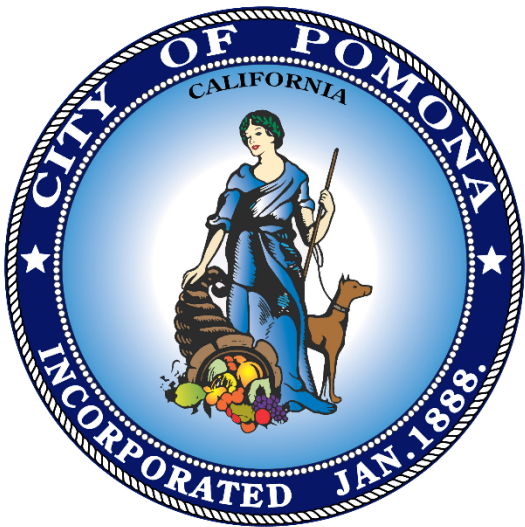


Authorization for City Attorney to File Nuisance Abatement Action



PROPERTIES IN NUISANCE ABATEMENT ACTION

Authorization for City Attorney to File Nuisance Abatement Action:

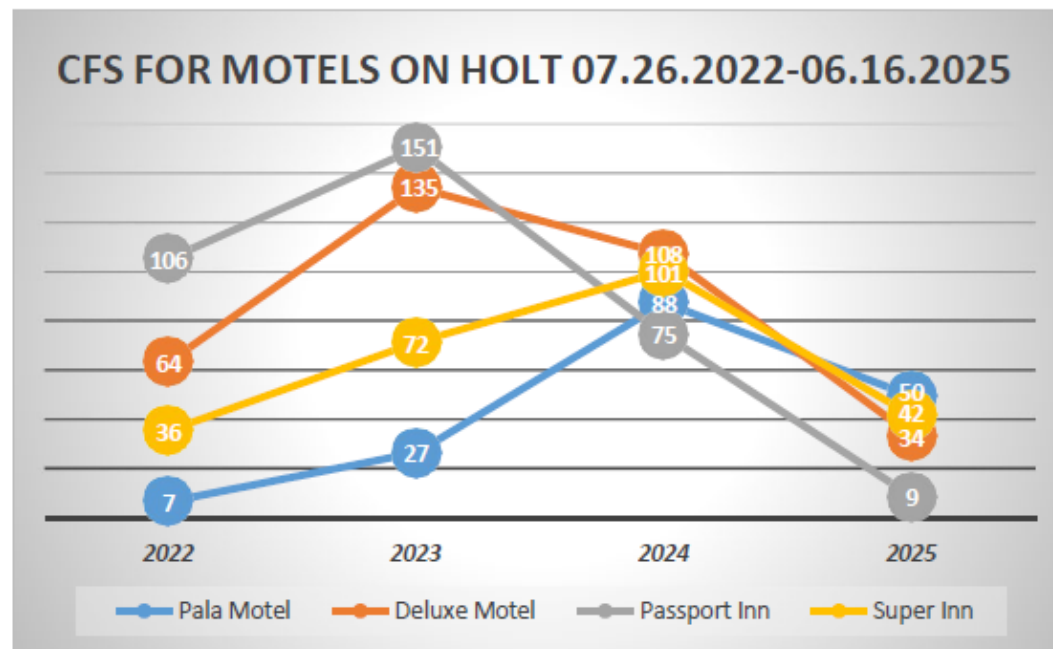
- 987 E. Holt Avenue (Pala Motel)
- 915 W. Holt Avenue (Deluxe Motel)
- 975 W. Holt Avenue (Super Inn)



CALLS FOR SERVICE ACTIVITIES AT PROPERTIES

Since 2022, there have been 764 calls for service between all three properties.

CFS FOR MOTELS ON HOLT 07.26.2022-06.16.2025					
	2022	2023	2024	2025	Total
Pala Motel	7	27	88	50	172
Deluxe Motel	64	135	108	34	341
Super Inn	36	72	101	42	251
					764
Passport Inn	106	151	75	9	341



ACTIVITIES AT PROPERTIES

Pala Motel – 987 E. Holt Ave.:

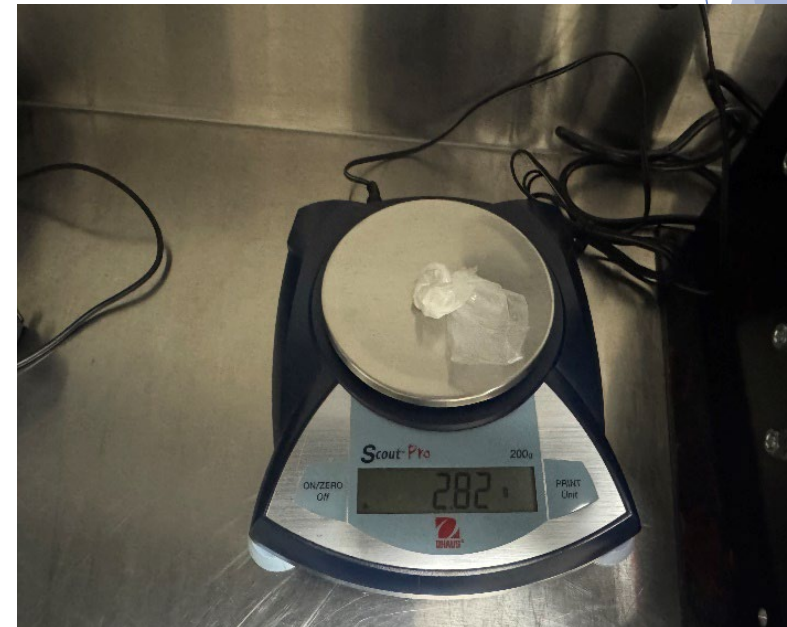
- Prostitution
- Homicide



ACTIVITIES AT PROPERTIES

Deluxe Motel – 915 W. Holt Ave.:

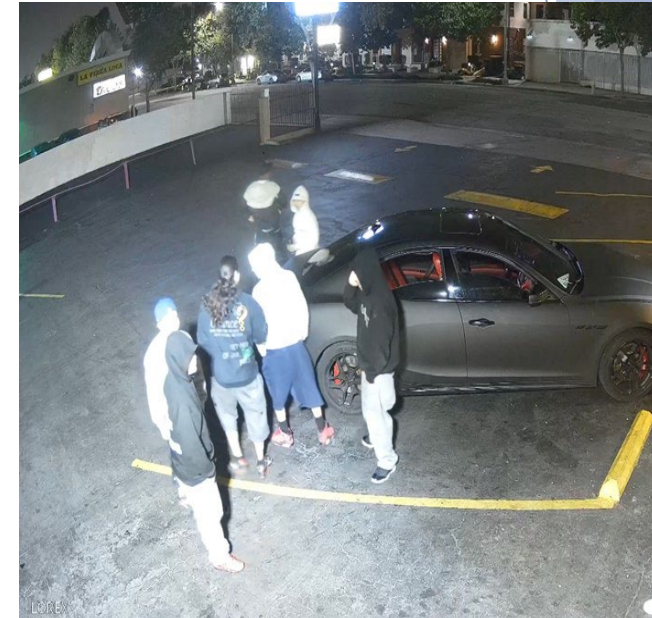
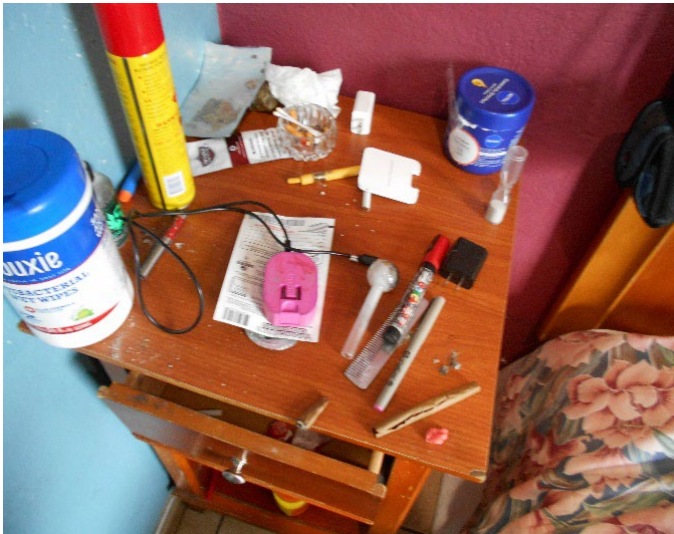
- Prostitution
- Homicide
- Narcotics
- Firearms



ACTIVITIES AT PROPERTIES

Super Inn – 975 W. Holt Ave.:

- Stolen vehicle
- Gang activity
- Shooting
- Narcotics
- Firearms



LEGAL AUTHORITY TO FILE ACTIONS

The City Attorney may maintain an action to abate and prevent a nuisance under a variety of ordinances and statutes depending on the outstanding violations related to the property.

- ***Civil Code Sections 3479-3480*** (general nuisance)
- ***Pomona Municipal Code Sections 74-171, 18-31, and 18-22*** (public nuisance)
- ***Health & Safety Code §§11570*** (Drug Abatement Act – selling, serving, storing, manufacturing, giving away controlled substance and any building/place where acts take place constitutes a nuisance)
- ***Penal Code Section 11225-11235*** (Redlight Abatement Act - property causing, maintaining, or permitting lewdness, prostitution, solicitation, or human trafficking)

NUISANCE ABATEMENT ACTION

To preserve public safety and protect its residents from the dangerous narcotics, prostitution, and nuisance activities maintained at these Properties, the City Attorney's Office is requesting City Council authorize the to bring an action against the property owners and business owners.

- Temporary Restraining Order (Preliminary/Permanent Injunction) to abate the nuisance (Civil Code 3480; Pomona Municipal Code 18-31, 18-222, Penal Code 11225, and H&S §11573(a));
- Closure (Board up and shut down) order for up to one year. (Penal Code 11230 and H&S§ 11573.5(b));
- Civil penalties up to \$25,000 per defendant (Penal Code section 11230(4)(b) and H&S Code §11581(b)(2));
- Appointment of a receiver to take control of the property and possibly sell the property to a responsible owner (C.C.P. §568.5);
- Attorney's fees and enforcement costs (Government Code section 38773.5, Pomona Municipal Code .6001(A)(4), Penal Code 11231 and C.C.P. §3496; City of Oakland v. McCullough (1996) 46 Cal.App.4th 1, 6); and
- Potential contempt if an Order for Abatement is violated (Penal Code 11230 and H&S §11580)

FISCAL IMPACT

- Legal and staff costs associated with these enforcement actions will range between \$150,000 to \$250,000 per property and are recoverable from the property owners.
- Enforcement costs will come from a dedicated holding account from attorney fees collected from prior enforcement and will mitigate future legal costs as they come up, in addition to the annual budgeted costs for City Attorney legal services (101-0101-52945-00000).

RECOMMENDATION

Staff recommends that the City Council authorize the City Attorney to file nuisance abatement actions in Los Angeles Superior Court against the property and business owners of the Pala Motel, the Deluxe Motel, and the Super Inn.

