



**COUNTY OF SONOMA  
PERMIT AND RESOURCE MANAGEMENT  
DEPARTMENT**

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

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November 15, 2007

Inderjit Kalia &  
Joy Mukherji  
3270 Montecito Ave  
Santa Rosa CA 95404

\*\*\* CERTIFIED MAIL \*\*\*

NOTICE TO ABATE NUISANCE

You are being noticed as Record Owner of real property described on the latest equalized Sonoma County tax roll located at **5875 Hwy 12, Santa Rosa, California**, Sonoma County Assessor's Parcel Number **031-040-040**, to appear before a Hearing Officer of the County of Sonoma at the Permit and Resource Management Department Hearing Room, 2550 Ventura Avenue, Santa Rosa, CA 95403, on Friday, **December 7, 2007**, at the hour of **1:15 p.m. [Item E]** to show cause, if any there be, why the use of said real property for the use of an on-site sewage disposal system without the required operational permit located on the subject property without permits should not be found to be a violation of Sonoma County Code Chapter 24 Section 24-33 of the Sonoma County Code and the Uniform Building Codes adopted therein, and abated pursuant to the Sonoma County Code.

After an initial showing by the Permit and Resource Management Department, you have the burden of proving that no violation exists on said real property. In this connection, you should be prepared to introduce oral and documentary evidence proving why, in your opinion, the use of said real property is not in violation of the Sonoma County Codes. A copy of the County's procedural rules and ordinance relating to abatement hearings are enclosed.

One week prior to this hearing, the Department will submit to the Hearing Officer a written report setting forth the basis upon which the Department has determined that a violation exists. A copy of the report will also be mailed to you. Prior to the scheduled hearing date, you may submit documentary evidence to the Hearing Officer at the following address:

Ira Leslie Lowenthal  
Law Offices of Ira Lowenthal  
1400 North Dutton Ave Suite 21  
Santa Rosa CA 95401  
Phone: (707) 544.4676 FAX: (707) 545.1522  
email: [illandco@aol.com](mailto:illandco@aol.com)

In order for any oral or written evidence or any claim, defense or privilege to be considered it must be presented to the Hearing Officer at or before the time of the hearing and that failure to do so will constitute a waiver and may prevent such evidence or claim, defense or privilege from being considered in any later proceeding.

After the hearing, the Hearing Officer will issue a written decision. If the decision of the Hearing Officer finds that a violation exists, you will be responsible for paying the County's administrative costs, including, but not limited to, any administrative overhead, salaries and expenses incurred by the following departments: Permit and Resource Management Department, Public Health, Transportation and Public Works, County Counsel and the District Attorney as well as any penalties assessed pursuant to Sonoma County Code Section 1-7.1. If you are responsible for any administrative costs and/or penalties, such costs of abatement and/or penalties shall become a lien against the property and also assessed against the property in the same manner as taxes as is authorized by the Government Code and Sonoma County Code Section 1-7.3. The abatement lien to be recorded shall have the same force and effect pursuant to a money judgement obtained in a court of law.

If you fail to appear at the hearing or fail to raise any defense or assert any relevant point at the time of hearing, the County will assert, in later judicial proceedings to enforce an order of abatement, that you have waived all rights to assert such defenses or such points.

If you fail to sustain the burden of proving that no violation exists on the property, that will result in an administrative decision ordering the abatement of the unlawful use of this property that is found to be in violation of the Sonoma County Code and may also result in a later judicial order to the same effect. If the Hearing Officer finds that the property is in violation of the Sonoma County Code, the County will contend that you are bound by such finding in any subsequent judicial action to enforce the Hearing Officer's order.

IMPORTANT: Read this notice carefully. Failure to appear and respond at the time set forth in this notice will likely result in administrative and judicial abatement and termination of uses of this property that the Department contends is in violation of the Sonoma County Code.

Sonoma County Permit and Resource  
Management Department Director

By:   
Ben Neuman, Code Enforcement Manager

:nda

Enclosures: Procedural Rules  
Administrative Abatement Ordinance

c: 5875 Sonoma Hwy. Santa Rosa  
w/s file: OPR96-2786  
c/e file: VWS07-0058

Additional copies mailed to the following address(es):

Inderjit Kalia &  
Joy Mukherji  
5875 Sonoma Hwy  
Santa Rosa CA 95409



COUNTY OF SONOMA  
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

November 7, 2007

Inderjit Kalia &  
Joy Mukherji  
3270 Montecito Ave  
Santa Rosa CA 95404

Re: Abatement hearing; File: **VWS07-00xx**

This office is scheduling an abatement hearing on Friday, **December 7, 2007**, regarding the abatement of the use of an on-site sewage disposal system without the required operational permit located on your property at **5875 Hwy 12, Santa Rosa, California**, in violation of Chapter 24 Section 24-33 of the Sonoma County Code and the Uniform Building Codes adopted therein. APN **031-040-040**.

One of the following Hearing Officers will be presiding at the hearing:

- |                             |                         |
|-----------------------------|-------------------------|
| 1. Lynda Millspaugh         | 4. Ira Leslie Lowenthal |
| 2. Vanessa Aching Davenport | 5. Rachel J. Sater      |
| 3. Tom Harriman             | 6. Douglas A. Thiele    |

One of the individuals set forth above will be acting in the capacity of a Hearing Officer in connection with the alleged violation on your property. If you object to having any one of these individuals sit as a Hearing Officer, you must advise the Code Enforcement Division in writing of your objection, together with specific reasons why such officer could not impartially conduct the administrative abatement hearing, no later than ten (10) days from the date of this letter. Failure to file a timely objection with the Code Enforcement Division or failure to set forth good cause as to why any such individual should not serve as a Hearing Officer in connection with your property shall be deemed a waiver of any right to object to or recuse such Hearing Officer at the time of the abatement hearing.

You will be notified by certified letter of the hearing date and time. Once the hearing has been scheduled, all County costs incurred by the abatement hearing process will be assessed against the subject property if found to be in violation.

Sincerely,

Wiles Edison  
Code Enforcement Division

:nda

c: 5875 Sonoma Hwy. Santa Rosa  
C/E File: VWS07-00xx  
W/S File: OPR96-2786

Additional copies mailed to the following address(es):

Inderjit Kalia &  
Joy Mukherji  
5875 Sonoma Hwy  
Santa Rosa CA 95409



**COUNTY OF SONOMA**  
**PERMIT AND RESOURCE MANAGEMENT DEPARTMENT**

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

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October 30, 2007

Kalia Inderjit &  
Joy Mukherji  
3270 Montecito Ave  
Santa Rosa CA 95404

Re: Abatement hearing; File: **VWS07-00xx**

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