15-0160-S993

FAX COVER SHEET

FAX TRANSMITTED TO: (213) 978-1079

TO: Clerk of the Council

Address: Office of the City Clerk, 200 N. Spring St., Room 395, Los Angeles, CA. 90012

FROM: Linda Romney, Trustee

MATTER: Hearing Date Feb. 12, 2016

DATE: February 2, 2016

DOCUMENT: THREE (3) PAGE OBJECTION

COMMENTS: Exhibits under separate cover

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE IMMEDIATELY AT (818) 363-3528.

MARIE F. KLOSS TRUST
LINDA ROMNEY, TRUSTEE
17828 W. Tribune Street
Granada Hills, CA. 91344
(818) 363-3528

PROTEST

CITY OF LOS ANGELES

L.A. City Council
Hearing Date: Feb. 12, 2016
Time: 10:00 A.M.
Address: 200 N. Spring St.,
Room340, Los Angeles, CA.

Facsimile Filing: (213) 978-1079

Opposition to the confirmation of proposed recorded lien in the amount of $3,199.23, against the property located at 17828 Tribune Street, Granada Hills, CA

Objection, to untimely notice of said hearing, posted on January 11, 2016. Objection, said attached Order to Comply, Case #: 388997, Order #: A-2587159, Effective Date: August 16, 2010, Compliance Date: August 26, 2010 was allegedly issued over five and a half years ago, and exceeds the statute of limitations.

VAGUE AND AMBIGUOUS DESCRIPTION OF VIOLATION

The alleged violation stated "Excessive or overgrown vegetation on the premises", location: "Front Yard", is vague and ambiguous. The terms employed are not sufficiently definite to provide a comprehensible standard or to give fair warning of the exact alleged violation, and required corrective action. Please refer to color picture in file, and note the weed free grass is green, and vegetation is **not** overgrown or excessive. A true and correct copy of the alleged LAMC section violations are attached as Exhibit "1". LAMC 12.21A.1(a) Conformance & Permits Required, Sec. 91.804 Basic Maintenance and Repair of Existing Building and Premises. Please note that the cited LAMC sections do **not** state the length the grass cannot

exceed! The approximately 1000 square feet front landscaped residential front yard is **not** on a hill side, and is **not** in a fire zone. A true and correct copy of the Fire Hazard Zones is attached as Exhibit "2".

EXCESSIVE OR OVERGROWN VEGETATION IS DISCRETIONARY

Examination of the LADBS Code Enforcement Bureau Range Files for 17828 Tribune St. Granada Hills: Several **unfounded** complaints were telephoned without source, alleging overgrown or excessive vegetation: Case #: 148458, 176980, 388997. CSR No. 270017, July 5, 2011, No Violation, **"Low and Green"**. Case #: 274465, Sept. 7, 2011, No Violation, **"No Over grown Weeds"** by Inspector Art Valenzuela.

VIOLATION OF EQUAL PROTECTION OF THE LAW

The Building and Safety inspection procedure subverts the uniform operation of general laws which aim to impose obligations generally so that every law applies to every person in the same way at all times. As a special discriminatory law, the Building and Safety Department violated the rights to equal protection of the law guaranteed by the Fifth and Fourteenth Amendments to the Constitution of the United States. For Building and Safety to apply their excessive or over grown vegetation LAMC, an inspection of all lawns that are not low, green, and without over grown weeds would have to be cited and issued an Order to Comply!.

NO RESPONSE APPEAL REQUEST WITHIN 15 DAYS OF THE COMPLIANCE DATE

The Board of Building and Safety Commissioners have the authority to hear and determine err or abuse of discretion, however, the Building and Safety Department has a policy and procedure of not responding to timely Appeal requests. Which constitutes denial of due process. Attached hereto as Exhibit "3" is a true and correct copy of the timely Appeal Request with proof of service.

DENIAL OF DUE PROCESS

Los Angeles Building and Safety's unresponsive conduct to requests for Appeal constitutes Denial of Due Process of Law guaranteed by the Fifth and Fourteenth Amendments to the Constitution of the United States. The due process clause requires that individuals be

treated fairly, while the equal protection clause requires that persons similarly situated receive equal treatment.

CITY ATTORNEY HEARING

The office of the City Attorney, Carmen A. Trutanich, sent via regular mail on September 28, 2010, notice of hearing October 19, 2010 at 9:30 A.M., for alleged violation of Section L12.21Ala, zoning code violation. A true and correct copy of said notice is attached as Exhibit "4", the envelope with September 28, 2010 postmark is Exhibit "5". Trustee Romney's timely request for a continuance is attached as Exhibit "6".

Pursuant to the general notes in Case number 388997, on or about October 27, 2010, City Attorney Cocek, performed a case review and declined the alleged "violations not enforceable at this time." Collateral estoppel and/or res judicata attached to this case.

DEBT DISPUTED UNDER FEDERAL FAIR DEBT COLLECTION PRACTICES ACT

Actual notice regarding dispute of the validity of Building and Safety alleged debt or any portion thereof was sent within 30 days from receipt of notice. A true and correct copy of the actual notice, with proof of service, disputing the alleged debt, or any portion thereof is attached as Exhibit "7".

CONCLUSION

This issue has been brought before the City Council at this time, as retaliation by the Los Angeles Department of Building and Safety Department in Case Number 701427, a false Order To Comply issued wherein it is alleged that an entire new roof was installed without the necessary permits. Pursuant to Section 11.00 (m) LAMC said inspector violated or caused another to violate a provision of the LAMC. Again, timely written repeated requests to the Building and Safety Department for an Appeal remain unanswered. A true and correct copy of the unanswered Appeal requests, with proof of mailing, are attached as Exhibit "8".

Dated: February 2, 2016

Linda Romney

Linda Romney
Trustee