IN THE SUPREME COURT OF THE STATE OF NEVADA

SOPHIE LAU, an individual; JEFFREY LAU, an individual, GOOD EARTH ENTERPRISES, INC., a California Corporation, and LIG LAND DEVELOPMENT, LLC, a California Limited Liability Company,

Appellants,

v.

CITY OF LAS VEGAS, a political subdivision of the State of Nevada, CAROLYN GOODMAN, as Mayor of the City of Las Vegas, CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, a department of the City of Las Vegas, VICKI OZUNA, Code Enforcement Manager; EMILY WETZSTEIN, Code Enforcement Assistant; KEVIN MCOSKER, director, Building and Safety department, JOHN BOYER, as City of Las Vegas Council Designee; DOES I through X.

Respondents.

CASE NO.: 82720

(EIGHTH JUDICIAL DISTRICT COURT

COURT Case No. A-19-808797-W)

APPELLANTS' APPENDIX VOLUME I

ANDREW H. PASTWICK, ESQ.
Nevada Bar No. 09146
Law Office of Andrew H. Pastwick, LLC
1810 E. Sahara Avenue, Suite 120
Las Vegas, Nevada 89104
(702)866-9978

Electronically Filed
12/11/2019 10:38 PM
Steven D. Grierson
CLERK OF THE COURT

FLANGAS & BARNABI, LLC
LEO P FLANGAS, ESQ.
Nevada Bar No. 5637
BENJAMIN LA LUZERNE
Nevada Bar No.: 12801
375 E. Warm Springs Rd. #104
Las Vegas, Nevada 89109
Telephone: (702) 475-8903
Facsimile: (702) 966-3718
Email: leo@flangasbarnabi.com
Email: ben@flangasbarnabi.com
Attorney for Petitioners

CASE NO: A-19-806797-W
Department 24

DISTRICT COURT

CLARK COUNTY, NEVADA

SOPHIE LAU, an individual; JEFFREY LAU, an individual; GOOD EARTH ENTERPRISES, INC., a California Corporation; and LIG LAND DEVELOPMENT, LLC, a California Limited Liability Company Petitioners, vs. CITY OF LAS VEGAS, a political subdivision of the State of Nevada; CAROLYN GOODMAN, as Mayor of the City of Las Vegas; CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, a department of the city of Las Vegas; VICKI OZUNA, Code Enforcement Manager; EMILY WETZSTEIN, Code Enforcement Assistant; KEVIN MCOSKER, director, Building and Safety department; JOHN BOYER, as City Council Designee; DOES 1 through X, Respondents.	Case No.: Dept. No.: **PETITION FOR JUDICIAL REVIEW AND/OR WRITS OF CERTIORARI, MANDAMUS, AND EQUITABLE RELIEF** **Exempt from Arbitration NAR 3(A), 5** • **Action Seeking Judicial Review of Administrative Decisions** • **Action for Declaratory Relief** • **Action Presenting a Significant Issue of Public Policy** • **Action Seeking Equitable or Extraordinary Relief**

COMES NOW, Petitioners SOPHIE LAU, JEFFREY LAU, GOOD EARTH ENTERPRISES, INC. ("Good Earth"), and LIG LAND DEVELOPMENT, LLC ("LIG") (collectively, "Petitioners"), by and through their counsel of record, Benjamin La Luzerne, Esq. of Flangas Barnabi and hereby petitions this Court for judicial review of the Decision and Order of the City Council Designee/

Hearing Officer, John Boyer (the "Designee" or "Mr. Boyer"), dated November, 11, 2019, a copy of which is attached hereto as Exhibit 1, as follows:

I. PARTIES AND JURISDICTION

1. Petitioners, Sophie and Jeffrey Lau, are individuals residing in the state of California that own that certain real property commonly known as 203 S. 6th Street, Las Vegas, NV 89101. 617 & 631 E. Carson Avenue, Las Vegas, NV 89101 and 206 & 210 & 216 & 222 S. 7th Street, Las Vegas, NV 89101,

2. Petitioner Good Earth Enterprises, Inc., is a California corporation that owns that certain real property commonly known as 215 & 233 S. 6th Street, Las Vegas, NV 89101, 220 & 232 S. 7th Street, Las Vegas, NV 89101

3. Petitioner LIG Land Development, LLC, is a California Limited Liability Company that owns that certain real property commonly known as 615 E. Carson Avenue, Las Vegas, NV 89101,

4. The City of Las Vegas is a political subdivision of the State of Nevada.

5. Carolyn Goodman, as Mayor of the City of Las Vegas, is an individual residing in Clark County, Nevada.

6. The City of Las Vegas Department of Building and Safety – Code Enforcement Division is a Department of the City of Las Vegas, Nevada.

7. Kevin McOsker, as director of the City of Las Vegas, Building and Safety Department, is an individual residing in Clark County, Nevada.

8. Vicki Ozuna, as Manager of the Code Enforcement Division, is an individual residing in Clark County, Nevada.

9. Emily Wetzstein, as Assistant to the Manager of the Code Enforcement Division, is an individual residing in Clark County, Nevada.

10. John Boyer, as City Council Designee, is an individual residing in Clark County, Nevada.

11. The true names and capacities, whether individual, corporate, associate or otherwise, of Respondents herein designated as DOES I through X, inclusive are unknown to the Petitioners at this time, who therefore sues said Respondents by such fictitious names. Petitioners are informed and believe and therefore allege that each of said Respondents is responsible in some manner for the events and happenings and proximately caused the injuries and damages herein alleged. Petitioners will seek leave to amend this Complaint to allege their true names and capacities as they are ascertained.

12. The court has jurisdiction under Article 6, Section 4 of the Nevada Constitution, Las Vegas Municipal Code Section 9.04.100(C)[1], NRS 268.4122 and NRS 34.160 and EJDCR 2.15.

13. Venue is proper because the acts and actions set forth herein occurred in Clark County Nevada.

II. FACTS

14. Petitioners are the owners of those certain pieces of real property located between 6th and 7th Streets and Carson Street and Bridger Street in Las Vegas, Nevada.

15. Petitioners have owned these parcels for decades.

16. The City initiated Code Enforcement proceedings against Petitioners regarding these properties, beginning in December 2018.

17. Case Number CE-195118 (the "El Cid Matter") contained allegations pertaining to 233 S. 6th Street ("El Cid"); Case Number CE-195119 (the "Annex Matter") contained allegations pertaining to 232 S. 7th Street (the El Cid "Annex"); and Case Number CE-195540 (the "MI Matter") contained allegations pertaining to 615 E. Carson ("MI").

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[1] The Section states:

> Pursuant to NRS 268.4122, the City Council or designee may order that civil penalties assessed under this Chapter be made part of an assessment lien authorized by this Section, but any action to do shall be subject to the limitations contained in NRS 268.4122. In the case of action taken by a designee, an appeal of that decision may be taken to a court of competent jurisdiction.

18. In the El Cid Matter, the case report indicates that the property was inspected on December 6, 2018, requests for quotes went out to contractors on December 10, 2018, and quotes were received by the city on December 17, 2018.

19. On December 17, 2018, there was a fire at El Cid that the City attempts to use to justify its decision that emergency abatement was necessary.

20. Abatement for El Cid was completed by contractor CGI on December 20, 2018.

21. At no time did the City provide notice to Petitioners regarding inspection or abatement as required under LVMC 9.04.050(B).

22. Ms. Lau, on behalf of Petitioners previously hired attorney Andrew Pastwick in April 2019 to communicate with the City and attempt to resolve the issues regarding the Petitioners.

23. On or about August 30, 2019, Ms. Lau, on behalf of Petitioners engaged Flangas Law Firm, LTD, to represent Petitioners in the Administrative Hearing.

24. From December 2018 until the time Ms. Lau hired Flangas Law Firm, the City had not provided backup to support their invoices related to abatement of Petitioners' properties to Ms. Lau, Mr. Pastwick, or any of the Petitioners, despite their requests. See email from S. Lau to V. Ozuna dated January 22, 2019 attached hereto as Exhibit 2

25. On or about Septermber 17, 2019, Mr. Flangas and Mr. La Luzerne requested all of the evidence that the City planned to rely upon at the September 25, 2019 hearing. They also requested that the hearing be continued during the call with Ms. Ozuna, which Ms. Ozuna declined.

26. Ms. Ozuna indicated that she would provide the evidence, but indicated that because the hearing had been outstanding since February 2019, she was not inclined to continue it again.

27. The request for documents was formalized in a letter to Ms. Ozuna following the September 17, 2019 call. See letter from B. La Luzerne to V. Ozuna dated September 17, 2019 attached hereto as Exhibit 3.

28. In response, on September 18, 2019, Ms. Wetzstein provided documents via email that purportedly reflected the entire realm of documents regarding the Petitioners.

29. Prior to the Hearing (as defined herein) the Petitioners had demolished not only El Cid, the Annex, and MI, but every other building they owned on the block, at their sole expense.

30. Prior to the Hearing, in accordance with the procedure set forth in the Hearing notice, Petitioners submitted their objections to the City's allegations in regard to Case #CE-195118, Case #CE-195119, and Case #CE-195540.

31. The Petitioners objections are based on lack of notice, excessive fees and fines, and improper procedure for imposing such fees and fines, among other things.

32. On September 25, 2019, an administrative hearing was held on the 6th Floor of 333 N. Rancho Dr., Las Vegas NV, 89106, regarding the fines and assessments the City sought to impose on Petitioners (the "Hearing").

33. Petitioners were present and represented by Leo Flangas and Benjamin La Luzerne of Flangas Law Firm, LTD.

34. Robert Mann appeared as a witness for Petitioners.

35. The City of Las Vegas Department of Building and Safety, Code Enforcement Division was present and Represented by Vicki Ozuna, Code Enforcement Manager, and Emily Wetzstein, Assistant to Ms. Ozuna.

36. Mr. John Boyer attended and presided over the hearing as the City Council's Designee.

37. On October 14, 2019, Petitioners received an email from Ms. Ozuna that Mr. Boyer had sent to an invalid email address. In that email, Mr. Boyer asked Petitioners to provide their position to his assertion that Petitioners lacked standing to defend themselves at the Hearing (the "Email").

38. On October 15, 2019, after receiving and analyzing the Email, Petitioners responded that such a position by the City would lead to an absurd result. See email from B. La Luzerne to J. Boyer dated October 15, 2019 attached hereto as Exhibit 4.

39. Nonetheless, in his final decision dated November 18, 2019 (the "Decision"), Mr. Boyer relies on the clearly erroneous assertion that Petitioners lack standing.

40. Furthermore, Mr. Boyer states in the Decision that "Copies of the Notices and Orders are included in the Binder A *as supplemented by the City after the hearing.*" (Emphasis added.)

41. The Decision further relies on evidence not in the record or provided to Petitioners before the Hearing.

FIRST CAUSE OF ACTION
(Petition for Judicial Review)

42. Petitioners repeat and reallege all prior paragraphs as fully set forth herein.

43. Petitioners are aggrieved by the Decision to impose fines and penalties upon the Petitioners without substantial evidence in an arbitrary and capricious manner.

44. Accordingly, Petitioners petition this Court for Judicial review of the record on which the Department's Decision was based, including but not limited to:

a. The Decision was in violation of constitutional, statutory, and municipal code provisions.

b. The Decision was in excess of the statutory and code authority of the Respondents.

c. The Decision was made upon unlawful procedure.

d. The Decision was affected by errors of law.

e. The Decision was clearly erroneous in view of the reliable, probative and substantial evidence on the whole record.

f. The Decision was arbitrary, capricious, or characterized by a abuse of discretion.

g. The Decision is void *ab initio* for non-compliance with the notice requirements in the municipal code and other state laws.

h. The Decision should be reversed, set aside, or remanded for all of the above reasons and any others that this Court may deem appropriate.

45. As the action of the Department necessitated that Petitioners hire counsel and incur fees and costs to bring this action, Petitioners are also entitled to attorneys' fees and costs of suit.

SECOND CAUSE OF ACTION
(Petition for Writ of Mandamus)

46. Petitioners repeat and reallege all prior paragraphs as fully set forth herein.

47. A Writ of Mandamus will lie to compel the performance of an act which the requires as a duty resulting from an office, trust, or station, or to control arbitrary and capricious exercise of discretion.

48. A Writ is appropriate as the Petitioners have no plain, speedy, and adequate remedy at law, other than to petition this Court.

49. When a governmental body fails to perform an act that "that the law requires" or acts in an arbitrary or capricious manner, a writ of mandamus shall issue to correct the action. Nev. Rev. Stat. § 34.160.

50. The Respondents failed to perform various acts that the law requires including arbitrarily and capriciously imposing fines and penalties upon Petitioners.

51. Respondents acted arbitrarily and capriciously in the imposition of fines and penalties upon Petitioners because, *inter alia*:

a. The Respondents failed to follow the required notice procedure for taking action to abate nuisances on private property.

b. The Respondents Decision was based on inadmissible and unreliable evidence.

c. The evidence that Respondents base their decision upon was not provided to Petitioners before the Hearing in violation of Petitioners' due process rights.

d. The Respondents imposed fines and penalties upon Petitioners based on the influence of other parties with ulterior and improper motives.

e. The Respondents acted in violation of constitutional or statutory provisions.

f. The Respondents acted in excess of the statutory authority of the Department.

g. The Respondents completely disregarded evidence which a "reasonable mind" would "accept as adequate to support" a contrary finding.

52. Respondents' violations of their duties were arbitrary and capricious actions that compel this Court to issue a Writ of Mandamus directing the Respondents to vacate the Decision.

53. As a result of Respondents' unlawful, arbitrary, and capricious actions, Petitioners have been forced to retain legal counsel to prosecute this action and is therefore also entitled to its damages, costs in this action, and an award of attorneys' fees pursuant to NRS 34.270.

THIRD CAUSE OF ACTION
(Petition for Writ of Certiorari)

54. Petitioners repeat and reallege all prior paragraphs as fully set forth herein.

55. A Writ of Certiorari will lie when an inferior tribunal has exceeded its jurisdiction and no means of appeal exists.

56. A Writ of Certiorari is appropriate as the Petitioners have no plain, speedy, and adequate remedy at law, other than to petition this Court.

57. The Respondents, including the Designee, exceeded their jurisdiction and by their actions left the Petitioners without the ability to appeal and with no plain, speedy, and adequate remedy at law.

58. Respondents acted arbitrarily and capriciously in the imposition of fines and penalties upon Petitioners because, *inter alia*:

a. The Respondents failed to follow the required notice procedure for taking action to abate nuisances on private property.

b. The Respondents Decision was based on inadmissible and unreliable evidence.

c. The evidence that Respondents base their decision upon was not provided to Petitioners before the Hearing in violation of Petitioners' due process rights.

d. The Respondents imposed fines and penalties upon Petitioners based on the influence of other parties with ulterior and improper motives.

e. The Respondents acted in violation of constitutional or statutory provisions.

f. The Respondents acted in excess of the statutory authority of the Department.

g. The Respondents completely disregarded evidence which a "reasonable mind" would "accept as adequate to support" a contrary finding.

59. Respondents' violations of their duties were arbitrary and capricious actions that compel this Court to issue a Writ of Certiorari directing the Respondents to vacate the Decision.

60. As a result of Respondents' unlawful, arbitrary, and capricious actions, Petitioners have been forced to retain legal counsel to prosecute this action and is therefore also entitled to its damages, costs in this action, and an award of attorneys' fees pursuant to NRS 34.270.

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PRAYER FOR RELIEF

WHEREFORE, the Petitioners pray for the following relief:

1. For the issuance of a Writ of Mandamus directing the Respondents to vacate the Decision;

2. For the issuance of a Writ of Certiorari directing the Respondents to vacate the Decision;

3. For judicial review of the record and history on which the fines and penalties were based;

4. For attorneys' fees and costs of suit; and

5. For all other remedies and relief that this Court deems appropriate.

Dated this 11th day of December, 2019.

FLANGAS & BARNABI, LLC

/s/ Benjamin La Luzerne, Esq.
BENJAMIN LA LUZERNE
NV Bar #12801
Nevada Bar No.: 12801
375 E. Warm Springs Rd. #104
Las Vegas, Nevada 89109
Attorney for Petitioners

EXHIBIT 1

Hearing decision El Cid/MI

Emily Wetzstein <ewetzstein@LasVegasNevada.GOV>
Mon 11/18/2019 7:33 AM
To: Ben La Luzerne <ben@flangaslawfirm.com>

1 attachments (1 MB)
195118 195119 195540 Abatement Hearing and Lien Approval Decision.pdf;

Attached is Mr Boyer's signed hearing decision for the El Cid and MI properties.

Emily Wetzstein
Administrative Support Assistant
Department of Planning | Code Enforcement Division
(702) 229-6615 phone | (702)382-4341 fax
333 N Rancho Dr. Las Vegas, NV 89106

lasvegasnevada.gov
Code Enforcement

Your opinion is important! Click here to take a short survey.

City of Las Vegas
Department of Building & Safety
Code Enforcement Division
333 N. Rancho Dr. 2nd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 195118 **SCHEDULED DATE OF HEARING: September 25, 2019**

TIME SCHEDULED: 9:30 am

PROPERTY OWNER'S NAME: GOOD EARTH ENTERPRISES INC

ADDRESS: 233 S 6TH ST

APN #: 139-34-611-037

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $ 22,624.70
- [x] Approved lien for proposed daily civil penalties in the amount of $ 32,000
- [ ] Approved lien for reduced daily civil penalties in the amount of $

Property Owner: [x] Appeared [ ] Failed to appear after being duly notified.

City Council Designee

Date 11-11-19

Comments:

City of Las Vegas
Department of Building & Safety
Code Enforcement Division
333 N. Rancho Dr. 2nd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 195119 **SCHEDULED DATE OF HEARING: September 25, 2019**

TIME SCHEDULED: 9:30 am

PROPERTY OWNER'S NAME: GOOD EARTH ENTERPRISES INC

ADDRESS: 232 S 7TH ST

APN #: 139-34-611-036

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $ 924.00
- [x] Approved lien for proposed daily civil penalties in the amount of $ 30,000
- [ ] Approved lien for reduced daily civil penalties in the amount of $

Property Owner: [x] Appeared [ ] Failed to appear after being duly notified.

City Council Designee

11-11-19
Date

Comments:
see attached decision

City of Las Vegas
Department of Building & Safety
Code Enforcement Division
333 N. Rancho Dr. 2nd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 195540 **SCHEDULED DATE OF HEARING: September 25, 2019**

TIME SCHEDULED: 9:30 am

PROPERTY OWNER'S NAME: LIG LAND DEVELOPMENTS LLC

ADDRESS: 615 E CARSON

APN #: 139-34-611-041

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $ 23,330.00
- [ ] Approved lien for proposed daily civil penalties in the amount of $ 150.00
- [x] Approved lien for reduced daily civil penalties in the amount of $150.00

Property Owner: [x] Appeared [ ] Failed to appear after being duly notified.

City Council Designee

11-11-19
Date

Comments:

see attached decision

AMENDED DECISION CASES 195540, 195118, 19519 ABATEMENT HEARING AND LIEN APPROVAL DECISION

This Decision applies to the above-cited consolidated cases heard on September 25, 2019. The operative facts are common to all three cases and the law applicable is the same. The real properties involved are 233 S. Sixth Street and 232 S. Seventh Street owned by Good Earth Enterprises, Inc. and 615 East Carson Street (the Annex to El Cid) owned by LIG Land Development, LLC.

Present at the hearing for the City of Las Vegas were Vicki Ozuna, Code Enforcement Manager and Emily Wetstein, Assistant to Ms. Ozuna. Present for the putative property owners were Sophie Lau, and Robert Mann employee and representative for the owners. Counsel for the owners present were Leo Flangas, Esq. and Benjamin Luzerne, Esq.

The hearing was recorded. Documents were submitted in evidence by both sides and are incorporated herein by reference in a binder marked Binder A.

In order for any person or entity to appear and contest an abatement and lien at the City of Las Vegas they must have standing and ownership of the property subject to abatement proceedings. In these hearings I have found that Good Earth Enterprises, Inc. had it's foreign corporation status permanently revoked in 1984. I have found LIG Land Developments LLC has never had a registration in the State of Nevada. There is currently no evidence either of these entities exist anywhere. I also find both of these entities if they exist at all have conducted business in the State of Nevada which is beyond the mere ownership of property. They have at a minimum employed Mr. Mann to oversee the properties in which he was a resident and maintained it as an office for the entities and retained Nevada contractors to perform work on both properties. The entities, if they exist at all, have by admission spent thousands of dollars doing business of maintaining and operating the properties in this state.

Until such time as both entities prove their existence, and comply with the registration requirements, they and their putative representative, Sophie Lau will not be allowed to appear in these proceedings as a representative.

Notwithstanding the above-cited determination, I find the opposition presented against the imposition of full amount sought by the City against all three properties to be insufficient.

The properties were formerly used as a hotel called the El Cid Hotel until 2006 after which time the use was discontinued. The parties do not dispute since closing 233 South Sixth and was subject to seven cases of nuisance with the City for being open and accessible and 232 S. Seventh Street was subject to 13 cases for open and accessible. They became magnets for the homeless to break and enter causing

damages to the properties subjecting them to crime and fire issues. They collectively became a blight and danger to the community requiring intervention by police and fire departments. The Case Notes of the City amply document the problems with each of the properties showing all of the actionable nuisance issues and the owner's lack of adequate responses. Ultimately, as reflected in the records, there was a serious fire at the El Cid December 17, 2018. This precipitated emergency action by the City to declare all three properties as an imminent hazard. This relieved the City of requiring formal notice and order prior to abatement under LVMC 9.04.080 (D). The records and testimony confirm all of the properties were an imminent hazard which was confirmed by the City Manager and the Fire Department. This was later affirmed by the City Council March 20, 2019. At that point the penalties ceased accruing.

After the emergency board up in December 2018 Notice and Order were posted and sent for 233 S. Sixth Street on starting with posting on January 10, 2019. This posting was received and seen by the owner's representative on that date and Ms. Lau knew of the notice and order by January 10, 2019. Notice and Order for 232 S. Seventh was posted at the same time and also mailed to the owner. The Notice and Order for 615 E. Carson was not issued until March 21, 2019. As a result of the delivery of this notice after the declaration of imminent hazard March 20 , 2019 the penalty of $150 will not be allowed but all of the costs will be allowed. Ms. Lau acknowledged she actually received the notice through Mr. Mann. These Notices and Orders are the predicate for the penalties imposed on these properties as set forth in the City request for imposition of costs and penalties in the evidence. Copies of the Notices and Orders are included in the Binder A as supplemented by the City after the hearing. The owner was offered a continuance to review this record but was declined.

After the Notices and Orders were posted the City incurred costs for abatement which were $23,330 for 615 E. Carson; $22,624.70 for 233 S. Sixth Street; and $924.00 for 232S. Seventh Street.

On February 20, 2019 City Counsel declared an imminent hazard for 233 S. Sixth and 232 S. Seventh Streets. This is the date when the daily civil penalties ceased accruing.

I find that the costs incurred by the City of Las Vegas were all reasonable under the circumstances and proper procedures were followed and notices were sent as required.. The owners have argued the costs for plywood for the board up of the El Cid Hotel. This was an emergency board up. I do not find them unreasonable under the circumstances where the board up was to prevent homeless from entering the property again and cause further fires pending declaration of imminent hazard. The emergency board up was after there were several fires at the El Cid Hotel during which time the owners were ineffective of preventing homeless person intrusions at the coldest time of year.

The City will be granted the relief it requested in full except for the penalty on 615 E. Carson.

JOHN W. BOYER, City Council designee

EXHIBIT 2

From: Laus Investment Group <lausinvestment@yahoo.com>
Sent: Tuesday, January 22, 2019 11:20 PM
To: Emily Wetzstein <ewetzstein@LasVegasNevada.GOV>; Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Cc: Tom Perrigo <tperrigo@LasVegasNevada.GOV>; Kennan Lau <kennan.lau@gmail.com>; lausinvetment@yahoo.com
Subject: Re: Notice of Code Enforcement hearing - invoice # 195118HN-90209

Hi Emily & Vicki,

We have three general contractors in my family, my late father & my two brothers, I am very familiar & fully awarded the operation & the standard contractor's practice, normally markup & profit are within 15 to 20% is considered reasonable & fair. Apparently some will get away in billing sky high price for City job and that's the reason why I have originally asked to communicate & asked to bill us direct from the contractor, I would've gotten much lower price and I am not understanding why this request was denied.

After reviewing the attached invoice, we are totally shocked & disagreed. It was overly exaggerated & totally incorrect from the fact, please see our disputing items and the areas of description of the board-up job as follow; (will provide pictures upon request)

1. Front Building - 1st floor, used **16 pcs** boarded the entire front incl. 2 windows (all size 58 x 68)

2. Building facing Bridger St. - 1st floor, boarded 6 windows & 6 windows on 2nd floor total **24 pcs**.

3. Back of the building (alleyway) - 1st floor, used **10 pcs** for the back area & entrance way. 2nd floor used total **6 pcs.** for the two bigger windows.

4. Building facing parking lot - 1st floor, boarded 6 windows & 6 windows on 2nd floor total **24 pcs**.

5. We calculated & including all windows (size 58 x 68 - 2 pcs each), with two bigger windows 2nd floor facing the alley (6 pcs) and covered front building & back area with generous allowance, the maximum plywood used would be **80 pcs**. We are unable to account for the additional 58 pcs at the job site, which the statement was mistakenly billed 138 sheets for this building.

6. Every day price from Home Depot or Lowes for 3/4" plywood are between $33 to $35 per piece, for contractor's discount, they would have paid less, it is outrageous & unconscionable to charge customer $105 per piece which exceed 300%. Fair charges for each plywood would be $40 ($34 x 80 = **$3,200)**

7. It's impossible have used the amount of screws & bolts costed $400 for the Job described above. **$150** is a very generous amount.

8. The maximum height to the 2nd floor is about 22' to 25' feet, they could easily work on the 30' boom lift instead a 60' boom lift. We checked with Ahern Rentals, the two days rental fee/delivered/pick up/fuel would be approximately $925 for 30' lift & about $1,300 for 60', as mentioned the 30' would work perfectly. No justification on the $2,000 charge.

9. The contractor you hired bet my guy (who was instructed by us to do the job) by 30 min. started the work in the morning of 12/18, was not working in the evening or middle of the night, no grounds for emergency charge.

10. Workers all left after finished the job (16 hours), so the extra 8 hours supervision was incorrect **($448 + $640)**.

We respectfully disagree with the charges & wish to dispute at the hearing date, if unable resolve early. However, base on our fair evaluation, we like to propose a reasonable offer of **$6,436** which includes 20% for both markup & profit ($3,200+$150+ $925+$448 +$640 = $5,363+$1,073-20% profit) to the contractor and since we never got a break down on the admin. fee, we are offering **$1,402.35** (50%) for the total of **$7,838.35**. Please advise at your earliest & thanks for your assistance in this matter.

Best regards,

Sophie Lau

EXHIBIT 3

FLANGAS LAW FIRM, LTD.
LEO P. FLANGAS, ESQ.

September 17, 2019

VIA EMAIL: vozuna@LasVegasNevada.GOV

City of Las Vegas
Department of Planning
Code Enforcement Division
Attn: Vicki Ozuna, Code Enforcement Section Manager
333 N. Rancho Dr.
Las Vegas, NV 89106

Re: September 25, 2019 Hearing – Good Earth Enterprises, LIG Land Development, Sophie and Jeffrey Lau
Case Nos. CE-195540; CE-195118; CE-195119

Dear Ms. Ozuna,

As we discussed, this firm will be representing Mr. and Mrs. Lau and their respective businesses for the purposes of this administrative hearing regarding code violations at the real properties located between S. 6th St. and S. 7th St. and E. Carson Ave. and E. Bridger Ave (the "Properties").

At this time, we have received the file from the client's former attorney, but it appears that we have not received the records that he requested from your office. Therefore, as we discussed, please send over the following documents:

1. Receipts from CGI to justify the cost of installing plywood at 233 S. 6th Street ("El Cid"). We have the invoice, but not the backup.
2. Any documentation evidencing the determination that the El Cid abatement was an "emergency."
3. Any and all outstanding invoices related to the Properties owned by the Laus and/or their companies.
4. Any and all outstanding liens related to the Properties owned by the Laus and/or their companies.
5. The entire file you have regarding this case.

Sincerely,

Ben La Luzerne, Esq.

600 South Third Street Las Vegas Nevada 89101 ● Office (702) 384-1990 ● Fax (702) 384-1009

EXHIBIT 4

Re: City of Las Vegas Code Enforcement Cases 195119, 195118 and 195540

Ben La Luzerne
Tue 10/15/2019 2:54 PM
To: Leo P.. Flangas <leo@flangaslawfirm.com>

Mr. Boyer,

Ms. Ozuna forwarded me the email that was sent to an invalid email address on September 26. We disagree with your assertion that a business entity must be registered in a state to appear to defend itself in a proceeding. Specifically NRS 80.015(1)(a) and (i) state , respectively, that defending or settling any proceeding; and owning real or personal property does not constitute doing business in this State.

Also, such a requirement would lead to the nonsensical position that a city government can "take" property without due process, as long as it is owned by a foreign business entity.

We await your holding on the matters noted above.

Thank you.

Ben

From: john boyer <boyeresq@yahoo.com>
Sent: Thursday, September 26, 2019 9:14 AM
To: ben.laluzerne@laluzelernelaw.com; natasha@flangaslawfirm.com; Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: City of Las Vegas Code Enforcement Cases 195119, 195118 and 195540

EXTERNAL EMAIL: This email originated from outside the organization, do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. La Luzerne and Flangas:

My research indicates that Good Earth Enterprises, Inc. had its' charter revoked in Nevada in 1984 and that LIG Land Developments, LLC has never been registered in the State of Nevada at the Secretary of State. Under Nevada law they cannot do business in the State of Nevada.
This would include appearing to contest the City of Las Vegas proceedings. Please let me know by the end of Friday if there is an error and the entities are compliant. John Boyer, City of Las Vegas Council Designee.

Electronically Filed
4/9/2020 3:53 PM
Steven D. Grierson
CLERK OF THE COURT

ANSC
BRADFORD R. JERBIC
City Attorney
Nevada Bar No. 1056
By: JOHN A. CURTAS
Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
(702) 229-6629 (office)
(702) 386-1749 (fax)
Email: jacurtas@lasvegasnevada.gov
Attorneys for CITY RESPONDENTS

DISTRICT COURT

CLARK COUNTY, NEVADA

SOPHIE LAU, an individual; JEFFREY LAU, an individual; GOOD EARTH ENTERPRISES, INC., a California Corporation; and LIG LAND DEVELOPMENT, LLC, a California Limited Liability Company, Petitioners, vs. CITY OF LAS VEGAS, a political subdivision of the State of Nevada; CAROLYN GOODMAN, as Mayor of the City of Las Vegas; CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, a department of the city of Las Vegas; VICKI OZUNA, Code Enforcement Manager; EMILY WETZSTEIN, Code Enforcement Assistant; KEVIN MCOSKER, director, Building and Safety department; JOHN BOYER, as City Council Designee; DOES 1 through X, Respondents.	CASE NO. A-19-806797-W DEPT. NO. XXIV

ANSWER TO PETITION FOR JUDICIAL REVIEW AND/OR
WRITS OF CERTIORARI, MANDAMUS, AND EQUITABLE RELIEF

Respondents CITY OF LAS VEGAS, CAROLYN GOODMAN, CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, VICKI OZUNA, EMILY WETZSTEIN, KEVIN McOSKER, and JOHN BOYER ("City

Respondents"), through their attorneys, BRADFORD R. JERBIC, City Attorney, by JOHN A. CURTAS, Deputy City Attorney, answer the instant Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief on file herein as follows:

1. City Respondents are without knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraphs 1, 2, 3, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 37, 38, 40, 43, 44, 47, 48, 49, 55, and 56 of Petitioners' Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief and therefore deny the same.

2. City Respondents admit the allegations of Paragraphs 4, 5, 6, 12, 13, 14, 15, 32, 33, 35, and 36 of Petitioners' Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief.

3. City Respondents deny the allegations contained in Paragraphs 21, 39, 41, 44a, 44b, 44c, 44d, 44e, 44f, 44g, 44h, 45, 50, 51, 51a, 51b, 51c, 51d, 51e, 51f, 51g, 52, 53, 57, 58, 58a, 58b, 58c, 58d, 58e, 58f, 58g, 59, and 60 of Petitioners' Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief.

4. Answering Paragraphs 42, 46, and 54 of Petitioners' Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief, City Respondents repeat and reallege their responses to Paragraphs 1 through 60 as though fully set forth herein.

5. As to any allegations set forth in Petitioners' Petition for Judicial Review and/or Writs of Certiorari, Mandamus, and Equitable Relief that City Respondents did not specifically answer above or inadvertently omitted, City Respondents deny them in their entirety.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Petitioners have failed to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Petitioners' claims are moot.

THIRD AFFIRMATIVE DEFENSE

Petitioners lack standing to assert their claims.

Las Vegas City Attorney
495 S. Main Street, 6th Floor
Las Vegas, Nevada 89101
702-229-6629

FOURTH AFFIRMATIVE DEFENSE

Respondents are entitled to legislative immunity.

FIFTH AFFIRMATIVE DEFENSE

Respondents are entitled to qualified good faith immunity.

SIXTH AFFIRMATIVE DEFENSE

Respondents are entitled to the immunities and limitations on liability set forth in NRS 41.032, 41.033 and 41.035.

SEVENTH AFFIRMATIVE DEFENSE

Respondents are entitled to discretionary immunity.

EIGHTH AFFIRMATIVE DEFENSE

Petitioners have failed to exhaust their administrative remedies.

WHEREFORE, City Respondents pray for judgment, after briefing and argument as set forth in E.D.C.R. 2.15, as follows:

1. That Petitioners take nothing by way of their Petition;
2. That City Respondents be awarded their costs and reasonable attorney's fees; and
3. For such other and further relief as this Court may deem just and proper.

DATED this 9 day of April, 2020.

BRADFORD R. JERBIC
City Attorney

By: _____
JOHN A. CURTAS
Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
Attorneys for CITY RESPONDENTS

CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2020, I served a true and correct copy of the foregoing ANSWER TO PETITION FOR JUDICIAL REVIEW AND/OR WRITS OF CERTIORARI, MANDAMUS, AND EQUITABLE RELIEF through the electronic filing system of the Eighth Judicial District Court of the State of Nevada, pursuant to Nevada Electronic Filing and Conversion Rules, (or, if necessary, by United States Mail at Las Vegas, Nevada, postage fully prepaid) upon the following:

Benjamin La Luzerne, Esq.
FLANGAS LAW OFFICE
600 South Third Street
Las Vegas, NV 89101
Attorneys for Petitioners

Cindy Kelly
AN EMPLOYEE OF THE CITY OF LAS VEGAS

Electronically Filed
4/28/2020 11:02 AM
Steven D. Grierson
CLERK OF THE COURT

TOR
BRADFORD R. JERBIC
City Attorney
Nevada Bar No. 1056
By: JOHN A. CURTAS
Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
(702) 229-6629 (office)
(702) 386-1749 (fax)
Email: jacurtas@lasvegasnevada.gov
Attorneys for City of Las Vegas

DISTRICT COURT

CLARK COUNTY, NEVADA

SOPHIE LAU, an individual; JEFFREY LAU, an individual; GOOD EARTH ENTERPRISES, INC., a California Corporation; and LIG LAND DEVELOPMENT, LLC, a California Limited Liability Company, Petitioner, vs. CITY OF LAS VEGAS, a political subdivision of the State of Nevada; CAROLYN GOODMAN, as Mayor of the City of Las Vegas; CITY OF LAS VEGAS DEPARTMENT OF BUILDING & SAFETY, CODE ENFORCEMENT DIVISION, a department of the city of Las Vegas; VICKI OZUNA, Code Enforcement Manager; EMILY WETZSTEIN, Code Enforcement Assistant; KEVIN MCOSKER, director, Building and Safety department; JOHN BOYER, as City Council Designee; DOES 1 through X, Respondent.	CASE NO. A-19-806797-W DEPT. NO. XXIV

TRANSMITTAL OF RECORD ON REVIEW

Pursuant to EDCR 2.15, the undersigned, as a Custodian of Records for the City of Las Vegas, Department of Planning, hereby designates the following items to be filed with the Court and certifies them to be true and correct copies. The certified documents have been numbered by the City Attorney's office for the convenience of the Court. The attached documents are

described as follows:

No.	Description	Bates Number
1.	2018-12-26 CE-195118 CGI Invoice	ROR000001
2.	2019-01-07 CE-195119 Revised Demo Notice and Order	ROR000002 – 009
3.	2019-01-10 CE-195119 Demolition Notice and Order	ROR000010 – 016
4.	2019-01-16 Custom Security Guard and Patrol	ROR000017 – 019
5.	2019-01-16 Email re Sophie Lau	ROR000020 – 024
6.	2019-01-30 Case Information Emergency Declaration	ROR000025 – 031
7.	2019-02-20 Agenda Summary Page Emergency Declaration	ROR000032
8.	2019-02-25 Email re Sophie Lau	ROR000033 – 038
9.	2019-02-28 CE-195540 Junkman Invoice	ROR00039
10.	2019-03-18 Notice and Order to Comply	ROR000040 – 047
11.	2019-08-08 Notices ROE El Cid - MI	ROR000048 – 052
12.	2019-09-25 Abatement Hearing and Lien Approval Decision	ROR000053 – 058
13.	2019-09-25 Hearing Backup 1	ROR000059 – 073
14.	2019-09-25 Hearing Backup 2	ROR000074 – 082
15.	2019-09-25 Hearing Backup 3	ROR00083 – 099
16.	2019-09-25 Hearing Backup	ROR000100 – 141
17.	2019-09-25 Transcript of Hearing	ROR000142 – 203
18.	Hearing Binder A Section 1	ROR000204 – 233
19.	Hearing Binder A Section 2	ROR000234 – 242
20.	Hearing Binder A Section 3	ROR000243 – 259
21.	Hearing Binder A Section 4	ROR000260
22.	Hearing Binder A Section 5	ROR000261 – 267
23.	Hearing Binder A Section 6	ROR000268
24.	Hearing Binder A Section 7	ROR000269 – 275
25.	Hearing Binder A Section 8	ROR000276 – 283
26.	Hearing Binder A Section 9	ROR000284 – 290

No.	Description	Bates Number
27.	Hearing Binder A Section 10	ROR000291
28.	Hearing Binder A Section 11	ROR000292 – 348
29.	Hearing Binder A Section 12	ROR000349 – 358
30.	Hearing Binder A Section 13	ROR000359 – 368
31.	USPS Mail Tracking	ROR000369 – 371

DATED this 21st day of April 2020.

VICKI R. OZUNA, Code Enforcement Section Manager, City of Las Vegas, Department of Planning

Also enclosed for filing with the Court is the following transcript, which has been certified as a true and correct copy of the original audio recording of the above-referenced meeting (see *Certificate of Accuracy*, page ROR000142):

No.	Description	Bates Number
17.	Certified Transcript of Code Enforcement Meeting of September 25, 2019.	ROR000142 – 203

DATED this 28th day of April 2020.

BRADFORD R. JERBIC
City Attorney

By: _____
JOHN A. CURTAS
Deputy City Attorney
Nevada Bar No. 1841
495 South Main Street, Sixth Floor
Las Vegas, NV 89101
Attorneys for City of Las Vegas

CERTIFICATE OF SERVICE

I hereby certify that on April 28th, 2020, I served a true and correct copy of the foregoing ***Transmittal of Record on Review*** through the electronic filing system of the Eighth Judicial District Court of the State of Nevada, pursuant to Nevada Electronic Filing and Conversion Rules, (or, if necessary, by United States Mail at Las Vegas, Nevada, postage fully prepaid) upon the following:

Benjamin La Luzerne, Esq.
FLANGAS LAW OFFICE
600 South Third Street
Las Vegas, NV 89101
Attorneys for Petitioner

Claudia M. Cano
An Employee of the City of Las Vegas

cgi construction group international, LLC

INVOICE

3640 South Highland Drive
Las Vegas, NV 89103

702-307-8002 Phone
702-307-8010 Fax

INVOICE NUMBER G18390-1
INVOICE DATE 12/26/18
TERMS Net 30

SOLD TO:
The City of Las Vegas
Accounts Payable
495 S. Main Street
Las Vegas, NV 89101
Emailed to JLancaster@LasVegasNevada.gov
accountspayable@LasVegasNevada.gov
Vozuna@LasVegasNevada.gov

JOB SITE
El Cid Emergency Board Up
233 S. 6th Streeet
Las Vegas NV 89101

SCOPE
Emergency Board Up of former 4-Story Motel. Burned

CGI Project Manager		APN	Officer/Authorizer	Service Date
Greg Barstow			Vicki Ozuna	12/17-12/20/18

QUANTITY	DESCRIPTION	UNIT PRICE	UOM	AMOUNT
138.0	3/4" Sheets of Plywood	$ 105.00	Sheet	$ 14,490.00
1.0	Screws/Bolts	$ 400.00	LS	$ 400.00
1.0	60' Boom Lift 2 days includes pickup/delivery and fuel	$ 2,000.00	LS	$ 2,000.00
1.0	Emergency Call Out	$ 400.00	LS	$ 400.00
16.0	Labor	$ 28.00	Hour	$ 448.00
24.0	Supervision	$ 40.00	Hour	$ 960.00
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -
				$ -

Comments or special instructions:
3% surcharge on all credit card transactions. We accept Visa, Mastercard and American Express. 1.5% interest charged on all unpaid balances

SUBTOTAL	$ 18,698.00
TAX	$ -
TOTAL	$ 18,698.00
	PAY THIS AMOUNT

MAKE ALL CHECKS PAYABLE TO:
Construction Group International, LLC
19407 144th Avenue NE, Building D
Woodinville, WA 98072

THANK YOU FOR YOUR BUSINESS!

Receipt #491381
PO #401691

DEPARTMENT OF PLANNING

NOTICE AND ORDER

REVISED DEMOLITION NOTICE AND ORDER TO COMPLY

January 7, 2019

GOOD EARTH ENTERPRISES INC.
785 Columbus Ave.
San Francisco, CA 94133-2732

SOPHIE LAU
201 South Sixth St
Las Vegas, NV 89101

RE: Case 195118
Property: 233 S. 6th St.
APN: 139-34-611-037

On December 17, 2018, yet another building fire occurred at your property located at 233 S. 6th St, Las Vegas, NV 89101, APN# 139-34-611-037 (hereinafter "**Property**"), which is legally described as:

Lot Twelve (12) in Block Five (5) of Hawkins addition to the City of Las Vegas m as shown by map thereof on file in Book 1 of Plats, Page 40, in the Office of the County Recorder of Clark County, Nevada

At least 20 apparently transient were observed leaving your open and accessible building during the emergency event which required City of Las Vegas Fire Department and Las Vegas Metropolitan Police responses. You had failed to adequately secure the building despite prior City Code Enforcement notices to you. So, the City of Las Vegas (hereinafter "**City**") determined that immediate action was needed due to imminent hazard to people and property including without limitation because of the number of illegal inhabitants, dangerous conditions and state of the building, fire hazards, criminal activity, attractive nuisances, and lack of oversight by you as the owner, to hire a contractor to perform emergency action on the property.

Return to: CITY OF LAS VEGAS | 495 S. MAIN STREET | LAS VEGAS, NEVADA 89101
VOICE 702.229.6615 | FAX 702.382.4341 | TTY 7-1-1 | www.lasvegasnevada.gov

The contractor hired by the City:

1. **Boarded and secured all windows on the first and second floors;**
2. **Secured the open elevator shaft(s) to prevent injury to fire and other first responders;**
3. **Secured additional windows that could provide access from the exterior; and**
4. **Secured the front and rear access areas.**

You will be notified of the costs for said work and provided a hearing date if you wish to dispute these costs.

In addition, as the owner of the Property, you are responsible for all violations of the Las Vegas Municipal Code on or at your Property. The City has identified the following public nuisance violations per LVMC §9.04.010 at the Property:

1) Despite City's boarding efforts, the building is open and accessible and its nature, location, and/or character would tend to attract and endanger the safety of any minor person;
2) The building contains refuse, waste, litter, or other material, which is unsightly or interferes with the reasonable use and enjoyment of adjacent property, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises;
3) Graffiti allowed to remain for more than twenty-four hours;
4) The building has become so deteriorated (including without limitation lack of paint, open elevator shafts, ceilings and walls partially or completely falling or missing, doors and windows broken and/or missing, fire damaged, open and accessible) as to create a hazardous condition or a condition of blight visible from public right-of-way;
5) Building is uninhabitable per LVMC Title 16 but is being used as habitable space by apparent transients without proper utility services, and is also creating a public nuisance due to lack of sanitary services;
6) Palm trees are allowing access from apparent transients from the exterior into the interior areas of the building, and windows are not secured properly to prevent access;
7) Criminal activity on the premises (numerous calls for police service and arrests and citations issued by the Las Vegas Metropolitan Police Department); and
8) The building contains asbestos that is a substantial danger to anyone inside or outside of the building.

LVMC 9.04.010 "Public Nuisance", "nuisance", or "nuisance activity" means any of the following conditions:

1) Any area, structure or object which by its nature, location, or character would tend to attract and endanger the safety or any minor person.
2) Any violation of Title 16, including violations of the codes pertaining to building, construction, housing, and fire safety adopted thereunder.
4) Any refuse, waste, litter or other material, regardless of its market value, which, by reason of its location or character, is unsightly or interferes

with the reasonable use and enjoyment of adjacent properties, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises. Examples include, without limitation, decaying or non-decaying solid and semi-solid wastes, whether or not combustible, such as old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass, bottles, wastepaper, bedsprings, mattresses, discarded furniture and appliances, bedding and material cleaned from animal or fowl pens, automobile parts, scrap paving material, and piles of earth mixed with other waste material which may harbor insect or rodent infestations or may become a fire hazard.

8) Any other act or condition, other than those permitted by NRS 40.140 and 202.450, which, by reason of its nature, character or location, interferes with the reasonable use and enjoyment of adjacent properties, or which has a detrimental effect upon adjacent property values. Such nuisances include without limitation the following:

(c) Graffiti, as defined in LVMC 10.48.060, that is allowed to remain for more than twenty-four hours;

(d) Unpainted or painted buildings, walls, fences or other structures whose condition has become so deteriorated as to create a hazardous condition; threaten collapse, displacement, or other breakdown of structural integrity; permit decay, excessive cracking, peeling, chalking, dry rot, warping or termite infestation; or create a condition of blight visible from public right-of-way;

The City has identified the following Title 16 Building and Construction Code conditions, which are further public nuisance violations per LVMC 9.04.010 Public Nuisance definition 2, and which render the building on the Property a dangerous building as set forth below:

LVMC 16.16.010 Uniform Dangerous Building
Uniform Code for Abatement of Dangerous Buildings, 1994 Code -Section 302-Dangerous Building

The following are the building assessment inspection findings as applicable to the *1994 Uniform Code for the Abatement of Dangerous Buildings* Section 302 – Dangerous Building:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exist in case of fire or panic.

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:
    i. an attractive nuisance to children;
    ii. a harbor for vagrants, criminals or immoral persons; or as to
    iii. enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

15. Whenever a building or structure, use or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence, or as specified in Chapter 9.04 of the Las Vegas Municipal Code, or as amended from time to time.

18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

19. Whenever any building or structure, or portion thereof, whether partially or completely constructed, has become so dilapidated or deteriorated in condition or appearance, or is maintained in such a condition, as to endanger the safety of the public, be injurious to the senses, obstruct the free use of property of others or have a deleterious effect on the values of neighboring properties. (Section 7 of "A Supplemental Document Amending the Uniform Code For the Abatement of Dangerous Buildings. 1994 Edition.").

The City has identified the following Fire Code Violations, which are further public nuisance violations per LVMC 9.04.010 Public Nuisance definition 2:

LVMC 16.16.010 International Fire Code and associated documents adopted.

The following Fire Code violations exist as of the inspections on both the day of the last known fire (12/17/2018).

1. Section 311.2.1 of the 2018 International Fire Code, Security. Exterior and interior openings accessible to other tenants or unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. The fire code official is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.
2. Section 311.2.2 of the 2018 IFC, Fire Protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.
3. Section 311.3 of the 2018 IFC, Removal of combustibles. Persons owning, or in charge or control of, a vacant building or portion thereof, shall remove therefrom all accumulations of combustible materials, flammable or combustible waste or rubbish and shall securely lock or otherwise secure doors, windows and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.
4. Section 316.2.2 of the2018 IFC, Interior access to shaftways. Door or window openings to hoistway or shaftway from interior of the building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches high on a white background. Such warning signs shall be place so as to be readily discernible.
5. Section 505.1 of the 2018 IFC, Address. New and existing buildings shall have approved address numbers properly displayed.
6. Section 1031.7 of the 2018 IFC, Emergency escape and rescue openings. Required emergency escape and rescue openings shall be maintained in accordance with the what was code at the time of construction and both of the following:
    1. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools.
    2. Bars, grilles, grates or similar devices are allowed to be place over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the emergency escape and rescue opening.

You are hereby notified as the owner/agent of the referenced property that you are in violation of Las Vegas Municipal Code (LVMC), including without limitation Title 9 Nuisance and Title 16 Buildings and Construction. The above listed violations must be corrected and City inspection approval of all required corrective work must be obtained.

Accordingly, the following corrective work and compliance deadlines are hereby established and ordered, and should you fail to comply the City has the right to abate the public nuisances at your cost:

No later than January 18, 2019:

1. Remove all palm tree landscaping from the property to prevent access into the building;
2. Hire a licensed security firm to provide 24 hour security to prevent access into the substandard/dangerous building;
3. Fence the entire perimeter of the Property with security fencing to prevent access into the building;
4. Contact City Code Enforcement and propose and agree upon an action plan and timeframe acceptable to City for you to hire a Nevada licensed contractor to **obtain all required demolition permits no later than sixty (60) days from the date of this Notice, demolish the building, and remove all demolition debris, refuse, and waste** from the Property.

And, under Section 203 of Chapter 16.02 of the City of Las Vegas Code (2012 Administrative Code): Section 203 Unsafe Buildings, Structures or Building Service Equipment

Buildings or structures regulated by this Code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purposes of this section, unsafe buildings. The Building Official may require any reports, tests, engineering studies or other documentation they may deem necessary to determine the adequacy of the safety of a building or structure. The requirements of the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended shall also be used to determine the adequacy of the safety of a building or structure. Any engineering, testing, studies, reports, etc. required by the Uniform Code of the Abatement of the Dangerous Buildings or by the Building Official shall be done at no expense to the Building Department or local jurisdiction. Costs of any engineering, testing, studies, reports, etc. shall be paid by the owner or the owner's representative. Should the evaluation of such engineering, tests, studies, reports, etc. exceed the expertise of the Building Official, the Building Official may require the owner or owner's authorized representative to pay the cost of a third-party selected by the Building Official to conduct and independent review of the results.

Building service equipment regulated by such codes, which constitutes a fire, electrical, or health hazard, or an unsanitary condition, or is otherwise dangerous to human life, for the purpose of this section, is unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of

inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members, which are supported by, attached to, or a part of a building which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties will be assessed per day- Residential ($500) or Commercial ($1000)

You are hereby ordered to correct the nuisance conditions noted within the previously stated deadlines. If you do not correct the violations by the specified date and time, the City may issue a misdemeanor citation for violations for each and every date the violations exist, with a penalty of up to Five Hundred Dollars ($500) or fine of up to six (6) months in jail or both for each violation.

If you disagree with this Notice and Order, then within ten days after service of the Notice and Order, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within ten days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. If the appeal is heard by a designee, there shall be a further right of appeal to a court of competent jurisdiction. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. **An owner or responsible party failing to appeal as provided in this section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such a nuisance by the City shall be at your cost.** Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact **Code Enforcement Officer Gerald Toci** at (702) 229-5103 concerning your intentions about the referenced property at your earliest convenience.

Sincerely,

Kevin T. McOsker, P.E., C.B.O.
Director/Building Official
Department of Building and Safety

DEPARTMENT OF PLANNING

NOTICE AND ORDER

DEMOLITION NOTICE AND ORDER TO COMPLY

January10, 2019

GOOD EARTH ENTERPRISES INC.
785 Columbus Ave.
San Francisco, CA 94133-2732

SOPHIE LAU
201 South Sixth St
Las Vegas, NV 89101

RE: Case 195119
Property: 232 S. 7th St.
APN: 139-34-611-036

You are the record owner of property located at 232 S. 7th St, Las Vegas, NV 89101, APN# 139-34-611-036 (hereinafter "**Property**"), which is legally described as:

Lots Twenty-Five (25) and Twenty-Six (26) in Block Five (5) of Hawkins addition to the City of Las Vegas as shown by map thereof on file in Book 1 of Plats, Page 40, in the Office of the County Recorder of Clark County, Nevada.

As the owner of the Property, you are responsible for all violations of the Las Vegas Municipal Code on or at your Property. The City has identified the following public nuisance violations per LVMC §9.04.010 at the Property:

1) Despite boarding efforts, the building is open and accessible and its nature, location, and/or character would tend to attract and endanger the safety of any minor person;

2) The building contains refuse, waste, litter, or other material, which is unsightly or interferes with the reasonable use and enjoyment of adjacent property, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises;
3) Graffiti allowed to remain for more than twenty-four hours;
4) The building has become so deteriorated (including without limitation lack of paint, ceilings and walls partially or completely falling or missing, doors and windows broken and/or missing, fire damaged, open and accessible) as to create a hazardous condition or a condition of blight visible from public right-of-way;
5) Building is uninhabitable per LVMC Title 16 but is being used as habitable space by vagrants without proper utility services, and is also creating a public nuisance due to lack of sanitary services;
6) Palm trees are allowing access from vagrants from the exterior into the interior areas of the building, and windows are not secured properly to prevent access;
7) Criminal activity on the premises (numerous calls for police service and arrests and citations issued by the Las Vegas Metropolitan Police Department); and
8) The building contains asbestos that is a substantial danger to anyone inside or outside of the building.

LVMC 9.04.010 "Public Nuisance", "nuisance", or "nuisance activity" means any of the following conditions:

1) Any area, structure or object which by its nature, location, or character would tend to attract and endanger the safety or any minor person.
2) Any violation of Title 16, including violations of the codes pertaining to building, construction, housing, and fire safety adopted thereunder.
4) Any refuse, waste, litter or other material, regardless of its market value, which, by reason of its location or character, is unsightly or interferes with the reasonable use and enjoyment of adjacent properties, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises. Examples include, without limitation, decaying or non-decaying solid and semi-solid wastes, whether or not combustible, such as old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass, bottles, wastepaper, bedsprings, mattresses, discarded furniture and appliances, bedding and material cleaned from animal or fowl pens, automobile parts, scrap paving material, and piles of earth mixed with other waste material which may harbor insect or rodent infestations or may become a fire hazard.
8) Any other act or condition, other than those permitted by NRS 40.140 and 202.450, which, by reason of its nature, character or location, interferes with the reasonable use and enjoyment of adjacent properties, or which has a detrimental effect upon adjacent property values. Such nuisances include without limitation the following:

   (c) Graffiti, as defined in LVMC 10.48.060, that is allowed to remain for more than twenty-four hours;

   (d) Unpainted or painted buildings, walls, fences or other structures whose condition has become so deteriorated as to create a hazardous condition; threaten collapse, displacement, or other breakdown of

structural integrity; permit decay, excessive cracking, peeling, chalking, dry rot, warping or termite infestation; or create a condition of blight visible from public right-of-way;

The City has identified the following Title 16 Building and Construction Code conditions, which are further public nuisance violations per LVMC 9.04.010 Public Nuisance definition 2, and which render the building on the Property a dangerous building as set forth below:

LVMC 16.16.010 Uniform Dangerous Building
Uniform Code for Abatement of Dangerous Buildings, 1994 Code -Section 302-Dangerous Building

The following are the building assessment inspection findings as applicable to the *1994 Uniform Code for the Abatement of Dangerous Buildings* Section 302 – Dangerous Building:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exist in case of fire or panic.

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:
    i. an attractive nuisance to children;
    ii. a harbor for vagrants, criminals or immoral persons; or as to
    iii. enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

15. Whenever a building or structure, use or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence, or as specified in Chapter 9.04 of the Las Vegas Municipal Code, or as amended from time to time.

18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

19. Whenever any building or structure, or portion thereof, whether partially or completely constructed, has become so dilapidated or deteriorated in condition or appearance, or is maintained in such a condition, as to endanger the safety of the public, be injurious to the senses, obstruct the free use of property of others or have a deleterious effect on the values of neighboring properties. (Section 7 of "A Supplemental Document Amending the Uniform Code For the Abatement of Dangerous Buildings. 1994 Edition.").

The City has identified the following Fire Code Violations, which are further public nuisance violations per LVMC 9.04.010 Public Nuisance definition 2:

LVMC 16.16.010 International Fire Code and associated documents adopted.

The following Fire Code violations exist as of the inspections on both the day of the last known fire (12/17/2018).

1. Section 311.2.1 of the 2018 International Fire Code, Security. Exterior and interior openings accessible to other tenants or unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. The fire code official is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.
2. Section 311.2.2 of the 2018 IFC, Fire Protection. Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.
3. Section 311.3 of the 2018 IFC, Removal of combustibles. Persons owning, or in charge or control of, a vacant building or portion thereof, shall remove therefrom all accumulations of combustible materials, flammable or combustible waste or rubbish and shall securely lock or otherwise secure doors, windows and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.
4. Section 505.1 of the 2018 IFC, Address. New and existing buildings shall have approved address numbers properly displayed.

5. Section 1031.7 of the 2018 IFC. Emergency escape and rescue openings. Required emergency escape and rescue openings shall be maintained in accordance with the what was code at the time of construction and both of the following:
    1. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools
    2. Bars, grilles, grates or similar devices are allowed to be place over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the emergency escape and rescue opening.

You are hereby notified as the owner/agent of the referenced property that you are in violation of Las Vegas Municipal Code (LVMC), including without limitation Title 9 Nuisance and Title 16 Buildings and Construction. The above listed violations must be corrected and City inspection approval of all required corrective work must be obtained.

Accordingly, the following corrective work and compliance deadlines are hereby established and ordered, and should you fail to comply the City has the right to abate the public nuisances at your cost:

No later than January 22, 2019:

1. Remove all palm tree landscaping from the property to prevent access into the building;
2. Hire a licensed security firm to provide 24 hour security to prevent access into the substandard/dangerous building;
3. Fence the entire perimeter of the Property with security fencing to prevent access into the building;
4. Contact City Code Enforcement and propose and agree upon an action plan and timeframe acceptable to City for you to hire a Nevada licensed contractor to **obtain all required demolition permits no later than sixty (60) days from the date of this Notice, demolish the building and pool, and remove all demolition debris, refuse, and waste** from the Property

And, under Section 203 of Chapter 16.02 of the City of Las Vegas Code (2012 Administrative Code): Section 203 Unsafe Buildings, Structures or Building Service Equipment

Buildings or structures regulated by this Code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or

are otherwise dangerous to human life are, for the purposes of this section, unsafe buildings. The Building Official may require any reports, tests, engineering studies or other documentation they may deem necessary to determine the adequacy of the safety of a building or structure. The requirements of the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended shall also be used to determine the adequacy of the safety of a building or structure. Any engineering, testing, studies, reports, etc. required by the Uniform Code of the Abatement of the Dangerous Buildings or by the Building Official shall be done at no expense to the Building Department or local jurisdiction. Costs of any engineering, testing, studies, reports, etc. shall be paid by the owner or the owner's representative. Should the evaluation of such engineering, tests, studies, reports, etc. exceed the expertise of the Building Official, the Building Official may require the owner or owner's authorized representative to pay the cost of a third-party selected by the Building Official to conduct and independent review of the results.

Building service equipment regulated by such codes, which constitutes a fire, electrical, or health hazard, or an unsanitary condition, or is otherwise dangerous to human life, for the purpose of this section, is unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members, which are supported by, attached to, or a part of a building which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties will be assessed per day-Residential ($500) or Commercial ($1000)

You are hereby ordered to correct the nuisance conditions noted within the previously stated deadlines. If you do not correct the violations by the specified date and time, the City may issue a misdemeanor citation for violations for each and every date the violations exist, with a penalty of up to Five Hundred Dollars ($500) or fine of up to six (6) months in jail or both for each violation.

If you disagree with this Notice and Order, then within ten days after service of the Notice and Order, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within ten days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. If the appeal is heard by a designee, there shall be a further right of appeal to a court of competent jurisdiction. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. **An owner or responsible party failing to appeal as provided in this section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such a nuisance by the City shall be at your cost.** Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact **Code Enforcement Officer Gerald Toci** at (702) 229-5103 concerning your intentions about the referenced property at your earliest convenience.

Sincerely,

Kevin T. McOsker, P.E., C.B.O.
Director/Building Official
Department of Building and Safety

cc:

Custom Security
GUARD AND PATROL

This contract is entered into between the parties on this ***16th day of January 2019*** by and between Custom Security Guard & Patrol and **Laus Investment Group *with a location known as 233 S. 6th Street- Las Vegas, NV 89101*** as authorized agent for the property owner(s).

In consideration of the promises and mutual covenants exchanged between the parties, here to agree as follows:

Security will be provided at the following locations and addresses:

El Cid Hotel
233 S. 6th St.
Las Vegas, NV 89101

El Cid Annex
232 S. 6th St.
Las Vegas, NV 89101

Cottage Houses
222 & 224 S. 7th St.
Las Vegas, NV 89101

Office Complex
216 S. 7th St.
Las Vegas, NV 89101

Triplex
210 S. 7th St.
Las Vegas, NV 89101

MI Residence
201 S. 6th St.
Las Vegas, NV 89101

MI Annes
615 E. Carson St.
Las Vegas, NV 89101

Triplex
203-207 S. 6th St.
Las Vegas, NV 89101

1. THE SERVICES

Custom Security Guard & Patrol agrees to provide monitoring services on behalf of the property Owner(s) as directed by the Owner's agent for Management Company. In consideration of this service the Owner(s) of the owner(s) agent hereby agree to pay for the services described below.

Custom Security Guard & Patrol provides no warranty either express or implied that these services will ensure the monitored property and the individuals found thereon will remain free from the consequences of illegal or dangerous activities.

Custom Security Guard & Patrol and its agents will use reasonable efforts in the performance of the monitoring services. The monitoring services are designed to inform the appropriate authorities of observed acts which appear suspect, illegal or likely to cause damage to persons or property found on the premises.

2. SERVICES WILL CONSIST OF THE FOLLOWING ACTIVITIES DESCRIBED BELOW:

A. **Random vehicle patrol service will be provided (24) hours per day (7) days per week consisting of a minimum of (3) patrols per day/night.**

3. THE FEE FOR SERVICES:

   A. **The fee for service will be $10.00 per patrol.**
   B. **To the best of our ability, we will try to fulfill any arranged schedule. However, should any unexpected event or circumstance occur that prevents our officers from completing the service, you will receive a credit on your bill, or service will be made up on the following shift(s).**
   C. **Custom Security will not be responsible for any property given to officers such as keys, cell phones, etc., without written and proper notification to Custom Security Management form the client.**

4. PAYMENT FOR SERVICES SHOULD BE MADE AS FOLLOWS:

   A. **Billing will be submitted by invoice and payment will be due upon receipt.**
   B. **Log sheets are not designed to be used as time sheets or billing invoices. Log sheets are informational and serve as a reference for the management company. If any copies are needed, they must be requested within (24) hours of the service date.**

5. NON-PAYMENT

Unless otherwise provided, payment for services rendered is due within (30) days of receipt of the billing of the invoice. Non-payment of any outstanding balance will result in the accounts being promptly reported to a collection attorney or agency. This contract will serve as statutory notice that a lien is claimed against the property in the amount of billing invoices accrued in performing the services under this contract. **Custom Security Guard & Patrol is entitled to collect reasonable attorney's fees to collect any past due balance.** Interest for delinquent accounts will accrue at 2% per month and compound monthly until paid.

6. TERMINATION OF SERVICES DUE TO NON-PAYMENT

Custom Security Guard & Patrol reserves the right to terminate this agreement within 24 hours if the Owner, Owner's agent or Management Company fail to pay any outstanding balance due under the terms of this agreement. The Owner, Owner's agent or Management Company must terminate this agreement in writing by providing (24) hours prior notice. In the event of termination, the property Owner(s), the Owner's agent or Management Company will remain obligated to pay for all services rendered including all costs and expenses incurred by Custom Security Guard & Patrol in collecting delinquent accounts.

7. INDEMNIFICATION

All parties to this agreement shall be responsible for purchasing and maintaining liability insurance which insures against claims arising from the operation under this Contract. The Owner, Owner's agent or management entity shall join in the indemnification and hold Custom Security Guard & Patrol harmless from and against all claims arising in favor of any person, firm, corporation or entity on account of personal injury or property damage in any way resulting from the dangerous or illegal acts committed upon the property, except those dangerous or illegal acts committed by Custom Security Guard & Patrol employees, agents administrators or management.

8. MISCELLANEOUS PROVISIONS

This agreement shall be governed and controlled by the laws of the State of Nevada. Any civil suit brought under the terms of this contract will be resolved in the State of Nevada. This agreement constitutes the entire understanding between Custom Security Guard & Patrol and the Owner, Owner's agent or Management entity. The failure of either party to exercise its right under this agreement shall not be deemed to be a waiver of such rights or a waiver of any subsequent breach.

9. TERMS

In order to cancel this contract, a (24) hour notice is required in writing by either party. The contract will continue until either party has provided a written cancellation notice.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date first above written.

1/16/2019

By: Jeffrey Sellers
Owner

Date

DocuSigned by:
Sophie Lau
1D770060BF42487

Sophie Lau

1/16/2019

By: Laus Investment
Group Representative

Date

The signature above is genuine and authorized by the property owners to bind all principals, owners, agents, assigns, and management companies to the terms of this agreement.

****Please be advised: Custom Security Guard & Patrol is not a security consulting firm.****

Re: 232 S. 6th St. - El Cid Hotel & 232 S. 7th St. - Annex

Sent: January 16, 2019 3:48 PM

From: Laus Investment Group

To: Vicki Ozuna;

CC: Carolyn G. Goodman; Jorge Cervantes; Tom Perrigo; Robert Summerfield; Brad Jerbic; lausinvetment@yahoo.com; Sophie Lau;

10 Attachments

image005.png (2 KB); image004.png (2 KB); image001.png (9 KB); image003.png (2 KB); image002.png (2 KB); image005.png (2 KB); image004.png (2 KB); image001.png (9 KB); image003.png (2 KB); image002.png (2 KB);

EXTERNAL EMAIL

Hi Vicki,

Please review the following status report on issues per Notice of Orders dated 1/7/19 and 1/10/19;

1. All palm trees around both buildings El Cid Hotel (233 S. 6th) & the Annex (232 S.7th) have been completely removed including stumps.

2. We will sign contract with the professional security service by Friday or sooner.

3. & 4. Currently we are aggressively seeking asbestos removal specialist and demo. contractor to remove all buildings to complete the whole project asap. We been advised by the demolition contractors, they will install fence before demo. & the fence may remain on site after job completed.

5. We have received the invoice # 195118HN-90209 for the amount of $21,622.70 for abatement and admin fee. Please give instruction on how to dispute this invoice.

We are totally exhausted from this ongoing repeating break-in problems caused by the vagrants. Unfortunately, with no other option but to take down all of our buildings. You have our utmost attention to resolve these stressful issues. Kindly advise at your earliest, if any grants available to assist this costly project will be greatly appreciated.

Thanks for your kind understanding & assistance in this matter.

Best regards,

Sophie Lau

On Thursday, January 10, 2019, 4:36:28 PM GMT-8, Vicki Ozuna <vozuna@LasVegasNevada.GOV> wrote:

Good Afternoon Ms. Lau,

Thank you for responding so quickly to our Notice and Order. Please be advised that due to an error I am sending you a revised Notice and Order, but there is no change in violations or any additional time.

Please make sure to respond to me no later than January 18, 2019 with your timeline for demolition so it can be reviewed and I can advise if it can be approved.

As for your request to hold off on items 2 and 3, I am not going to approve this request. You as the owner need to do everything possible to maintain your property secure and ensure the safety of surrounding properties. The hiring of Mr. Mann for item #2 is also not going to be approved. As stated in the Notice and Order you need to hire a licensed security firm to provide 24 hour security.

This property is dangerous and a hazard, and someone could be killed or seriously hurt if further action is not taken.

I am also attaching to this email a Demolition Notice and Order for 232 S. 7th st. The requirements are the same for this property, and you will need to provide to me a timeline for demolition for review and approval before January 22, 2019. Notices were mailed to you today.

Please contact me by phone or email to discuss any questions you may have.

Vicki Ozuna | Code Enforcement Section Manager

Department of Planning

Code Enforcement Division

(702) 229-4915

lasvegasnevada.gov

City of Las Vegas Code Enforcement

Your opinion is important! Click here to take a short survey.

From: Laus Investment Group <lausinvestment@yahoo.com>
Sent: Tuesday, January 08, 2019 8:15 PM
To: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Cc: Sophie Lau <lausinvestment@yahoo.com>
Subject: Re: 232 S. 6th St- El Cid Hotel

Hi Vicki and Kevin,

Thanks for your email and Notice from Dept. of Planning dated 1/7/18, we realized the urgency of this important issue, we are currently getting bids from contractors also seeking for assistance from City to complete this task asap.

We will be aggressively working on demand Item 1 from the Notice & would like to ask for your understanding to hold off Item 2 & Item 3, as we need to reserve the funds for Item 4 for building demolition which will cost astronomically.

Our property watcher, Bob has agreed to patrol properties 5 times a day and keeping records for later review.

We'd like to ask for your patience and need your understanding on board with us to accomplish this project if we need extra days.

Warm Regards

Sophie Lau

On Monday, January 7, 2019, 6:10:52 PM PST, Vicki Ozuna <vozuna@LasVegasNevada.GOV> wrote:

Ms. Lau,

On December 17, 2018 another fire occurred at your property, in which at least 20 apparently transients were observed leaving your open and accessible building during the emergency event which required city of Las Vegas Fire Department and Las Vegas Metropolitan Police responses. The City had to take immediate action due to the imminent hazard to people and property including without limitation because of the number of illegal inhabitants, dangerous conditions and state of the building, fire hazards, criminal activity, attractive nuisances, and lack of oversight by you as the owner, to hire a contractor to perform emergency action on the property.

The City has issued a Demolition Notice and Order to Comply requiring that this hazardous property be demolished.

Please advise how you are going to comply with this order.

Vicki Ozuna | Code Enforcement Section Manager

Department of Planning

Code Enforcement Division

(702) 229-4915

lasvegasnevada.gov

City of Las Vegas Code Enforcement

Your opinion is important! Click here to take a short survey.

GENERAL INFORMATION	
PARCEL NO.	139-34-611-037
OWNER AND MAILING ADDRESS	GOOD EARTH ENTERPRISES INC 785 COLUMBUS AVE SAN FRANCISCO CA 94133-2732
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	233 S 6TH ST LAS VEGAS
ASSESSOR DESCRIPTION	HAWKINS ADD PLAT BOOK 1 PAGE 40 LOT 12 BLOCK 5 & LOTS 13-16
RECORDED DOCUMENT NO.	* 19930205:00759
RECORDED DATE	Feb 5 1993
VESTING	NS

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	203
APPRAISAL YEAR	2018
FISCAL YEAR	2019-20
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2018-19	2019-20
LAND	412650	224114
IMPROVEMENTS	533056	89464
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	945706	313578
TAXABLE LAND+IMP (SUBTOTAL)	2702017	895937
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	945706	313578
TOTAL TAXABLE VALUE	2702017	895937

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.42 Acres
ORIGINAL CONST. YEAR	1973
LAST SALE PRICE MONTH/YEAR SALE TYPE	0
LAND USE	43.321 - Commercial Living Accommodations, Motels
DWELLING UNITS	130

PRIMARY RESIDENTIAL STRUCTURE

1ST FLOOR SQ. FT.	0	CASITA SQ. FT.	0	ADDN/CONV	
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	NO
3RD FLOOR SQ. FT.	0	STYLE	Hotel, Limited Service	SPA	NO
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	0	TYPE OF CONSTRUCTION	
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	0	ROOF TYPE	
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	0		
TOTAL GARAGE SQ. FT.	0				

Briana Johnson, Assessor

PARCEL OWNERSHIP HISTORY

Assessor Map | Aerial View | Comment Codes | Current Ownership | New Search

ASSESSOR DESCRIPTION
HAWKINS ADD PLAT BOOK 1 PAGE 40 LOT 12 BLOCK 5 & LOTS 13-16

CURRENT PARCEL NO.	CURRENT OWNER	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
139-34-611-037	GOOD EARTH ENTERPRISES INC		19930205:00759	2/5/1993	NS	203	.42 AC	

PARCEL NO.	PRIOR OWNER(S)	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS

Click the following link to view the parcel geneology
Parcel Tree

Note: Only documents from September 15, 1999 through present are available for viewing.

NOTE: THIS RECORD IS FOR ASSESSMENT USE ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

GENERAL INFORMATION	
PARCEL NO.	139-34-611-036
OWNER AND MAILING ADDRESS	GOOD EARTH ENTERPRISES INC 785 COLUMBUS AVE SAN FRANCISCO CA 94133-2732
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	232 S 7TH ST LAS VEGAS
ASSESSOR DESCRIPTION	HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK H HAWKINS ADD IRREG LOT 17-20 BLOCK 5
RECORDED DOCUMENT NO.	* 19930205:00759
RECORDED DATE	Feb 5 1993
VESTING	NS

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	203
APPRAISAL YEAR	2018
FISCAL YEAR	2019-20
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2018-19	2019-20
LAND	127050	170753
IMPROVEMENTS	220428	40508
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	347478	211260
TAXABLE LAND+IMP (SUBTOTAL)	992794	603600
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	347478	211260
TOTAL TAXABLE VALUE	992794	603600

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.32 Acres
ORIGINAL CONST. YEAR	1979
LAST SALE PRICE MONTH/YEAR SALE TYPE	0
LAND USE	33.100 - MFR 5+ Units Low Rise (1-3 Story). Multiple Bldg Styles (Duplex, SFR, 4-plex combinations)
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE					
1ST FLOOR SQ. FT.	0	CASITA SQ. FT.	0	ADDN/CONV	
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	YES
3RD FLOOR SQ. FT.	0	STYLE	Motel	SPA	NO
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	0	TYPE OF CONSTRUCTION	
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	0	ROOF TYPE	
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	0		
TOTAL GARAGE SQ. FT.	0				

Briana Johnson, Assessor

PARCEL OWNERSHIP HISTORY

Assessor Map | Aerial View | Comment Codes | Current Ownership | New Search

ASSESSOR DESCRIPTION
HAWKINS ADD PLAT BOOK 1 PAGE 40 BLOCK H HAWKINS ADD IRREG LOT 17-20 BLOCK 5

CURRENT PARCEL NO.	CURRENT OWNER	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
139-34-611-036	GOOD EARTH ENTERPRISES INC		19930205:00759	2/5/1993	NS	203	.32 AC	

PARCEL NO.	PRIOR OWNER(S)	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS

Click the following link to view the parcel geneology
Parcel Tree

Note: Only documents from September 15, 1999 through present are available for viewing.

NOTE: THIS RECORD IS FOR ASSESSMENT USE ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division

CC: File

Date: January 30, 2019

Re: Report of Expenses for the abatement of nuisance located at 233 S 6TH STREET - Ward 3 (Coffin)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by Emergency boardup The abatement was completed by CGI on June 21, 2017 at a cost of $18,698.00, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Emergency Boardup	$18,698.00
AMOUNT DUE:	$18,698.00
Administrative Processing Fee:	$2,804.70
Reinspection Fees (w/late fees):	$132.00
TOTAL AMOUNT DUE:	**$21,634.70**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation Issued until Pre-Abatement Inspection)	
TOTAL AMOUNT DUE:	**$21,634.70**
OWNER OF RECORD	GOOD EARTH ENTERPRISES INC
PROPERTY ABATED:	233 S 6TH STREET
ASSESSOR PARCEL:	139-34-611-037
LEGAL DESCRIPTION:	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 12 BLOCK 5

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed.
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed.
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty: Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation,
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

AGENDA SUMMARY PAGE

City Council
Meeting of: February 20, 2019

Agenda Item No.:
54

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
Discussion for possible action to approve the ratification of the City Manager's declaration of imminent hazard and invoking of NRS 332.112 Emergency Contracts to resolve an emergency due to the life-endangering imminent hazards at El Cid aka 233 South 6th Street & 232 South 7th Street - PROPERTY OWNER: GOOD EARTH ENTERPRISES INC. - Ward 3 (Coffin)

FISCAL IMPACT:
$500,000

PURPOSE/BACKGROUND:
City Manager declared this property an imminent hazard on January 31, 2019, and authorized the demolition of all dangerous structures due to the property being an attractive and public nuisance creating an imminent hazard. NRS 332.112 Emergency Contracts authorizes waiver of normal contracting procedures if an emergency is declared. The costs for the emergency demolition abatement for all parcels is not to exceed $500,000. Due to fire activity caused by homeless and transient activity inside of the structure, Code Enforcement hired a contractor to perform an emergency abatement December 17, 2018 to secure the first two floors of the property and secure the open elevator shafts. The cost of the emergency abatement was $18,698.

RECOMMENDATION:
Staff recommends approval of the request to approve declaration of imminent hazard and public nuisance to proceed with demolition of this building.

BACKUP DOCUMENTATION:
1. Case information
2. Staff Report
3. Demolition Notice and Order
4. Revised Demolition Notice and Order
5. Demo Bid Quotes
6. Submitted after Final Agenda – Documentation Not Vetted – Concern Letter
7. Submitted at Meeting – PowerPoint Presentation

Re: 615 E. Carson Fire & Additional Concerns - 123

Sent: February 25, 2019 11:54 AM

From: Laus Investment Group

To: Vicki Ozuna;

CC: Timothy Paul Elson; Brett Hagedorn;

5 Attachments

image001.png (9 KB); image002.png (2 KB); image003.png (2 KB); image004.png (2 KB); image005.png (2 KB);

Vicki,

1. There is no opening at 201 S. 6th, all windows are intact, but if you still want to have more boarding over the windows, I will have CGI take care of this issue immediately.

2. I Just had conversation with Mark from Custom Security, he apologist that they are being shorthanded today, but still trying to make some shief change to send a guard asap. However, I am switch to Pro-Tect Security for service, John should be sending you email to confirm shortly that they will be taking over the service today.

3. I was told by Brian (job forman) just now, that they been working on to put up the fencing.

I will keep you update for any changes.

Thanks,

Sophie

On Monday, February 25, 2019, 10:09:40 AM PST, Vicki Ozuna <vozuna@LasVegasNevada.GOV> wrote:

I have an officer onsite checking for the following:

I have an officer on the way to the properties to check for the following:

1) Are both of the buildings 6015 E Carson & 201 S. 6th boarded to CLV –Code Enforcement Specs and secure?

2) Is there 24 hour security onsite?

3) Is there security fencing installed?

If the answer on #1 is no, the City will be hiring a contractor to perform an emergency boarding on both of these properties.

If the answer is on #2 is no, the City will be hiring a local security company to be onsite and 24 hours a day to monitor all of your properties.

If the answer on #3 is no, the City will be hiring a fencing company to install security fencing today.

I will be sending you an update very shortly to let you know what action the city will be taking.

Vicki Ozuna | Code Enforcement Section Manager

Department of Planning

Code Enforcement Division

(702) 229-4915

lasvegasnevada.gov

City of Las Vegas Code Enforcement

Your opinion is important! Click here to take a short survey.

From: Vicki Ozuna
Sent: Saturday, February 23, 2019 4:46 PM

To: Laus Investment Group <lausinvestment@yahoo.com>
Cc: Timothy Paul Elson <timothy.elson@gmail.com>; Brett Hagedorn <bretth@cgius.net>; David Bailey (Deputy City Attorney) <debailey@LasVegasNevada.GOV>; Eric McCoy <emccoy@LasVegasNevada.GOV>; Beth Byrne <ebyrne@LasVegasNevada.GOV>; Robert Summerfield <rsummerfield@LasVegasNevada.GOV>
Subject: Re: 615 E. Carson Fire & Additional Concerns - 123

Ms. Lau,

You need to have 24 hour security on your properties immediately.

Not starting Monday morning. Not 10 inspections during the evening/early morning hours.

You need to have person onsite who works for a licensed security company 24 hours, seven days a week. Starting now.

You need to IMMEDIATELY secure your buildings to CLV standards as I have provided you the standards. Not secure on Monday.

The properties need to be fenced with security fencing immediately.

I don't think I can be any more direct with you on this situation.

So Ms. Lau, no the scenarios submitted in your previous email will not meet the requirements needed to protect your properties to remedy the present imminent hazardous situation .

Best Regards

Vicki Ozuna

Sent from my iPhone

On Feb 23, 2019, at 2:09 PM, Laus Investment Group <lausinvestment@yahoo.com> wrote:

EXTERNAL EMAIL

Hi Vicki,

Please consider my last two emails are the option proposals for approval. Meanwhile, I have requested Mark to have a security guard on site 8:00 am Monday. Thanks & have a great weekend.

Regards,

Sophie

On Saturday, February 23, 2019, 10:24:01 AM PST, Laus Investment Group <lausinvestment@yahoo.com> wrote:

Good morning Vicki,

After talking with Brett from CGI, they will put up the fence all around the properties Monday, on the second thought, do we still need the guard to watch the fence? Would it be acceptable by you in additional to the fence, we'll still keep our current security patrol service? Thanks, Sophie

On Friday, February 22, 2019, 7:49:22 PM PST, Laus Investment Group <lausinvestment@yahoo.com> wrote:

Hi Vicki,

I had a detail discussion earlier with Mark, manager of Customer Security, who is very familiar in Downtown area, he recommended to increase the patrol to 10 times a day, 2 times in the day time & 8 times between 8:00 pm to 6:00 am.(10 hours span which have the most crime activities) would be more effective instead of onsite 24 hours security, based on his experience & he provided the following reasons, in hope it meets your approval.

1. There are 8 buildings & 4 corners in the block, the guard should walk around the block instead station at same spot, when the guard is at one building or one corner, take time for him to finishes the patrol around the block, the trespasser could easily hide from the guard's vision pry into the building before the guard make his return.

2. During the patrol service, one drives the car follow the other guard while he is checking the windows & door for the secure of each building, if they see any intruder intend to get into the building, they can move faster with the car.

3. He told me there were incidents happened during their 24 hours security in the past, so there is no guarantee for our properties.

4. If does not work after one month, he suggested we can change to different approach.

Your patience & assistance to work with us to resolve this entire matter is greatly appreciated.

Regards,

Sophie

On Friday, February 22, 2019, 4:11:16 PM PST, Vicki Ozuna <vozuna@LasVegasNevada.GOV> wrote:

I want to clarify #2. You must hire a licensed security company and have onsite 24 hour security. Bob Mann does not fill this requirement.

Let me know if you have questions on this requirement.

Vicki Ozuna

Sent from my iPhone

> On Feb 22, 2019, at 12:04 PM, Vicki Ozuna <vozuna@lasvegasnevada.gov> wrote:
>
> Good morning Ms. Lau and Mr. Elson,
>
> An unfortunate event occurred last night at 615 E. Carson, one of the buildings behind the MI, and it caught fire. I am attaching the notification I received from the Fire Department on the situation.
>
> The City needs immediate action taken by you as the owner of 615 E. Carson and on the MI at 201 S 6th St. –
>
>
> 1) Both buildings need to have all openings be secure to CLV standards.
>
> 2) You need to have onsite 24 hour security to prevent any vagrants, transients or homeless from taking refuge in the buildings.
>
> 3) You need to have security fencing installed to restrict access to the properties.
>
> These properties especially 201 S. 6th St need to be protected against entrance by homeless, and transients. Mr. Elson was directed at City Council that you need to take action to address these properties, as they expect you as the owner to protect this historical building.
>
> I cannot stress the importance of you taking action on these properties enough.
>
> If you fail to take action on these properties by securing with proper boarding, having 24 hour security and fencing of these structures by Monday at 10:00 am., the City will have to take emergency action. The city may take action under LVMC 9.04.080 by securing the buildings to prevent additional hazardous conditions.
>
> Please advise as soon as possible of your intentions and actions-
>
> Vicki Ozuna | Code Enforcement Section Manager
> Department of Planning
> Code Enforcement Division
> (702) 229-4915

>
> [city seal]
> lasvegasnevada.gov
> [cid:image002.png@01D21FE5.5E028140][cid:image003.png@01D21FE5.5E028140] [cid:image004.png@01D21FE5.5E028140] [cid:image005.png@01D21FE5.5E028140]
> City of Las Vegas Code Enforcement<http://www.lasvegasnevada.gov/faces/home/building-and-safety/code-enforcement-division?>
> Your opinion is important! Click here<https://lasvegasnevada.az1.qualtrics.com/SE/?SID=SV_6tW2zzocsknLSIv> to take a short survey.

>
> This e-mail transmission, and any documents, files, or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify us by reply e-mail, by forwarding this to sender and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you.

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> <LAS VEGAS FIRE & RESCUE MEDIA RELEASE.eml>

Invoice #16277

JunkMan

Billing Address	Service Address	Send Payment To		
[illegible]	[illegible]	[illegible]	Date	[illegible]
[illegible]	[illegible]	[illegible]	Total	$20,000.00
[illegible]	[illegible]	[illegible]	Payments	[illegible]
[illegible]	[illegible]	[illegible]	Balance	$20,000.00

Charges

Item	Description	Unit Cost	Tax	Quantity	Line Total
[illegible]	[illegible]	$20,000.00		1.0	$20,000.00
				Subtotal	$20,000.00
				Tax	$0.00
				Total	$20,000.00

Notes

[illegible]

Events

[illegible]

PO# 403641

reciept # 502970

FILE COPY

615 E. Carson / 195540

DANGEROUS BUILDING
NOTICE AND ORDER TO COMPLY

March 18, 2019

LIG LAND DEVELOPMENT LLC
785 Columbus Ave.
San Francisco, CA 94133-2732

JEFFREY & SOPHIE LAU
201 South Sixth St
Las Vegas, NV 89101

RE: Case 195540
Property: 615 E. Carson Ave.
APN: 139-34-611-041

On February 21, 2019, a building fire occurred at your property located at 615 E. Carson Ave, Las Vegas, NV 89101, APN# 139-34-611-041 (hereinafter "**Property**"), which is legally described as:

Lots One (1), Two (2) , Three (3) and Four (4) in Block Five (5) of Hawkins addition to the City of Las Vegas as shown by map thereof on file in Book 1 of Plats, Page 40, in the Office of the County Recorder of Clark County, Nevada

At least 5 apparently transient people removed leaving your open and accessible building during the emergency event which required City of Las Vegas Fire Department and Las Vegas Metropolitan Police responses to rescue one person who suffered from smoke inhalation. You had failed to adequately secure the building despite prior City discussions with you. So, the City of Las Vegas (hereinafter "**City**") determined that immediate action was needed to hire a contractor to perform emergency action on the property due to imminent hazard to people and property including without limitation

because of the number of illegal inhabitants, dangerous conditions and state of the building, fire hazards, criminal activity, attractive nuisances, and lack of oversight by you as the owner.

The contractor hired by the City has already began work and is:

1. **Boarding and securing all unsecured or broken windows on the first and second floors; and**
2. **Securing all open doors on the exterior area and those on the interior common area to prevent access by possible transients.**

You will be notified of the costs for said work and provided a hearing date if you wish to dispute these costs.

In addition, as the owner of the Property, you are responsible for all violations of the Las Vegas Municipal Code on or at your Property. The City has identified, without limitation, the following public nuisance violations per LVMC §9.04.010 at the Property:

1) The building is open and accessible and its nature, location, and/or character would tend to attract and endanger the safety of any minor person;
2) The building and areas around the buildings contain refuse, waste, litter, or other material, which is unsightly or interferes with the reasonable use and enjoyment of adjacent property, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises;
3) Graffiti allowed to remain for more than twenty-four hours;
4) Building is uninhabitable per LVMC Title 16 but is being used as habitable space by apparent transients without proper utility services, and is also creating a public nuisance due to lack of sanitary services; and
5) Criminal activity on the premises (numerous calls for police service and arrests and citations issued by the Las Vegas Metropolitan Police Department).

LVMC 9.04.010 "Public Nuisance", "nuisance", or "nuisance activity" means any of the following conditions:

1) Any area, structure or object which by its nature, location, or character would tend to attract and endanger the safety or any minor person.
2) Any violation of Title 16, including violations of the codes pertaining to building, construction, housing, and fire safety adopted thereunder. . .

4) Any refuse, waste, litter or other material, regardless of its market value, which, by reason of its location or character, is unsightly or interferes with the reasonable use and enjoyment of adjacent properties, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises. Examples include, without limitation, decaying or non-decaying solid and semi-solid wastes, whether or not combustible, such as old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass, bottles, wastepaper, bedsprings, mattresses, discarded furniture and appliances, bedding and material cleaned from animal or fowl pens, automobile parts, scrap paving material, and piles of earth mixed with other waste material which may harbor insect or rodent infestations or may become a fire hazard. . .

8) Any other act or condition, other than those permitted by NRS 40.140 and 202.450, which, by reason of its nature, character or location, interferes with the reasonable use and enjoyment of adjacent properties, or which has a detrimental effect upon adjacent property values. Such nuisances include without limitation the following:

(c) Graffiti, as defined in LVMC 10.48.060, that is allowed to remain for more than twenty-four hours;

(d) Unpainted or painted buildings, walls, fences or other structures whose condition has become so deteriorated as to create a hazardous condition; threaten collapse, displacement, or other breakdown of structural integrity; permit decay, excessive cracking, peeling, chalking, dry rot, warping or termite infestation; or create a condition of blight visible from public right-of-way.

The City has identified the following Title 16 Building and Construction Code conditions, which are further public nuisance violations per LVMC 9.04.010 Public Nuisance definition 2, and which render the building on the Property a dangerous building as set forth below:

LVMC 16.16.010 Uniform Dangerous Building
Uniform Code for Abatement of Dangerous Buildings, 1994 Code -Section 302-Dangerous Building

The following are the building assessment inspection findings as applicable to the *1994 Uniform Code for the Abatement of Dangerous Buildings* Section 302 – Dangerous Building:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exist in case of fire or panic.

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become:
    i. an attractive nuisance to children;
    ii. a harbor for vagrants, criminals or immoral persons; or as to
    iii. enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

15. Whenever a building or structure, use or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.

17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence, or as specified in Chapter 9.04 of the Las Vegas Municipal Code, or as amended from time to time.

18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six

months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

19. Whenever any building or structure, or portion thereof, whether partially or completely constructed, has become so dilapidated or deteriorated in condition or appearance, or is maintained in such a condition, as to endanger the safety of the public, be injurious to the senses, obstruct the free use of property of others or have a deleterious effect on the values of neighboring properties. (Section 7 of "A Supplemental Document Amending the Uniform Code For the Abatement of Dangerous Buildings. 1994 Edition.").

LVMC 16.08.010 Uniform Dangerous Building Code
Section 403 - Repair, Vacation and Demolition

The following standards shall be followed by the building official (and by the board of appeals if an appeal is taken) in ordering the repair, vacation and demolition of any dangerous building or structure:

1. Any building declared a dangerous building under this code shall be made to comply with one of the following:

1.1 The building shall be repaired in accordance with the current building code or other current code applicable to the type of substandard conditions requiring repair; or

1.2 The building shall be demolished at the option of the building owner; or

1.3 If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.

2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb property or safety of the public or its occupants, it shall be ordered to be vacated.

3. If any building is vacated in order for repairs to be made in compliance with an order issued under this Code, a certificate of occupancy must be obtained upon completion of the repairs before reoccupancy will be permitted.

4. Whenever required permits are not taken out for repairs ordered to be made under this Code within the time specified therefor, or repair work is done without the benefit of any required permit, the building official is authorized to charge and collect, in connection with the issuance of permits, an administrative fee of one hundred dollars for each noncomplying single family dwelling unit and fifty dollars for each noncomplying dwelling unit within a multiple family dwelling.

You are hereby notified as the owner/agent of the referenced property that you are in violation of Las Vegas Municipal Code (LVMC), including without limitation Title 9 Nuisance and Title 16 Buildings and Construction. The above listed violations must be corrected and City inspection approval of all required corrective work must be obtained.

Accordingly, the following corrective work and compliance deadlines are hereby established and ordered, and should you fail to comply the City has the right to abate the public nuisances at your cost:

10 Day Violations- No later than March 29, 2019:

1. Maintain property secure at all times;
2. Remove all graffiti and maintain property free of graffiti at all times;
3. Remove all refuse and waste visible from public areas, and from those areas not visible from public areas remove all fire hazards; and
4. Maintain onsite a licensed security firm to provide 24 hour security sufficient to prevent access into all vacant substandard/dangerous buildings
5. Contact City Code Enforcement and propose and agree upon an action plan and timeframe acceptable to City for **removal of all demolition debris, refuse, and waste** from the Property.

And, under Section 203 of Chapter 16.02 of the City of Las Vegas Code (2012 Administrative Code): Section 203 Unsafe Buildings, Structures or Building Service Equipment

Buildings or structures regulated by this Code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purposes of this section, unsafe buildings. The Building Official may require any reports, tests, engineering studies or other documentation they may deem necessary to determine the adequacy of the safety of a building or structure. The requirements of the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended shall also be used to determine the adequacy of the safety of a building or structure. Any engineering, testing, studies,

reports, etc. required by the Uniform Code of the Abatement of the Dangerous Buildings or by the Building Official shall be done at no expense to the Building Department or local jurisdiction. Costs of any engineering, testing, studies, reports, etc. shall be paid by the owner or the owner's representative. Should the evaluation of such engineering, tests, studies, reports, etc. exceed the expertise of the Building Official, the Building Official may require the owner or owner's authorized representative to pay the cost of a third-party selected by the Building Official to conduct and independent review of the results.

Building service equipment regulated by such codes, which constitutes a fire, electrical, or health hazard, or an unsanitary condition, or is otherwise dangerous to human life, for the purpose of this section, is unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members, which are supported by, attached to, or a part of a building which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties will be assessed per day- Residential ($500) or Commercial ($1000)

You are hereby ordered to correct the nuisance conditions noted within the previously stated deadlines. If you do not correct the violations by the specified date and time, the City may issue a misdemeanor citation for violations for each and every date the

violations exist, with a penalty of up to Five Hundred Dollars ($500) or fine of up to six (6) months in jail or both for each violation.

If you disagree with this Notice and Order, then within ten days after service of the Notice and Order, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within ten days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. If the appeal is heard by a designee, there shall be a further right of appeal to a court of competent jurisdiction. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. **An owner or responsible party failing to appeal as provided in this section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such a nuisance by the City shall be at your cost.** Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact **Code Enforcement Section Manager, Vicki Ozuna** at (702) 229-6615 concerning your intentions about the referenced property at your earliest convenience.

Sincerely,

Kevin T. McOsker, P.E., C.B.O.
Director/Building Official
Department of Building and Safety

DEVELOPMENT
SERVICES CENTER
333 N. RANCHO DRIVE
LAS VEGAS, NV 89106
702.229.4830 | VOICE
711 | TTY

cityoflasvegas
lasvegasnevada.gov

August 8, 2019

CASE #CE-195540
Certified/Regular Mail
Return Receipt Requested

LIG LAND DEVELOPMENT L L C
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 615 E CARSON AVE

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, August 28, 2019**, at the hour of **8:30 am.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV. the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **615 E CARSON AVE – Case #CE-195540**. The Director of Planning certifies that the sum of **$23,330** was expended for a total of **$23,330**. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division

CC: File

Date: August 8, 2019

Re: Report of Expenses for the abatement of nuisance located at 615 E CARSON AVE - Ward 3 (Diaz)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by Emergency Boarding The abatement was completed by Junkman on 2/26/2019 at a cost of $20,000, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Emergency Boarding	$20,000
AMOUNT DUE:	$20,000
Administrative Processing Fee:	$3,300
Reinspection Fees (w/late fees):	$330
TOTAL AMOUNT DUE:	**$23,330**
OWNER OF RECORD	LIG LAND DEVELOPMENT L L C
PROPERTY ABATED:	615 E CARSON AVE
ASSESSOR PARCEL:	139-34-611-041
LEGAL DESCRIPTION:	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 1 BLOCK 5 & LOTS 2-4

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $160.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

August 8, 2019

CASE #CE-195118
Certified/Regular Mail
Return Receipt Requested

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 233 S 6TH ST

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, August 28, 2019,** at the hour of **8:30 am.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **233 S 6TH ST – Case #CE-195118.** The Director of Planning certifies that the sum of **$54,624.70** was expended and Civil Penalties in the sum of **$32,000** may be imposed for a total of **$54,624.70.** For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division

CC: File

Date: August 8, 2019

Re: Report of Expenses for the abatement of nuisance located at 233 S 6TH ST - Ward 3 (Diaz)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by Emergency Boarding. The abatement was completed by CGI on 12/20/2018 at a cost of $18,698, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Emergency Boarding	$18,698.00
AMOUNT DUE:	$18,698
Administrative Processing Fee:	$2,804.70
Reinspection Fees (w/late fees):	$1,122
TOTAL AMOUNT DUE:	**$54,624.70**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation Issued until Pre-Abatement Inspection)	**$32,000**
TOTAL AMOUNT DUE:	**$54,624.70**
OWNER OF RECORD	GOOD EARTH ENTERPRISES INC
PROPERTY ABATED:	233 S 6TH ST
ASSESSOR PARCEL:	139-34-611-037
LEGAL DESCRIPTION:	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 12 BLOCK 5 & LOTS 13-16

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
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(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
VICTORIA SEAMAN
OLIVIA DIAZ

SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

DEVELOPMENT
SERVICES CENTER
333 N. RANCHO DRIVE
LAS VEGAS, NV 89106
702.229.4830 | VOICE
711 | TTY

cityoflasvegas
lasvegasnevada.gov

August 8, 2019

CASE #CE-195119
Certified/Regular Mail
Return Receipt Requested

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 232 S 7TH ST

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, August 28, 2019**, at the hour of **8:30 am.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **232 S 7TH ST – Case #CE-195119**. The Director of Planning certifies that the sum of Civil Penalties in the sum of **$30,000** may be imposed for a total of **$30,000**. For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

City of Las Vegas
Department of Building & Safety
Code Enforcement Division
333 N. Rancho Dr. 2nd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 195118 **SCHEDULED DATE OF HEARING: September 25, 2019**

TIME SCHEDULED: 9:30 am

PROPERTY OWNER'S NAME: GOOD EARTH ENTERPRISES INC

ADDRESS: 233 S 6TH ST

APN #: 139-34-611-037

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $ 22,624.70
- [x] Approved lien for proposed daily civil penalties in the amount of $ 32,000
- [ ] Approved lien for reduced daily civil penalties in the amount of $

Property Owner: [x] Appeared [ ] Failed to appear after being duly notified.

City Council Designee

Date 11-11-19

Comments:

City of Las Vegas
Department of Building & Safety
Code Enforcement Division
333 N. Rancho Dr. 2nd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 195119 **SCHEDULED DATE OF HEARING: September 25, 2019**

TIME SCHEDULED: 9:30 am

PROPERTY OWNER'S NAME: GOOD EARTH ENTERPRISES INC

ADDRESS: 232 S 7TH ST

APN #: 139-34-611-036

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $ 924.00
- [x] Approved lien for proposed daily civil penalties in the amount of $ 30,000
- [ ] Approved lien for reduced daily civil penalties in the amount of $

Property Owner: [x] Appeared [ ] Failed to appear after being duly notified.

City Council Designee

11-11-19
Date

Comments:
see attached decision

City of Las Vegas
Department of Building & Safety
Code Enforcement Division
333 N. Rancho Dr. 2nd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 195540 **SCHEDULED DATE OF HEARING: September 26, 2019**

TIME SCHEDULED: 9:30 am

PROPERTY OWNER'S NAME: LIG LAND DEVELOPMENTS LLC

ADDRESS: 615 E CARSON

APN #: 139-34-611-041

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $ 23,330.00
- [ ] Approved lien for proposed daily civil penalties in the amount of $ 150.00
- [x] Approved lien for reduced daily civil penalties in the amount of $150.00

Property Owner: [x] Appeared [ ] Failed to appear after being duly notified.

City Council Designee

11-11-19
Date

Comments:
see attached decision

AMENDED DECISION CASES 195540, 195118, 19519 ABATEMENT HEARING AND LIEN APPROVAL DECISION

This Decision applies to the above-cited consolidated cases heard on September 25, 2019. The operative facts are common to all three cases and the law applicable is the same. The real properties involved are 233 S. Sixth Street and 232 S. Seventh Street owned by Good Earth Enterprises, Inc. and 615 East Carson Street (the Annex to El Cid) owned by LIG Land Development, LLC.

Present at the hearing for the City of Las Vegas were Vicki Ozuna, Code Enforcement Manager and Emily Wetstein, Assistant to Ms. Ozuna. Present for the putative property owners were Sophie Lau, and Robert Mann employee and representative for the owners. Counsel for the owners present were Leo Flangas, Esq. and Benjamin Luzerne, Esq.

The hearing was recorded. Documents were submitted in evidence by both sides and are incorporated herein by reference in a binder marked Binder A.

In order for any person or entity to appear and contest an abatement and lien at the City of Las Vegas they must have standing and ownership of the property subject to abatement proceedings. In these hearings I have found that Good Earth Enterprises, Inc. had it's foreign corporation status permanently revoked in 1984. I have found LIG Land Developments LLC has never had a registration in the State of Nevada. There is currently no evidence either of these entities exist anywhere. I also find both of these entities if they exist at all have conducted business in the State of Nevada which is beyond the mere ownership of property. They have at a minimum employed Mr. Mann to oversee the properties in which he was a resident and maintained it as an office for the entities and retained Nevada contractors to perform work on both properties. The entities, if they exist at all, have by admission spent thousands of dollars doing business of maintaining and operating the properties in this state.

Until such time as both entities prove their existence, and comply with the registration requirements, they and their putative representative, Sophie Lau will not be allowed to appear in these proceedings as a representative.

Notwithstanding the above-cited determination, I find the opposition presented against the imposition of full amount sought by the City against all three properties to be insufficient.

The properties were formerly used as a hotel called the El Cid Hotel until 2006 after which time the use was discontinued. The parties do not dispute since closing 233 South Sixth and was subject to seven cases of nuisance with the City for being open and accessible and 232 S. Seventh Street was subject to 13 cases for open and accessible. They became magnets for the homeless to break and enter causing

damages to the properties subjecting them to crime and fire issues. They collectively became a blight and danger to the community requiring intervention by police and fire departments. The Case Notes of the City amply document the problems with each of the properties showing all of the actionable nuisance issues and the owner's lack of adequate responses. Ultimately, as reflected in the records, there was a serious fire at the El Cid December 17, 2018. This precipitated emergency action by the City to declare all three properties as an imminent hazard. This relieved the City of requiring formal notice and order prior to abatement under LVMC 9.04.080 (D). The records and testimony confirm all of the properties were an imminent hazard which was confirmed by the City Manager and the Fire Department. This was later affirmed by the City Council March 20, 2019. At that point the penalties ceased accruing.

After the emergency board up in December 2018 Notice and Order were posted and sent for 233 S. Sixth Street on starting with posting on January 10, 2019. This posting was received and seen by the owner's representative on that date and Ms. Lau knew of the notice and order by January 10, 2019. Notice and Order for 232 S. Seventh was posted at the same time and also mailed to the owner. The Notice and Order for 615 E. Carson was not issued until March 21, 2019. As a result of the delivery of this notice after the declaration of imminent hazard March 20 , 2019 the penalty of $150 will not be allowed but all of the costs will be allowed. Ms. Lau acknowledged she actually received the notice through Mr. Mann. These Notices and Orders are the predicate for the penalties imposed on these properties as set forth in the City request for imposition of costs and penalties in the evidence. Copies of the Notices and Orders are included in the Binder A as supplemented by the City after the hearing. The owner was offered a continuance to review this record but was declined.

After the Notices and Orders were posted the City incurred costs for abatement which were $23,330 for 615 E. Carson; $22,624.70 for 233 S. Sixth Street; and $924.00 for 232S. Seventh Street.

On February 20, 2019 City Counsel declared an imminent hazard for 233 S. Sixth and 232 S. Seventh Streets. This is the date when the daily civil penalties ceased accruing.

I find that the costs incurred by the City of Las Vegas were all reasonable under the circumstances and proper procedures were followed and notices were sent as required.. The owners have argued the costs for plywood for the board up of the El Cid Hotel. This was an emergency board up. I do not find them unreasonable under the circumstances where the board up was to prevent homeless from entering the property again and cause further fires pending declaration of imminent hazard. The emergency board up was after there were several fires at the El Cid Hotel during which time the owners were ineffective of preventing homeless person intrusions at the coldest time of year.

The City will be granted the relief it requested in full except for the penalty on 615 E. Carson.

JOHN W. BOYER, City Council designee

Code Enforcement Agenda Item Information Sheet

Ward 3 (Olivia Diaz)

Case # CE-195118

Address: 233 S 6TH ST

Description:

Major Cross Street: 6th & Bridger

Zip Code: 89101

Foreclosure: N

Registration Status:
Meets Registration Status: N
Property Registrered: Claimed
Lender Notified: N

Property Owner: GOOD EARTH ENTERPRISES INC

Since: 2/5/1993

Case Opened: 12/4/2018

Notice & Order Issued: 1/8/2019

Case Closed:

Certified Mail Receipt Sent to: GOOD EARTH ENTERPRISES INC, 785 COLUMBUS AVE SAN FRANCISCO, CA 94133-2732 SOPHIE LAU 201 S. 6TH ST LAS VEGAS NV 89101

# of Inspections Completed: TOTAL (52), Fail (7), PartPassed (45)

Abatement Started: 12/20/2018

Abatement Completed: 12/20/2018

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ADMINISTRATIVE	$2,804.70	$0.00	$2,804.70
NUISANCE ABATEMENT FEE	$18,698.00	$0.00	$18,698.00
INSPECTION COST RECOVERY FEE	$1,020.00	$0.00	$1,020.00
LATE FEES	$102.00	$0.00	$102.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$22,624.70	$0.00	$22,624.70
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$32,000.00	$0.00	$32,000.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$54,624.70

Property Value Per Zillow.com:

As of: 8/8/2019

Staff Recommendation:
THAT THE CITY COUNCIL/HEARING OFFICER APPROVE THE EXPENSE REPORT AND ASSESS ALL OUT-OF-POCKET EXPENSES AND CIVIL PENALTIES AS A LIEN AGAINST THE PROPERTY

AGENDA SUMMARY PAGE

CODE ENFORCEMENT HEARING: August 28, 2019

DEPARTMENT: PLANNING
DIRECTOR: ROBERT SUMMERFIELD ☐ ☐

SUBJECT:
Hearing for possible action to consider the report of expenses to recover costs for abatement of nuisance located at 233 S 6TH ST for fees in the amount of $54,624.70 (General Fund) and assess a maximum of $32,000 in daily civil penalties for a total of $54,624.70 - PROPERTY OWNER: GOOD EARTH ENTERPRISES INC - Ward 3 (Diaz)

Fiscal Impact

☐	No Impact	**Amount:** $54,624.70
X	Budget Funds Available	**Dept./Division:** Planning/Code Enforcement
☐	Augmentation Required	**Funding Source:** General Fund

PURPOSE/BACKGROUND:
The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired CGI to Emergency Boarding. To date, there have been 52 inspections conducted at this location.

RECOMMENDATION:
Approve the report of expenses to include $18,698 for CGI, $2,804.70 administrative fee, and $1,122 in reinspection fees (including late fees), for a total of $54,624.70 to be recorded immediately, and assess a maximum of $32,000 in daily civil penalties to be recorded on or after January 19, 2020.

BACKUP DOCUMENTATION:
1. Case Information

I have reviewed this agenda item and its backup documentation.
It is approved for the City Council meeting agenda listed above.

Approver's Signature: _____ **Date:** _____

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

MICHELE FIORE
Mayor Pro-Tem

STAVROS S. ANTHONY
CEDRIC CREAR
BRIAN KNUDSEN
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SCOTT D. ADAMS
City Manager

DEPARTMENT OF PLANNING
ROBERT SUMMERFIELD
DIRECTOR

DEVELOPMENT
SERVICES CENTER
333 N. RANCHO DRIVE
LAS VEGAS NV 89106
702.229.4830 | VOICE
711 | TTY

cityoflasvegas
lasvegasnevada.gov

August 8, 2019

CASE #CE-195118
Certified/Regular Mail
Return Receipt Requested

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO CA 94133-2732

RE: 233 S 6TH ST

Dear Property Owner:

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If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

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Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Vicki R. Ozuna, Code Enforcement Section Manager – Code Enforcement Division

CC: File

Date: August 8, 2019

Re: Report of Expenses for the abatement of nuisance located at 233 S 6TH ST - Ward 3 (Diaz)

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Contract Amount Breakdown:	
Emergency Boarding	$18,698.00
AMOUNT DUE:	$18,698
Administrative Processing Fee:	$2,804.70
Reinspection Fees (w/late fees):	$1,122
TOTAL AMOUNT DUE:	$54,624.70
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	$32,000
TOTAL AMOUNT DUE:	$54,624.70
OWNER OF RECORD	GOOD EARTH ENTERPRISES INC
PROPERTY ABATED:	233 S 6TH ST
ASSESSOR PARCEL:	139-34-611-037
LEGAL DESCRIPTION:	HAWKINS ADD
	PLAT BOOK 1 PAGE 40
	LOT 12 BLOCK 5 & LOTS 13-16

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

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Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

APN 139-34-611-037

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **GOOD EARTH ENTERPRISES INC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.:	**139-34-611-037**
Commonly known as:	**233 S 6TH ST**
Legal Description:	**HAWKINS ADD** **PLAT BOOK 1 PAGE 40** **LOT 12 BLOCK 5** **& LOTS 13-16**

On **12/20/2018** as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$54,624.70** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or .100 thereof, civil liability/penalties in the amount of **$32,000** were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections. The City Council Designee, at a duly noticed hearing held on **September 25, 2019** ordered the above Actual Cost in the amount of **$54,624.70**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council Designee ordered the above civil penalties in the amount of **$32,000** be assessed against the property by recording a Lien of Assessment on or after **January 19, 2020**.

_____
Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

_____
Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this ____ day of _____, 2019

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195118

APN 139-34-611-037

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **GOOD EARTH ENTERPRISES INC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.:	**139-34-611-037**
Commonly known as:	**233 S 6TH ST**
Legal Description:	**HAWKINS ADD** **PLAT BOOK 1 PAGE 40** **LOT 12 BLOCK 5** **& LOTS 13-16**

On **12/20/2018** as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to las Vegas Municipal Code, including without limitation Sections 9.04.040 and/or .100 thereof, civil liability/penalties in the amount of **$32,000** were approved against the property for causing or maintaining a public nuisance as defined by 9.04.010 and/or other Municipal Code sections.

The City Council Designee, at a duly noticed hearing held on **September 25, 2019** ordered the above charges in the amount of $32,000, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

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Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this ____ day of _____, 2019

_____
NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #CE-195118

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case #: CE-195118

233 S 6th St - Map # 02425-56 Parcel 13934611037

Owner Information:

GOOD EARTH ENTERPRISES INC
785 COLUMBUS AVE
SAN FRANCISCO, CA 94133-2732

Zoning Information: C-2 (General Commerical)

Case Comments: EL CID HOTEL Per Metro open accessable Refuse upkeep issues 232 7th 195119 233 6th 195118

Case Assigned To: GERALD TOCI (44) **Follow Up Inspection Date:** 8/12/2019

Date Case Opened: 12/4/2018 **Ward:** 3 **Source:** MTRO

Date Case Resolved: **Disposition:** Abate

Property Info / Status: **Vacant:** N **Foreclosure:** N **Secure:** N

Violations:

AB-006 16.08.010 UDB SEC 403 12/5/2018

Location: BUILDING

Comments: Building must be secured to the City of Las Vegas specifications and properly maintained at all times. All doors and windows on 1st and 2nd floors must be boarded. All windows above 2nd floor are to be replaced or boarded.

AB-008S HC-SEC 1001.8 FAULTY WEATHER 12/5/2018

Location: BUILDING, WINDOWS

Comments: Remove all glass shards along frames of all broken and boarded windows. Maintain at all times.

AH-001 9.04.010 IMMINENT HAZARD 12/17/2018

Location: Building

Comments: Secure all elevator shafts, they pose an imminent hazard to anyone including fire and police who are entering the building without electricity and a limited ability to see inside the structure.

AN-001 9.04.010 (2) BUILDING VIOL 12/5/2018

Location: BUILDING, PROPERTY

Comments: This property is in violations of Title 16 of the Las Vegas Municipal Code.

AN-005 9.04.010 (8) GENERAL NUISANCE 12/5/2018

Location: BUILDING, PROPERTY

Comments: This property is in violation of Title 9 of the Las Vegas Municipal Code. Building not being maintained, homeless gaining entry. Remove palm trees adjacent to windows allowing access by homeless to building.

AN-006 9.04.010(8)(A) HIGH VEGETATION 12/5/2018

Location: LANDSCAPING

Comments: Remove all high grass or weeds over 8" inches from all visible areas of property and maintain.

AN-007 9.04.010(8)(B) DEAD VEGETATION 12/5/2018

Location: LANDSCAPING

Comments: Remove all dead trees and bushes from all areas of the property. All dead landscape to be removed.

City of Las Vegas
Department of Planning
Code Enforcement Case Report

AN-008	9.04.010 (8)(C) GRAFFITI	12/5/2018
Location:	PROPERTY	
Comments:	Remove all graffiti from property and maintain free of graffiti at all times.	
AN-009	9.04.010 (8)(D) DILAPIDATED	12/5/2018
Location:	BUILDING, PROPERTY	
Comments:	(1) Repair damaged hotel sign or remove. (2) Repair damage to building facia (west side).	

Chronology of Events:

December 6, 2018	**Research**
	25) 3-year research on fire calls to address shows (1) outside fire (F15L) ON 11/28/17 1:58; AND (2) building fire (F3H) ON 11/17/18 @ 13:13
December 6, 2018	**Insp# : 655704 (Fail)**
	25] EL CID -HOTEL- Per Metro open and accessable. Refuse and upkeep issues.(232 S 7th/195119 & 233 S 6th 195118). Inspected today. found multiple windows broken or open on all levels of both buildings. The boarding was done poorly and insuffcentl to keep out homeless. Signs homeless have made entry. Refuse and trash in the small landscape areas that surround the Hotel and the Annex. Burnt palm trees on south side of Annex building. Police report palm trees are allowing access to open or broken windows on higer floors. Homeless climbing tree to get in. Trees to be removed and all openings to be boarded or windows replaced. Best plan of action is to have all windows on 1st and 2nd floor regardless of condition baorded and all windows higher replaced or boarded after trees removed. Graffiti here and there on both buildings. Homeless hanging about on steps area with overhang on east side of Annex. This area should be chain-linked fence in to prevent homeless from camping in overhang area. Met owner's local rep Robert Mann 415-299-0517. He was boarding bongalos to the north also owned by same owner. I explained upcoming N&O and status of property.
December 10, 2018	**Bid Preperation**
	Bid Preparation - awaiting fax receipt & email
December 10, 2018	**Bid Request Sent**
	RFQ sent to contractors due 12-17-2018 by 5:00 pm
December 10, 2018	**Officer Note**
	25] Fire on 12/8 per Fire Dept with injuries.
December 10, 2018	**Notice & Order Processing**
	25] file to EW. NO 10 DAY/ Winter case bid cost to be sent in letter
December 10, 2018	**Phone Call**
	25] Spoke to Dave B City Atty. Obtaining a search warrant to evaluate interior and homeless occupancy.,
December 10, 2018	**Review**
	25] Bid Request Sheet to GF/ No 10 DAY to be accomplished due to homeless activity and recent fire
December 17, 2018	**Insp# : 655961 (PartPassed)**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:

	40- Myself, 25 and 19 responded to the property at the request of the fire dept and metro as another fire had occured. Several fire engines responded and Metro had several blocks of the area closed. The fire appeared to have occured on an upper floor on the south side of the building. There were several open access points on the first floor and higher floors on the east, west, north and south sides of the building. Graffiti and debris were visible throughout the entire property. Fire and Metro have deemed the property is an imminent hazard and are requiring the property be boarded immediately. Fire has deemed the elevator shafts as an imminent hazard, the fire fighters cannot see the shafts when they enter the property to fight a fire. Fire requested the shafts be boarded also to prevent a fire fighter from falling down a shaft. Violations have been updated. 25 has contact CGI to board and secure today. Reinspect December 18th.
December 17, 2018	**Insp# : 656401 (PartPassed)**
	34) Per 25, went to property. Another fire happened today. City contractor at property. Man named Bob also at property & identified himself as property manager. Building open/accessible on east side from alley. Placed red tag on east, west & south side of building. Photos.
December 19, 2018	**Insp# : 656446 (PartPassed)**
	44- Observed building being boarded by CGI for 1st and 2nd floor, partial pass will follow up 12-24-18.
December 19, 2018	**Insp# : 656607 (PartPassed)**
	34) Met with City contractor at property. 2 east openings facing alley not boarded yet. Called Deputy Marshals & waited for them to arrive. Contractor stated they believe homeless persons are still inside building. We didn't enter building due to documented high levels of asbestos. Patrol Sergeant Derek Major arrived. Marshals have protective gear & are willing to help clear building before openings are boarded. Not able to to do this today but can tomorrow. Code officer will meet with Marshals & contractor at property tomorrow morning at 8:00.
December 20, 2018	**Insepctin-Asst Addn'L Officer**
	34) Assisted 44 with meeting contractor for board up.
December 20, 2018	**Insp# : 656633 (PartPassed)**
	44/34- Inspection (board up) of El Cid from approx. 0800-1135 hours. Met onsite with CGI contactor, City Marshals, and Metro Police. Marshals entered the building wearing asbestos protection (suits and masks) and cleared out each floor of the building and Metro assisted at the exterior rear alley with persons who exited building. A total of approximately 15 persons exited the building during the time of the inspection. Marshals determined the building cleared and along with Metro they departed the area. CGI boarded remaining rear exits and after they secured the first 8ft high plywood boards myself and 34 departed the area per 38. Photos taken, attached in EB.
December 26, 2018	**Correspondence Email**