

Attorneys for Plaintiff  
CITY OF AGOURA HILLS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

Defendants.

*[Filed concurrently with Opposition to Special Motion to Strike; Declaration of Ramiro Adeva; Declaration of Allen Tripolskiy; Exhibits to Declarations, Objections to the Declaration of James Mayfield; Request for Judicial Notice]*

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1           6.       On October 10, 2019, the City executed an Inspection Warrant at the Subject  
2 Property. Former Code Enforcement Officer Michael Gonzales, Former Planning Director Doug  
3 Hooper, and I executed the inspection warrant. Also present were Los Angeles County Sheriff's  
4 Deputies and a City Prosecutor.

5           7.       During the execution of the inspection warrant, I inspected several structures and  
6 outdoor areas of the Subject Property.

7           8.       On or about November 13, 2019, I generated a Building and Safety Division  
8 Report for Return on Inspection Warrant (the "Report") summarizing my findings. (For ease of  
9 reference a copy of my report and corresponding photographs is concurrently submitted as  
10 Exhibit "10".)

11          9.       Prior to generating the Report, I conducted a review of the Building and Safety  
12 Divisions records to determine all Technical (Building, Electrical, Plumbing, and Mechanical)  
13 Code Permits issued for the Subject Property.

14          10.      The Details of my findings on the structures at the Subject Property are set forth in  
15 my Report. However, in general, the structural deficiencies can be generally stated as follows:

- 16           a.      **Chapel with Cupola (Structure No.1)** – Pursuant to California Building Code<sup>1</sup>  
17               ("CBC") § 105.1 (as amended under AHMC § 8103(g)), this structure requires  
18               building and electrical permits. The California Electrical Code (as amended under  
19               AHMC § 8201) also requires an electrical permit for this structure. Defendants  
20               failed to procure the requisite permits prior to constructing, erecting, altering  
21               and/or legalize the unpermitted structures.
- 22           b.      **Brides' Cottage (Structure No. 2)** – Pursuant to CBC § 105.1 (as amended under  
23               AHMC § 8103(g)) this structure requires building, electrical, mechanical and  
24               plumbing permits. The California Electrical Code (as amended under AHMC §  
25               8201), the California Plumbing Code (as amended under AHMC § 8202) and the  
26               California Mechanical Code (as amended under AHMC § 8203) also require

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28 <sup>1</sup> Pursuant to AHMC § 8100, the City has adopted the 2019 California Building Code as the  
City's building code, as amended in AHMC §§ 8103 and 8200-8205.

1 electrical, mechanical and plumbing permits for this structure. Two (2) retaining  
2 walls, near the Brides' Cottage, also require building permits pursuant to CBC §  
3 105.1 (as amended under AHMC § 8103(g)). Defendants failed to procure the  
4 requisite permits prior to constructing, erecting, altering and/or legalize the  
5 unpermitted structures.

- 6 c. **Stables (Structure No. 3)** – Pursuant to CBC § 105.1 (as amended under AHMC  
7 § 8103(g)), this structure requires building, electrical and plumbing permits. The  
8 California Electrical Code (as amended under AHMC § 8201) and the California  
9 Plumbing Code (as amended under AHMC § 8202) also require electrical and  
10 plumbing permit for this structure. Defendants failed to procure the requisite  
11 permits prior to constructing, erecting and/or legalize the unpermitted structures.

12 11. In addition to the structures noted above, a structure that appeared to be a shade  
13 structure adjacent to the pool (Structure No. 7) also requires a building permit pursuant to CBC §  
14 105.1 (as amended under AHMC § 8103(g)). However, Defendants did not allow us to complete  
15 our inspection of this structure.

16 12. Subsequent to the drafting of my Report, I determined that the aforementioned  
17 structures on the Subject Property were also in violation of the following sections of the AHMC:

- 18 a. Defendants' failure to obtain requisite permits for the structures on the Subject  
19 Property renders the structures substandard pursuant to AHMC § 5604(7).  
20 b. Pursuant to CBC § 114.1 (as amended by AHMC § 8103(aa)) "[i]t is unlawful... to  
21 erect, construct, alter, extend, repair, move, remove, demolish, or occupy any  
22 building or structure...or cause same to be done, in conflict with this code. It is  
23 unlawful...to conduct or maintain...any building or structure...in violation of this  
24 code."  
25 c. Defendants are maintaining unsafe or dangerous buildings or structures pursuant to  
26 CBC § 116.1 (as amended by AHMC § 8103(cc)), for failing to obtain requisite  
27 permits, inspection, and approvals (in violation of CBC § 116.1(d)), and for  
28

maintaining conditions that violate any regulation of in Article VII [the City's building code] (in violation of CBC § 116.1(h)).

13. Pursuant to AHMC § 1200 "any condition caused or permitted to exist in violation of any of the provisions of this Code shall be deemed a public nuisance and may, by this city, be summarily abated as such, and every day such condition continues shall be regarded as a new and separate offense." Therefore, Defendants' failure to obtain the requisite building, electrical, and plumbing permits, in violation of CBC §§ 105.1, 114.1, and 116.1 (as amended), constitute a public nuisance under the AHMC.

14. Further, CBC § 116.6 (as adopted by AHMC § 8103(ee)) renders Defendants' maintenance of unsafe or dangerous building or structures on the Subject Property a public nuisance.

15. Defendants' maintenance of substandard buildings (pursuant to AHMC § 5605 (1)) and maintenance of conditions in violation of the law (pursuant to AHMC § 5605 (16)) renders the Subject Property substandard.

16. Defendants' maintenance of substandard building conditions on the Subject Property is a public nuisance pursuant to AHMC §§ 5604 and 5605.

17. Based on Defendants' history of non-compliance with state and local law, continued maintenance of code violations on the Subject Property, their repeated and continuing failure and/or refusal to submit documents necessary to obtain planning and building approval for the existing building and/or structures, their refusal to obtain requisite building and technical permits, and the continued operation of a commercial wedding venue on the Subject Property, there is no basis to believe that Defendants have or will take the necessary measures to bring the Subject Property into compliance with local and state law.

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct and that this declaration is executed on this 10 day of February, <sup>2021</sup> at Agoura Hills, Los Angeles County, California.

  
Amir Hamidzadeh, Declarant

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11500 W. Olympic Blvd., Suite 550, Los Angeles, CA 90064-1524.

On February 11, 2021, I served the foregoing document described as **DECLARATION OF AMIR HAMIDZADEH IN SUPPORT OF OPPOSITION TO SPECIAL MOTION TO STRIKE COMPLAINT** interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

*Counsel for Defendants*

Robert L. Scott  
SCOTT & ASSOCIATES  
300 East Esplanade Drive, 9<sup>th</sup> Floor  
Oxnard, CA 93036  
E: scott@civiccenter.com

**BY ELECTRONIC TRANSMISSION – ONE LEGAL.** I caused an electronic version of the documents to be submitted to the Superior Court of California and thereafter caused an electronic version to be served to the persons in the above service list via the litigation support service One Legal.

**BY OVERNIGHT DELIVERY.** I enclosed the documents in an envelope or package provided by an overnight carrier and addressed to the persons at the addresses in the above service list. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 11<sup>th</sup> day of February 2021 at Los Angeles, California.

  
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Lila Torres, Declarant