

Court assigns Receiver to nuisance property

December 24, 2023



Del Norte Code Enforcement, the Building Department and the Crescent Fire Protection District (CFPD), along with County Counsel requested the Superior Court to assign the California Receivership group full responsibilities in control of a long-standing nuisance property in Crescent City. With no stigmatism attached, The Triplicate chose not to identify the site of this residential property which has, until now, impacted this quiet, law-abiding neighborhood.

The Honorable Darren McElfresh granted the request, Friday December 15.

What makes this request so unusual is the rarity of utilizing a court-appointed receiver to have absolute control in addressing health and safety code violations, reported illegal drug dealing and abuse and rodent infestation.

Del Norte Code Enforcement Officer Dominic Mello told The Triplicate, “The use of a court-appointed receiver gives the County a valuable tool in addressing dilapidated properties which impact our neighbors.

The County hopes to use the Superior Court more often to help stabilize these neighborhoods. This particular property was among the worst five percent of our complaint-driven caseload.”

Mello continued, “ The use of a receiver will save Del Norte County thousands on each property it refers to the Court in remediation, rehabilitation and recovery of these impacted properties.”

The Court assigned the California Receivership Group full control for inspecting, seeking licensed contractors, reconstruction and stabilizing this property with the intent to bring peace of mind to neighbors and save precious resources. Del Norte County will be reimbursed for all costs incurred by the receiver in stabilizing this property.

Code Enforcement, Building Department, Crescent Fire Protection District and the Del Norte Sheriff were part of the Del Norte County Counsel civil plaintiff team which successfully prevailed in this court hearing. One of the occupants identified as David Haley appeared as a defendant, was determined not to have legal standing in the estate case of the deeded property owners, Basel and Nada Brazeal, both of whom are deceased. The subject property remained vacant for several years until unlawful occupation or “ squatting” occurred overwhelming this property, and eventually deeming its status as a nuisance. Code Enforcement began receiving neighbor complaints in 2020 for heavy vegetative overgrowth, rodent infestation, junked cars, trash spewed about the property, illegal non-permitted construction, drug activity and other related Health Code violations. A formal Abatement Order was Court-ordered in September, 2021. Due to unsafe conditions deemed too dangerous for first responders, Crescent Fire Protection District declared the property unsafe to enter.

The receiver will conduct a complete inspection of the property inside and out, report to the Court a good-faith estimate of the cost needed to bring the property back to habitable status; that court date is set for Friday, January 26 at 10:00 a.m in Division II.