

# LOS ANGELES FIRE DEPARTMENT



DOUGLAS L. BARRY  
FIRE CHIEF

June 9, 2011

BOARD OF FIRE COMMISSIONERS  
FILE NO. **11-084**

TO: Board of Fire Commissioners

FROM: Millage Peaks, Fire Chief *W.P.*

SUBJECT: PROPOSED DECISIONS AND RECOMMENDATIONS FOR THE 2010  
BRUSH CLEARANCE ASSESSMENT APPEALS

FINAL ACTION:	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

**RECOMMENDATIONS:** That the Board:

1. Approve the hearing officers' "Proposed Decisions and Recommendations."
2. Direct the Fire Department to mail the notification letter to the property owner regarding the Board of Fire Commissioners' findings, conclusion and proposed assessment.
3. Transmit the Board of Fire Commissioners approved report and proposed decision of the hearing officers to the City Attorney.
4. Transmit the Board of Fire Commissioners approved report to the Mayor for placement on the City Council calendar.
5. Upon City Council adoption of the report, direct the Fire Department to forward the report to the Los Angeles County Tax Collector for placement on the Los Angeles County 2011 Property Tax rolls.

**SUMMARY:**

Invoices, setting forth the cost of abatement, Administrative fee and/or a Noncompliance fee, were mailed to property owners. A letter was included in the invoice informing the property owner if they wished to present evidence that shows cause why the property should not be assessed for the cost of abatement or not be assessed in the amount specified in the invoice, the Fire Department would scheduled them for a hearing.

The Brush Clearance Unit held the 2010 Brush Clearance Assessment Appeals at the Marvin Braude Center located in San Fernando Valley from May 24 through June 3, 2011.

This year the Fire Department received 134 requests from property owners who chose to appeal the imposed assessment. The cases were randomly distributed to the hearing officers in keeping with the recent California Supreme Court's decision regarding administrative hearings and the City Attorney's recommendation in this matter.

**FINDINGS:**

The hearing officers have considered the evidence and they have received testimony from departmental personnel with respect to the existence of a nuisance and cost of abatement.

The report identifies and includes the name and mailing address of the owner of each parcel from which a fire nuisance was abated. In addition, the reports includes the substance of protest, departmental information and the proposed decision and recommendation as to whether or not the proposed assessment should be: (1) confirmed in the amount set forth in the invoice, (2) waived, or (3) confirmed in an amount less than set forth in the invoice.

**CONCLUSION:**

Upon approval, a transmittal of the attached "Report, Proposed Decision and Recommendations" by the Board of Fire Commissioners will be sent to the City Council for adoption and placement on the Los Angeles County 2011 Tax rolls. This will concluded the 2010 Brush Clearance Assessment Appeals.

Board report prepared by Robert Knight, Captain II, Brush Clearance Unit.

Attachment

**BOARD OF FIRE  
COMMISSIONERS**

GENETHIA HUDLEY-HAYES  
PRESIDENT

CASIMIRO U. TOLENTINO  
VICE PRESIDENT

DIANA M. BONTÁ  
ANDREW FRIEDMAN  
JILL FURILLO

LETICIA GOMEZ  
EXECUTIVE ASSISTANT I

**CITY OF LOS ANGELES**  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

**FIRE DEPARTMENT**

**MILLAGE PEAKS**  
FIRE CHIEF

6262 VAN NUYS BOULEVARD, SUITE 451  
VAN NUYS CALIFORNIA 91401

(818) 374-1111  
FAX: (818) 778-4910

<http://www.lafd.org>

June 13, 2011

Dear Property Owner:

The Board of Fire Commissioners has concluded its portion of the 2010 Brush Clearance Appeals process and it has approved the attached copy of the report and proposed decision of the hearing officer. The approved report will be transmitted to the City Clerk for placement on the City Council's calendar.

A copy of the hearing officer's complete 2010 report is available for review at the Brush Clearance Unit located at 6262 Van Nuys Boulevard, Suite 451, Van Nuys, California 91401. If you have questions regarding your 2011 inspections or notices you may have received, please call the Brush Clearance Unit at (818) 374-1111 for more information.

You may submit newly discovered or additional evidence that was not presented at the time of your hearing before the Board of Fire Commissioners. All newly discovered or additional evidence must be in writing and addressed to the City Council, C/O City Clerk. You will be given an opportunity to present this new or additional evidence before the Public Safety Committee of the City Council for review. The Public Safety Committee will make a recommendation for final action by the City Council based on the new or additional evidence and the recommendation of the Board of Fire Commissioners. Please provide seven (7) copies for distribution.

The Public Safety Committee meeting is scheduled for ( **DATE**). The address is: 200 North Spring Street, Room 1010, City Hall, Los Angeles, California, 90012. Please be advised that the meeting date and time are subject to change. To verify the Committee's meeting date and time, please contact John White at (213) 978-1072.

Thank you for your courtesy and patience throughout the appeal process and please remember that brush clearance is a year-round responsibility

Very truly yours,

Genethia Hudley-Hayes, President  
Board of Fire Commissioners

Attachment

**BOARD REPORT #11-084 –  
Proposed Decisions and  
Recommendations for the 2010  
Brush Clearance Assessment Appeals**

For copies of this report, please contact the  
Brush Clearance Unit at (818) 374-1111.  
This document is too large to post online.