

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

Electronically Filed
JUL 20 2021 05:27 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
COURT Case No. A-19-800797-W)

APPELLANTS' APPENDIX VOLUME VII

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

<u>Document</u>	<u>Pages</u>
Petitioners' Table of Exhibits and Exhibits to Opening Brief	0480-0551

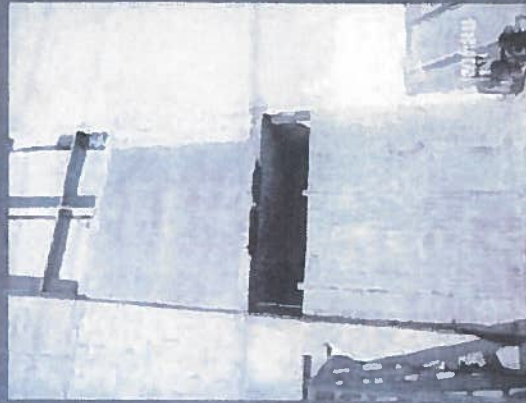
233 S 6th Street

Case 195118

PRE - ABATEMENT



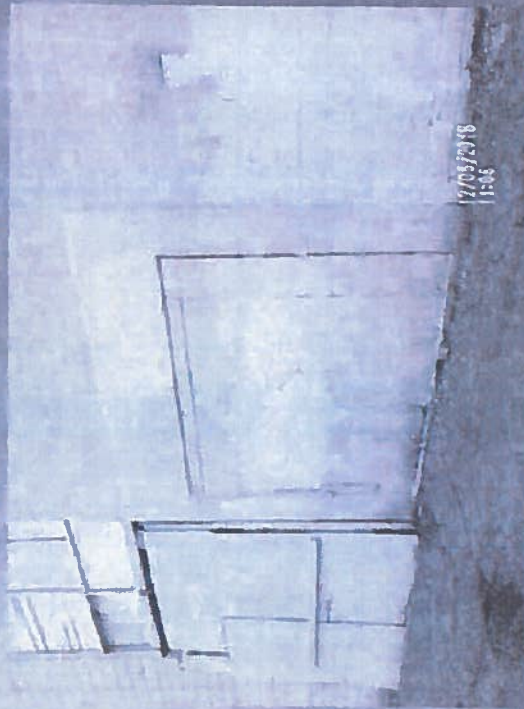
POST ABATEMENT



233 S 6th Street

Case 195118

PRE - ABATEMENT



POST ABATEMENT

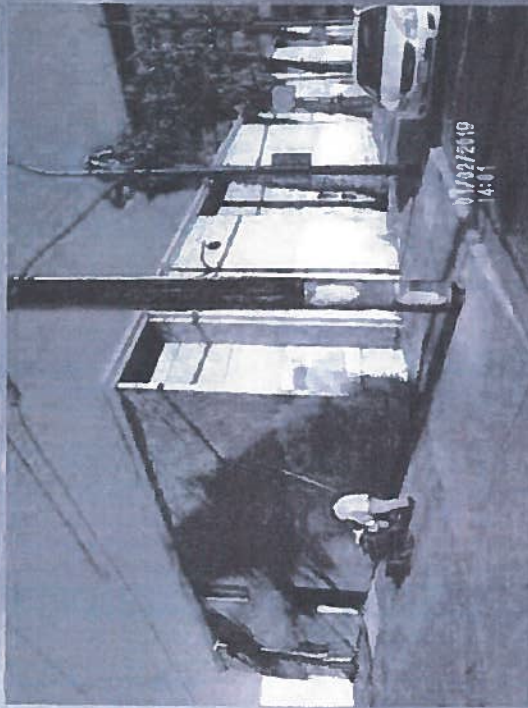


233 S 7th St

Case 195119

PRE-ABATEMENT

POST ABATEMENT



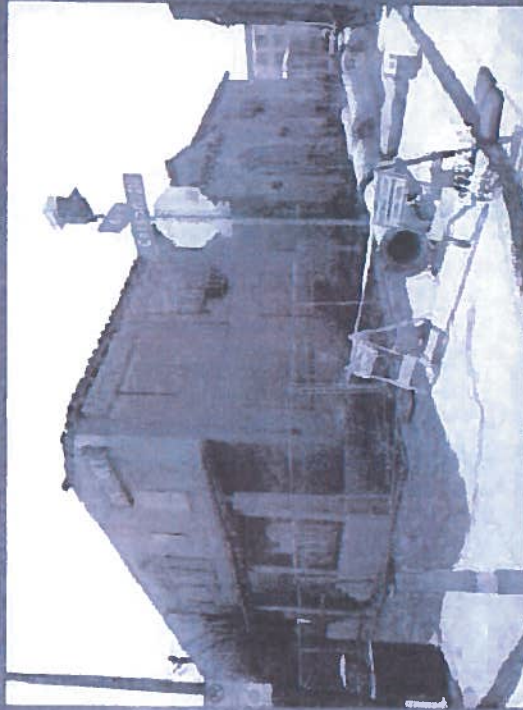
El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



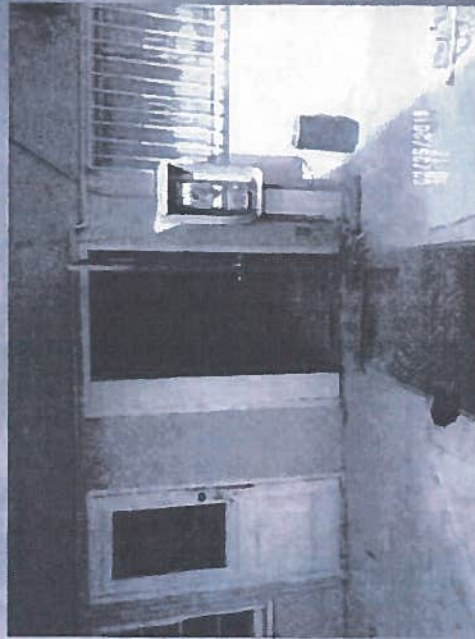
POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE-ABATEMENT



POST ABATEMENT



El Cid/Annex/MI Hotel

Case 195540 for 615 E Carson Ave

PRE- ABATEMENT



POST ABATEMENT



From: [Emily Wetzstein](#)
To: [Ben La Luzerne](#)
Cc: [Vicki Ozuna](#)
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al
Date: Wednesday, September 18, 2019 4:59:06 PM
Attachments: [Agenda Summary Page Emergency Declaration.pdf](#)
[Case Information Emergency Declaration.pdf](#)
[CE-195118 CGI Invoice .pdf](#)
[CE-195119 Demolition Notice and Order.pdf](#)
[CE-195119 Revised Demo Notice and Order.pdf](#)

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:58 PM
To: 'ben@flangaslawfirm.com' <ben@flangaslawfirm.com>
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:55 PM
To: ben@flangaslawfirm.com
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Sent: Wednesday, September 18, 2019 4:10 PM
To: Emily Wetzstein <ewetzstein@LasVegasNevada.GOV>
Subject: Fwd: Code Enforcement Hearing - Sophie Lau, et al

Please send them invoices and all back up to hearing next week.

Thanks

Sent from my iPhone

Begin forwarded message:

From: Ben La Luzerne <ben@flangaslawfirm.com>
Date: September 17, 2019 at 3:13:05 PM PDT
To: "vozuna@LasVegasNevada.GOV" <vozuna@LasVegasNevada.GOV>
Subject: Code Enforcement Hearing - Sophie Lau, et al

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.

Hi Vicki,

Thank you for taking the time to speak with us today. Please see the attached letter as a followup to our call. Additionally, if you have any other questions or concerns, please feel free to contact either Leo or me.

Ben La Luzerne
cell: 702-268-5708
office: 702-384-1990



AGENDA SUMMARY PAGE
City Council
Meeting of: February 20, 2019

Agenda Item No.:
54

DEPARTMENT: Planning
DIRECTOR: Robert Summerfield

DISCUSSION

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

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
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Click the following link to view the parcel genealogy

[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
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Click the following link to view the parcel genealogy

[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 9.04.040 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.

INVOICE

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

Emergency Board Up of former 4-Story Motel, Burned

Receipt #496381
PO #401691



DEPARTMENT OF PLANNING

NOTICE AND ORDER

DEMOLITION NOTICE AND ORDER TO COMPLY

January 10, 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;

LAS VEGAS CITY COUNCIL

MAYOR CAROLYN G. GOODMAN

MAYOR PRO TEM LOIS TARKANIAN | STAVROS S. ANTHONY | BOB COFFIN
STEVEN G. SEROKA | MICHELE FIORE | CEDRIC CREAR

CITY MANAGER SCOTT ADAMS

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

- 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 of 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 placed 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 an 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,

A handwritten signature in blue ink, appearing to read 'Kevin T. McOsker', with a stylized flourish extending to the right.

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

cc:



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.

LAS VEGAS CITY COUNCIL

MAYOR CAROLYN G. GOODMAN
MAYOR PRO TEM LOIS TARKANIAN | STAVROS S. ANTHONY | BOB COFFIN
STEVEN G. SEROKA | MICHELE FIORE | CEDRIC CREAR
CITY MANAGER SCOTT ADAMS

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 the 2018 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 placed 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 code that was in effect 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 placed 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,

A handwritten signature in black ink, appearing to read 'K. McOsler', with several horizontal strokes extending to the right.

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

From: [Emily Wetzstein](#)
To: [Ben La Luzerne](#)
Cc: [Vicki Ozuna](#)
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al
Date: Wednesday, September 18, 2019 4:59:56 PM
Attachments: [Staff Report Emergency Declaration.pdf](#)
[Submitted after Final Agenda Concern Letter.pdf](#)

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:58 PM
To: 'ben@flangaslawfirm.com' <ben@flangaslawfirm.com>
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:58 PM
To: 'ben@flangaslawfirm.com' <ben@flangaslawfirm.com>
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:55 PM
To: ben@flangaslawfirm.com
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Sent: Wednesday, September 18, 2019 4:10 PM
To: Emily Wetzstein <ewetzstein@LasVegasNevada.GOV>
Subject: Fwd: Code Enforcement Hearing - Sophie Lau, et al

Please send them invoices and all back up to hearing next week.

Thanks

Sent from my iPhone

Begin forwarded message:

From: Ben La Luzerne <ben@flangaslawfirm.com>

Date: September 17, 2019 at 3:13:05 PM PDT
To: "vozuna@LasVegasNevada.GOV" <vozuna@LasVegasNevada.GOV>
Subject: Code Enforcement Hearing - Sophie Lau, et al

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.

Hi Vicki,

Thank you for taking the time to speak with us today. Please see the attached letter as a followup to our call. Additionally, if you have any other questions or concerns, please feel free to contact either Leo or me.

Ben La Luzerne
cell: 702-268-5708
office: 702-384-1990

****STAFF REPORT****

CASE SUMMARY AND DOCUMENTATION

Property Owner- Good Earth Enterprises Inc.
Jeffrey & Sophia Lau

Current Status El Cid Hotel and the Annex:

Fire activity occurred on 12/8/2018 on 232 S. 7th St. inside of the Annex building. Metro and Fire responded and found that transients/vagrants had barricaded themselves with furniture in the rear of the building. The transients refused to exit the building despite the fire, putting police and fire personnel's lives in jeopardy. The incident ended without harm to life. Fire had a contractor temporarily secure the building.

Fire activity at 233 S. 6th St. occurred on 12/17/2018, was caused by homeless and transient activity inside of this 4 story abandoned hotel. Code Enforcement hired a contractor to perform an emergency abatement to secure the first two floors of the property and secure the open elevator shafts that are a danger to first responders. When the fire occurred, Metropolitan Police (DTAC) responded along with CLV Fire Department to address this emergency. Approximately 40-50 people exited the building who have been illegally residing in the abandoned, vacant building. The cost of the emergency abatement was \$18,698.

Code Enforcement History for 233 S. 6th St. :

7 Cases for Open and Accessible Vacant Building Since 2006

Code Enforcement History for 232 S. 7th St. aka El Cid Hotel Annex:

13 Cases for Open and Accessible Vacant Building Since 2006

Current Case # 195118 & 195119:

- These properties have been a continual public and attractive nuisance state since October 2018.
- The Las Vegas Metropolitan Police Department (LVMPD) has had 46 calls for service to the property from October 2018 through December 2018.
- The Las Vegas Fire Department has calls for service the property for fires.
 - El Cid Hotel- 11/17/2018 & 12/17/2018. This building is full of combustibles, refuse, waste.
 - Annex- 2/17/2018 & 12/8/2018. This building is full of combustibles, refuse, waste.
- Las Vegas Code Enforcement opened a case on this property on 12/17/2018 as a result of the fire. Code Enforcement had the emergency securing of the property completed by contractor. The owner was notified that Code Enforcement was taking action as their previous action did not prevent people from utilizing this dangerous structure to occupy. Code Enforcement has history with this owner for these properties, and every case has involved transient activity since 2006.
- The owners, Good Earth Enterprises Inc, aka Jeffrey and Sophia Lau, have not been responsive to previous Code Enforcement action and have a history of just taking the minimum amount of action to secure the property, but not to CLV standards. .

- The Code Enforcement staff and the LVMPD are continually receiving complaints from the neighboring businesses about the property. Children walk past this property daily on their way to and from school, there is a public school across the street from this property. The properties is a nuisance, danger and blight to the neighborhood.

Timeline:

- 11/17/2018- Fire Occurred at 233 S. 6th St El Cid Hotel.
- 11/28/2018-Metropolitan Police and Code Enforcement met to discuss amount of calls for service on El Cid Hotel and Annex with City Attorney David Bailey. It was determined that a search warrant would be obtained to inspect all buildings.
- 12/8/2018- Fire occurred at 232 S. 7th St. – Annex- Fire Department had a contractor temporarily board and secure the property.
- 12/17/2018- Fire occurred again at 233 S. 6th St. El Cid Hotel
- 12/17/2018 Emergency Board up of first two floors and all accessible windows from trees, with boarding of open elevator shaft approved. Contractor advised to proceed.
- 12/19/2018- Fire occurred in the area of the two buildings.
- 12/20/2018- Judge signs search warrant request for all of the properties owned by Sophia Lau, Jeffrey Lau, and Good Earth Enterprises, Inc.
- 12/26/2018- Search of all buildings completed with Metro, Fire and Code Enforcement.
- 1/7/2019 – Notice and Order issued for 233 S. 6th St El Cid Hotel. Compliance Date- 1/18/2019
- 1/10/2019 – Notice and Order issued for 232 S. 7th St. – Annex- Compliance Date- 1/22/2019
- 1/16/2019- Fire received call for ladder request as transient climbed on top of sign on the hotel and was unable to climb down.
- 1/16/2019- Ms. Lau advised by email that all trees on both properties had been removed, and she hired a professional security service. Code Enforcement responded that she still needed to provide a timeline on her plan to hire a contractor for demolition and asbestos abatement, with estimated timeline for completion.
- 1/17/2019- Code Enforcement provide pictures from Fire from activity that occurred recently showing how transients are getting into the building using the sign on the front of the building.
- 1/24/2019- Ms. Lau notified by email that her timeframe to provide a plan and timeframe to demolition the properties had expired. Advised by Code Enforcement that we would proceed with bids for demolition.
- 1/29/2019- Code Enforcement advised that Ms. Lau has hired a local attorney to represent her on matters regarding El Cid Hotel and Annex.

Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 3

RECOMMENDATION

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

POSSIBLE ACTIONS:

1. Allow owner to proceed with their timeline to abate hazard and public nuisance by demolition of these properties.
2. Direct Code Enforcement to proceed with demolishing the building and lien the property for all costs.

ATTACHMENTS

A. Pictures

12/17/2018 Event- Internal Court Yard



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 4



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 5



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 6



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 7

1/17/2019



From: Michelle Larime <Michelle@nevadapreservation.org>
Sent: Tuesday, February 19, 2019 4:47 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Steven Seroka <sseroka@LasVegasNevada.GOV>; Stavros Anthony <santhony@LasVegasNevada.GOV>; Cedric Crear <ccrear@LasVegasNevada.GOV>; Councilwoman Michele Fiore <Councilwoman-mfiore@LasVegasNevada.GOV>; ltarkanian@lasvegasnevada.gov
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>; Joseph Volmar <jvolmar@LasVegasNevada.GOV>; Kelly Woods <kwoods@LasVegasNevada.GOV>; Harry Williams <hwilliams@LasVegasNevada.GOV>; Tanya Jackson-Renter <tjackson@LasVegasNevada.GOV>; Daniel Burdish <dburdish@LasVegasNevada.GOV>
Subject: Council Agenda Item 54 - El Cid

EXTERNAL EMAIL

Dear Madam Mayor and Councilpersons,

I've just become aware of the emergency situation with the El Cid and the discussion occurring at tomorrow's council meeting. It's my understanding that the discussion is to decide whether or not to approve the city's decision and bid to move forward with the demolition of the property.

I'd like to put my comments on the record and express our concern over this decision. The El Cid is an extremely well-preserved example of late mid-century hotel architecture. We understand that the property is in dire need of responsible ownership, but we believe there are alternative paths forward. We are asking that the city **explore all options** before moving forward with demolition of the building.

One such path might be for the city to assume ownership of the property, securing the property and cleaning it up, and seeking a partner or buyer to redevelop the building as is. While we understand this path will take a bit longer, the building itself is ripe for redevelopment and would be a valuable asset for the city in guiding redevelopment of this area. There are many successful motel redevelopment projects nationwide that have seen these properties be reused for mixed use, affordable and/or market rate housing. New construction will likely lead to higher construction costs, contributing to further gentrification of the area.

We're asking that the city present for council consideration all the options at hand before moving forward with the demolition of this historic resource.

Thank you for your time,

Michelle Larime
Director of Neighborhood Stabilization | Deputy Director

Nevada Preservation Foundation
Located in the Historic Westside School
330 W. Washington Ave, Suite 106 Las Vegas, Nv 89106
855.968.3973 x702
www.nevadapreservation.org

Submitted after final agenda
Item 54

From: [Emily Wetzstein](#)
To: [Ben La Luzerne](#)
Cc: [Vicki Ozuna](#)
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al
Date: Wednesday, September 18, 2019 5:00:25 PM
Attachments: [CE-195540 Junkman Invoice.pdf](#)
[Discussion for possible action to approve the ratification of the City Manager 20190918233552285.pdf](#)
[Payoff Demand 232 S 7th St 9.18.19.pdf](#)
[Payoff Demand 233 S 6th 9.18.19.pdf](#)
[Payoff Demand 615 E Carson 9.18.19.pdf](#)

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:58 PM
To: 'ben@flangaslawfirm.com' <ben@flangaslawfirm.com>
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Emily Wetzstein
Sent: Wednesday, September 18, 2019 4:55 PM
To: ben@flangaslawfirm.com
Cc: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: RE: Code Enforcement Hearing - Sophie Lau, et al

From: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Sent: Wednesday, September 18, 2019 4:10 PM
To: Emily Wetzstein <ewetzstein@LasVegasNevada.GOV>
Subject: Fwd: Code Enforcement Hearing - Sophie Lau, et al

Please send them invoices and all back up to hearing next week.

Thanks

Sent from my iPhone

Begin forwarded message:

From: Ben La Luzerne <ben@flangaslawfirm.com>
Date: September 17, 2019 at 3:13:05 PM PDT
To: "vozuna@LasVegasNevada.GOV" <vozuna@LasVegasNevada.GOV>
Subject: Code Enforcement Hearing - Sophie Lau, et al

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.

Hi Vicki,

Thank you for taking the time to speak with us today. Please see the attached letter as a followup to our call. Additionally, if you have any other questions or concerns, please feel free to contact either Leo or me.

Ben La Luzerne
cell: 702-268-5708
office: 702-384-1990

Invoice #16277



Billing Address

11111 1st St
 Carson, NV 89001
 702-557-5865

Service Address

11111 1st St
 Carson, NV 89001
 702-557-5865

Send Payment To

JunkMan LLC
 710 E. Lake Mead Pkwy
 Henderson NV 89015 United
 States
 702-557-5865
 10515 Wagonwheel Dr

Date 02/28/19
 Total \$20,000.00
 Payments \$0.00
 Balance \$20,000.00

Charges

Item	Description	Unit Cost	Tax	Quantity	Line Total
1	11111 1st St Carson, NV 89001 702-557-5865	\$20,000.00		1.0	\$20,000.00
					Subtotal \$20,000.00
					Tax \$0.00
					Total \$20,000.00

Notes

11111 1st St Carson, NV 89001 702-557-5865

Terms

11111 1st St Carson, NV 89001 702-557-5865

PO# 403641
 receipt # 502970



615 E. Carson / 195540

Carolyn G. Goodman, Mayor (At-Large)
Lois Tarkanian, Mayor Pro Tem (Ward 1)
Steven G. Seroka (Ward 2)
Bob Coffin (Ward 3)
Stavros S. Anthony (Ward 4)
Cedric Crear (Ward 5)
Michele Fiore (Ward 6)



City Manager Scott Adams
City Attorney Bradford R. Jerbic
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

February 20, 2019
9:00 AM

54. 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)



AGENDA SUMMARY PAGE
City Council
Meeting of: February 20, 2019

Agenda Item No.:
54

DEPARTMENT: Planning
DIRECTOR: Robert Summerfield

DISCUSSION

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

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 8 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
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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
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Click the following link to view the parcel genealogy

[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.

****STAFF REPORT****

CASE SUMMARY AND DOCUMENTATION

Property Owner- Good Earth Enterprises Inc.
Jeffrey & Sophia Lau

Current Status El Cid Hotel and the Annex:

Fire activity occurred on 12/8/2018 on 232 S. 7th St. inside of the Annex building. Metro and Fire responded and found that transients/vagrants had barricaded themselves with furniture in the rear of the building. The transients refused to exit the building despite the fire, putting police and fire personnel's lives in jeopardy. The incident ended without harm to life. Fire had a contractor temporarily secure the building.

Fire activity at 233 S. 6th St. occurred on 12/17/2018, was caused by homeless and transient activity inside of this 4 story abandoned hotel. Code Enforcement hired a contractor to perform an emergency abatement to secure the first two floors of the property and secure the open elevator shafts that are a danger to first responders. When the fire occurred, Metropolitan Police (DTAC) responded along with CLV Fire Department to address this emergency. Approximately 40-50 people exited the building who have been illegally residing in the abandoned, vacant building. The cost of the emergency abatement was \$18,698.

Code Enforcement History for 233 S. 6th St. :

7 Cases for Open and Accessible Vacant Building Since 2006

Code Enforcement History for 232 S. 7th St. aka El Cid Hotel Annex:

13 Cases for Open and Accessible Vacant Building Since 2006

Current Case # 195118 & 195119:

- These properties have been a continual public and attractive nuisance state since October 2018.
- The Las Vegas Metropolitan Police Department (LVMPD) has had 46 calls for service to the property from October 2018 through December 2018.
- The Las Vegas Fire Department has calls for service the property for fires.
 - El Cid Hotel- 11/17/2018 & 12/17/2018. This building is full of combustibles, refuse, waste.
 - Annex- 2/17/2018 & 12/8/2018. This building is full of combustibles, refuse, waste.
- Las Vegas Code Enforcement opened a case on this property on 12/17/2018 as a result of the fire. Code Enforcement had the emergency securing of the property completed by contractor. The owner was notified that Code Enforcement was taking action as their previous action did not prevent people from utilizing this dangerous structure to occupy. Code Enforcement has history with this owner for these properties, and every case has involved transient activity since 2006.
- The owners, Good Earth Enterprises Inc, aka Jeffrey and Sophia Lau, have not been responsive to previous Code Enforcement action and have a history of just taking the minimum amount of action to secure the property, but not to CLV standards. .

- The Code Enforcement staff and the LVMPD are continually receiving complaints from the neighboring businesses about the property. Children walk past this property daily on their way to and from school, there is a public school across the street from this property. The properties is a nuisance, danger and blight to the neighborhood.

Timeline:

- 11/17/2018- Fire Occurred at 233 S. 6th St El Cid Hotel.
- 11/28/2018-Metropolitan Police and Code Enforcement met to discuss amount of calls for service on El Cid Hotel and Annex with City Attorney David Bailey. It was determined that a search warrant would be obtained to inspect all buildings.
- 12/8/2018- Fire occurred at 232 S. 7th St. – Annex- Fire Department had a contractor temporarily board and secure the property.
- 12/17/2018- Fire occurred again at 233 S. 6th St. El Cid Hotel
- 12/17/2018 Emergency Board up of first two floors and all accessible windows from trees, with boarding of open elevator shaft approved. Contractor advised to proceed.
- 12/19/2018- Fire occurred in the area of the two buildings.
- 12/20/2018- Judge signs search warrant request for all of the properties owned by Sophia Lau, Jeffrey Lau, and Good Earth Enterprises, Inc.
- 12/26/2018- Search of all buildings completed with Metro, Fire and Code Enforcement.
- 1/7/2019 – Notice and Order issued for 233 S. 6th St El Cid Hotel. Compliance Date- 1/18/2019
- 1/10/2019 – Notice and Order issued for 232 S. 7th St. – Annex- Compliance Date- 1/22/2019
- 1/16/2019- Fire received call for ladder request as transient climbed on top of sign on the hotel and was unable to climb down.
- 1/16/2019- Ms. Lau advised by email that all trees on both properties had been removed, and she hired a professional security service. Code Enforcement responded that she still needed to provide a timeline on her plan to hire a contractor for demolition and asbestos abatement, with estimated timeline for completion.
- 1/17/2019- Code Enforcement provide pictures from Fire from activity that occurred recently showing how transients are getting into the building using the sign on the front of the building.
- 1/24/2019- Ms. Lau notified by email that her timeframe to provide a plan and timeframe to demolition the properties had expired. Advised by Code Enforcement that we would proceed with bids for demolition.
- 1/29/2019- Code Enforcement advised that Ms. Lau has hired a local attorney to represent her on matters regarding El Cid Hotel and Annex.

Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 3

RECOMMENDATION

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

POSSIBLE ACTIONS:

1. Allow owner to proceed with their timeline to abate hazard and public nuisance by demolition of these properties.
2. Direct Code Enforcement to proceed with demolishing the building and lien the property for all costs.

ATTACHMENTS

A. Pictures

12/17/2018 Event- Internal Court Yard



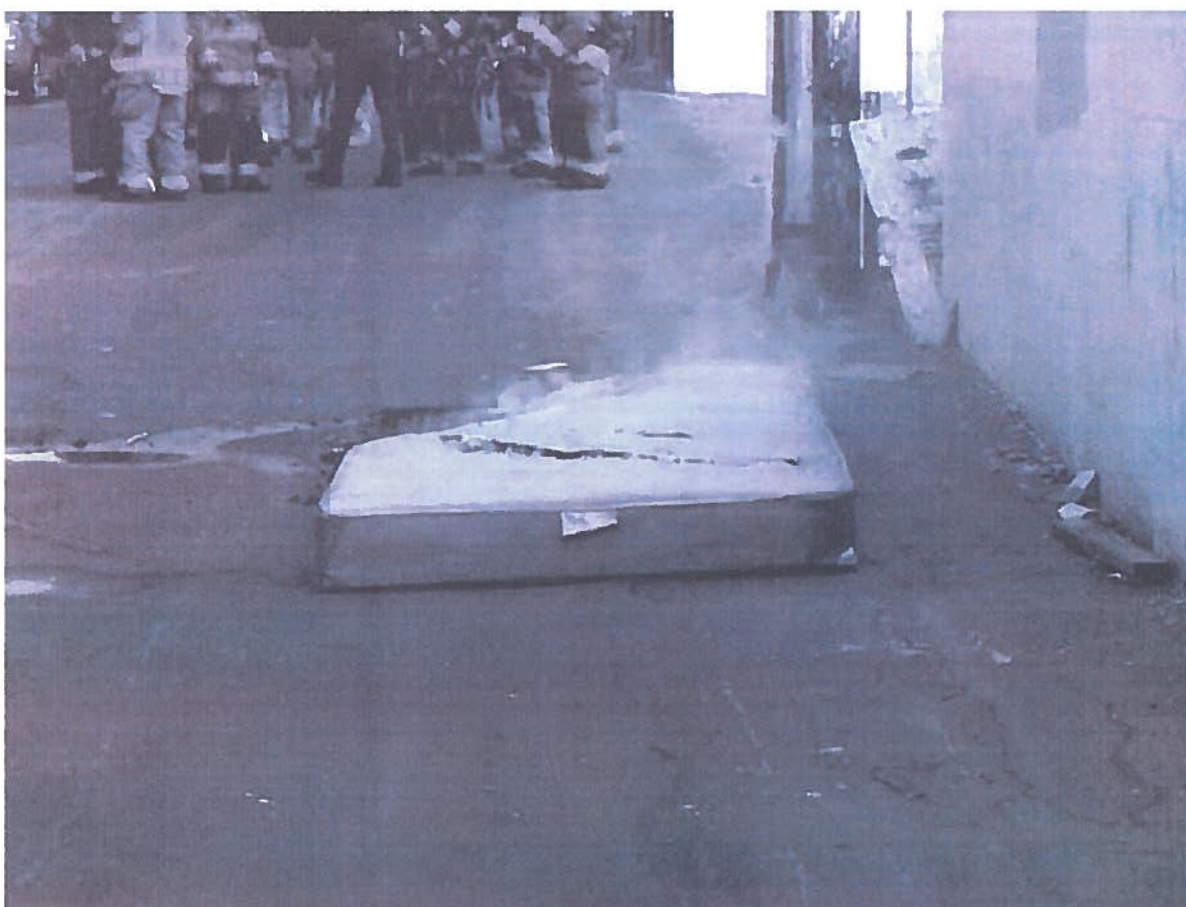
Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 4



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 5



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 6



Case No. 195118 & 195119
233 S. 6th St. & 232 S. 7th St.
Page 7

1/17/2019





DEPARTMENT OF PLANNING

NOTICE AND ORDER

DEMOLITION NOTICE AND ORDER TO COMPLY

January 10, 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;

LAS VEGAS CITY COUNCIL

MAYOR CAROLYN G. GOODMAN

**MAYOR PRO TEM LOIS TARKANIAN | STAVROS S. ANTHONY | BOB COFFIN
STEVEN G. SEROKA | MICHELE FIORE | CEDRIC CREAR**

CITY MANAGER SCOTT ADAMS

**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**

- 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 of 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 an 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,

A handwritten signature in blue ink, appearing to read 'Kevin T. McOsker', with a stylized, sweeping flourish extending to the right.

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

cc:



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.

LAS VEGAS CITY COUNCIL

MAYOR CAROLYN G. GOODMAN
MAYOR PRO TEM LOIS TARKANIAN | STAVROS S. ANTHONY | BOB COFFIN
STEVEN G. SEROKA | MICHELE FIORE | CEDRIC CREAR
CITY MANAGER SCOTT ADAMS

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