

Communications from Juan J. Urbina

RE: 2611 Round Drive, Los Angeles, CA 90032 APN 5217 015 001

## **May 21, 2020:**

Good Morning Gentlemen,

I will be meeting tomorrow with the Public Safety Committee with regards to a tree that was removed from the above mentioned address. Mr. Adam Lid will probably be reaching out to you with regards to this project that took place between 2005 thru 2007. For the record I could not find Mr. Weis nor Mr. Frausto contact information who by the way did most of the approving on the grading of this project. I have been building on the commercial side and know Dominic Daneri, Enrique Mireles, and Ruben Salas among other Inspectors in the Valley and the Westside that I have worked with for many years. I know that there were some inspectors during this era that were taking bribes so I do not know if Mr. Weiss or Mr. Frausto were on this list.

I am being charged for the cutting of a tree that was located on the property that the house was built per the permit listed in the the subject line -  
04030-70000-02008 - 2611 Round Drive, Los Angeles, 90032.

The link below not only shows a Survey but the two soils report, City of Los Angeles Chief of Grading Division and Associates Letters and Geotechnical Reports. Not one mention of the tree that is being questioned by the City of Los Angeles Fire Department is mentioned in any of these documents. The question then becomes was the tree considered to be within the new built lot lines. Again per the survey it does not show it. Since you all did happen to visit the property during formal inspection request why was the tree never mentioned with regards to surcharging on the footing or the 17' retaining wall? Where you told by the owner builder that the tree was not on his property? Was an actual survey monuments and a final survey given to the City prior to signing giving the property COO?

Again, there are just to many questions to be asked by Mr. Lid who will probably being reaching out to you individually to fill in some of these holes with regards to this tree that mysteriously should up within my property line. When I reached out to the Civil Engineer his response was that he followed the Surveyors drawings which did not reflect the tree.

If you have any questions with regards to the above mentioned please do not hesitate to contact me at (818) 400-5873.

## **May 9, 2020:**

Greetings Adam,

I am in receipt of your letter dated May 4, 2020 with regards to the above mentioned property and the Public Safety Committee. I do not understand what additional information is required to be submitted.

These are the facts that are not mentioned in the documentation received.

1.) I did not meet with any of the Board of Fire Commissioners as stated in this letter. I met with a third party individual who according to her introductions she was there to here both sides of the story. The Fire Department was represented by three fireman who read off some document and who knows might have been coached by this 3rd party as to what to say or not say it was definitely scripted. They presented their case that they provided mailers and notice and that they cut the tree. Those are all fact and true statements. I am not disputing that this in fact did happen.

2.) As stated at this meeting though not noted in this report - I will repeat again at this Public Safety Committee and in this email that an initial inspection was performed/conduct by the Fire Marshall in April/May of 2018. No notice or mention of this tree was mentioned in the report. The Fire Department gave me a clean and clear report with no issues reported.

3.) In November 2018 I was out of town and the mother of my son called me that the Fire Marshall wanted to speak to me about the tree. I told the Fire Marshall that I was out of town and could not meet with him as he arrived unannounced and no letter was sent by him to meet with me. According to one of the neighbors the elderly chinese couple whose son work for the LA Sheriff Department had contacted the LAFD to complain about the tree and stated that the tree was dead and had the possibility of falling over. Who made that call is beyond me. I think that because the son a City worker and the husband a retired LADWP mechanic complained to someone within the department, forced the Fire Marshall to come out again in November 2018.

4.) When I received the mailer from the Fire Department as to they were going to be hiring a third party to cut the tree I had lost my job and told the person taking notes and showed her my legal documentation that I was suing my former employer for unlawful termination and discrimination. Hearing is still pending. Therefore, I had no money to pay a professional to do this type of work as the tree was pretty large and needed the right tools and crew to do the job. Not only the size was a factor by the fact that it was on a hill with a slope was the other challenging part of the tree removal.

5.) The tree started to turn its leaves yellow when they started to develop a new house two house down from mine. The tree was large enough to have roots extend from my property and beyond my property line. I feel that once they cut into the tow of the hill the tree could have possibly went into shock. When I asked the neighbors that this could have been the case they clearly said that the tree in questions should have been removed when they were building my house when it was being developed. Working in the construction industry for over 20 years any project that had trees, which were on the public or on the private property in the new development were always removed. How

this tree of this size was not asked to be removed when the house was being built is beyond me. The Chinese couple numerous times after I purchase the home had told me on various occasions that they had asked the owner/builder of the property to remove the tree. I think it is unfair that when the tree could have been easily removed at time of construction the City Inspectors and Plan Checker did not ask for the tree to be removed.

My current financial situation prohibits me from making any payments at this point in time. I am self-employed and have not worked since November 2018. I am currently on unemployment with the State due to the Covid-19 pandemic. I am unable to make my monthly mortgage payment, so I do not know when the house will be foreclosed on or whenever the President lifts the forbearance agreements on FHA loans from the banks to start the foreclosure process.

Hindsight, had I known the problems purchasing the house would have caused me I would not have purchased it. The house currently has mold and constructability issues, which one is the 17' retaining wall in which the tree in question was causing a surcharge on the wall. I can't understand how the City of LA - Building and Grading Inspector's could not see or had the experience to know that the tree would be causing so much stress on this wall which is more dangerous to my son than the tree that was cut down.

Lastly, I asked the third party person to give me a copy of the arborist report, which confirmed that the tree was in fact dead and not dormant. The third party person told me I needed to get my own report? Then she said that the contractor had its own arborist (on staff by the way) who confirmed that the tree was dead. Really? With \$15K for the project to say yes why would he have said no? I will be presenting many trees from around the neighborhood both on private and public right of ways that are far more worse than the tree that was cut down on my property which to date the City has done nothing about them since this hearing I attended with the three firemen and this third party person.

I am being charged \$15,000 for something if you think about it could have been rectified by the City and the Developer prior to the construction being built. Again, with the other house being built and the neighbors can attest that the tree was very much alive started on a downward trend when the owner/builder of the new house developed his property. They are starting a new development and have started moving dirt again. Maybe the Board or the Public Safety Committee can come and look first hand of what was caused by others and the City (not being proactive) is trying to make me inherit something that could have been averted and the problem would not have existed on November 2018.

Again, I look forward to the zoom meeting. This case has nothing to do with the fact the fire department and/or contractor did its job. The issue here is if the neighbors called the Fire Department with regards to the removal of the tree, then I feel it is only fair that they pay for the service. I did not ask for the tree to be removed. They claimed that they feared that their houses and lives were in danger. This is why we all have Home Insurance to cover these types of claims.

Should you need to reach out to me, I am at 818-400-5873.

Sincerely,

Juan J. Urbina  
(818) 400-5873