



Decision of Administrative Hearing Officer
UNLAWFUL MARIJUANA CULTIVATION ORDINANCE

(Tehama County Code Chapter 9.06)
ADMINISTRATIVE HEARING ON THE NOTICE OF VIOLATION
AND PROPOSED ADMINISTRATIVE PENALTIES: EHCE 21-64
DATE OF DECISION: 8/18/2021

Property Owner Name and Last Known Address:

Jonathon Garcia Martinez
3385 Brooks Ave.
Santa Rosa, CA 95407

Occupants:

To all occupants at this address
Jose Chavez
Jonathan Mendoza

Site Address:

16501 Endeavor Lane, Red Bluff

Assessor's Parcel Number:

007-260-031

REGARDING the alleged violation(s) of the Tehama County Code ("TCC") as described below:

Any unlawful cultivation of marijuana. (TCC §9.06.035.)

The 6/21/2021 hearing on the Notice of Violation and Proposed Administrative Penalty("NOV") was continued to 8/18/2021 in Department 4 of the Old Courthouse located on the second floor at 633 Washington Street, the Honorable Lynn M. Cottier presiding. At the continued hearing, the following person(s) appeared:

- Owner & both tenants; and
CME Mendoza interpreted Spanish/English for Mr. Chavez; and
Parties not appearing at the continued hearing have failed to exhaust their administrative remedies; and

After examining the evidence presented at the hearing and considering the arguments, I find the following:

The notice of the continued hearing is

- proper; and
not proper; and

I hereby find, based on the evidence presented at this continued hearing, the alleged violation(s):

- Was considered abated by the Enforcing Officer on; and
Was voluntarily abated on and no longer exists on the Premises; and
Continued to exist on the Premises pursuant to TCC § 9.06.100; and
Other;

I hereby find that the proposed daily administrative penalty and/or abatement costs set forth in the NOV is:

- Imposed in the amount stated in the NOV for a total of \$ 30,000
Modified to be: for a total of \$
Disapproved to be \$NONE.

These findings are supported by the following evidence presented at this continued hearing:

- The Report and Accounting of the Enforcing Officer ("Exhibit A" or "Report"); and
Statements from the Enforcing Officer attesting that:
The information contained in the Report is true and accurate; and
Other: Admitted invoice; and
Other evidence submitted at this Hearing by:
Enforcing Officer: Clint Weston; and
Other: Owner & both tenants; and



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NOW, THEREFORE, as the Hearing Officer for the County of Tehama and based upon the record before me, issue the following orders:

The amount of administrative penalty ~~or administrative costs and/or costs of abatement or costs pursuant to~~ TCC §§ 9.06.090, as set forth above, shall be final and conclusive. Payment shall be due **WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THIS DECISION.**

Other: _____

NOTICE IS HEREBY GIVEN. This Decision may be challenged pursuant to Code of Civil Procedure §§ 1094.5 and 1094.6. A writ of mandate must be filed within **90 days** of the service of this Decision. A decision imposing any administrative penalty may be challenged pursuant to Government Code ("GC") § 53069.

ATTENTION!

YOU WILL BE REQUIRED TO PAY THE COST OF ANY ABATEMENT RESULTING FROM THIS DECISION, INCLUDING COST OF ADMINISTRATION, WITHIN 90 CALENDAR DAYS AFTER THE HEARING OFFICER HAS APPROVED OR MODIFIED THE ACCOUNTING OF THE ENFORCING OFFICER. THE BOARD OF SUPERVISORS MAY SPECIALLY ASSESS SAID COSTS ON THE COUNTY TAX ROLL AND AUTHORIZE RECORDATION OF A NOTICE OF ABATEMENT LIEN AGAINST THE PREMISES. (GC § 25845.)

YOU ARE REQUIRED TO PAY ANY ADMINISTRATIVE PENALTY IMPOSED OR MODIFIED WITHIN 20 CALENDAR DAYS AFTER THIS DECISION IS SERVED. (TCC § 9.06.165) THE BOARD OF SUPERVISORS MAY AUTHORIZE RECORDATION OF A NOTICE OF ADMINISTRATIVE PENALTY LIEN AGAINST THE PREMISES. (GC § 53069.4.)

8-18-21
Date of Decision


Lynn M. Cottier
Tehama County Administrative Hearing Officer

Tehama County Environmental Health Department
633 Washington Street, Room 36
Red Bluff, CA 96080
530-527-8020

ATTACHMENT A



Code Enforcement Account Invoice

TO: JONATHON GARCIA MARTINEZ

3385 BROOKS AVE
SANTA ROSA, CA 95407

Account ID	Date
AR0002733	8/3/2021

Invoice ID	Invoice Total Due:
IN0008796	\$ 30,000.00

PAYMENT DUE IMMEDIATELY

You received this invoice because you were either the property owner, occupant or a person who caused, permitted, suffers or maintained, conducted, or otherwise suffered or allowed the violation to exist.

APN: 007-260-031

Site Location: 16501 ENDEAVOR LANE RED BLUFF

Date	Program/ Element	Description	Amount
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Invoice #IN0008796

--- Date of Invoice : 8/3/2021

08/03/21	8115	UNLAWFUL MARIJUANA ADMINISTRATIVE PENALTIES	\$ 30,000.00
Penalties due for unlawful marijuana cultivation. \$1,000.00 per day starting 6/28/21 through 7/27/21			
30 days at \$1,000.00 per day = \$30,000.00			

Total Due for This Invoice: \$ 30,000.00

Please make payments to Tehama County Environmental Health Code Enforcement
633 Washington Street, Room 36, Red Bluff, CA 96080 in the form of a cashier's
check or money order, no personal checks.

Interest shall accrue on any amounts due from the effective date until the date paid
pursuant to the laws applicable to civil judgments.

Exhibit
One
7 pages

PROMISSORY NOTE and BILL OF SALE

MARIA MORALES PIMENTEL Refers to as "Buyer" Agrees to pay to the order of. **JONATHAN GARCIA MARTINEZ**. Referred to herein as the "Seller" the sum of \$105,000.00 for the purchase of the **PROPERTY LOCATED:**

16501 Endeavor Ln, Cottonwood Ca 96022

Also show and Record as Red Bluff, to be verified with county records before grant deed be issue and payment became final.

Also, the County Records of Tehama show As Jonathon Garcia Martinez.

Where sellers assure buyer that is the same person.

TERMS

Buyer is giving seller the amount of \$55,000.00 as a DOWN PAYMENT follow by monthly payments of \$0

the balance of \$55,000.00 for a period of 1 year will be

January 30,2022 no pre-payment penalty or interest charged. This is a a-is sale, no warranty given or implied.

principal(buyer) is responsible any other taxes and utilities.

Seller will clear any debt with their mortgage lender to have a title free & clear to transfer the Grant Deed to buyer. Seller agrees to pay as soon as possible the balance to the lender.

Buyer is responsible to take care of the property and has no right to sell without authorization by the seller until note is paid in full.

Buyer to take possession of the property by January 30,2021

NOTE

THIS IS SPECIAL NOTE PROERTY HAS A MOBIL HOME, WHERE SELLER GUARANTE THAT THE PROPERTY HAVE BEEN RELEASE FROM THE Housing development of Sacramento that the mobile home will be recognized as permanent home.

Label number CAL004587

Length 65"

Wide 12"

Trade Name Homette

Decal number ABH9458

And the event of any thing may happen the heirs of both parties will grant this agreement.

Maria Morales Pimentel

Maria Morales Pimentel

1/30/21

Date

Jonathan Garcia

Jonathan Gracia Martinez

1-30-21

Date

RECORDING REQUESTED BY:

Robert J. Orr

WHEN RECORDED, MAIL THIS DEED AND TAX STATEMENTS TO:

JONATHON GARCIA MARTINEZ
3384 Brooks Avenue
Santa Rosa, CA 95407

Doc # 2014003393
Page 1 of 2
Date: 3/28/2014 02:13P
Recording Requested By:
GENERAL PUBLIC
Filed & Recorded in Official Records
of TEHAMA COUNTY
BEVERLY ROSS
COUNTY CLERK & RECORDER
Fax: 431.11

APN 007-260-31

Grant Deed

The undersigned Grantor declares:

The Documentary Transfer Tax is \$ 45¹⁰
Computed on full value less value of liens or encumbrances existing at time of sale
This property is located in the Unincorporated Area, County of Tehama.

For a valuable consideration, receipt of which is hereby acknowledged, I, Robert J. Orr, Trustee of the Orr Survivor's Spouse Family Trust, grant to JONATHON GARCIA MARTINEZ all that real property situated in the Unincorporated Area, County of Tehama, State of California, described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Dated: 12/4, 2013

Robert J. Orr
Robert J. Orr, Trustee of
the Orr Survivor's Spouse Family Trust

Notary Acknowledgment

State of California
County of SACRAMENTO

On December 04 2013, 2013, before me, Ken Ming Sou, Notary Public, personally appeared Robert J. Orr, who proved to me on the basis of satisfactory evidence to be the person whose name (is) subscribed to the within instrument and acknowledged to me that he (is) the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Ken Ming Sou*



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Shasta

On 01/30/2021

Date

before me,

Evangelina Sosa Notary Public
Here Insert Name and Title of the Officer

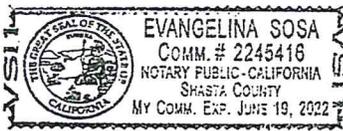
personally appeared Jonathan Gomez, Maria S. Gomez, Maria S. Gomez

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Mortgage Note and Bill of Sale

Document Date: 01/30/2021

Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Signer's Name: _____

Corporate Officer - Title(s): _____

Corporate Officer - Title(s): _____

Partner - Limited General

Partner - Limited General

Individual Attorney in Fact

Individual Attorney in Fact

Trustee Guardian of Conservator

Trustee Guardian of Conservator

Other: _____

Other: _____

Signer is Representing: _____

Signer is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Shasta

On 01/30/2021

before me,

Evangelina Sosa Notary Public
Here Insert Name and Title of the Officer

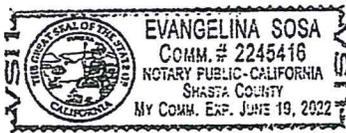
personally appeared Jonathan Gomez, Denise & Maria Maria Gonzalez

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

[Handwritten Signature]

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Promissory Note and Bill of Sale

Document Date: 01/30/2021 Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer - Title(s): _____
 Partner - Limited General
 Individual Attorney in Fact
 Trustee Guardian of Conservator
 Other: _____
Signer is Representing: _____

Signer's Name: _____
 Corporate Officer - Title(s): _____
 Partner - Limited General
 Individual Attorney in Fact
 Trustee Guardian of Conservator
 Other: _____
Signer is Representing: _____