

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: March 15, 2016

DATE: March 4, 2016

DOCUMENT: Supplemental Opposition & Declaration of Linda Romney

PAGES: 4, Not including cover sheet

COMMENTS: Should the aforementioned number of pages be unreadable, please telephone (818) 363-3528, and advise.

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

1 MARIE F. KLOSS TRUST
 2 LINDA ROMNEY, TRUSTEE
 3 17828 Tribune Street
 4 Granada Hills, CA. 91344
 (818) 363-3528

8 CITY OF LOS ANGELES

L.A. City Council
 Hearing Date: March 15, 2016
 Time: 10:00 A.M.
 Address: 200 N. Spring St.,
 Room 340, Los Angeles, CA

Supplemental Opposition
 Facsimile Filing (213) 978-1079

15 DECLARATION OF LINDA ROMNEY

16 I, Linda Romney, declare as follows:

- 17 1. All of the facts stated in this Declaration are known to me of my own personal
 18 experience and knowledge, if called upon, I could and would competently testify thereto.
 19
- 20 2. I am the Trustee of the Marie F. Kloss Trust.
- 21 3. I reside at 17828 Tribune Street, Granada Hills, California, the subject property.
- 22 4. I attended the L.A. City Council Hearing set for February 12, 2016, and first met
 23 Building and Safety Senior Inspector, Jeff T. Christia. Said identification, based upon badge
 24 attached to his clothing. I requested Inspector Christia's business card, however, none was
 25 furnished
 26

1 5. I gave actual notice to Inspector Christia that my hearing notice of February 12, 2016
2 hearing, was posted on front door January 11, 2016. Objection, said attached Order to Comply,
3 Case #: 388997, Order #: A-2587159, Effective Date: August 16, 2010, Compliance Date:
4 August 26, 2010 was defective, as it included Exhibits A, B, and D, however, Exhibit C was not
5 attached.
6

7 6. Inspector Christia stated Exhibit C referenced the Order To Comply for alleged
8 replacement of roof, without permit, and the total amount due included both OTCs.
9

10 7. I asked Mr. Christia, if he had read my opposition with attached Exhibits?

11 8. Mr. Christia responded, that he did not have an opportunity to pick up objections.

12 9. NO RESPONSE TO APPEAL REQUEST WITHIN 15 DAYS OF THE COMPLIANCE
13 DATE. The Board of Building and Safety Commissioners have the authority to hear and
14 determine err or abuse of discretion. however, the Building and Safety Department has a policy
15 and procedure of not responding to timely Appeal requests. Which constitutes denial of due
16 process. [Exhibit 3] Appeal Request with proof of service.
17

18 10. DENIAL OF DUE PROCESS. Los Angeles Building and Safety's unresponsive
19 conduct to requests for Appeal constitutes Denial of Due Process of Law guaranteed by the Fifth
20 and Fourteenth Amendments to the Constitution of the United States. The due process clause
21 requires that individuals be treated fairly, while the equal protection clause requires that persons
22 similarly situated receive equal treatment.
23

24 11. I stated to Inspector Christia, that I repeatedly requested in writing with proof of
25 mailing, the Appeal documents, [Exhibits 3 & 8] and my requests were and remain unanswered.
26

27 12. Sr. Inspector Christia gave me his personal promise and assurance that he would make
28 sure that I received the Appeal forms, etc....

1 13. As of this writing, I have not received promised Appeal forms, or Notice Exhibit C.

2 14. The alleged violation stated "Excessive or overgrown vegetation on the premises",
3 location: "Front Yard", is vague and ambiguous. The terms employed are not sufficiently
4 definite to provide a comprehensible standard or to give fair warning of the exact alleged
5 violation, and required corrective action.

6 15. The alleged LAMC section violations See Exhibit "1". LAMC 12.21A1 (a)
7 Conformance & Permits Required, Sec. 91.804 Basic Maintenance and Repair of Existing
8 Building and Premises. Please note that the cited LAMC sections do **not** state the length the
9 grass cannot exceed!
10

11 16. I explained that this was an approximate six (6) year old, abuse of discretion, Order
12 To Comply, for alleged Residential Single Family Home at 17828 Tribune Street, not in fire
13 zone, [Exhibit 2] front ground cover, and or lawn over three (3) inches high.
14

15 17. Building and Safety Inspector Willie Ross from the Van Nuys office err and abuse of
16 discretion in alleging front yard, approximately 500 sq. ft., excessive or overgrown vegetation
17 ground cover and, or, front lawn surrounded by cement sidewalks and driveway.
18

19 18. Further, I stated all professionally landscaped vegetation was green and weed free.

20 19. I asked to see a picture of the alleged violation. Inspector Christia stated he'd have to
21 check the file
22

23 20. Inspector Christia pulled up, via the internet, a picture of the Tribune Street front yard.

24 21. Inspector Christia, stated that according to Ross' notes referenced an overgrown fence.

25 22. I responded, that the 17828 Tribune Street front yard never had a fence, however, the
26 neighbor next door at 17834 Tribune Street has a vegetation scrub fence over seven (7) feet
27 across his front yard, behind the sidewalk.
28

1 23. We discussed the CITY ATTORNEY HEARING. The office of the City Attorney,
 2 Carmen A. Trutanich, sent via regular mail on September 28, 2010, notice of hearing October
 3 19, 2010 at 9:30 A.M., for alleged violation of Section L12.21 Ala, zoning code violation. Notice,
 4 [Exhibit 4], the envelope with September 28, 2010 postmark [Exhibit 5]

5
 6 24. My timely request for a continuance is [Exhibit 6].

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

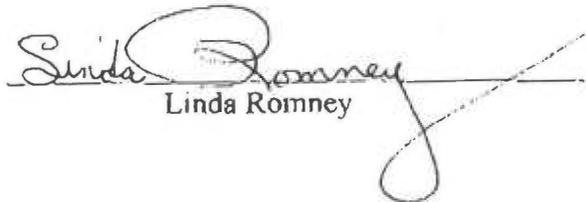
10
 11 26. DEBT DISPUTED UNDER FEDERAL FAJR DEBT COLLECTION PRACTICES
 12 ACT. Actual notice regarding dispute of the validity of Building and Safety alleged debt or any
 13 portion thereof was sent within 30 days from receipt of notice. A true and correct copy of the
 14 actual notice, with proof of service, disputing the alleged debt, or any portion thereof [Exhibit 7]

15
 16 27. I stated that Building and Safety Inspector Willie Ross' file should be called in as
 17 evidence as his number of overturned Order to Complies resulted in his transfer to AIMS

18 28. Inspector Christia stated that if you live at the cited residence the City cannot attach a
 19 lien to the property.

20 29. February 12, 2016, City Council Hearing conversation with Building & Safety Sr.
 21 Inspector Jeff Christia ended with is promise to telephone Monday or Tuesday. As of this
 22 writing, I have not received a telephone call.

23
 24 I declare under penalty of perjury, under the laws of the state of California that the
 25 foregoing is true and correct. Executed on this fourth day of March 2016, at Los Angeles,
 26 California.

27 
 28 Linda Romney