



CITY OF GARDEN GROVE

7/12/17

CERTIFIED MAIL, FIRST CLASS MAIL & POSTED ONSITE

AMG Property Investment LLC
9774 Katella Ave.
Anaheim, CA 92804

RE: Notice and Order of Building Official to Repair Unsafe Building
Location: 9774 Katella Ave. Units 101-206 Anaheim CA, 92804

Name of Owner(s) of Record: AMG Property Investment LLC
Address of Record Owner(s): PO Box 4332.
Westminster, CA 92683

The Community Development Department, Building Services Division, makes routine inspections of buildings and structures within the City of Garden Grove that seek to ensure they are maintained in accordance with the minimum standards of safety established by State and local codes which are designed to protect the public's health and welfare.

An inspection of the property 9774 Katella Ave., which our records indicate is owned or controlled by you, was made on or about 7/11/17, by the City of Garden Grove, Building Services Division & Fire Division. This inspection disclosed that violations of the 2016 editions of the California Building Code ("CBC"), California Plumbing Code ("CPC"), California Mechanical Code ("CMC"), and California Electrical Code ("CEC"), the 2015 edition of the International Property Maintenance Code ("IPMC"), and/or the Garden Grove Municipal Code ("GGMC"), exist to such an extent that the building or structure an immediate danger to public welfare and safety.

THE FOLLOWING UNSAFE CONDITIONS WERE FOUND TO EXIST ON OR ABOUT 7/11/17, AT THE SUBJECT PROPERTY AND MUST BE REPAIRED, REPLACED OR REMOVED AS APPROPRIATE TO BRING THE STRUCTURE INTO COMPLIANCE WITH THE ABOVE REFERENCED CODES. PERMITS MUST BE ISSUED FOR THOSE ITEMS NOTED WITH AN ASTERISK (*).

The following violations of the 2016 CBC, 2015 IPMC and the 2016 CFC represent items which shall require the submittal of plans,

obtaining approvals, permits and inspections or a demolition permit to restore the unit to its permitted condition and use.

1. ***Unsafe structures and equipment.** Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe. CBC § 116.
2. ***The units do not have an approved means of egress;** Covered mall buildings, open mall buildings and each tenant space within a mall building shall be provided with means of egress as required by this section and code. CBC § 402.8.
3. ***The units have non-approved security doors.** The doors or grilles shall be openable from within without the use of any special knowledge or effort where the space is occupied. CBC § 402.8.8.
4. ***Means of egress emergency exit signage and illumination.** Emergency exit signage/Illumination shall be provided in the means of egress in accordance with section 1008.2. Under emergency power, means of egress illumination shall comply with Section 1008.3. Exit signage shall be placed on doors through which occupants must pass in order to complete the exit path and shall comply with sections 1025.2.6.1 through 1025.2.6.3. CBC §§ 1008, 1025.2.6.
5. ***Accessible means of egress required.** Accessible means of egress shall be provided with not less than one accessible means of egress. CBC § 1009.
6. ***A tenant improvement occurred (including but not limited to, walls built creating rooms, electrical systems, and mechanical HVAC systems added) which require permitting;** Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, move, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permits. CBC § 105.1.

7. *Life safety violations were reported by City of Garden Grove Fire Inspector during the inspection at 9774 Katella Ave. Multiple violations were present, including but not limited to, violations of CFC sections 1010.1.9, 901.6, 906.9, 605.5, 605.3, 605.1, 315.3, 1003.6, 505.1, 1010.1.10, 315.3, 605.5, 605.4, 906.1, 315.3.1, 703.1, 1031.7.3, 1031.5.4, 1020.4. A fire report detailing the specific findings of the fire inspector has been attached to this notice and order report. Lack of Certificate of Use and Occupancy/Use Violations CBC 111. The property was being used for purposes of operating a cannabis distribution facility in violation of GGMC section 9.52.020 and California Business & Professions Code section 26200 et seq.

The conditions listed above have been found to create immediate danger to life, limb, health, property, safety or welfare of the public or occupants thereof and are hereby declared to be dangerous and a public nuisance in accordance with CBC § 116 and IPMC § 108, respectively.

YOU ARE ORDERED TO:

VACATE: The building or structure, or portion thereof, more commonly referred to as 9774 Katella Ave., shall be vacated no later than 5:00 PM, Tuesday, July 11, 2017. The building or structure shall be secured so as to prevent any occupancy and/or trespassing by any persons until all demolition or repair activity is complete and final inspection is approved. The structure has been posted "Vacate - Do Not Enter." "Red Tagged."

REPAIR: Permits shall be obtained for those corrections noted with an asterisk (*) above and repair work of all corrections shall commence not later than 2 days from the date of this notice. Repair work shall continue to progress in a timely manner, be completed and all inspections approved by this office not later than 5:00 PM, Wednesday, July 26, 2017. Permits may be obtained at the Permit Center, located on the first floor of the City Hall. Our counter personnel are available to assist you.

Repair work not commenced within the time specified may result in the following actions:

- The Building Official has ordered the building vacated and posted to prevent further occupancy until the repair work is completed.
- The Building Official may proceed to cause the work to be done and charge the costs thereof against the property or the owner.

DEMOLISH: The alterations may be demolished at the owner's option. As such, a demolition permit shall be issued not later than 5:00 PM, Wednesday, July 19, 2017, and all demolition work shall be completed and inspection approved not later than 7 days after the issuance of the demolition permit. Such demolition shall include removal of the unpermitted work, debris, etc., and the proper termination of all unpermitted utility, water and sanitation lines serving the building or structure. The demolition permit may be obtained at the Permit Center, located on the first floor of City Hall. Our counter personnel are available to assist you.

PROCEDURE AND CONSEQUENCES FOR NONCOMPLIANCE: Should the deadlines above expire, we will conduct a reinspection of the property on or about the date of expiration established above. If it is determined that the above substandard conditions, or any portion thereof, continue to exist, we will have no choice but to proceed with the following:

1. The matter may be sent to the City Attorney's office for criminal prosecution. Each day of violation may constitute a separate misdemeanor, the penalty for which is \$1,000.00, a maximum of six (6) months in jail for each violation, or both the fine and jail. GGMC §1.04.010.
2. The Building Official may file a "Certificate of Non-Compliance a Dangerous Building" with the County Recorder which certifies that the property is substandard. NOTE: A check for \$11.00, made payable to the Orange County Recorders Office, must be provided to the Building Service Division after completion and inspection approval of the substandard conditions, in order to release this certificate.
3. In accordance with State law, the City will file a "Notice of Noncompliance" (on substandard rental housing and/or on vacant structures) with the State Franchise Tax Board and the Orange County Recorder's office. Such Notice may result in the denial of State income tax deductions claimed for interest, taxes, depreciation or amortization paid or income in the taxable year with respect to such substandard rental housing.
4. Civil/Administrative Abatement: In addition to the aforementioned consequences, the building official may commence civil and/or administrative abatement proceedings against you. The purpose of this action is to cause the repair of the building. Through a civil abatement action, among other remedies, the City may seek to permanently enjoin you from maintaining the property in a substandard condition; the City may seek to obtain an order compelling you to provide or pay relocation benefits to each tenant displaced during the repair of the building; and, the City may seek to

obtain an order requiring you to pay all reasonable and actual costs incurred by the City in conjunction with the action, including but not limited to attorneys fees and costs, and the issuance of an Administrative Citation with a fine of up to \$1,000. (California Health and Safety Code Section 17980.7).

This letter constitutes your notice and order to repair the building at 9774 Katella Ave. All necessary permits shall be obtained and repairs completed as specified above.

You may appeal this Notice and Order to the Garden Grove Administrative Board of Appeals by filing a written appeal within twenty (20) days of the date of this notice and order. Forms for appeal may be obtained from the City Clerk's Office in the City Hall. Failure to appeal shall constitute a waiver of any and all rights. Further, because the violations outlined above have been deemed to create an immediate hazard to public health and safety, an appeal does not stay this order or its enforcement.

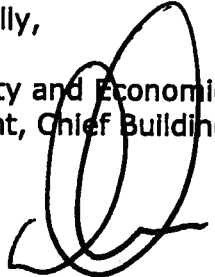
If you fail to appeal or complete repairs to the property within the time specified above, the Building Official will; (1) order the building vacated and posted to prevent further occupancy until the work is completed and/or (2) proceed to cause the repair work to be completed by City forces or hired, private contractors. The City will recover all costs of abatement process by charging you as a property owner with the costs as either a personal obligation or as a special assessment against the subject property, whichever the City Council shall deem appropriate.

Please note that California Civil Code section 1942.5 provides serious penalties if you retaliate against any of your tenants in response to this Notice and Order.

We sincerely solicit your cooperation in correcting these substandard conditions. If we can provide further information or assistance, please contact (Jayme Ahlo) at (714) 741-5338 or our Permit Center at (714) 741-5307. Thank you for your immediate attention to this matter.

Respectfully,

Community and Economic Development Department
David Dent, Chief Building Official



2/12/17

INSPECTION #20170209

(Lienholder(s)) AMG PROPERTY INVESTMENT LLC
PO Box.
Westminster, CA 92683

Rick O'Hara & Associates, Inc. et. al
c/o Kenneth Bernard, Esq.
28 Salzburg
Newport Beach, CA 92660

Eddie Ramirez
924 S. Main Street
Santa Ana, CA 92701

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STATE OF CALIFORNIA, COUNTY OF ORANGE

I am over the age of 18 and not a party to the within action; I am employed by the City of Garden Grove in the County of Orange at 11222 Acacia Parkway, Garden Grove, CA 92840.

On July 12, 2017 I served the foregoing document(s) described as


"Notice & Order"

- by placing
- The original A true copy thereof enclosed in sealed envelopes addressed as follows:

Rick O'Hara & Associates, Inc. et. Al, c/o Kenneth Bernard, Esq., 28 Salzburg, Newport Beach, CA 92660

- (BY MAIL, Certified or First Class)** I placed said envelope(s) for collection and mailing, following ordinary business practices, at the business offices of the CITY OF GARDEN GROVE, and addressed as shown above, for deposit in the United States Postal Service. I am readily familiar with the practice of the CITY OF GARDEN GROVE for collection and processing for mailing with the United States Postal Service, and said envelope(s) will be deposited with the United States Postal Service on said date in the ordinary course of business.
- (BY OVERNIGHT DELIVERY)** I placed said documents in envelope(s) for collection following ordinary business practices, at the business offices of the CITY OF GARDEN GROVE, and addressed as shown above, for collection and delivery to a courier authorized by (fill in - Federal Express/UPS/USPS) to receive said documents, with delivery fees provided for. I am readily familiar with the practices of the CITY OF GARDEN GROVE for collection and processing of documents for overnight delivery, and said envelope(s) will be deposited for receipt by (fill in - Federal Express/UPS/USPS) on said date in the ordinary course of business.
- (BY FACSIMILE)** I caused the above-referenced document to be transmitted to the interested parties via facsimile transmission to the fax number(s) as stated above.
- (BY PERSONAL SERVICE)** I hand delivered and posted the documents at the address listed.
- (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 12, 2017 at Garden Grove, California.


Jayme Ahlo

Building Inspector

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- The original A true copy thereof enclosed in sealed envelopes addressed as follows:

Eddie Ramirez, 924 S. Main Street, Santa Ana, CA 92701

(BY MAIL, Certified or First Class) I placed said envelope(s) for collection and mailing, following ordinary business practices, at the business offices of the CITY OF GARDEN GROVE, and addressed as shown above, for deposit in the United States Postal Service. I am readily familiar with the practice of the CITY OF GARDEN GROVE for collection and processing for mailing with the United States Postal Service, and said envelope(s) will be deposited with the United States Postal Service on said date in the ordinary course of business.

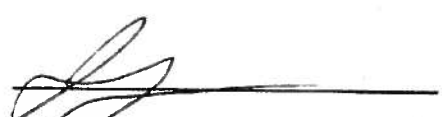
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AMG Property Investment LLC, PO BOX 4332, Westminster, CA 92683

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- (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 12, 2017 at Garden Grove, California.


Jayme Ahlo

Building Inspector



Garden Grove Fire Department

Occupancy: **MARIJUANA DISPENSARIES**
Address: **9774 KATELLA AVE Apt/Suite #101-206**
Garden Grove CA 92804

Inspection Type: **Special Hazard**
Inspection Date: **7/11/2017** By: **Dahlheimer, Bryson (4394)**
Time In: **15:03** Time Out: **17:11**
Authorized Date: **07/12/2017** By: **Dahlheimer, Bryson (4394)**

Form: FPB Fire & Life Safety
Survey V3

Inspection Topics:

Fire Access/Signs

Provided address numbers clearly visible from the street. CFC 505.1

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status: Correction Required

Notes: Physical building address is obstructed from view due to trees. Addresses on units are also required to be identified. Address shall be a minimum of 4 inches high and 1/2 inch wide.

Exits

Repair or maintain exit doors and hardware to operate properly. CFC 1010.1.10

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status: Correction Required

Notes: Exit doors throughout building shall be no-knowledge hardware, one motion to exit from the interior. Discontinue deadbolts, electromagnetic controlled exiting and exits that require two or more actions to exit.

Remove obstructions from exits, aisles, corridors, and stairways. CFC 1003.6

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status: Correction Required

Notes: Remove obstructions for exits doors - fridge, secondary screen/solid door, rubbish.

Remove unapproved locks, latches, chains, bolts, or bars from exit doors. CFC 1010.1.9

Exit doors must be free to open without delay in the event of an emergency.

Status: Correction Required

Notes: Throughout facility, remove any unapproved mechanism on the exits.

Housekeeping

Post valid City of Garden Grove business license.

Required license and permit(s) to conduct business.

Status: Correction Required

Notes: Garden Grove business license is to be posted at all times.

Boiler, mechanical, and electrical panel rooms shall not be used for storage. CFC 315.3

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status: Correction Required

Notes: Remove storage from electrical panel rooms.

Electrical

Discontinue use of extension cords in lieu of permanent wiring. CFC 605.5

Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system.

Status: Correction Required

Notes: Thorough facility.

Maintain at least 30 inches clearance in front of electrical panel. CFC 605.3

Access to electrical panels must be cleared to allow for general inspection and emergency shutdown.

Status: Correction Required

Notes: Maintain clear access to electrical panels with a working space of 30 inches in width, 36 inches in depth, and 78 inches in height.

Each outlet box shall have a cover face plate, receptacle, power strip. CFC 605.1

Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits.

Status: Correction Required

Notes: Provide cover plates for receptacles, electrical panel doors and electrical panel filler plates.

Discontinue use of non-approved multi-plug adapters. CFC 605.4

Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire.

Status: Correction Required

Notes: Throughout facility.

Maintain wiring in good condition and protect from damage. CFC 605.5

Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire. Use cord protectors to prevent cord fraying/damage where susceptible to damage.

Status: Correction Required

Notes: Discontinue using rugs or tape to cover wires in the path of travel. Approved means of wire protection and conduit is required and holes where wires are going through are required to be fire caulked.

Fire Protection Equipment & Systems

Mount extinguishers where readily available, not more than 5 feet above floor. CFC 906.9

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status: Correction Required

Notes: Throughout facility.

Service and tag portable fire extinguisher(s). CFC 901.6

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status: Correction Required

Notes: Throughout facility.

Provide a minimum of (X) portable fire extinguisher of (X) minimum rating. CFC 906.1

Extinguishers provided need to be appropriate to the type of hazard. Travel distance shall not exceed 75 feet to any portable fire extinguisher.

Status: Correction Required

Notes: Provide 6 portable fire extinguishers of a minimum rating of 2A10BC size.

Storage

Lower storage to be at least 18 inches away from sprinkler heads or 2 feet away from the ceiling in non-sprinklered buildings. CFC 315.3.1

Maintaining an adequate distance away from sprinklers allows for spray patterns from sprinkler heads to have maximum reach through designed patterns.

Status: Correction Required

Notes: Throughout facility.

Additional

Additional Code Violations

Additional items that are not listed in this form.

Status: Correction Required

Notes: 1) Properly repair fire resistive rated construction and place ceiling tiles back into place throughout facility CFC 703.1
2) Windows have been covered by either bars or plywood and the items need to be clear for rescue operations CFC 1031.7 3) Exits shall be clearly identifiable 1031.5 4) Eliminate dead-end aisles over 20 feet in length 1020.4

Additional Time Spent on Inspection:

Category

Start Date / Time

End Date / Time

Notes: No Additional time recorded

Total Additional Time: 0 minutes

Inspection Time: 128 minutes

Total Time: 128 minutes

Summary:


Overall Result: Re-Inspection Required

Current California Fire Code violation(s) observed. Business owner/representative is required to make corrections in the prescribed time frame determined by the fire inspector. A re-inspection will be conducted on the specified date.

Inspector Notes:

Inspector:

Name: Dahlheimer, Bryson
Rank: Fire Prevention Technician
Work Phone(s): 714-741-5630
Email(s): brysond@garden-grove.org



Signature

7/12/17

Date

Representative Signature:

Not Present

Signature

7/11/17

Date