action to enjoin or abate a public nuisance. It provides in relevant part, “[a] civil action may be brought in the name of people of the State of California to abate a public nuisance . . . by the city attorney of any town or city in which such nuisance exists.”

1 102. On or about September 10, 2024, the City issued Defendant a Notice and Order to
2 Vacate and Repair or Demolish Substandard Building at the Property pursuant to California
3 Health and Safety Code section 17980.6. The Notice and Order advised Defendant of the
4 unlawful and dangerous conditions found to exist at the Property and declared that the conditions
5 violate the California Health and Safety Code and the Municipal Code.

6 103. City staff have inspected the Property approximately 19 times since May 6, 2024.

7 104. Defendant had ample time to comply with the City's Notice and Order and failed
8 to do so within a reasonable time.

9 105. Beginning on an exact date unknown to Plaintiff, but since at least May 6, 2024,
10 and continuing to the present, Defendant used or maintained the Property in a manner that
11 violates the California Health and Safety Code and the Municipal Code. Due to the long-term
12 cumulative effect of the substandard conditions at the Property, these violations are so extensive
13 and of such a nature that the health and safety of the occupants and the public are substantially
14 endangered.

15 106. Defendant's maintenance of the Property in the conditions described above
16 constitutes a continuing public nuisance as defined by California Civil Code sections 3479 and
17 3480. Defendant's Property adversely affects the entire community and neighborhood. The
18 Property as it currently exists is injurious to the health, safety, and welfare of the residents and
19 families who live in the community and interferes with the comfortable use and enjoyment of life
20 and Property. Such conditions are objectionable to the neighborhood and community, and
21 undoubtedly constitute a public nuisance.

22 107. Plaintiff has no plain, speedy, or adequate remedy at law. Therefore, unless
23 Defendant is restrained by this Court, Plaintiff is informed and believes that he will continue to
24 maintain this nuisance and thereby cause irreparable injury and harm to the public's health,
25 safety, and welfare.

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III

THIRD CAUSE OF ACTION

**VIOLATIONS OF THE SAN DIEGO MUNICIPAL CODE
ALLEGED BY PLAINTIFF CITY OF SAN DIEGO AGAINST
ALL DEFENDANTS**

108. Plaintiff City of San Diego incorporates by reference all allegations in paragraphs 1 through 107 of this Complaint as though fully set forth here in their entirety.

109. Municipal Code section 121.0302(a) states: “It is unlawful for any person to maintain or use any premises in violation of any of the provisions of the Land Development Code¹, without a required permit, contrary to permit conditions . . . or without a required variance.”

110. Municipal Code section 11.0210 defines a public nuisance as:
any condition caused, maintained or permitted to exist which constitutes a threat to the public’s health, safety and welfare or which significantly obstructs, injures or interferes with the reasonable or free use of property in a neighborhood, community or to any considerable number of persons. A public nuisance also has the same meaning as set forth in California Civil Code Section 3479.

111. Municipal Code section 121.0302(b)(4) states that “[i]t is unlawful ... [t]o maintain or allow the existence of any condition that creates a public nuisance.” Beginning on an exact date unknown to Plaintiff, but since at least May 6, 2024, and continuing to the present, Defendant maintained a public nuisance at the Properties in violation of Municipal Code section 121.0302(b)(4).

112. Municipal Code section 142.1110(a) provides that only outdoor storage that is incidental to a residential use is permitted. Beginning on an exact date unknown to Plaintiff, but since at least May 6, 2024, and continuing to the present, Defendant maintained and used the Property in violation of the Municipal Code by maintaining large piles of junk, trash, and debris that is not incidental to a residential use throughout the exterior of the structures, in violation of

¹The Land Development Code is comprised of Chapters 11 through 15 of the Municipal Code. SDMC § 111.0101(a).
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1 Municipal Code sections 142.1110(a) and 121.0302(a).

2 113. Municipal Code section 129.0202(a) states that no structure shall be erected,
3 constructed, enlarged, altered, repaired, improved, converted, permanently relocated, or partially
4 demolished unless a Building Permit has first been obtained. Beginning on an exact date
5 unknown to Plaintiff, but since at least May 6, 2024, and continuing to the present, Defendant
6 maintained and used the Property in violation of the Municipal Code by maintaining unpermitted
7 alterations to the dwelling at the Properties, including conversion of the garage and hobby shed
8 into habitable space in violation of Municipal Code sections 129.0202(a) and 121.0302(a).

9 114. Municipal Code section 129.0302 states that no alteration shall be made to any
10 existing wiring unless an Electrical Permit has been obtained for the work. Beginning on an exact
11 date unknown to Plaintiff, but since at least May 6, 2024, and continuing to the present,
12 Defendant maintained and used the Property in violation of the Municipal Code by maintaining
13 unpermitted alterations to the electrical system, including the removal of wiring and outlets, in
14 violation of Municipal Code sections 129.0302 and 121.0302(a).

15 115. Municipal Code section 129.0402(a) states that no alteration to any existing
16 plumbing system shall be made unless a Plumbing/Mechanical Permit has first been obtained.
17 Beginning on an exact date unknown to Plaintiff, but since at least May 6, 2024, and continuing
18 to the present, Defendant maintained and used the Property in violation of the Municipal Code by
19 maintaining unpermitted alterations to the plumbing system, including the removal and addition
20 of plumbing fixtures and connections to the City's sewage system, in violation of Municipal Code
21 sections 129.0402(a) and 121.0302(a).

22 116. Municipal Code section 142.0510(b) provides that off-street parking spaces and
23 aisles shall be kept clear of obstructions. Beginning on an exact date unknown to Plaintiff, but
24 since at least May 6, 2024, and continuing to the present, Defendant maintained and used the
25 Properties in violation of the Municipal Code by failing to maintain off-street parking spaces and
26 aisles clear of obstructions in violation of Municipal Code sections 142.0510(b) and 121.0302(a).

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117. Plaintiff City of San Diego has no adequate remedy at law, and unless Defendant is enjoined and restrained by an order of this Court, Defendant will continue to violate the Municipal Code, thereby causing irreparable injury and harm to the public's health, safety, and general welfare.

PRAYER

WHEREFORE, Plaintiffs pray for judgment against Defendant as follows:

AS TO THE FIRST CAUSE OF ACTION

Appointment of a Receiver

1. That pursuant to California Health and Safety Code section 17980.7(c)(4) and the Court's inherent equitable powers, the Court authorize the appointment of a receiver with instructions to take full and complete possession and control of the Property and to take such actions as necessary to abate the public nuisance and to remedy all state and local housing code violations.

2. Before entering upon the duties of a receiver, the receiver must be sworn to perform the duties faithfully and must file a bond with a surety approved by this Court to secure the faithful performance of his duties pursuant to California Code of Civil Procedure section 567.

3. Plaintiff City of San Diego requests that the Court, pursuant to California Health and Safety Code section 17980.7(c)(4), authorize the receiver:

- a. To take full and complete control of the Property;
- b. To manage the Property and pay expenses of the operation of the Property, including taxes, insurance, utilities, general maintenance, and debt secured by an interest in the Property;
- c. To secure a cost estimate and construction plan from a licensed contractor for the repairs necessary to correct the conditions cited in the City's Notices;
- d. To enter into contracts and employ a licensed contractor as necessary to correct the conditions cited in the City's Notices;
- e. To collect all rents and income, if any, from the Property;

1 f. To use all rents and income from the Property to pay for the costs of rehabilitation
2 and repairs determined by the Court as necessary to correct the conditions cited in the City's
3 Notices;

4 g. To borrow funds to pay for repairs necessary to correct the conditions cited in the
5 City's Notices, and secure that debt, with Court approval, with a recorded priority lien on the
6 Property. The lien shall take priority over all existing encumbrances on the Properties except tax
7 liens; and

8 h. To exercise the powers granted to receivers under section 568 of the California
9 Code of Civil Procedure, including the power to sell the Property, if necessary.

10 4. The City further requests, pursuant to California Health and Safety Code section
11 17980.7(c)(3), that Defendant and his agents be enjoined from:

12 a. Collecting any rents from the Property;

13 b. Interfering with the receiver in the operation of the Property; and

14 c. Encumbering or transferring the Property, or any portion of the Property, during
15 the receivership period.

16 5. The City further requests that SDPD be allowed to search the property and conduct
17 law enforcement operations on the Property at the SDPD's discretion when a receiver has been
18 appointed.

19 6. The City has incurred, and will continue to incur, attorney fees, expenses, and
20 costs. The City is entitled to recover those fees and costs from Defendant pursuant to California
21 Health and Safety Code sections 17980.7(c)(11) and 17980.7(d)(1) and requests payment be
22 made through the receiver.

23 7. The receiver shall be entitled to receive compensation for his services with respect
24 to repairing the Property as necessary as well as reimbursement for expenses as receivers in
25 actions to foreclose mortgages per California Health and Safety Code section 17980.7(c)(5).

26 8. An order requiring the receiver to prepare monthly reports to the City in
27 accordance with California Health and Safety Code section 17980.7(c)(8).

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1 9. An order that the receiver shall not be discharged until the conditions cited in the
2 City's Notices have been remedied in accordance with the Court order or judgment and a
3 complete accounting of all costs and repairs has been delivered to the Court as required per
4 California Health and Safety Code section 17980.7(c)(9).

5 10. An order that the receivership shall be in full force and effect until the Court
6 terminates the receivership.

7 11. An order that, after discharging the receiver, the Court shall retain jurisdiction for
8 up to 18 months and require Defendant and the City to report to the Court in accordance with a
9 schedule determined by the Court.

10 **AS TO THE SECOND CAUSE OF ACTION**

11 **Public Nuisance**

12 12. That the Property, together with the fixtures and moveable property, be declared a
13 continuing public nuisance as defined by California Civil Code sections 3479 and 3480.

14 13. That pursuant to California Code of Civil Procedure sections 526 and 731, the
15 Court grant a preliminary injunction and permanent injunction, enjoining and restraining
16 Defendant, his agents, heirs, successors, officers, employees and anyone acting on his behalf from
17 maintaining the Property as a public nuisance as defined per California Civil Code sections 3479
18 and 3480.

19 14. If, after the receiver is discharged, Defendant fails to comply with paragraph 13 of
20 the Prayer above, then within 48 hours after posting written notice of its intention, the City or its
21 contractor is authorized pursuant to California Civil Code sections 3491 and 3494 to accomplish
22 the work and recover all costs of abating the nuisance at the Property. The expense of the
23 abatement is recoverable by the City according to the provisions of California Government Code
24 sections 38773.1 and 38773.5.

25 15. That Defendant, his agents, heirs, successors, officers, employees, and anyone
26 acting on his behalf be required to stay 100 feet away from the Property while the receiver is in
27 control of the Property.

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1 16. The City further requests that SDPD be allowed to search the property and conduct
2 law enforcement operations on the Property at the SDPD's discretion until the property is brought
3 into compliance.

4 **AS TO THE THIRD CAUSE OF ACTION**

5 **Violations of the San Diego Municipal Code**

6 17. That the Court declare the Property to be in violation of:

7 **San Diego Municipal Code sections**

8 121.0302(a)	121.0302(b)(4)
142.1110(a)	129.0202(a)
9 129.0302	129.0402(a)
142.0510(b)	

10
11 18. That, pursuant to Municipal Code sections 12.0202(a) and 121.0311, the Court
12 grant a preliminary injunction and permanent injunction, enjoining and restraining Defendant, his
13 agents, officers, employees, and anyone acting on his behalf, from keeping, allowing, or
14 maintaining violations of the Municipal Code at the Property.

15 19. That upon discharge of the receiver, Defendant, his agents, heirs, successors,
16 officers, employees, and anyone acting on his behalf, is required to maintain the Property in full
17 compliance with the Municipal Code.

18 20. If, after the receiver is discharged, Defendant fails to comply with paragraph 19 of
19 the Prayer above, the City, including its authorized agents, independent contractors, shall be
20 allowed to enter the Property and perform all necessary abatement work to bring the Property into
21 full compliance with applicable laws. The City may exercise this authority 48 hours after posting
22 written notice of its intent to abate on the Property. All costs and expenses incurred by the City in
23 performing such abatement shall be recoverable from Defendant as a personal obligation and as a
24 recordable lien or special assessment according to California Government Code sections 38773.1
25 and 38773.5, and Municipal Code section 12.0204(b).

26 21. That Defendant allow the City of San Diego personnel access to the Property to
27 inspect and monitor for compliance upon 24-hour verbal or written notice. Inspections shall occur
28 between the hours of 8:00 a.m. and 5:00 p.m.

22. The City further requests that SDPD be allowed to search the property and conduct law enforcement operations on the Property at the SDPD's discretion until the property is brought into compliance.

23. That, pursuant to Municipal Code section 12.0202(b), Defendant is assessed a civil penalty of up to \$2,500 per day for each Municipal Code violation maintained at the Property.

AS TO ALL CAUSES OF ACTION

24. That Plaintiffs recover from Defendant all costs incurred by Plaintiffs, including the costs of investigation and attorney fees authorized by law.

25. That Plaintiffs be granted such other and further relief as the nature of the case may require and the Court deems appropriate.

Dated: October 8, 2026

HEATHER FERBERT, City Attorney



By

Karen Barragan
Deputy City Attorney

Attorneys for Plaintiffs,
The People of the State of California
and the City of San Diego

EXHIBIT A

1 HEATHER FERBERT, City Attorney
LESLIE FITZGERALD, Assistant City Attorney
2 KAREN BARRAGAN, Deputy City Attorney
California State Bar No. 315610
3 Office of the City Attorney
1200 Third Avenue, Suite 1100
4 San Diego, California 92101
Telephone: (619) 533-5800
5 Fax: (619) 533-5856
E-Mail: AKBarragan@sandiego.gov

6 Attorneys for Plaintiffs,
7 The People of the State of California
and the City of San Diego
8

No Fee GC § 6103

9 **SUPERIOR COURT OF CALIFORNIA**

10 **COUNTY OF SAN DIEGO**

11 THE PEOPLE OF THE STATE OF
CALIFORNIA and CITY OF SAN DIEGO,
12 a municipal corporation,

13 Plaintiffs,

14 v.

15 EDWIN DEWEY AUSTIN, an individual; and
DOES 1 through 50, inclusive,
16

17 Defendants.
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**DECLARATION OF MANUEL
GAMBOA IN SUPPORT OF
PLAINTIFFS' COMPLAINT FOR
APPOINTMENT OF A RECEIVER,
ABATEMENT OF A PUBLIC
NUISANCE, INJUNCTION, CIVIL
PENALTIES, AND OTHER
EQUITABLE RELIEF**

IMAGED FILE

19 I, Manuel Gamboa, declare:

20 1. I have personal knowledge of the following facts, and I am competent to testify to
21 these facts if called as a witness.

22 **QUALIFICATIONS**

23 2. I am a City Attorney Investigator 2 with the Housing Protection and Civil Code
24 Compliance Unit of the San Diego City Attorney's Office. I have held this position for
25 approximately six years. My responsibilities include locating and interviewing witnesses using
26 various law enforcement computer systems; gathering and obtaining statements, documents,
27 photographs, and other evidence; writing inspection warrants; serving summonses and subpoenas;
28 testifying in court; and conducting other special investigations as required.

3. Prior to becoming a City Attorney Investigator with the Housing Protection and Civil Code Compliance Unit, I was a zoning investigator with the City of San Diego (City) Development Services Department, Building and Land Use Enforcement Division (formerly the Code Enforcement Division). I began working for the City as a zoning investigator on October 10, 2016. Prior to becoming a zoning investigator, I was a code compliance officer with the City for approximately a year and a half.

4. I have received extensive training on the administration and enforcement of the zoning regulations contained in Chapter 13 of the San Diego Municipal Code. I have received training on how to read and interpret the zoning regulations contained in the Municipal Code, the original City ordinances adopting these zoning regulations, zoning maps, County Tax Assessor's Records and other City and County records related to the permitted uses on a given parcel. I also have extensive training on the administration and enforcement of the regulations contained in Chapters 11 through 15 of the Municipal Code as they relate to land use, zoning, building/housing and health and safety issues.

5. As a zoning investigator, I conducted field inspections on properties throughout San Diego. I was assigned to inspect residential, commercial, industrial, and agricultural properties, gathering and interpreting the necessary regulations and documents to determine whether the uses at the properties were permitted.

INVESTIGATION

6. On Thursday, September 24, 2026, at approximately 12:09 p.m., I arrived at the Property. Upon arrival, I observed the property was boarded and secure. I posted one letter of the notice (Notice), addressed to Edwin Dewey Austin, individually notifying him of the City of San Diego's intent to file a petition for the appointment of a receiver for the Property. I determined that the most appropriate location to place the Notice would be on the front gate. This was the most obvious place for someone, leaving or entering the house, to view the Notice. I took

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1 photographs of the location where the Notice was posted. True and correct copies of photographs
2 I took at the Property on this date are attached as Exhibit 1.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct, and that this declaration was executed in San Diego, California.

5 Dated: October 7, 2026.

6 *Manuel Gamboa*

7 Manuel Gamboa

8 City Attorney Investigator
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EXHIBIT 1



PHOTO EXHIBIT

ADDRESS OF VIOLATION: 3384-3386 Dale Street, San Diego, CA 92104

PHOTO DATE: September 24, 2026

PHOTO TAKEN BY: Manuel Gamboa, City Attorney Investigator





PHOTO EXHIBIT

ADDRESS OF VIOLATION: 3384-3386 Dale Street, San Diego, CA 92104

PHOTO DATE: September 24, 2026

PHOTO TAKEN BY: Manuel Gamboa, City Attorney Investigator



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EXHIBIT 1



PHOTO EXHIBIT

ADDRESS OF VIOLATION: 3384-3386 Dale Street, San Diego, CA 92104

PHOTO DATE: September 24, 2026

PHOTO TAKEN BY: Manuel Gamboa, City Attorney Investigator

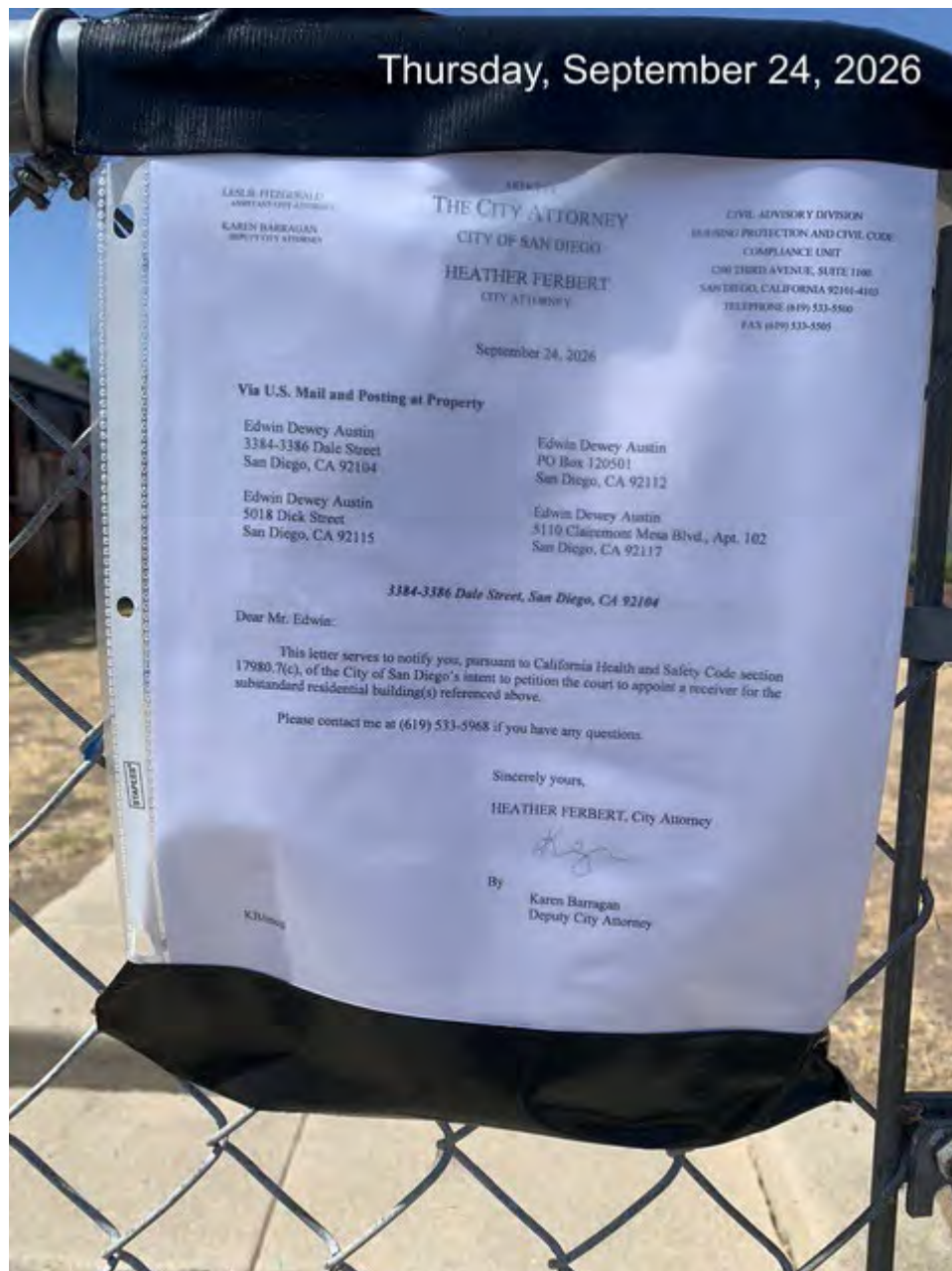




PHOTO EXHIBIT

ADDRESS OF VIOLATION: 3384-3386 Dale Street, San Diego, CA 92104

PHOTO DATE: September 24, 2026

PHOTO TAKEN BY: Manuel Gamboa, City Attorney Investigator



EXHIBIT 1



PHOTO EXHIBIT

ADDRESS OF VIOLATION: 3384-3386 Dale Street, San Diego, CA 92104

PHOTO DATE: September 24, 2026

PHOTO TAKEN BY: Manuel Gamboa, City Attorney Investigator



EXHIBIT 1

EXHIBIT B

1. I am over 18 years of age and **not a party to this action**. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
1200 Third Avenue, Suite 1100
San Diego, CA 92101
3. On *(date)*: September 22, 2026 I mailed from *(city and state)*: San Diego, CA
the following **documents** *(specify)*:
Notice of Plaintiffs' Intent to Petition the Court for the appointment of a Receiver

4. I served the documents by enclosing them in an envelope and *(check one)*:

a. ☐ **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.

b. ☒ **placing** the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

5. The envelope was addressed and mailed as follows:

a. **Name** of person served:

b. **Address** of person served:

(SIGNATURE OF PERSON COMPLETING THIS FORM)

SHORT TITLE: The People of the State of California and City of San Diego v. Edwin Dewey — Austin, an individual; and DOES 1 through 50 inclusive	CASE NUMBER:
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ATTACHMENT TO PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL (PERSONS SERVED)

(This Attachment is for use with form POS-030)

NAME AND ADDRESS OF EACH PERSON SERVED BY MAIL:

<u>Name of Person Served</u>	<u>Address (number, street, city, and zip code)</u>
Edwin Dewey Austin	3384-3386 Dale Street San Diego, CA 92104
Edwin Dewey Austin	PO Box 120501 San Diego, CA 92112
Edwin Dewey Austin	5018 Dick Street San Diego, CA 92115
Edwin Dewey Austin	5110 Clairemont Mesa Blvd., Apt. 102 San Diego, CA 92117
Franchise Tax Board Attn: Special Procedures Section	PO Box 2952 Sacramento, CA 95812-2952

EXHIBIT C

LESLIE FITZGERALD
ASSISTANT CITY ATTORNEY

KAREN BARRAGAN
DEPUTY CITY ATTORNEY

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DIEGO
HEATHER FERBERT
CITY ATTORNEY

CIVIL ADVISORY DIVISION
HOUSING PROTECTION AND CIVIL CODE
COMPLIANCE UNIT
1200 THIRD AVENUE, SUITE 1100
SAN DIEGO, CALIFORNIA 92101-4103
TELEPHONE (619) 533-5500
FAX (619) 533-5505

September 24, 2026

Via U.S. Mail and Posting at Property

Edwin Dewey Austin
3384-3386 Dale Street
San Diego, CA 92104

Edwin Dewey Austin
PO Box 120501
San Diego, CA 92112

Edwin Dewey Austin
5018 Dick Street
San Diego, CA 92115

Edwin Dewey Austin
5110 Clairemont Mesa Blvd., Apt. 102
San Diego, CA 92117

3384-3386 Dale Street, San Diego, CA 92104

Dear Mr. Edwin:

This letter serves to notify you, pursuant to California Health and Safety Code section 17980.7(c), of the City of San Diego's intent to petition the court to appoint a receiver for the substandard residential building(s) referenced above.

Please contact me at (619) 533-5968 if you have any questions.

Sincerely yours,

HEATHER FERBERT, City Attorney



By

Karen Barragan
Deputy City Attorney

KB/mcg

LESLIE FITZGERALD
ASSISTANT CITY ATTORNEY

KAREN BARRAGAN
DEPUTY CITY ATTORNEY

OFFICE OF
THE CITY ATTORNEY
CITY OF SAN DIEGO
HEATHER FERBERT
CITY ATTORNEY

CIVIL ADVISORY DIVISION
HOUSING PROTECTION AND CIVIL CODE
COMPLIANCE UNIT
1200 THIRD AVENUE, SUITE 1100
SAN DIEGO, CALIFORNIA 92101-4103
TELEPHONE (619) 533-5500
FAX (619) 533-5505

September 24, 2026

Via U.S. Mail and Posting at Property

Franchise Tax Board
Attn: Special Procedures Section
PO Box 2952
Sacramento, CA 95812-2952

3384-3386 Dale Street, San Diego, CA 92104

To Whom It May Concern:

This letter serves to notify you, pursuant to California Health and Safety Code section 17980.7(c), of the City of San Diego's intent to petition the court to appoint a receiver for the substandard residential building(s) referenced above.

Please contact me at (619) 533-5968 if you have any questions.

Sincerely yours,

HEATHER FERBERT, City Attorney



By

Karen Barragan
Deputy City Attorney

KB/mcg