



In Reply Refer to: HCR-20
DOT# 2021-0090

February 17, 2021

(b) (6)

Subject: Acknowledgment of Complaint #2021-0090

Dear (b) (6),

This letter acknowledges the Federal Highway Administration (FHWA) Office of Civil Rights received your complaint against the Department of Regional Planning for the County of Los Angeles, which alleges violations that may be related to Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, including Title VI regulations administered by the United States Department of Transportation (49 C.F.R. Part 21) and the Federal Highway Administration (23 C.F.R. Part 200). Your complaint was received by this office on February 15, 2021.

This complaint has been assigned to Erik Lacayo, FHWA Title VI Analyst – Office of Civil Rights. Mr. Lacayo will keep you informed regarding the status of your complaint. You may contact him at 202-913-3926 or via e-mail at erik.lacayo@dot.gov.

Please be advised that no one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either taken action or participated in an action to secure rights protected by the civil rights requirements that we enforce. Any individual alleging such harassment or intimidation may file a complaint with the FHWA. Any questions or concerns that you have regarding the complaint process and your rights can be discussed with Mr. Lacayo.

Sincerely,

Nichole McWhorter

Nichole McWhorter
Title VI Team Leader
Office of Civil Rights

cc: Vincent Mammano, Division Administrator, FHWA California Division Office
Paul Schneider, Deputy Division Administrator, FHWA California Division Office
Scott Carson, Civil Rights Specialist, FHWA California Division Office

Jim Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Irene Marion, Director, Departmental Office of Civil Rights
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division,
Departmental Office of Civil Rights
Barbara Dougherty, Deputy Director, Departmental Office of Civil Rights

From: (b) (6)
To: FHWA.TitleVIcomplaints
Subject: Online Civil Rights Complaint submission: Title VI
Date: Monday, February 15, 2021 12:20:48 PM

Title VI Complaint Submission

Complaint Basis: Race

Name: (b) (6)

State: CA

Email: (b) (6)

Is this complaint on your own behalf? Yes Are you represented by legal counsel? Yes

Legal Counsel Information:

Mainak D'Attaray mdatteray@dattaraylaw.com 310-497-2216

Have you previously filed a civil rights complaint with FHWA? No

Name of public entity complaint is against:

Los Angeles County

Complaint has been filed with following agencies:

Not Specified

Has been any lawsuit filed regarding this complaint?

Yes, (b) (6)

Complaint Details:

(b) (6)

Signature: (b) (6)

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EXHIBIT 4

[Skip To Content \(#content\)](#)

[Zoning Enforcement \(http://planning.lacounty.gov/ze\)](http://planning.lacounty.gov/ze)

- [Home \(http://planning.lacounty.gov/ze\)](http://planning.lacounty.gov/ze)
- [What is a Violation \(http://planning.lacounty.gov/ze/violation\)](http://planning.lacounty.gov/ze/violation)
- [Report a Violation \(http://planning.lacounty.gov/ze/report\)](http://planning.lacounty.gov/ze/report)
- [Enforcement Process \(http://planning.lacounty.gov/ze/process\)](http://planning.lacounty.gov/ze/process)
- [FAQ \(http://planning.lacounty.gov/ze/faq\)](http://planning.lacounty.gov/ze/faq)
- [Resources & Guidelines \(http://planning.lacounty.gov/ze/resources\)](http://planning.lacounty.gov/ze/resources)
- [Contact \(http://planning.lacounty.gov/ze/contact\)](http://planning.lacounty.gov/ze/contact)

ENFORCEMENT PROCESS

Processing a Zoning Violation Complaint

Complaints will be investigated within one to two weeks of receiving the complaint and in the order they are received. The Investigating Planner will schedule an inspection of the property unless the inspection cannot be conducted because of safety reasons. The department considers the safety of the Investigating Planner a priority. Verification of the zoning violations may not occur during the first inspection. Consequently, additional inspections may be necessary. Once the Investigating Planner confirms the zoning violations, we are then required to issue a notice of violation to the property owner(s) and/or person(s) responsible for the zoning violations to give them an opportunity to correct the zoning violation. If they do not correct the violation(s), the Department will continue with further enforcement actions to obtain compliance. This process may take anywhere from thirty (30) days to several months depending on the nature of the violation, compliance steps taken by a property owner, or pending legal matters. Failure to abate the violations may result in the imposition of a Noncompliance fee after issuance of the Second Notice of Noncompliance Fee Order. Continued noncompliance may result in the imposition of an administrative penalty fee. Continued noncompliance may result in the case being referred to the District Attorney or County Counsel for the filing of a criminal or civil case and may lead to the property owner and/or tenants being sentenced to jail in addition to paying all applicable fines and complete abatement of all zoning violations on the property.

How Long Will Enforcement Take?

The duration of the enforcement process will depend on the severity of the violations present as well as the willingness of the property owner and tenants to abate the violations. Many property owners and tenants opt to correct the violations shortly after receiving the first notice, and in such cases, compliance can be achieved within 30 days after the Initial Inspection. Property owners and tenants who refuse to comply or are unable to achieve compliance for various reasons can extend the enforcement process.

Updates on the Enforcement Case

If you wish an update on your complaint, contact the Investigating Planner assigned to the enforcement case. Please see [Contact \(http://planning.lacounty.gov/ze/contact\)](http://planning.lacounty.gov/ze/contact) page to obtain the name of the Investigating Planner. Only the assigned Investigating Planner can provide updates on the enforcement case. Please, note that property owners and/or tenants may be granted time extensions to abate the zoning violations, but only if progress has made in abating the code violations. Different zoning violations may require more time depending on the complexity and other factors.

UNDERSTANDING THE NOTICE OF VIOLATION

When a property located in Unincorporated Los Angeles County is found to be in violation of the Zoning Code (Title 22), the Department of Regional Planning sends a Notice of Violation to the property owner(s), tenant(s), or persons living on, renting, or leasing the property. The Notice of Violation lists the zoning violations found at a property and requests abatement of those zoning violations.

If this is the first time that you have received such notice, you may not understand what the notice says or what to do. Receiving a notice of violation can be stressful especially if you are unfamiliar with Zoning Code Violations, do not have information on how to correct the zoning violations, do not know which permits are available, or do not know where to go to obtain information.

It is very important that you read and understand the Notice of Violation, but most importantly, take the necessary steps to bring the property into compliance with the Zoning Code. A noncompliance fee may be imposed if it is determined that a property owner, tenant, or persons living, renting, or leasing the property is unwilling to comply and abate the zoning violations.

The Department encourages voluntary compliance to avoid incurring fines or legal action. If you need more time to correct the zoning violations, you may submit a request for a time extension after receiving any notice. Only the person receiving a notice may submit the time extension request. The request for a time extension must be in writing and sent via mail, email, or fax, or submitted in-person at a field office. Submit the request to the Investigating Planner in charge of your case, and please be sure to indicate the reason a time extension is needed. Please, note that time extensions are only given in 30-day increments and may only be granted if you have demonstrated substantial progress.

The Department understands and hopes the following information is of use. If you wish an update on your case, contact the Investigating Planner assigned to your case. Please see the [Contact \(http://planning.lacounty.gov/ze/contact\)](http://planning.lacounty.gov/ze/contact) page.

Notice of Violation

When you receive a Notice of Violation, take the following steps:

Los Angeles County Department of Regional Planning
NOTICE OF VIOLATION

Please contact the investigating planner XXXXXXXX
Email: XXXXXXXX@planning.lacounty.gov
Phone Number: (562) XXX-XXXX - Monday through Thursday before 11am

DATE: _____

PROPERTY OWNER/TENANT
ADDRESS: _____
CITY, STATE ZIP CODE: _____

Code Enforcement Case Number: RPCEXXXXXXXX

Dear Property Owner/Tenant:

An inspection was conducted at (ADDRESS) (2) disclosed the following violation(s):

1. **Auto and Salvage (R-2)**
Items classified as junk and salvage material are maintained on the premises (Los Angeles County Zoning Code: 22.20.010, 22.20.015, 22.20.070)
Discarded boxes and material are being maintained on the driveway and front area of the property.

This is not a permitted use (3) and is in violation of the provisions (4) of the Los Angeles County Zoning Code (Title 22) Sections(s) listed above.

Penalties for this in order to comply with the provisions of the zoning ordinance (4) (DATE) (5) there is noncompliance for \$775.00 and the imposition of further administrative and collection fee totaling approximately \$3,784.00. Continued noncompliance may also cause this matter to be referred to the county attorney at any time with the request that a criminal complaint be filed if compliance is not achieved. Correction can result in a penalty of up to six months in jail and/or a \$1,000.00 fine, each day in violation constituting a separate offense.

For any other inquiries please contact the investigating planner directly as noted by the contact information listed above. Please note that our offices are closed on _____

Los Angeles County Department of Regional Planning
11000 Van Ness Street
Los Angeles, CA 90024
(213) 473-4071
<http://planning.lacounty.gov>

Case Number: RPCEXXXXXXXXXX
APN: XXXXXXXXXXXXX
Date: 11/11/2011
Investigating Planner: XXXXXXXX
Phone Number: (562) XXX-XXXX
Priority - Planning Section Chief
Fax: (562) XXX-XXXX

1. Locate the contact information for the Investigating Planner.
2. Review the violations listed in the notice and the code sections cited.
3. Review the compliance date given.
4. Review the possible Noncompliance fee and Administrative Penalty that can be imposed if the zoning violations are not abated.

http://planning.lacounty.gov/assets/img/entry/ep_nov.png

Always contact the Investigating Planner whether you have questions or not. All Investigating Planners are here to assist you and respond to any question you may have. We look forward to working with every property owner to help them

understand the zoning violations and how they may obtain compliance. Call your Investigating Planner and schedule a time to meet at the property or at any of our offices.

Property owners are responsible for ensuring that their property is in compliance with all regulations of the Title 22 of Los Angeles County Code (Zoning Code). In addition, all tenants or persons in charge or responsible for a property must also ensure the properties are in compliance with Zoning Code.

Final Zoning Enforcement Order

If the zoning violations continue, the Investigating Planner will issue the Final Zoning Enforcement Order. This notice provides a 30-day window in which the violations can be abated without resulting in fines or further enforcement actions. This notice is sent via Certified Mail. If the Final Zoning Enforcement Order is not received by the property owner or tenant, the Investigating Planner will post the notice at the property in violation. The Final Zoning Enforcement Order can be appealed by any person who received the notice.

Los Angeles County Department of Regional Planning
FINAL ZONING ENFORCEMENT ORDER

Please contact the investigating planner XXXXXXXX
Email: XXXXXXXX@planning.lacounty.gov
Phone Number: (XXX) XXX-XXXX – Monday through Thursday before 15am

DATE

PROPERTY OWNER/TENANT
ADDRESS
CITY, STATE, ZIP CODE

Code Enforcement Case Number: BPCEXXXXXXXX

Dear Property Owner/Tenant:

An inspection was conducted at (ADDRESS) and the following violation(s):

1. **Junk and Salvage (R.Z.)**
Items classified as junk and salvage material are maintained on the premises (Los Angeles County Zoning Code: 22.20.010; 22.20.015; 22.20.070)
Discarded boxes and material are being maintained on the driveway and front area of the property.

This is not a permitted use in zone X-N and is in violation of the provisions of the Los Angeles County Zoning Ordinance (Title 22) Section(s) in _____.

Failure of the owner or person in charge of the premises to comply with this order within fifteen (15) days after the compliance date specified herein, or any written extension thereof, shall subject the violator to a noncompliance fee in the amount of \$773.00, unless an appeal from this order is filed within fifteen (15) days after the compliance date. Such appeal must comply with Section 22.66.390(C) of the Los Angeles County Code.

To avoid being charged the noncompliance fee, you must abate the aforementioned zoning violation(s) and bring the subject property into compliance with the Los Angeles County Zoning Ordinance within 15 days after the compliance date which has been set for **August 29, 2018**. Failure to correct the violation(s) found at:

Case Number: BPCEXXXXXXXX
APN: XXXXXXXX
Zone: X-N
To: (City) Planner
From: (City) Investigating Planner
Phone Number: (818) XXX-XXXX
Compliance Date: Aug 29, 2018

1. Locate the contact information for the Investigating Planner.
2. Review the violations listed in the notice and the code sections cited.
3. Read the possible Noncompliance Fee that will be imposed in the event the zoning violations are not abated.
4. Review the compliance date given. You have 15 days from this date to ask for an extension, abate all zoning violations or request an appeal.

http://planning.lacounty.gov/assets/img/entry/ep_fzeo.png

Appeal of the Final Zoning Enforcement Order

A Final Zoning Enforcement Order can be appealed by any person who received the notice. The appeal must be filed within the time specified in the Final Zoning Enforcement Order. This appeal shall contain any written evidence to be considered in the review of the case, and if applicable, provide information that the appellant has applied for the appropriate permit or approval required by Title 22. The case will be reviewed by a Hearing Officer who may sustain, rescind, or modify the Final Zoning Enforcement Order; however, the hearing officer may not revise the Zoning Code in his or her review of the appeal. The hearing officer's decision on the appeal is final and effective on the date of the decision, and is not be subject to further administrative appeal.

Second Notice of Noncompliance Fee

Failure to abate the violations within the time specified in the Final Zoning Enforcement Order will result in the issuance of the Second Notice of Noncompliance Fee to the property owner and tenants. This is notification that the Noncompliance

Fee was assessed. A property owner has fifteen (15) days to pay the fee. If the Second Notice of Noncompliance Fee is not received by the property owner or tenant, the Investigating Planner will post the notice at the property in violation. Failure to pay the Noncompliance Fee and/or abate the zoning violations may result in the imposition of an administrative penalty fee. The noncompliance fee may be paid in person at our downtown Los Angeles office or local field office, or by mail.

**Los Angeles County Department of Regional Planning
SECOND NOTICE OF NONCOMPLIANCE**

Please contact the investigating planner XXXXXXXX
Email: XXXXXXXX@planning.lacounty.gov
Phone Number: (XXX) XXX-XXXX - Monday through Thursday before 11am

DATE

PROPERTY OWNER/TENANT
ADDRESS
CITY, STATE ZIP CODE

Code Enforcement Case Number: RPECXXXXXXXX

Dear Property Owner/Tenant:

As you are aware, we have reinspected the property located at (ADDRESS) and it disclosed the following violation(s):

1. Junk and Storage (R-1)
Items classified as junk and storage material are maintained on the premises (Los Angeles County Zoning Code: 22.20.010, 22.20.015, 22.20.070)
Discarded debris and material are being maintained on the driveway and front area of the property.

This is not a permitted use in zone X-X and is in violation of the provisions of the Los Angeles County Zoning Ordinance Section(s) listed above.

Since you have failed to abate the aforementioned violation(s) and no appeal of such or 3 has been filed in a timely manner as provided by Title 22.60.390, a noncompliance fee of \$775.00 has been assessed and charged to you.

Failure to remit payment within fifteen (15) days upon receipt of this letter shall result in the imposition of further administrative and collection fees in the amount of \$1,935.00, bringing the total your owe to \$2,710.00. The County may void the issuance of building permits and/or other approvals until the compliance fee has been paid in full. Failure to correct the violation(s) may cause this matter to be referred to the District Attorney with the request that a criminal complaint be filed if compliance is not achieved. Conviction can result in a penalty of up to six

Case Number: RPECXXXXXXXX
APN: XXXXXXXXXXXX
Dear Sir:
Investigating Planner: XXXXXXXX
Phone Number: (XXX) XXX-XXXX
Non-Compliance Fee: \$775.00

1. Locate the contact information for the Investigating Planner.
2. Review the violations listed in the notice and the code sections cited.
3. Read the Noncompliance Fee that has been assessed.
4. The Noncompliance Fee must be paid within 15 days of receiving the notice. Failure to pay the fee will result in the imposition of an Administrative Penalty

http://planning.lacounty.gov/assets/img/entry/ep_snoc.png

Notice of District Attorney Referral

If the zoning violations have not been abated within the time specified in the Second Notice of Noncompliance Fee, a Notice of District Attorney Referral will be sent out requiring immediate payment of applicable fees and penalties and informing the property owner and/or tenant of the case being referred to the District Attorney or County Counsel. A lack of compliance at this stage could result in a criminal or civil case being filed in a court of law.

Even if the applicable fines are paid and/or a property owner or tenant is found guilty, the enforcement case will not be closed until compliance with the zoning code has been achieved. Only removal of all violations will result in an active case being closed.

http://planning.lacounty.gov/assets/img/entry/ep_nodar.png

1. Locate the contact information for the Investigating Planner.
2. Review the violations listed in the notice and the code sections cited.
3. Read the Noncompliance Fee and Administrative Penalty that has been assessed and must be paid.

Los Angeles County Department of Regional Planning
**NOTICE OF DISTRICT
ATTORNEY REFERRAL**



Please contact the investigating planner XXXXXXXXXXXX
Email: XXXXXXXX@planning.lacounty.gov
Phone Number: (XXX) XXX-XXXX - Monday through Thursday before 10am

1
Regional Planning
121 W Temple Street
Los Angeles, CA 90012
212.194.4411
http://planning.lacounty.gov

DATE

PROPERTY OWNER/TENANT
ADDRESS
CITY, STATE ZIP CODE

Code Enforcement Case Number: KPCE201899914

Dear Property Owner/Tenant:

As you are aware, we have inspected the property located at [ADDRESS] and it disclosed the following violation(s):

- 2
1. **Junk and Salvage (R-1)**
Items classified as junk and salvage material are maintained on the premises (Los Angeles County Zoning Code: 22.20.010; 22.20.015; 22.20.070)
Discarded boxes and material are being maintained on the driveway and front area of the property.

3
Case Number:
KPCEXXXXXXXXXXXX
APN:
XXXXXXXXXXXX
Zone:
R-1
Investigating Pl:
XXXXXXXXXXXX
Phone Number:
(212) XXXXX-XXXX
Email:
XXXXXXXXXXXX@planning.lacounty.gov
Fax Due Date:
XX/XX/XX

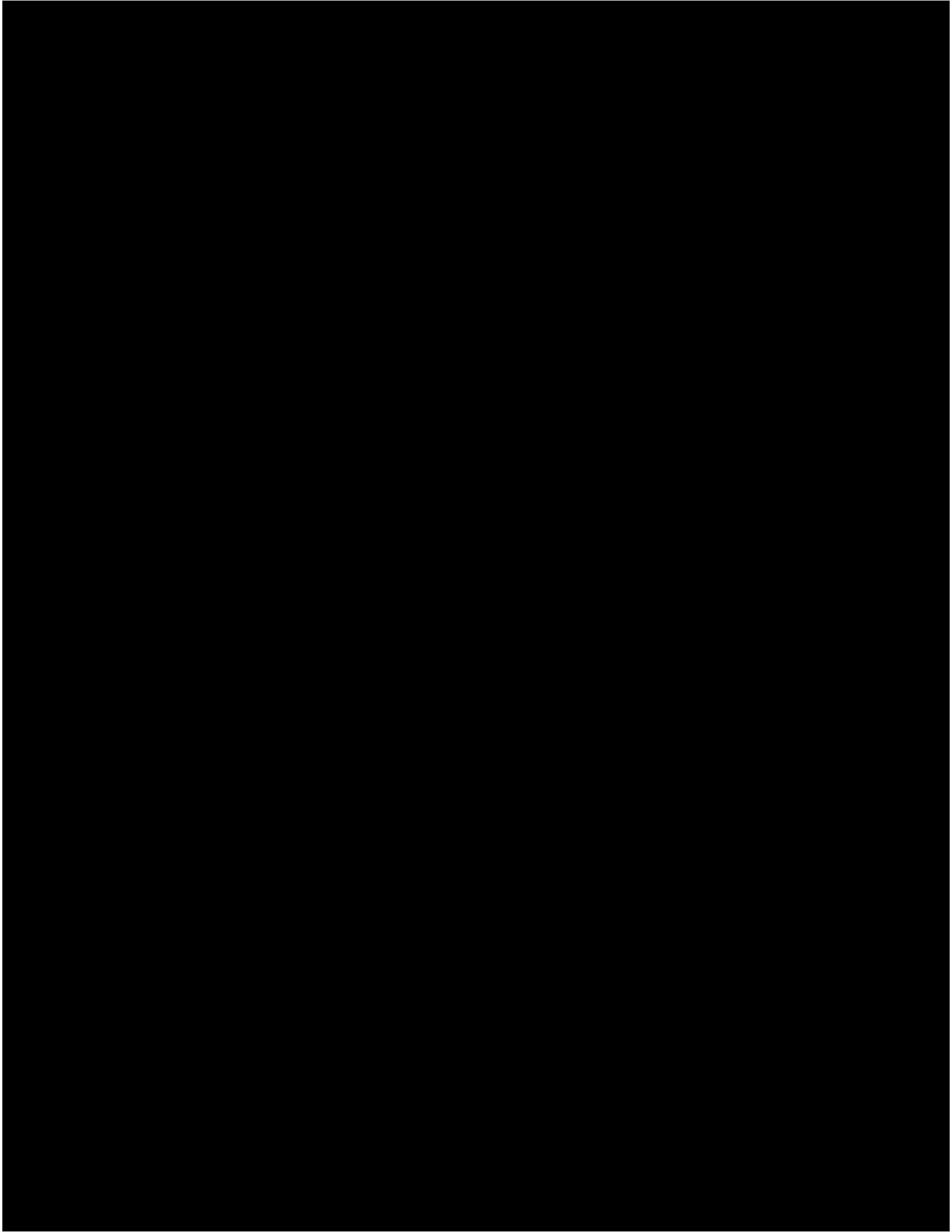
These are not permitted uses in zone R-1, and are in violation of the provisions of the Los Angeles County Zoning Ordinance (Title 22) Section(s) listed above.

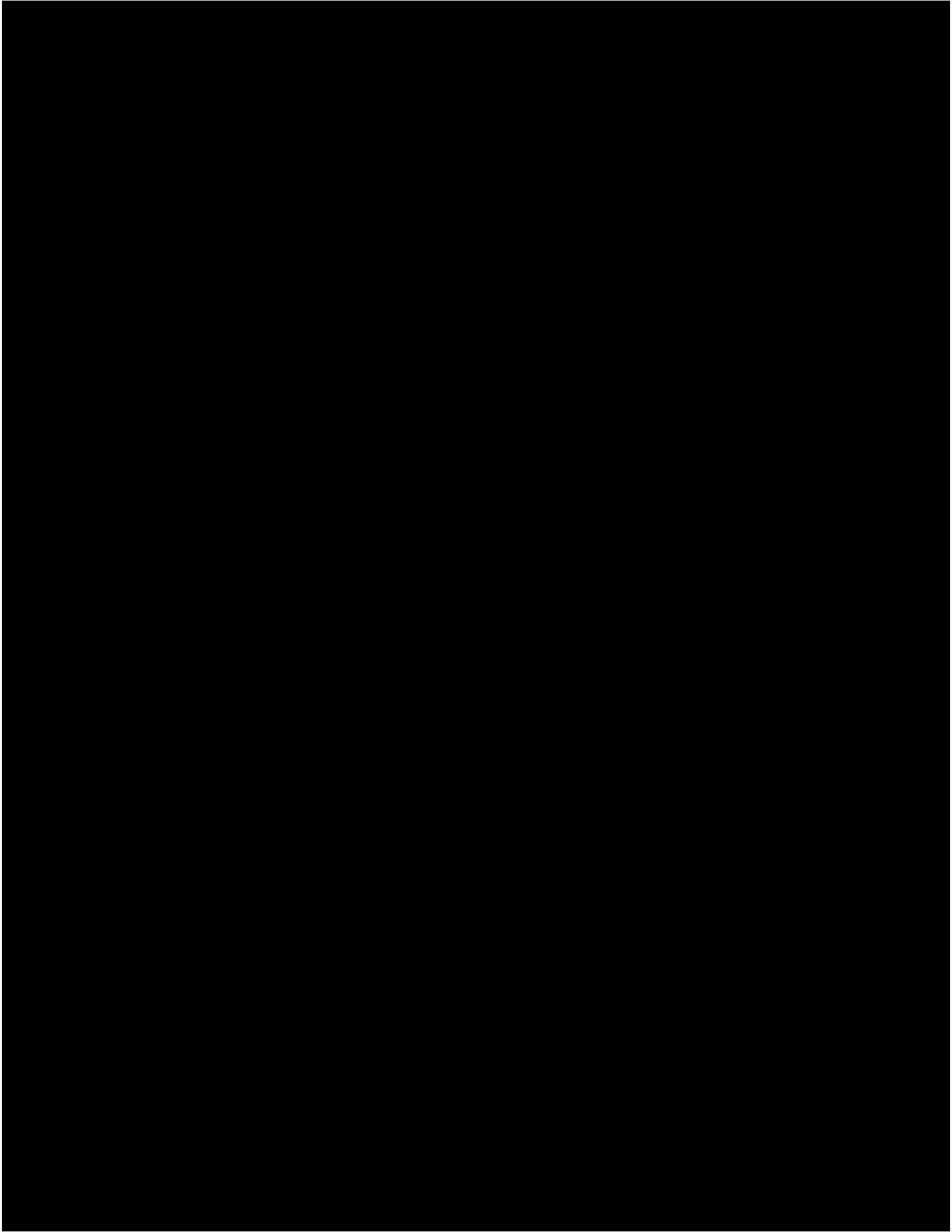
Since you have failed to abate the aforementioned violation(s) and no appeal of such order has been filed in a timely manner as provided by Title 22, section 22.60.390, this matter will be referred to the District Attorney with the request that a criminal complaint be filed against you. Conviction can result in a penalty of up to six months in jail and/or a \$1,000.00 fine, each day in violation constituting a separate offense.

For any other inquiries, please contact the investigating planner directly as noted by the contact information listed above. Please note that our offices are closed on Fridays.

Roots of native vegetation (APN 2853-006-006)

Roots of native vegetation (APN 2853-006-006)





Roots of native vegetation (APN 2853-006-006)

Roots of native vegetation (APN 2853-006-006)

