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EXEMPT FROM FILING FEES PER GOV CODE §
6103

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10 Attorneys for CITY OF EUREKA

11
12 **SUPERIOR COURT OF CALIFORNIA**
13 **COUNTY OF HUMBOLDT**
14

15 The CITY OF EUREKA, and the PEOPLE OF
16 THE STATE OF CALIFORNIA, by and
through Jones & Mayer, Special Counsel to the
17 City of Eureka,

18 Petitioner,

19 v.

20 FLOYD SQUIRES, et al.,

21 Respondents.
22
23

Case No.

**DECLARATION OF KRISTA
MACNEVIN JEE IN SUPPORT OF
MOTION FOR ADDITIONAL RECEIVER
AUTHORITY, OR IN THE
ALTERNATIVE FOR REPLACEMENT
OF RECEIVER**

[Assigned for all purposes: Hon. Dale E.
Reinholtsen, Dept. 8]

Exempt from Filing Fees (Govt. Code § 6103)
Deemed Verified (Code Civ. Proc. § 446)

Date: January 23, 2016
Time: 4:00 p.m.
Dept: 8

24
25
26 I, KRISTA MACNEVIN JEE, hereby declare as follows:

27 1. I am a senior associate with the law firm of Jones & Mayer, counsel of record for
28 the City of Eureka in the above-captioned litigation. I have personal knowledge of the following

1 facts and could competently testify to them in a court of law if called upon to do so.

2 2. On or about December 23, 2016, the Eureka Police Department provided the City
3 Attorney Cyndy Day-Wilson and us, as the City's counsel of record in this matter, with a list of
4 calls for service to several of Respondents' real properties that are the subject matter of the
5 above-captioned matter, as specified, during the 2016 calendar year, up to approximately
6 December 22, 2016. I also reviewed police reports associated with the calls for service, to the
7 extent certain incidents included the preparation by the Police Department of such written
8 reports, which were provided to us by the Eureka Police Department on or about December 27,
9 2016. Based on my review of the list of calls for service and associated police reports, the
10 following is a true and correct summary of those calls:

11
12 1635 G Street - 73
13 1625 G Street - 26
14 833 H Street - 67
15 216 3rd Street - 14
16 2245 Broadway - 57

17
18 The calls at 1635 G Street have ranged from trespass, burglary, disturbances/keeping the
19 peace (including ones involving weapons), threats, stolen vehicles, and suspicious
20 persons/circumstances. In addition, there were two shooting at the property – one in October and
21 one in December. (See Declaration of Matthew Morgan, at ¶ 7.) (See also, Exhibit A hereto
22 (reports of District Attorney Investigator John Burke)). In addition, there was an assault and
23 battery investigation against Squires by the District Attorney relating to two tenants at this
24 property this month. (See Exhibit A hereto (John Burke reports).) Some of the calls for service
25 as to the specified incidents also involved narcotics possession or use.

26 The calls 1625 G Street included disturbance/keeping the peace, suspicious
27 person/circumstance, and threats.
28

1 The calls at 833 H Street included shots heard, disturbances/disperse, malicious mischief,
2 trespass, municipal code violations, suspicious persons/circumstances, and threats. In addition,
3 there was a structure fire on June 9, 2016 at this property. Some of the calls for service as to the
4 specified incidents also involved narcotics possession or use.

5 The calls at 216 3rd Street included trespass, municipal code violation, assault, malicious
6 mischief and disturbances/keeping the peace. Some of the calls for service as to the specified
7 incidents also involved narcotics possession or use.

8 The calls at 2245 Broadway Street included suspicious persons/circumstances, municipal
9 code violations, disturbances, and trespass. In addition, there was a structure fire on July 2, 2016
10 at this property.

11 3. I and City Attorney Cyndy Day-Wilson have been provided copies from District
12 Attorney Investigator John Burke of reports that he has recently prepared relating to his
13 investigation of assault and battery claims by two tenants at 1635 G Street against Floyd Squires.
14 He has also inspected various other properties of Respondents. True and correct copies of his
15 reports, prepared for the District Attorney, are attached hereto, and incorporated herein by
16 reference, as Exhibit A. Following is a summary of some of the conditions, which are code
17 violations, found at the specified properties during his investigation and his inspections of the
18 properties:

19 1635 G Street. He observed the following conditions:

- 20 • On November 8, 2016: missing exterior wooden fascia from under second story
21 bedroom window, which constitutes ineffective waterproofing of exterior walls;
22 plywood was attached to the front door and several windows; and stair handrail was
23 missing to the landing between the first and second floor (which had been missing for at
24 least five months);
- 25 • On November 28, 2016: exterior wooden fascia under second story bedroom window
26 was still missing; first floor window was broken and completely missing, with a blanket
27 attached to the opening; front door was secured by a large wooden screw; stair handrail
28 was still missing; mold on the ceiling in one tenant room; one tenant had an open

1 umbrella attached to the ceiling in order to collect water leaking from the floor above;
2 and an electrical cord hanging from the ceiling with a bare light bulb in one tenant room.

3 • On December 2, 2016: the exterior fascia was still missing under the second story
4 bedroom window, a window was still missing; front doors could not be secured due to
5 damage to the dead bolt (which had been existing in that state since June 2016); mold
6 and the umbrella catching water from the leaking ceiling were still present; handrail on
7 stairs to second floor were still missing and stairs were damaged; an individual was
8 sleeping in an unnumbered room, was not a tenant, and left the building; a door was
9 missing to one unit, which had only a sheet of plywood in the door opening, which had
10 been in that state since approximately June 2016.

11 833 H Street. He observed the following conditions:

12 • On December 14, 2016: the front security door and the front door were both missing
13 door knobs, so that the doors could not be secured and vagrants and non-tenants can and
14 do regularly have access to these areas; approximately one foot of standing water was
15 present in the basement; no window was in a window frame on the second floor; garbage
16 was overflowing from the receptacles, due to inadequate garbage containers; a door on
17 the second floor, leading to the exterior, had no landing or stairs to the outside; and
18 cockroach infestation was visible in several rooms.

19 4. Among the police reports I reviewed from the Eureka Police Department relating
20 to Respondents' properties identified in the motion for which this declaration is supporting, were
21 the following, true and correct copies of which are attached hereto, and incorporated herein by
22 reference, as Exhibit B:

23 a. Report No. 16-008970. This relates to a shooting on December 16, 2016 at 1635
24 G Street.

25 b. Report No. 16-008691. This relates to possession of unlawful paraphernalia
26 relating to controlled substance use at 216 3rd Street.

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c. Report No. 16-007501. This relates to possession of a controlled substance at 833 H Street.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 28th day of December, 2016.



Krista MacNevin Jee

EXHIBIT A



B... pot
4... punk little bitch
... with me

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... well 3 going on
... recorded last
... along with
... by most. This is
... very honest
#4. Ben S.















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78401
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County of Humboldt
Office of the District
Attorney
INVESTIGATIVE REPORT

CRIME	DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER
	Squires, Floyd Everett	11/29/2016	DA16-0375
1941.1(a)1-6-8 C.C 424.a(5) PC	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
	Eureka Police Department	16-007917/240-242	

CHARGES TYPE	CODE SECTION	DESCRIPTION
1941.1(a)(1) 1941.1(a)(6) 1941.1(a)(8)	Civil Code	Dwelling shall be deemed tenantable: Effective waterproofing, exterior walls; building kept clean and free from all accumulations of debris, filth rubbish; floors, stairways and railings maintained in good repair.
424.a (5)	P.C.	Public Funds-Failure to return upon demand
VICTIM #1		
NAME	DATE OF BIRTH	ADDRESS
Daley, Dave G	██████ 1968	
VICTIM #2		
NAME	DATE OF BIRTH	ADDRESS
Humboldt County		Dept Health & Human Services
SUSPECT		
NAME	DATE OF BIRTH	ADDRESS
Squires, Floyd E	██████ 1946	225 Wabash Ave Eureka
		834-██████

NARRATIVE

On November 8, 2016, I spoke to an individual who identified herself as Jamie Hatfield. Ms Hatfield identified herself as an advocate for two individuals who resided at 1635 G Street, a rental property owned by Mr. Floyd E. Squires. Ms. Hatfield reported to me that Mr. Squires had entered the rental at 1635 G Street and had gone to the respective rooms of Mr. Bomberg and Mr. Daley and had assaulted each victim, telling Mr. Daley he was evicted.

I contacted the Eureka Police Department requesting a copy of their police report addressing the alleged assault, please refer to attached.

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		Probation		Parole		Other: <i>Eureka City Atty. Cindy Daly-Wilson</i>					Page 1 of 28
INVESTIGATOR	ID	DATE	APPROVED BY	DATE							
J. R. Burke	7K10	12/12/2016	<i>[Signature]</i>	12/12/16							



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Office of the District
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	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
	Eureka Police Department	16-007917/240-242	

Supplemental – continued

On November 8, 2016, at approximately 12:50, DAI G. Cooper and I proceeded to 1635 G Street in order to interview the listed victims. Upon arriving at the front of this building I noticed that an approximate 2 foot by 2 foot portion of the exterior wooden fascia just under the westernmost upstairs bedroom window was missing, violation of Civil Code section 1941.1(a)(1), ineffective waterproofing-exterior walls.

From the street the building appeared to be in a state of construction or repair as the front door and several windows had sheets of plywood attached and visible in a western bedroom window was what appeared to be painting materials.

DAI Cooper and I entered the G Street residence via an open door leading into the kitchen/dining room area, noting the abundant filth throughout the kitchen area. The kitchen did have a stove, unknown if it functioned as there were no grates on the burners. The common area possibly used for a dining area was void of any furniture. Exiting the kitchen we encountered two individuals, a male and a female. The male verbally identified himself as Cory Stogner CDL [REDACTED]. The female identified herself, via a Calif ID card # [REDACTED] as Jasmine M. Kahoalii-Lucero, dob of [REDACTED] 1978. These individuals denied living at this address, stating they were there to visit a friend. Approaching the stairs, I noted the bannister leading from the first floor to the landing had been removed, a violation of Civil Code Section 1941.1(a) (8) i.e. floors, stairways and railings maintained in good repair. It should be noted by the reader that approximately five months prior, DAI Cooper and I had entered this dwelling in search of a witness to a murder and noticed that a portion of the same railing was missing.

Cooper and I continued to the second floor where we met Mr. Dave Daley and Mr. Dave Bomberg, both who claimed to be residents of 1635 G Street. Both Daley and Bomberg stated that on Friday, November 4, 2016, they were in their respective rooms, Daley in room # [REDACTED] and Bomberg in room # [REDACTED] when S-Squires entered the building going to Bomberg's room, walking into Bomberg's room via the open door. At this time Bomberg and his guest, a Charles Pealer, were talking. When Bomberg stood up, asking S-Squires what he was doing there, he reports S-Squires then pushed him, causing him to fall.

Daley stated that as he was standing at his front door, Squires pushed him from behind causing him to fall into his room. S-Squires then told Daley "You're evicted" and then walked away. Neither party reported being injured by Squires, please refer to attached EPD report #16-007917.

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INVESTIGATOR	ID	DATE	APPROVED BY	DATE								
J. R. Burke	7K10	12/12/2016										



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1941.1(a)1-6-8 C.C 424.a(5) PC	Squires, Floyd Everett	11/29/2016	DA16-0375
CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1	
Eureka Police Department	16-007917/240-242		

Supplemental – continued:

On Monday, November 28, 2016, DAI Jager and I returned to 1635 G Street in order to contact Mr. Dave Bomberg and obtain additional information from him. I noticed that the exterior wooden fascia under the second story bedroom window, as noted on page 1, was still missing. I also noted that the window located on the first floor, south side, was broken completely out and had a large brown blanket affixed to the opening. We knocked on the front door and I noticed that it was "secured" by a large wood screw. We were directed by an unknown subject to enter by the kitchen door. Upon entering we were immediately contacted by a resident who verbally identified himself as, Tim Bayless, residing in room [REDACTED]. After telling Mr. Bayless our purpose, Mr. Bayless began to lead us upstairs to Bomberg's room.

I pointed out the missing banister to Mr. Bayless who told me that the banister was being taken apart, piece by piece, and been left in its current condition for approximately 6 weeks. As we walked to the landing between the first and second floor, I noticed a large debris pile in the corner on this landing.

We walked to Mr. Bomberg's room and met Mr. Pealer. I briefly spoke to Mr. Pealer asking him to write a narrative of the events he observed between S-Squires and Mr. Bomberg. Mr. Bayless then led us down the back stairs ending up in front of his room. I asked Mr. Bayless if he had windows in his room. He answered yes, asked if I wanted to see and then opened the door to his room. I observed several large moldy areas on his ceiling. I asked him what the moldy areas were and he answered "Black mold". I also observed an electrical cord hanging from the ceiling, approximately four feet in length with a bare light bulb at the end. Attached to this electrical cord was an inverted umbrella. When I asked Mr. Bayless the purpose of the umbrella, he told me that there is a leak from the bathroom above his room and the umbrella catches and collects the water so as to prevent the leaks from collecting in his room. DAI Jager and I then left the area.

On Friday, December 2, 2016, DAI Cooper and I returned to 1635 G Street in order to contact victim Bomberg and obtain his statement. As we walked up to the residence I took several photographs of the building, specifically the damage to the building which renders it to be out of compliance with a variety of Civil Code sections, i.e: a window completely removed from the west bedroom as well as the 2x2 foot removal of the exterior wooden fascia under the southern second story bedroom window, both are violation of 1941.1.(a) (1) Effective waterproofing and weather protection of roof and exterior walls including unbroken windows and doors; the front, double wooden doors can't be secured, although it does have a functioning dead bolt lock, due to the severe damage to the doors receiver of the dead bolt, a violation of 1941.3(a)(1). It should be noted by the reader that the front door has been in this condition since June 2016. Photographs of the outlined damages were taken by this Investigator, please refer to attached.

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		Probation		Parole		Other:					Page 3 of 28
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J. R. Burke	7K10	12/12/2016									



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Attorney
INVESTIGATIVE REPORT**

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CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
1941.1(a)1-6-8 C.C 424.a(5) PC	Eureka Police Department	16-007917/240-242	

Supplemental – continued:

I knocked upon the front door where upon an unknown white male opened the door and allowed us entry. We stepped into the common area and were greeted by Cory Stogner, who told us that he had been hired by Floyd Squires to clean up the common areas, make repairs to the building as necessary and to provide a level of security to the best of his abilities. Mr. Stogner welcomed us into the residence told us to look around and acknowledged the security issue of the front door and stated that he had reported the condition to Squires. Mr. Stogner also acknowledged the issue of the bedroom window that had been completely removed, adding to the habitability problems of the building as outlined by Civil Code, especially considering that in the month of November, the Eureka area has had over six inches of rain, average of the month is four inches and the nightly temperature has been in the high 30's to low 40's, according to the local weather bureau.

As we continued through the first floor, we meet two females who denied having identification, Monica Simpson, [REDACTED] 1984, [REDACTED] and Danielle Brown, [REDACTED] 1997, [REDACTED]. Mr. Stogner told us that neither females were tenants of this building but were on the premises to assist in cleaning up. While in the kitchen area, near room [REDACTED], Cooper and I were contacted by Mr. Tim Bayless, tenant of 1635 G Street residing in room [REDACTED]. It should be understood that I had spoken to Mr. Bayless on December 2nd and it was his apartment that suffered from the black mold on the ceiling as well as leaks from the second floor bathroom described earlier in this report. With Mr. Bayless's permission, I took photographs of the inverted umbrella and the moldy ceiling in his room, refer to attached.

As Cooper and I proceeded to the stairway leading to the second floor, we noticed that a large section of the banister of the stairway had been removed and the stairs leading to the landing and the second floor were damaged. Photos were taken and are attached. Once on the second floor, Cooper and I noticed a female, later identified as Crystal V. Moffitt, 12/08/1992, to be asleep on a floor pallet in an unnumbered room. It was later determined that Moffitt was not a tenant and was currently squatting. Cooper made contact with Moffitt who then left the building.

At approximately 1050 hours, I made contact with a Benjamin Smith, d.o.b. [REDACTED] 1985, a resident of 1635 G Street, residing in room # [REDACTED]. It should be noted that room # [REDACTED] did not have a door, only a sheet of plywood placed in the door-opening so as to offer some level of privacy and security. Mr. Smith told me that the door to his room had been removed sometime in June 2016. Mr. Smith told me that on the night Mr. Dave Daley was assaulted, he didn't remember the date, he was in his room when he heard Floyd Squires yelling at Mr. Daley. Mr. Smith stated that he could not hear the language used as he was on his cell phone with Eureka Police Dispatch. Mr. Smith did hear Floyd Squires yell at Mr. Daley "You're out of here". After Squires had left, Mr. Smith reported that Mr. Daley told him that Squires had pushed him down.

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CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
Eureka Police Department	16-007917/240-242	

CRIME

1941.1(a)1-6-8 C.C 424.a(5) PC

Supplemental – continued:

At approximately 11:00 am, I contacted Mr. Dave Bomberg, a resident of 1635 G Street, living in room # [REDACTED]. Mr. Bomberg stated that on the night he was assaulted by Squires, he was entertaining a guest, a Mr. Charles Pealer, d.o.b. [REDACTED] 1966, possible address of [REDACTED] Street. Mr. Bomberg states that he observed Squires walking up the stairway and, when he was at the top of the stairs. Mr. Bomberg reports that he saw that Squires had a cell phone in his hand and this cell phone had a red light burning, indicating to Mr. Bomberg that Squires was possibly videotaping. Mr. Bomberg saw that Squires was walking towards him presumably because Mr. Bomberg had not paid rent since September because his room did not have a door and the only communal toilet wasn't functioning.

Mr. Bomberg continued, saying as Squires approached the door opening and he had gotten up off of his couch and met him at the door. Squires then pushed Mr. Bomberg hard enough to cause Mr. Bomberg to lose his balance and fall back into his room and onto the floor. With that, Squires left the area. Mr. Bomberg is unsure as to whether or not he is willing to press charges. He does know that all he wants at this time is for Squires to leave him alone.

When I asked Mr. Bomberg who he reports building deficiencies to he told me he reports them to Floyd Squires. When asked if he knew a Jeffrey Smith, the individual who had been appointed as Receiver for the Floyd and Betty Squires properties, he stated he did not.

I had been advised that Mr. Dave Daley had been removed from 1635 G Street by the Humboldt County Department of Health and Human Services (DHHS) due to the lack of security at his room and his fear of continued assaultive behavior from Floyd Squires. I contacted a Sue Cairns from DHHS who confirmed the report that Mr. Daley had been moved from Squires' property and relocated. Ms. Cairns also told me that the rent for Mr. Daley's room had been paid in full from April 1st 2016 through November 30, 2016. Ms. Cairns reported that these funds had been paid to Floyd Squires. I asked Ms. Cairns if Squires had reimbursed the county for the dates Mr. Daley was not a tenant. According to Ms. Cairns, Floyd Squires had not reimbursed the County the pro-rated rental funds as Squires had stated that there wasn't a refund forthcoming as Mr. Daley had not provided a 30 day notice of termination. However, Mr. Daley and Mr. Smith report that Squires had verbally "evicted" Mr. Daley and had underscored the "eviction" by assaulting Mr. Daley. Ms. Cairns stated that she believed that Mr. Daley was charged \$675.00 per month for renting the room at 1635 G Street. If that is accurate then a pro-rated monetary return to the county would be approximately \$22.50 per day multiplied by the number of days remaining in the month from the day Mr. Daley had left his rental i.e. if Mr. Daley had left his rental on November 5th as demanded to do so by Squires, then 25 days remained in November thus 25 days x \$22.50 per day equals \$562.50.

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Supplemental – continued:

Additionally, on November 10, 2016, DHHS sent Squires a letter of demand requesting the return of the deposit of \$435.00 which as of today's date has not been received by Humboldt County. Because Mr. Daley vacated his rental prior to November 30th in compliance with Squires' demand for him to vacate the premises, re-enforced by Squires alleged use of force, Squires owes the County of Humboldt approximately \$997.50 (deposit of \$435.00 and unused rental dates totaling \$562.50 equals \$997.50). Squires refusal to reimburse to Humboldt County those funds appears to be a violation of Penal Code section 424 (a) 5 Willfully refuses or omits to pay over, on demand, any public moneys in his or her hands, upon the presentation of a draft, order or warrant drawn upon these moneys by competent authority, please refer to the letter of Demand from DHHS to Squires.

On Thursday, December 8, 2016 DAI Jager and I drove to the Flamingo Motel and spoke to Mr. Dave Daley. Mr. Daley told me that he had just been released from the hospital and discovered that "he" had kicked in the door to his rental room. When I asked Mr. Daley to identify who "he" was, Mr. Daley told me Floyd. I asked him if he was referring to Floyd Squires, he responded yes. I then asked Mr. Daley how he knew that Squires had kicked in his door, Mr. Daley told me that Squires had threatened to do so in the past. Mr. Daley continued saying that while he was looking at the damaged door, "I got whacked from behind" which caused him to fall to the floor. When I asked who had "whacked" him he stated Squires. Mr. Daley told me that as he was getting up from the floor he saw Squires who then told Mr. Daley "Get the hell out". Mr. Daley told me that he had not received any eviction notices from either Squires or Mr. Jeffrey Smith, the individual placed as a receiver for the Squires' properties. Mr. Daley told me that he is willing to assist in the prosecution of Squires for the assault.

Mr. Daley was adamant that he was desirous of prosecuting Squires for assaulting him.

As a result of this follow-up investigation of Floyd Squires assault upon two of his tenants, Mr. Dave Bomberg and Mr. Dave Daley, residents of 1635 G Street, I found the living conditions of their dwelling to be in an unsafe, unsanitary and dilapidated condition, basically in violation of Civil Code section 1941 as well as Health and Safety Code section 17980.

Specifically, standing on the sidewalk in front of 1635 G Street, I observed the following external disrepair; the window to the bedroom to the south to have been completely removed from the frame with a bed sheet covering the opening; I also noticed that a 2x2 foot section of wooden fascia under the second story window was missing, possibly due to rot, violation of Civil Code section 1941.

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CRIME

1941.1(a)1-6-8 C.C 424.a(5) PC

Supplemental – continued:

Inside the building I found the following: the front door could not be secured as the wooden frame work was broken leaving the dead bolt nonfunctioning; the stairs from the first floor to the second floor were chipped and broken with the railing leading from the first floor to the landing completely removed (violation of Civil Code 1941h). I also found mold (black in color) growing on the ceiling of room. Also in room I saw an electrical wire approximately 4 feet in length hanging from the ceiling with an inverted, open umbrella attached. I asked the resident, resident Tim Bayless the purpose of the umbrella, he told me that the bathroom above his room leaks and the umbrella catches the water (violation of Civil Code 1941 b). I photographed these damages which are attached.

As a result of this assault and battery follow-up investigation, I have discovered that numerous rental properties owned and managed by Floyd and Betty Squires have been in litigation since 2011 due to the unsafe, unsanitary, filthy and dilapidated conditions of these properties due to either poor management practices by Floyd and Betty Squires or a complete disregard for the living conditions of their tenants. Refer to Humboldt Superior Court #DR110040. In essence the case refers to approximately 31 properties held by the Squires and, according to the court documents, have been inspected by the City of Eureka, Code Enforcement Unit and found to be in violation of numerous Health and Safety Codes, Civil Codes as these Health and Safety Code violations apply to 1635 G Street, 1635 G Street was taken under the protection and authority of Humboldt Superior Court case number DR110040, filed on January 18, 2011 with modified receivership authority given to Jeffrey Smith, Lenders Construction Services, LLC.

I believe the ongoing uninhabitable conditions at 1635 G Street as outlined above reflects the inability of the appointed Receiver, a Mr. Jeffrey Smith of Lenders Construction LLC, to maintain and correct deficiencies of this building as they arise due to the modified conditions of the current Receivership status. Civil Codes and Health and Safety Codes requires all involved parties to maintain rental properties in a habitable condition, please refer to Health and Safety Code sections 17980.3 "The receiver, with all reasonable speed, shall remedy the unsafe condition and remove all delinquent matters and deficiencies in the building..." and 17980.3(b) " If the conditions of the premises and repairs thereto significantly interfere with the peaceful enjoyment or safe and sanitary use of the premises by any tenant, the receiver shall arrange for comparable temporary housing which is decent, safe and sanitary for each tenant required to be relocated. The receiver shall pay relocation costs to each tenant as provided in Section 7262 of the Government Code".

COPIES TO:	<input checked="" type="checkbox"/> DA	<input type="checkbox"/> HCSO	<input type="checkbox"/> FPD	<input type="checkbox"/> EPD	<input type="checkbox"/> CHP	PAGE
	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			Page 7 of 28
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
J. R. Burke	7K10	12/12/2016				



**County of Humboldt
Office of the District
Attorney
INVESTIGATIVE REPORT**

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER	
Squires, Floyd Everett	11/29/2016	DA16-0375	
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
1941.1(a)1-6-8 C.C 424.a(5) PC	Eureka Police Department	16-007917/240-242	

Supplemental – continued:

Floyd Squires' neglectful management of 1635 G Street have proven to be woefully incapable of providing a decent, safe and sanitary and habitable place for people to reside. Through Squires' inability to properly maintain the 1635 G Street home, he displays his inability to adequately adhere to California's implied warranty of habitability towards the tenants. This implied warranty requires every Landlord to meet certain minimum standards regarding maintenance and upkeep of their rental properties.

Summary of violations referenced:

- Civil Code section 1941.1(a)(1) effective waterproofing, exterior walls
- Civil Code section 1941. (a)(6) building kept clean and free from all accumulations of debris, filth and rubbish
- Civil Code section 1941.1(a)(8) floors, Stairways and railings maintained in good repair

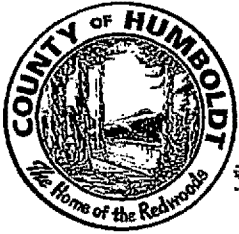
The reader should understand that there are duplicate violations of habitability laws found in Health and Safety Code sections;

- 17920.3(11) dampness of habitable rooms
- 17920.3(13) visible mold
- 17920.3 (g) faulty weather protection (2) broken windows or doors

Disposition:

Forward to D.A. Fleming for review and evaluation.

COPIES TO:	<input checked="" type="checkbox"/> DA	<input type="checkbox"/> HCSO	<input type="checkbox"/> FPD	<input type="checkbox"/> EPD	<input type="checkbox"/> CHP	PAGE
	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			Page 8 of 28
INVESTIGATOR	ID	DATE	APPROVED BY		DATE	
J. R. Burke	7K10	12/12/2016				



Humboldt County
Department of
Public Health & Human
Services

Public Health
Susan Buckley, RN, MPH, Director
529 I Street, Eureka, CA 95501
phone: (707) 445-6200 | fax: (707) 445-6097

November 10, 2016

Floyd Squires
219 5th Street Suite 204
Eureka, CA 95501

Attn: Floyd Squires

Dear Mr. Squires,

This letter is to provide you with 30 days' notice to vacate. David Daley, the tenant at 1635 G Street, Eureka, CA 95501 will vacate the apartment by November 30, 2016 per our conversation.

As part of our telephone conversation on 10/25/16, Project HART will provide a final payment of the rent in the amount of \$675 on November 1, 2016 for the month of November. **Please return the deposit of \$435 to:**

**Humboldt County Public Health – ref: Project HART
529 I street
Eureka, CA 95501**

We at Project HART would like to thank you for your willingness to participate with our program.

It has been unsafe for our staff to enter due to other residents threatening them. Please contact me to arrange a time where we can get access in a safe way to clean and remove the personal belongings.

Thank you. Please feel free to contact us with any questions or arrangements:

Karen Baker, Admin Analyst 707-441-5575
Michael Weiss, Program Coordinator 707-441-5074

Sincerely

Michael Weiss
Program Coordinator
DHHS-Public Health Project HART



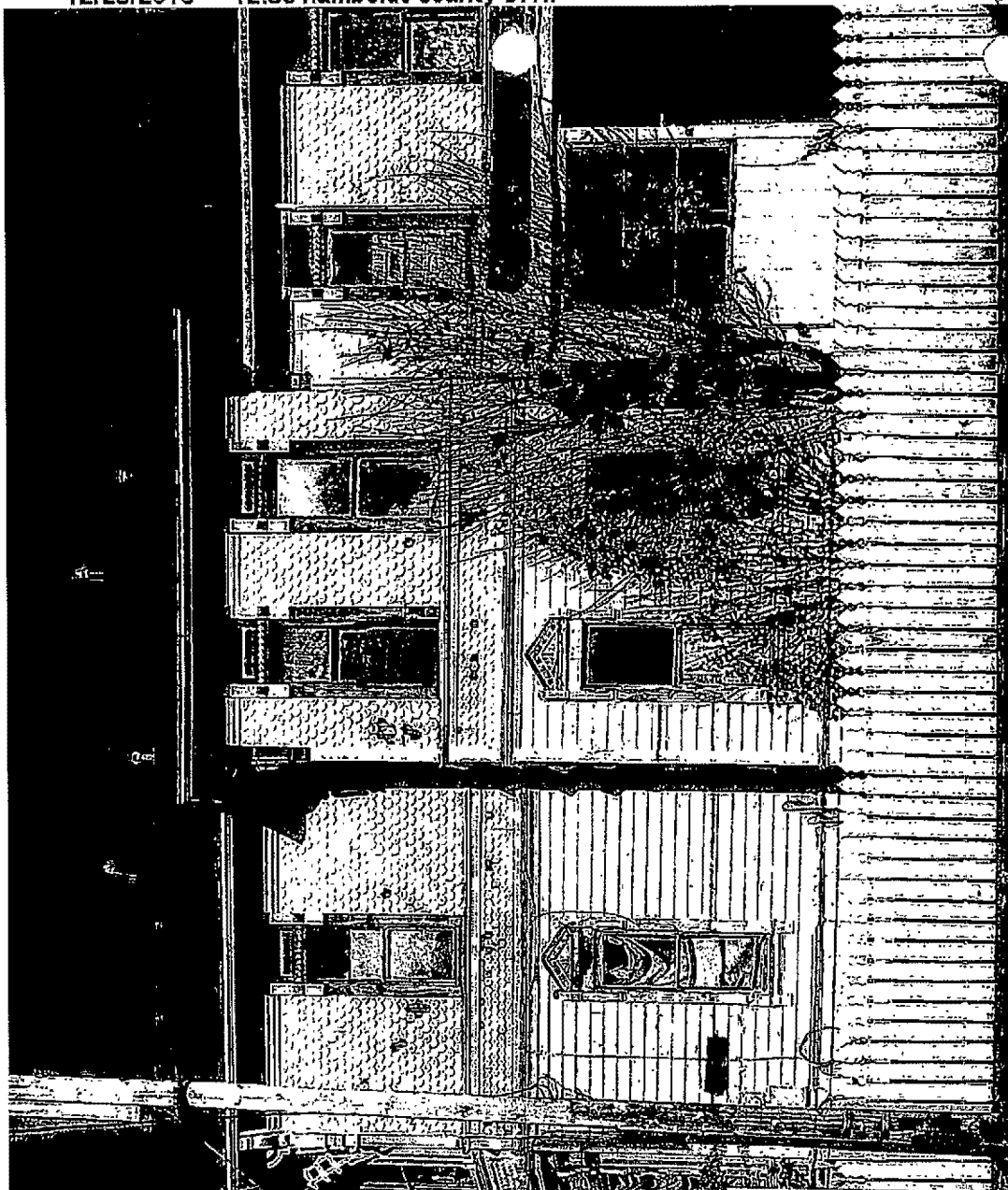
Humboldt County Department of Health & Human Services

707-441-5074

mweiss@co.humboldt.ca.us



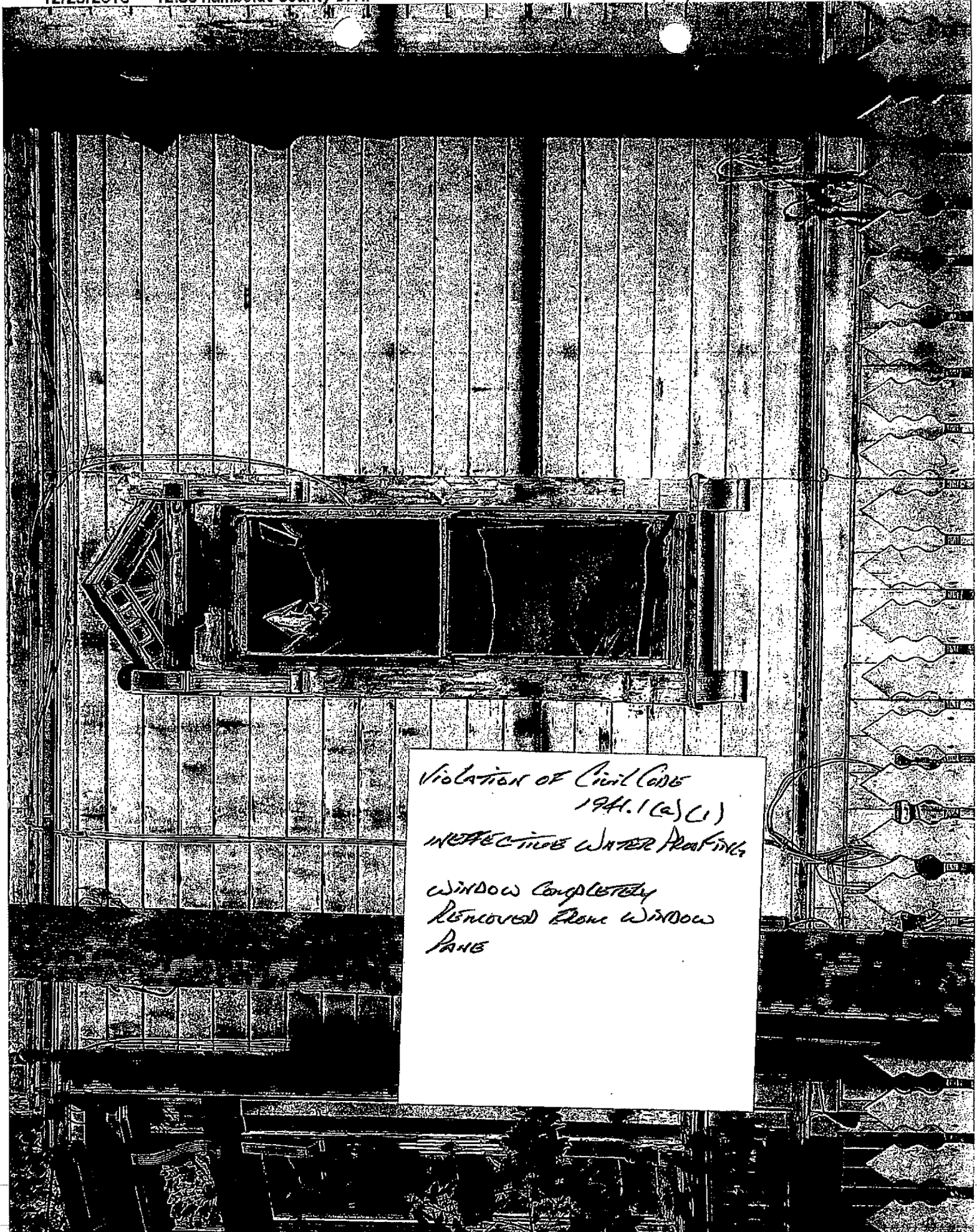
10-28



Civil Code 1941.1a1
WINDOW COMPLETELY
REMOVED FROM FRAME

INEFFECTIVE WATERPROOFING

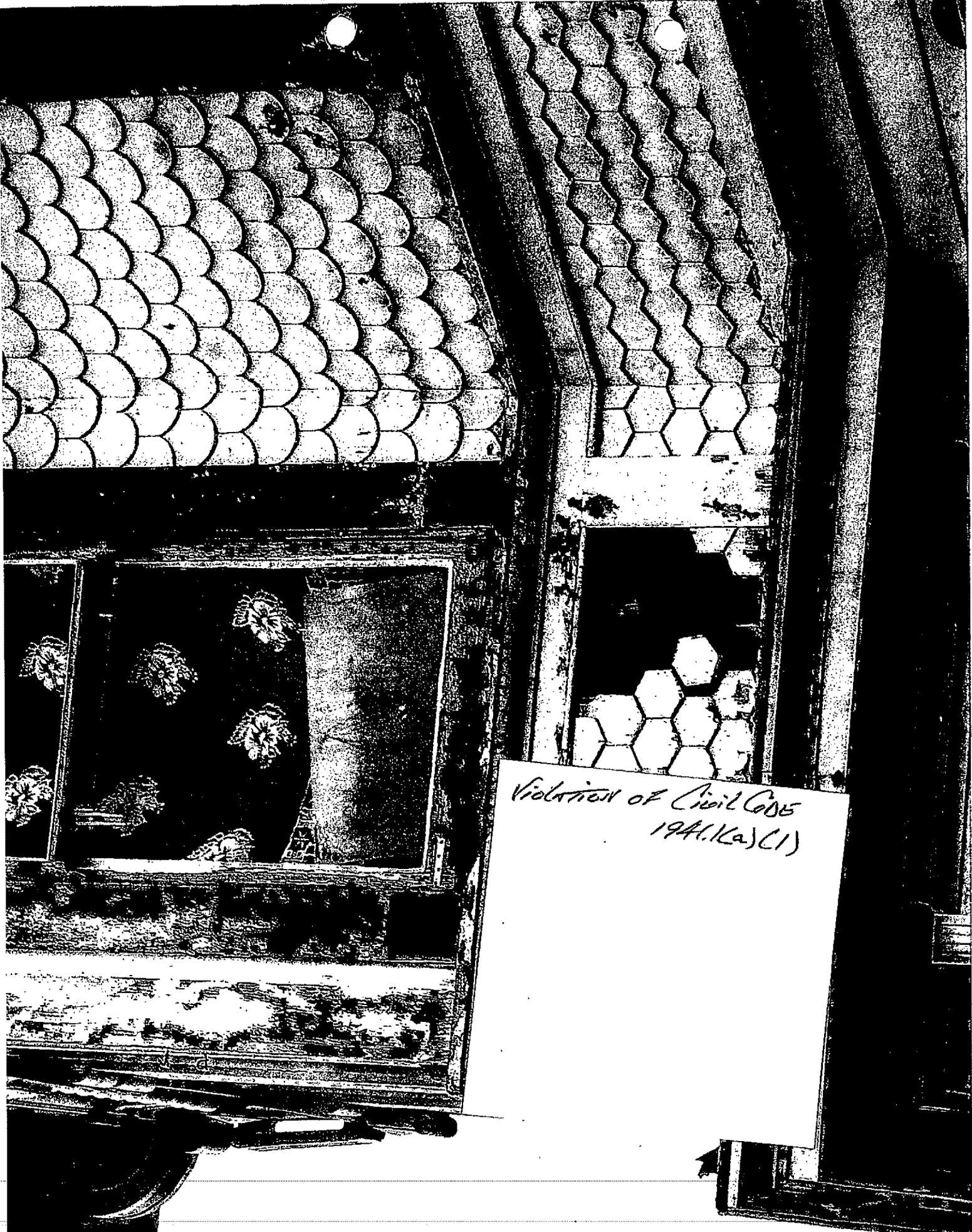
HEALTH AND SAFETY
1990.3-1A
GENERAL DILAPIDATION



VIOLATION OF Civil Code
1941.1(a)(1)
INSPECTOR WATER PROOFING
WINDOW COMPLETELY
REMOVED FROM WINDOW
FRAME



*Violation of Civil Code
19A.1(a)(1)*



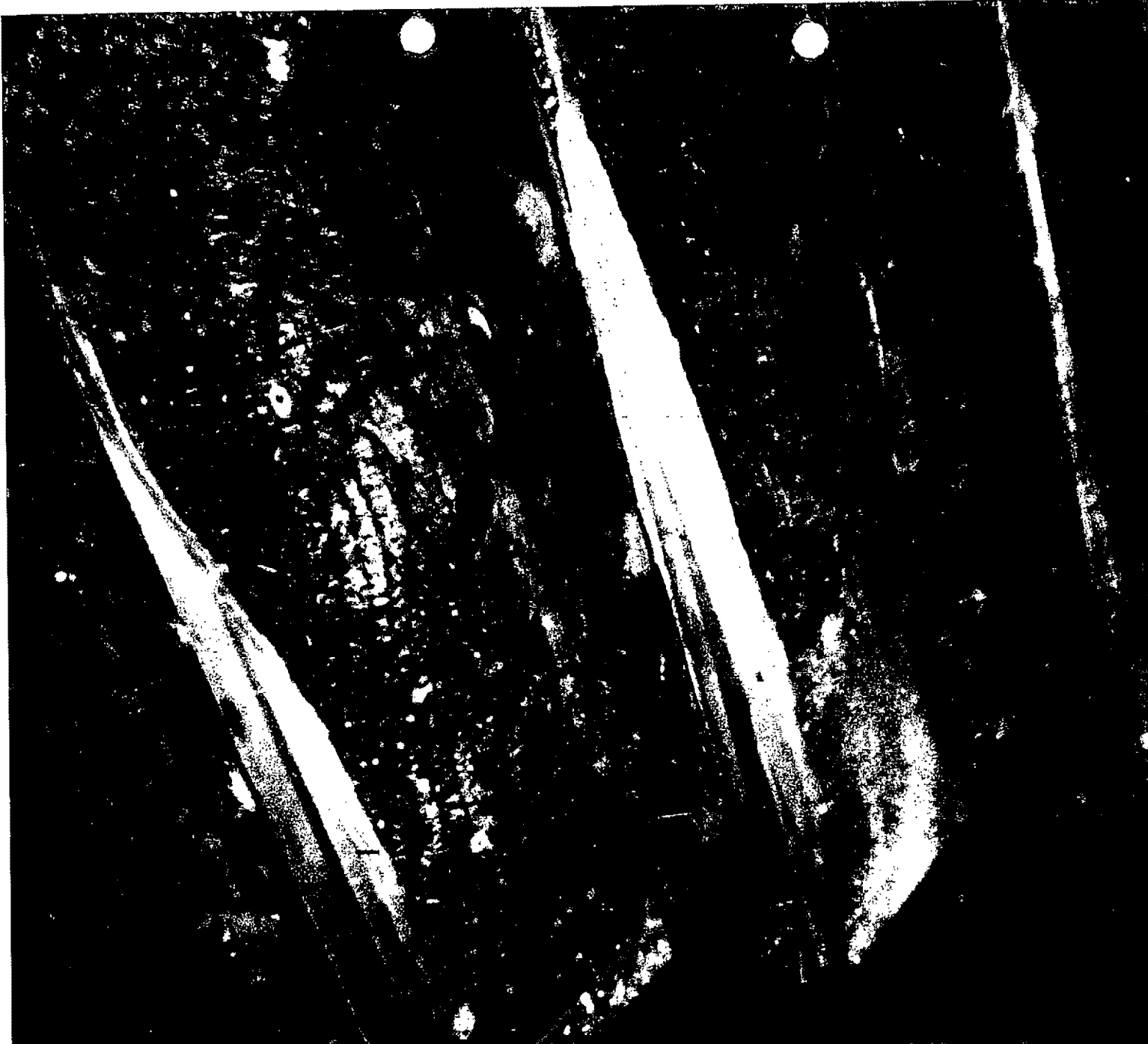
*Violation of Civil Code
194.1(a)(1)*

Violation of Civil Code
1941.1(a)(1)
OPERABLE DEAD BOLT LOCKS
ON MAIN ENTRY DOOR
BROKEN FRAME

VIOLATION CIVIL CODES
1941.4
FLOORS STAIRWAYS AND
RAILINGS IN GOOD REPAIR

MISSING RAILING FROM
FIRST FLOOR

Victoria Civil Code
1941.4
Breuxy Fairway

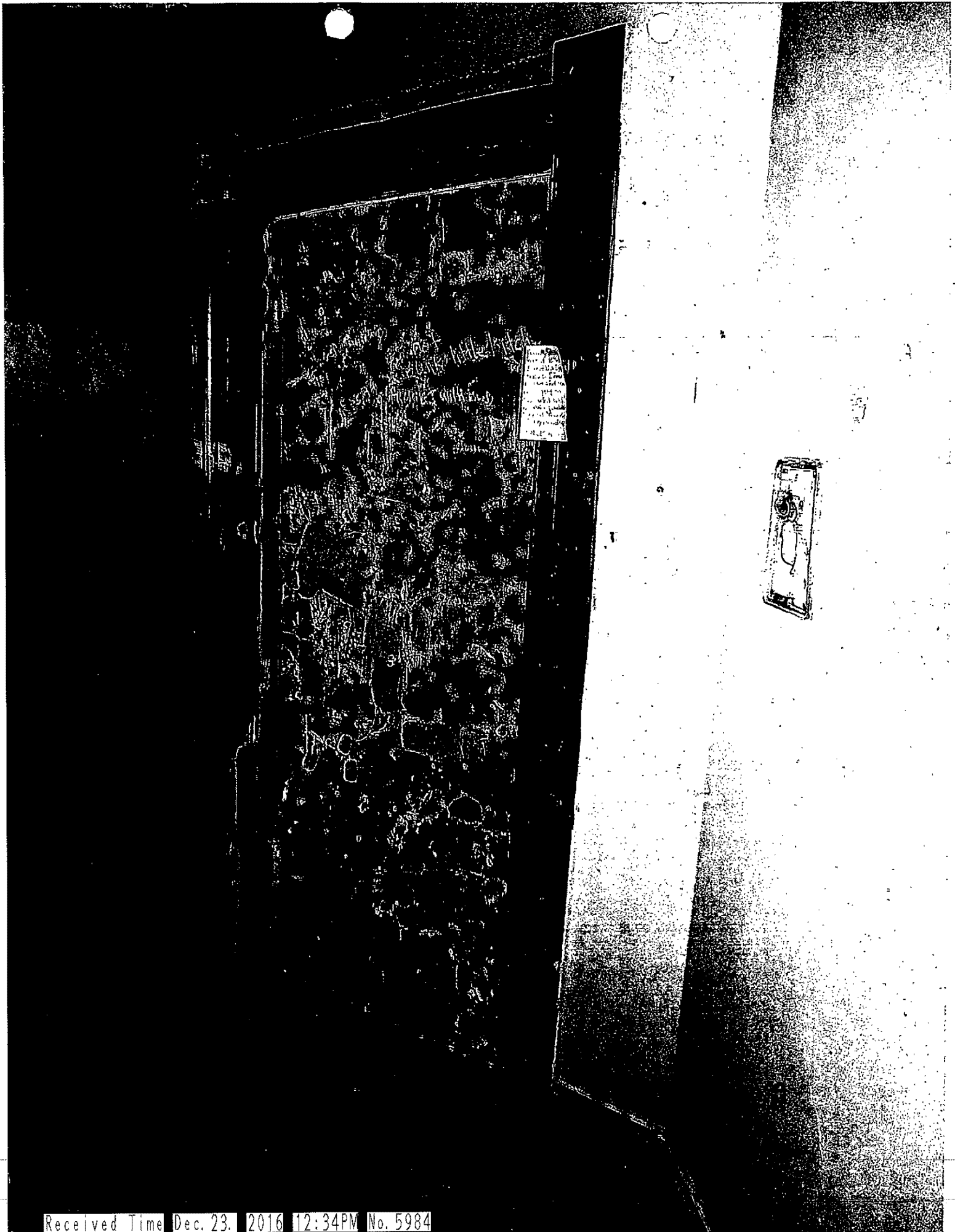


Violation Civil Code
1941.4
Shirley Davis

*Violation Civil Code
1941.4
Stanley Detective*

VIOLATION Civil CODES
1941.69 e
b. PLUMBING FACILITIES in
GOOD WORKING ORDER
e. ELECTRICAL SYSTEMS

HEALTH AND SAFETY CODES
19920-j - MOLD





California LEGISLATIVE INFORMATION

Code: Section: ⓘ

Code: Section:

Keyword(s):

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[cross-reference chaptered bills](#)

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CIVIL CODE - CIV

DIVISION 3. OBLIGATIONS [1427 - 3272.9] (*Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.*)

PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273] (*Part 4 enacted 1872.*)

TITLE 5. HIRING [1925 - 1997.270] (*Title 5 enacted 1872.*)

CHAPTER 2. Hiring of Real Property [1940 - 1954.1] (*Chapter 2 enacted 1872.*)

1941.1. (a) A dwelling shall be deemed untenable for purposes of Section 1941 if it substantially lacks any of the following affirmative standard characteristics or is a residential unit described in Section 17920.3 or 17920.10 of the Health and Safety Code:

- (1) Effective waterproofing and weather protection of roof and exterior walls, including unbroken windows and doors.
 - (2) Plumbing or gas facilities that conformed to applicable law in effect at the time of installation, maintained in good working order.
 - (3) A water supply approved under applicable law that is under the control of the tenant, capable of producing hot and cold running water, or a system that is under the control of the landlord, that produces hot and cold running water, furnished to appropriate fixtures, and connected to a sewage disposal system approved under applicable law.
 - (4) Heating facilities that conformed with applicable law at the time of installation, maintained in good working order.
 - (5) Electrical lighting, with wiring and electrical equipment that conformed with applicable law at the time of installation, maintained in good working order.
 - (6) Building, grounds, and appurtenances at the time of the commencement of the lease or rental agreement, and all areas under control of the landlord, kept in every part clean, sanitary, and free from all accumulations of debris, filth, rubbish, garbage, rodents, and vermin.
 - (7) An adequate number of appropriate receptacles for garbage and rubbish, in clean condition and good repair at the time of the commencement of the lease or rental agreement, with the landlord providing appropriate serviceable receptacles thereafter and being responsible for the clean condition and good repair of the receptacles under his or her control.
 - (8) Floors, stairways, and railings maintained in good repair.
 - (9) A locking mail receptacle for each residential unit in a residential hotel, as required by Section 17958.3 of the Health and Safety Code. This subdivision shall become operative on July 1, 2008.
- (b) Nothing in this section shall be interpreted to prohibit a tenant or owner of rental properties from qualifying for a utility energy savings assistance program, or any other program assistance, for heating or hot water system repairs or replacement, or a combination of heating and hot water system repairs or replacements, that would achieve energy savings.

(Amended by Stats. 2012, Ch. 600, Sec. 1. Effective January 1, 2013.)

HEALTH AND SAFETY CODE

SECTION 17980-17992

17980. (a) If a building is constructed, altered, converted, or maintained in violation of any provision of, or in violation of any order or notice that gives a reasonable time to correct that violation issued by an enforcement agency pursuant to this part, the building standards published in the California Building Standards Code, or other rules and regulations adopted pursuant to this part, or if a nuisance exists in a building or upon the lot on which it is situated, the enforcement agency shall, after 30 days' notice to abate the nuisance or violation, or a notice to abate with a shorter period of time if deemed necessary by the enforcement agency to prevent or remedy an immediate threat to the health and safety of the public or occupants of the structure, institute appropriate action or proceeding to prevent, restrain, correct, or abate the violation or nuisance. Notwithstanding the above, if a person has purchased and is in the process of diligently abating any violation at a residential property that had been foreclosed on or after January 1, 2008, an enforcement agency shall not commence an action or proceeding until at least 60 days after the person takes title to the property, unless a shorter period of time is deemed necessary by the enforcement agency, in its sole discretion, to prevent or remedy an immediate threat to the health and safety of the neighboring community, public, or occupants of the structure.

(b) If an entity releases a lien securing a deed of trust or mortgage on a property for which a notice of pendency of action, as defined in Section 405.2 of the Code of Civil Procedure, has been recorded against the property by an enforcement agency pursuant to subdivision (a) of Section 17985 of the Health and Safety Code or Section 405.7 or 405.20 of the Code of Civil Procedure, it shall notify in writing the enforcement agency that issued the order or notice within 30 days of releasing the lien.

(c) (1) Whenever the enforcement agency has inspected or caused to be inspected a building and has determined that the building is a substandard building or a building described in Section 17920.10, the enforcement agency shall commence proceedings to abate the violation by repair, rehabilitation, vacation, or demolition of the building. The enforcement agency shall not require the vacating of a residential building unless it concurrently requires expeditious demolition or repair to comply with this part, the building standards published in the California Building Standards Code, or other rules and regulations adopted pursuant to this part. The owner shall have the choice of repairing or demolishing. However, if the owner chooses to repair, the enforcement agency shall require that the building be brought into compliance according to a reasonable and feasible schedule for expeditious repair. The enforcement agency may require vacation and demolition or may itself vacate the building, repair, demolish, or institute any other appropriate action or proceeding, if any of the following occur:

(A) The repair work is not done within the period required by the notice.

(B) The owner does not make a timely choice of repair or demolition.

(C) The owner selects an option which cannot be completed within a reasonable period of time, as determined by the enforcement agency, for any reason, including, but not limited to, an outstanding judicial or administrative order.

(2) In deciding whether to require vacation of the building or to all give preference to

work done in carrying out the abatement order, and for the costs incurred by the county recorder in recording the lien. Notwithstanding Section 6103 or 27383 of the Government Code, the county recorder may charge a fee to any party for the cost, incurred pursuant to this section, of recording the lien at the request of that party. Liens authorized by this subdivision shall specify the amount of the lien, the name of the agency or agencies on whose behalf the lien is imposed, the date of the abatement order or the order of the court which required the work to be done, the name of the receiver, if any, appointed pursuant to Section 17980.1, and the legal description assessor's parcel number, and the record owner of the real property. The lien shall be recorded in the office of the county recorder of any county in which all or any portion of the real property is located, and from the date of recording shall have the force, effect, and priority of a judgment lien. The enforcement agency may defer payment of the lien until the property is sold or the enforcement agency may require that the lien be paid in installments. The amount of the lien authorized by this subdivision shall in no event exceed the reasonable costs of repair, as determined pursuant to Section 17980.3. Nothing in this section or in Section 17980.3 shall authorize the forced sale of the property to secure payment of the judgment lien.

(c) Whenever the enforcement agency has incurred expense for which payment is due under this section, Section 17980.3, or 17980.4, the enforcement agency may institute and maintain a suit against the owner of the building, and may recover the amount of that expense. In any case where expenditures have been made, or obligations incurred, by a receiver pursuant to Section 17980.3, and these are not paid or reimbursed from rents and income of the building, the receiver may institute and maintain a suit against the owner to recover the deficiency. Upon the awarding of a money judgment in any action authorized by this section, until the same is paid or discharged, the judgment shall be a lien like other judgments, pursuant to Chapter 2 (commencing with Section 697.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure.

(d) Unless, within six months after actual notice, proceedings to discharge the lien are undertaken by the party against whom, or against whose premises, a lien is claimed, the filing shall, as to all persons having actual notice, become conclusive evidence that the amount claimed in the lien, with interest, is due, and is a just lien upon the premises.

(e) Where there is more than one owner, except as the owners may have otherwise mutually agreed, any owner who removes or remedies the unsafe condition shall be entitled to recover a proportionate share of the total expense of the compliance from all other owners to whom the abatement order was issued.

17980.3. (a) Any receiver appointed pursuant to this section shall have all of the powers and duties conferred by this section, and Sections 17980.1 and 17980.2, and shall have the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, as provided in Chapter 5 (commencing with Section 564) of Title 7 of Part 2 of the Code of Civil Procedure. The receiver, with all reasonable speed, shall remedy the unsafe condition and remove all the delinquent matters and deficiencies in the building, as specified in the abatement order. Unless otherwise ordered by the court, the receiver shall have the power to let contracts therefor or incur expenses in accordance with the provisions of local laws, ordinances, rules, or regulations applicable to contracts for public works.

(b) If the conditions of the premises and repairs thereto significantly interfere with the peaceful enjoyment or safe and the receiver shall

arrange for comparable temporary housing which is decent, safe, and sanitary for each tenant required to be relocated. The receiver shall pay relocation costs to each tenant as provided in Section 7262 of the Government Code. The costs shall be limited to the time that the premises are being repaired. The receiver shall mail to the owner and tenants at least 30 days prior to completion of the repairs a notice that the unit will be available for occupancy. The tenant shall have 14 days from the date the receiver's notification was mailed to notify the landlord of his or her intent to reoccupy the dwelling unit. The tenant shall have seven days to reoccupy the unit once the unit is deemed habitable. Failure of the tenant to notify the owner and receiver of the tenant's intent to reoccupy the unit shall extinguish this right to reoccupy.

(c) The receiver shall be entitled to the same fees, commissions, and necessary expenses as receivers in actions to foreclose mortgages. These fees and commissions shall be paid into any fund created pursuant to Section 17980.5. The receiver shall be liable only in the receiver's official capacity for injury to person and property by reason of conditions of the premises in a case where an owner would have been liable. The receiver shall not be liable in the receiver's personal capacity. Upon the request of the receiver, the enforcement agency or the department, or both, shall make their personnel and facilities available to the receiver for the purpose of carrying out the receiver's duties as the receiver, and the cost of these services shall be deemed a necessary expense of the receiver.

(d) The receiver shall be discharged upon rendering a full and complete accounting to the court when the condition has been removed and the cost thereof and all other costs authorized by this section have been paid, reimbursed, or made subject to a lien pursuant to subdivision (b) of Section 17980.2, or any combination of these. Upon the removal of the condition, the owner, the mortgagee, or any lienor may apply for the discharge of the receiver of all moneys not expended by the receiver for removal of the condition and all other costs authorized by this section.

17980.4. (a) Whenever the enforcement agency sues for the expenses involved in the execution of any order, it may join in the same suit and claim any civil remedy for the violation of any provisions of this chapter. Joint or several judgments may be had against one or more of the defendants in the suit, as they or any of them may be liable in respect of all or any of these claims. The expenses of executing the order, and any judgment in any abatement suit provided for in this chapter, and the several judgments that may be recovered for any of these expenses and judgments, until the same are paid or discharged, shall be a lien like other judgments, pursuant to Chapter 2 (commencing with Section 697.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure.

(b) Nothing in this section or in Sections 17980.1 to 17980.3, inclusive, shall be deemed to relieve the owner of any civil or criminal liability incurred or any duty imposed by reason of acts or omissions of the owner prior to the appointment of any receiver, nor shall anything contained to those sections be construed to suspend during the receivership any obligation of the owner for the payment of taxes or operating and maintenance expenses of the dwelling or any obligation of the owner or any other person for the payment of mortgages or liens. The remedies pursuant to this section or Sections 17980.1 to 17980.3, inclusive, shall be in addition to any other remedies provided by law.

17980.5. The local enforcement agency may establish and maintain a
S Sections 17980.1 to

HEALTH AND SAFETY CODE

SECTION 17920-17928

17920. As used in this part:

- (a) "Approved" means acceptable to the department.
- (b) "Building" means a structure subject to this part.
- (c) "Building standard" means building standard as defined in Section 18909.
- (d) "Department" means the Department of Housing and Community Development.
- (e) "Enforcement" means diligent effort to secure compliance, including review of plans and permit applications, response to complaints, citation of violations, and other legal process. Except as otherwise provided in this part, "enforcement" may, but need not, include inspections of existing buildings on which no complaint or permit application has been filed, and effort to secure compliance as to these existing buildings.
- (f) "Fire protection district" means any special district, or any other municipal or public corporation or district, which is authorized by law to provide fire protection and prevention services.
- (g) "Labeled" means equipment or materials to which has been attached a label, symbol, or other identifying mark of an organization, approved by the department, that maintains a periodic inspection program of production of labeled products, installations, equipment, or materials and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.
- (h) "Listed" means all products that appear in a list published by an approved testing or listing agency.
- (i) "Listing agency" means an agency approved by the department that is in the business of listing and labeling products, materials, equipment, and installations tested by an approved testing agency, and that maintains a periodic inspection program on current production of listed products, equipment, and installations, and that, at least annually, makes available a published report of these listings.
- (j) "Mold" means microscopic organisms or fungi that can grow in damp conditions in the interior of a building.
- (k) "Noise insulation" means the protection of persons within buildings from excessive noise, however generated, originating within or without such buildings.
- (l) "Nuisance" means any nuisance defined pursuant to Part 3 (commencing with Section 3479) of Division 4 of the Civil Code, or any other form of nuisance recognized at common law or in equity.
- (m) "Public entity" has the same meaning as defined in Section 811.2 of the Government Code.
- (n) "Testing agency" means an agency approved by the department as qualified and equipped for testing of products, materials, equipment, and installations in accordance with nationally recognized standards.

17920.3. Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

- (a) Inadequate sanitation shall include, but not be limited to,

11/14/2016

CA Codes (hsc:17920-17928)

- (1) Lack of, or improper water closet, lavatory, or bathtub or shower in a dwelling unit.
 - (2) Lack of, or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.
 - (3) Lack of, or improper kitchen sink.
 - (4) Lack of hot and cold running water to plumbing fixtures in a hotel.
 - (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
 - (6) Lack of adequate heating.
 - (7) Lack of, or improper operation of required ventilating equipment.
 - (8) Lack of minimum amounts of natural light and ventilation required by this code.
 - (9) Room and space dimensions less than required by this code.
 - (10) Lack of required electrical lighting.
 - (11) Dampness of habitable rooms.
 - (12) Infestation of insects, vermin, or rodents as determined by a health officer or, if an agreement does not exist with an agency that has a health officer, the infestation can be determined by a code enforcement officer, as defined in Section 829.5 of the Penal Code, upon successful completion of a course of study in the appropriate subject matter as determined by the local jurisdiction.
 - (13) Visible mold growth, as determined by a health officer or a code enforcement officer, as defined in Section 829.5 of the Penal Code, excluding the presence of mold that is minor and found on surfaces that can accumulate moisture as part of their properly functioning and intended use.
 - (14) General dilapidation or improper maintenance.
 - (15) Lack of connection to required sewage disposal system.
 - (16) Lack of adequate garbage and rubbish storage and removal facilities, as determined by a health officer or, if an agreement does not exist with an agency that has a health officer, the lack of adequate garbage and rubbish removal facilities can be determined by a code enforcement officer as defined in Section 829.5 of the Penal Code.
- (b) Structural hazards shall include, but not be limited to, the following:
- (1) Deteriorated or inadequate foundations.
 - (2) Defective or deteriorated flooring or floor supports.
 - (3) Flooring or floor supports of insufficient size to carry imposed loads with safety.
 - (4) Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
 - (5) Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
 - (6) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
 - (7) Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
 - (8) Fireplaces or chimneys which list, bulge, or settle due to defective material or deterioration.
 - (9) Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
- (c) Any nuisance.
- (d) All wiring, except that which conformed with all applicable laws in effect at the time of installation if it is currently in good and safe condition and working properly.
- (e) All plumbing, except plumbing that conformed with all applicable laws in effect at the time of installation and has been maintained in good condition, or that may not have conformed with all

11/14/2016

CA Codes (hsc:17920-17928)

currently in good and safe condition and working properly, and that is free of cross connections and siphonage between fixtures.

(f) All mechanical equipment, including vents, except equipment that conformed with all applicable laws in effect at the time of installation and that has been maintained in good and safe condition, or that may not have conformed with all applicable laws in effect at the time of installation but is currently in good and safe condition and working properly.

(g) Faulty weather protection, which shall include, but not be limited to, the following:

(1) Deteriorated, crumbling, or loose plaster.

(2) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken windows or doors.

(3) Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.

(4) Broken, rotted, split, or buckled exterior wall coverings or roof coverings.

(h) Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(i) All materials of construction, except those that are specifically allowed or approved by this code, and that have been adequately maintained in good and safe condition.

(j) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rodent harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.

(k) Any building or portion thereof that is determined to be an unsafe building due to inadequate maintenance, in accordance with the latest edition of the Uniform Building Code.

(l) All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and that have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

When an unsafe condition exists through lack of, or improper location of, exits, additional exits may be required to be installed.

(m) All buildings or portions thereof that are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this code, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

(n) All buildings or portions thereof occupied for living, sleeping, cooking, or dining purposes that were not designed or intended to be used for those occupancies.

(o) Inadequate structural resistance to horizontal forces.

"Substandard building" includes a building not in compliance with Section 13143.2.

However, a condition that would require displacement of sound walls or ceilings to meet height, length, or width requirements for ceilings, rooms, and dwelling units shall not by itself be considered sufficient existence of dangerous conditions making a building a substandard building, unless the building was constructed, altered, or converted in violation of those requirements in effect at the time of construction, alteration, or conversion.

Case Number	Case Status	Name	Deft Status	DOB	Charge
1992-00-0000390	Open	Floyd Squires III	Filed	04/17/1946	
1993-00-0002472	Closed	Floyd Squires III	Filed	04/17/1946	PC243(d)
1993-00-0003592	Open	Floyd Squires III	Filed	04/17/1946	PC245(a)(1)
1994-00-0003264	Closed	Floyd Squires III	Turned Down	04/17/1946	
1996-00-0000124	Closed	Floyd Squires III	Turned Down	04/17/1946	
1996-00-0000309	Open	Floyd Squires III	Filed	04/17/1946	
1997-00-0004639	Closed	Floyd Squires III	Turned Down	04/17/1946	
1997-00-0009313	Closed	Floyd Squires III	Filed	04/17/1946	PC240
1998-00-0004190	Open	Floyd Squires III	Filed	04/17/1946	PC594(b)(4)
1998-00-0007758	Closed	Floyd Squires III	Filed	04/17/1946	PC597(h)

Case Number	Case Status	Name	Deft Status	DOB	Charge
1998-00-0007758	Closed	Floyd Squires III	Filed	04/17/1946	PC597(b)
1999-00-0001030	Closed	Floyd Squires III	Turned Down	04/17/1946	
2000-00-0003237	Closed	Floyd Squires III	Turned Down	04/17/1946	
2003-00-0006924	Closed	Floyd Squires III	Turned Down	04/17/1946	
2004-00-0001228	Closed	Floyd Squires III	Turned Down	04/17/1946	
2004-00-0001580	Closed	Floyd Squires III	Filed	04/17/1946	VC23152(a)
2006-00-0000501	Closed	Floyd Squires III	Turned Down	04/17/1946	
2009-00-0011447	Closed	Floyd Squires III	Turned Down	04/17/1946	
2014-00-0000755	Open	Floyd Squires III	Filed	04/17/1946	VC23103
2014-00-0003317	Open	Floyd Squires III	Filed	04/17/1946	VC14601

2014-00-0000755	Open	Floyd Squires III	Filed	04/17/1946	VC23103
2014-00-0003317	Open	Floyd Squires III	Filed	04/17/1946	VC14601....



California

LEGISLATIVE INFORMATION

Code: Section: ⓘ
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CIVIL CODE - CIV

DIVISION 3. OBLIGATIONS [1427 - 3272.9] (*Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.*)

PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273] (*Part 4 enacted 1872.*)

TITLE 5. HIRING [1925 - 1997.270] (*Title 5 enacted 1872.*)

CHAPTER 2. Hiring of Real Property [1940 - 1954.1]

 (*Chapter 2 enacted 1872.*)

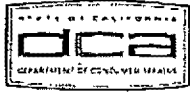
1941.1. (a) A dwelling shall be deemed untenable for purposes of Section 1941 if it substantially lacks any of the following affirmative standard characteristics or is a residential unit described in Section 17920.3 or 17920.10 of the Health and Safety Code:

- (1) Effective waterproofing and weather protection of roof and exterior walls, including unbroken windows and doors.
- (2) Plumbing or gas facilities that conformed to applicable law in effect at the time of installation, maintained in good working order.
- (3) A water supply approved under applicable law that is under the control of the tenant, capable of producing hot and cold running water, or a system that is under the control of the landlord, that produces hot and cold running water, furnished to appropriate fixtures, and connected to a sewage disposal system approved under applicable law.
- (4) Heating facilities that conformed with applicable law at the time of installation, maintained in good working order.
- (5) Electrical lighting, with wiring and electrical equipment that conformed with applicable law at the time of installation, maintained in good working order.
- (6) Building, grounds, and appurtenances at the time of the commencement of the lease or rental agreement, and all areas under control of the landlord, kept in every part clean, sanitary, and free from all accumulations of debris, filth, rubbish, garbage, rodents, and vermin.
- (7) An adequate number of appropriate receptacles for garbage and rubbish, in clean condition and good repair at the time of the commencement of the lease or rental agreement, with the landlord providing appropriate serviceable receptacles thereafter and being responsible for the clean condition and good repair of the receptacles under his or her control.
- (8) Floors, stairways, and railings maintained in good repair.
- (9) A locking mail receptacle for each residential unit in a residential hotel, as required by Section 17958.3 of the Health and Safety Code. This subdivision shall become operative on July 1, 2008.
- (b) Nothing in this section shall be interpreted to prohibit a tenant or owner of rental properties from qualifying for a utility energy savings assistance program, or any other program assistance, for heating or hot water system repairs or replacement, or a combination of heating and hot water system repairs or replacements, that would achieve energy savings.

(Amended by Stats. 2012, Ch. 600, Sec. 1. Effective January 1, 2013.)

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Landlords' and Tenants' Responsibilities for Habitability and Repairs, Legal Guide LT-8 - California Department of Consumer Affairs



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Outline - Landlords' And Tenants' Responsibilities For Habitability And Repairs: Legal Guide LT-8

May 2012

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General Rule: When a landlord (property owner) rents an apartment or a house to a tenant (renter), the rented property must be fit to live in. In other words, the rented property must be "habitable." During the time that the property is being rented, the landlord must do maintenance work and make repairs which are necessary to keep it habitable. However, a landlord is not responsible for repairing damage caused by the tenant, or the tenant's guests, children or pets.

Landlord's Responsibilities

California Civil Code section 1941 states that when a landlord rents property to a tenant as a place to live, the property must be in a "habitable" condition. ("Habitable" means fit to live in; "uninhabitable" means not fit to live in.) Section 1941 also states that the landlord must repair problems that make the property uninhabitable -- except for problems caused by the tenant or the tenant's guests, children or pets. In order for the property to be habitable, it must have all of the following:

- a) Effective waterproofing and weather protection of roof and exterior walls, including unbroken windows and doors.
 - b) Plumbing facilities in good working order, including hot and cold running water, connected to a sewage disposal system.
 - c) Gas facilities in good working order.
 - d) Heating facilities in good working order.
 - e) An electrical system, including lighting, wiring and equipment, in good working order.
 - f) Clean and sanitary buildings, grounds and appurtenances (for example, a garden or a detached garage) which are free from debris, filth, rubbish, garbage, rodents and vermin.
 - g) Adequate trash receptacles in good repair.
 - h) Floors, stairways and railings in good repair.
- In addition, the rented property must have all of the following:
- i) A working toilet, wash basin, and bathtub or shower. The toilet and bathtub/shower must be in a room that is ventilated, and that allows for privacy.
 - j) A kitchen with a sink, which cannot be made of an absorbent material (for example, wood).
 - k) Natural lighting in every room through windows or skylights. Unless there is a ventilation fan, the windows must be able to open at least halfway.
 - l) Safe fire or emergency exits leading to a street or hallway. Stairs, hallways and exits must be kept litter free. Storage areas, garages, and basements must be kept free of combustible materials.
 - m) Operable deadbolt locks on the main entry doors of rental units, and operable locking or security devices on windows.
 - n) Working smoke detectors in all units of multi-unit buildings, such as duplexes and apartment complexes. Apartment complexes also must have smoke detectors in common stairwells.

These are minimum requirements. Other conditions may make the rented property not habitable. For example, the rented property may not be habitable if it does not substantially comply with building and housing code standards that materially affect tenants' health and safety.

Tenant's Responsibilities

A tenant must take reasonable care of the rented property and common areas, such as hallways. This means that the tenant must keep those areas in good condition. A tenant also must repair all damage that he or she causes, or that is caused by the tenant's guests, children or pets. California Civil Code section 1941.2 requires the tenant to do all of the following:

- a) Keep the premises "as clean and sanitary as the condition of the premises permits."
- b) Use and operate gas, electrical and plumbing fixtures properly. (Examples of improper use include overloading electrical outlets, flushing large, foreign objects down the toilet, and allowing any gas, electrical or plumbing fixture to become filthy.)
- c) Dispose of trash and garbage in a clean and sanitary manner.
- d) Not destroy, damage, or deface the premises, or allow anyone else to do so.
- e) Not remove any part of the structure, dwelling unit, facilities, equipment or appurtenances, or allow anyone else to do so.
- f) Use the premises as a place to live, and use the rooms for their proper purposes. For example, the bedroom must be used as a bedroom and not as a kitchen.
- g) Notify the landlord when deadbolt locks and window locks or security devices do not operate properly.

If the tenant does not perform these duties and causes the property to become uninhabitable, the tenant cannot require the landlord to repair the property to make it habitable.

Similarly, the tenant cannot require the landlord to repair the property if the tenant substantially interferes with the landlord's ability to repair defects (for example, by not allowing the landlord's electrician to enter the apartment to fix faulty wiring).

In addition, the landlord is not obligated to repair damage caused by the tenant's own carelessness (for example, a toilet that will not flush because the tenant's child flushed a sock down it).

This Legal Guide is only a summary of landlords' and tenants' rights and responsibilities in this area. For more complete information, including, a discussion of tenants' remedies, please consult *California Tenants - A Guide to Residential Tenants' and Landlords' Rights and Responsibilities*.

NOTICE: We strive to make our Legal Guides accurate as of the date of publication, but they are only guidelines and not definitive statements of the law. Questions about the law's application to particular cases should be directed to a specialist.

Prepared by Legal Services Unit, June 1996. Updated May 2012.

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Outline - Landlords' And Tenants' Responsibilities For Habitability And Repairs: Legal Guide LT-8

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May 2012

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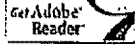
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Violations of these restrictions or misuse of this system will cause your access to be terminated and will cause an immediate investigation.

Business Report

Business Report

Date: 11/29/2016

Subject Information

Reference ID: NONE

Names: LENDER S CONSTRUCTION SVCS LLC
LENDER'S CONSTRUCTION SERVICES, LLC

Estimated # Employees: 1

Address: 6199 TOMPKINS HILL RD, LOLETA, CA 95551-9662 (HUMBOLDT COUNTY)

Phone: (707) 496-9998 (PT)

Link Number: 110403220

D-U-N-S® Number: 02-208-0644

FEIN: None Found

Industry: 87420000 - Management Consulting Services

Indicators

Global Watch Lists Match: No

The Global Watch List Check covers 60+ sanctions and watch lists, including OFAC (SDNs and other lists), EU Consolidated List, HM Treasury Sanctions, UN Consolidated List and MORE

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- Principals (2 Found)
- Subsidiaries (None Found)
- Other Phones at Address (None Found)
- Other Businesses at Address (None Found)

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CA Codes (hsc:17920-17928)

17923. (a) The provisions of Section 17922 are not intended to prevent the use of any material, appliance, installation, device, arrangement, or method of construction not specifically prescribed by this part, the building standards published in the State Building Standards Code relating thereto, and the other rules and regulations promulgated pursuant thereto, providing such alternate has been approved. The department may approve any such alternate if it finds that the proposed design is satisfactory and that the material, appliance, installation, device, arrangement, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this part, the building standards published in the State Building Standards Code relating thereto, and the other rules and regulations promulgated pursuant thereto in performance, safety, and for the protection of life and health.

(b) Whenever there is evidence that any material, appliance, installation, device, arrangement, or method of construction does not conform to the requirements of this part, the building standards published in the State Building Standards Code relating thereto, and the other rules and regulations promulgated pursuant thereto, or in order to substantiate claims for alternates, the department may require tests as proof of compliance to be made at the expense of the owner or his agent.

17924. Rules and regulations shall be promulgated pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and no state department, officer, board, agency, committee, or commission shall have power pursuant to the provisions of this part to publish building standards, as defined in Section 18909, but shall propose and submit those building standards as deemed necessary to carry out the provisions of this part for adoption and publishing pursuant to the provisions of Part 2.5 (commencing with Section 18901).

17925. Except as provided in Section 17922.6, any person, firm, corporation, or governmental agency that opposes the application of any applicable building standard published in the State Building Standards Code or any other rule or regulation adopted by the department within a particular local area may request a hearing before the local appeals board regarding the matter. If the local appeals board determines after the hearing that because of local conditions or factors it is not reasonable for the building standard, rule, or regulation to be applied in the local area, the building standard, rule, or regulation shall have no application within that local area. A copy of the determination of the local appeals board, together with a report of the local conditions upon which the determination is based, shall be filed with the department pursuant to Section 17958.7.

17926. (a) An owner of a dwelling unit intended for human occupancy shall install a carbon monoxide device, approved and listed by the State Fire Marshal pursuant to Section 13263, in each existing dwelling unit having a fossil fuel burning heater or appliance, fireplace, or an attached garage, within the earliest applicable time period as follows:

(1) For all existing single-family dwelling units intended for

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CA Codes (hsc:17920-17928)

human occupancy on or before January 1, 2017.

(3) For all other existing dwelling units intended for human occupancy on or before January 1, 2013.

(b) With respect to the number and placement of carbon monoxide devices, an owner shall install the devices in a manner consistent with building standards applicable to new construction for the relevant type of occupancy or with the manufacturer's instructions, if it is technically feasible to do so.

(c) (1) Notwithstanding Section 17995, and except as provided in paragraph (2), a violation of this section is an infraction punishable by a maximum fine of two hundred dollars (\$200) for each offense.

(2) Notwithstanding paragraph (1), a property owner shall receive a 30-day notice to correct. If an owner receiving notice fails to correct within that time period, the owner may be assessed the fine pursuant to paragraph (2).

(d) No transfer of title shall be invalidated on the basis of a failure to comply with this section, and the exclusive remedy for the failure to comply with this section is an award of actual damages not to exceed one hundred dollars (\$100), exclusive of any court costs and attorney's fees. This subdivision is not intended to affect any duties, rights, or remedies otherwise available at law.

(e) A local ordinance requiring carbon monoxide devices may be enacted or amended if the ordinance is consistent with this chapter.

(f) On or before July 1, 2015, the department shall submit for adoption and approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5, building standards for the installation of carbon monoxide detectors in hotel and motel dwelling units intended for human occupancy. In developing these standards, the department shall do both of the following:

(1) Convene and consult a stakeholder group that includes members with expertise in multifamily dwellings, lodging, maintenance, and construction.

(2) Review and consider the most current national codes and standards available related to the installation of carbon monoxide detection.

(g) For purposes of this section and Section 17926.1, "dwelling unit intended for human occupancy" has the same meaning as that term is defined in Section 13262.

17926.1. (a) An owner or owner's agent of a dwelling unit intended for human occupancy who rents or leases the dwelling unit to a tenant shall maintain carbon monoxide devices in that dwelling unit consistent with this section and Section 17926.

(b) An owner or the owner's agent may enter any dwelling unit intended for human occupancy owned by the owner for the purpose of installing, repairing, testing, and maintaining carbon monoxide devices required by this section, pursuant to the authority and requirements of Section 1954 of the Civil Code.

(c) The carbon monoxide device shall be operable at the time that the tenant takes possession. A tenant shall be responsible for notifying the owner or owner's agent if the tenant becomes aware of an inoperable or deficient carbon monoxide device within his or her unit. The owner or owner's agent shall correct any reported deficiencies or inoperabilities in the carbon monoxide device and shall not be in violation of this section for a deficient or inoperable carbon monoxide device when he or she has not received notice of the deficiency or inoperability.

(d) This section shall not affect any rights which the parties may have under any other provision of law because of the presence or absence of a carbon monoxide device.

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CA Codes (hsc:17920-17928)

project.

17926.2. (a) If the department, in consultation with the State Fire Marshal, determines that a sufficient amount of tested and approved carbon monoxide devices are not available to property owners to meet the requirements of the Carbon Monoxide Poisoning Prevention Act of 2009 and Sections 17926 and 17926.1, the department may suspend enforcement of the requirements of Sections 17926 and 17926.1 for up to six months. If the department elects to suspend enforcement of these requirements, the department shall notify the Secretary of State of its decision and shall post a public notice that describes its findings and decision on the departmental Internet Web site.

(b) If the California Building Standards Commission adopts or updates building standards relating to carbon monoxide devices, the owner or owner's agent, who has installed a carbon monoxide device as required by Section 17926 or 17926.1, shall not be required to install a new device meeting the requirements of those building standards within an individual dwelling unit until the owner makes application for a permit for alterations, repairs, or additions to that dwelling unit, the cost of which will exceed one thousand dollars (\$1,000).

17927. The department shall propose the adoption, amendment, or repeal of building standards pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the department shall adopt, amend, and repeal other rules and regulations for garage door springs for installation in garages which are accessory to apartment houses, hotels, motels, and dwellings as the department determines are reasonably necessary to prevent the death or injury of persons or damage to property resulting from the breaking of the garage door springs. Except as otherwise provided in this part, the department shall enforce building standards published in the California Building Standards Code relating to garage door springs and other rules and regulations adopted by the department pursuant to this section.

No garage door spring which violates the provisions of any building standard published in the California Building Standards Code relating to garage door springs or any other rule or regulation adopted by the department pursuant to this section shall be sold or offered for sale, or installed in any garage which is accessory to an apartment house, hotel, motel, or dwelling, on or after the date of publication of the building standard or the effective date of the rule or regulation.

17928. (a) (1) The Department of Housing and Community Development shall, for building standards submitted to the California Building Standards Commission for adoption in the 2010 California Building Code or later, do all the following:

(A) Review relevant green building guidelines as deemed necessary by the department when preparing proposed building standards for submittal.

(B) Consider proposing as mandatory building standards those green building features determined by the department to be cost effective and feasible to promote greener construction.

(2) Nothing in this subdivision shall be construed to supplant or otherwise change the existing process for approval and adoption of building standards through the California Building Standards Commission.

(b) (1) The department shall also summarize in a report to the year, both of the

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CA Codes (hsc:17920-17928)

- (A) Green building features proposed as building standards during the prior fiscal year.
 - (B) Green building guidelines reviewed pursuant to subdivision (a) during the prior fiscal year.
 - (2) For those items required by this subdivision already included in other reports provided to the Legislature or generally available, the department may fulfill this requirement by citing where that information can be found.
-



**County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT**

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER
Squires, Floyd	12/20/16	DA16-0375
CROSS-REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
Eureka Police Department	16-007917	

CHARGES TYPE	CODE SECTION	DESCRIPTION
240 - 242	P.C.	Assault and Battery
VICTIM #1	DATE OF BIRTH	ADDRESS
NAME		PHONE
Daley, Dave G.	██████ 1968	Deceased
VICTIM #2	DATE OF BIRTH	ADDRESS
NAME		PHONE
Bomberg, Dave R	██████ 1952	1535 G street Eureka
SUSPECT	DATE OF BIRTH	ADDRESS
NAME		PHONE
Squires, Floyd E.	██████ 1946	██████ Eureka

NARRATIVE

On Wednesday, December 14, 2016, I returned Mr. Michael Weise telephone call. Mr. Weise, a Health Ed Specialist for Humboldt County, had called to advise me that David Daley one of his clients, and a victim of an assault/battery documented by the Eureka Police Department, 16-007917, had passed away on December 12, 2016. Mr. Daley had been a resident at 1635 G Street, a building owned by Floyd Squires.

Mr. Daley had reported that on November 4, 2016, he had just been released from the hospital and, upon returning to his rental unit he found that his front door had been kicked open. As Mr. Daley was assessing the damage, he was pushed from behind by Floyd Squires, causing him to fall into his room.

The reader should understand that when I spoke to Mr. Daley on Thursday December 8, 2016, he told me that he suffered from Hepatitis C, HIV, lung cancer as well as having a "bad back".

On Friday, December 16, 2016, three subjects attempted to enter 1635 G Street. When they were told they could not enter the building, one of the subjects shot at the individual who was securing the building with a shotgun This shot missed the intended victim striking a second party who received non-life threatening injuries to an arm. I requested a copy of EPD's report of this incident, 16-008970, however, as of today's date, this report isn't completed.

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INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
J.R. Burke	7K10	12/21/2016		12/21/16		



**County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT**

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CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
	Eureka Police Department	16-007917	

Supplemental – continued:

When EPD report 16-008970 is completed and sent to me, I will provide a supplemental report and attach a copy to this report.

I was advised of an additional shooting incident that had occurred in or in close proximity of 1635 G Street which took place in October 2016 and investigated by EPD, please refer to report 16-007453, attached. The following is an in essence summary of the October event. On October 17, 2016 at approximately 0045 hours, EPD responded to a report of shots fired. Upon arrival Ofcr. Altic contacted a Timothy Bayless, a resident of 1635 G Street. Mr. Bayless told Ofcr. Altic that he heard loud noises, possibly gun shots, coming from either inside or near the G Street home. Mr. Bayless had not seen any one in or around the building. Ofcr. Altic then contacted the reporting party, a Mr. Timothy Cameron, a resident of 1625 G Street. Mr. Cameron stated that he had heard what sounded like a loud argument coming from either inside or near 1635 G Street followed by several gun shots. Mr. Cameron then saw an individual he knew to be Christopher Hardy running north on G Street. EPD Officers then searched the area for the suspect, victim or damage with negative results. Officers did locate a fresh blood smear in the common area at 1635 G Street.

Officers eventually cleared the scene, returning at 0140 hours, same date, to a report of an injured male in a vehicle parked outside of 1635 G Street. Officers Altic and Le France arrived on scene, contacting Michael Grant who was found to be laying down in the rear seat of a BMW, Cal license plate [REDACTED]. Michael Grant was found to have a gunshot wound to his lower back, right side. Grant told the Officers that he and Hardy were friends and didn't believe Hardy would shoot him. Grant was then transported to St. Joseph's Hospital for treatment where upon he became uncooperative with the Officers, telling them that he didn't remember how he had been shot or how he received his injury and refused to answer further questions.

COPIES TO:	<input checked="" type="checkbox"/> DA	<input type="checkbox"/> HCSO	<input type="checkbox"/> FPD	<input type="checkbox"/> EPD	<input type="checkbox"/> CHP	PAGE Page 2 of 3
	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
J.R. Burke	7K10	12/21/2016				



**County of Humboldt
Office of the District Attorney
INVESTIGATIVE REPORT**

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER	
Squires, Floyd	12/20/16	DA16-0375	
CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1	
Eureka Police Department	16-007917		

Supplemental – continued:

Theses police reports are intended to display the high level of safety concerns for the tenants residing at the residence of 1635 G Street. As outlined in my initial report, the numerous violations of Health and Safety Code and Civil Code violations underscore the inadequate level of on-going building maintenance and attention to security measures point to the current Court Ordered Receivership as not addressing tenant issues as intended: i.e to provide, at a minimum, a safe, sanitary, habitable and secure living quarters.

Disposition:

Attach this supplemental report to the original and forward to DA Fleming for review

COPIES TO:	<input checked="" type="checkbox"/> DA	<input type="checkbox"/> HCSO	<input type="checkbox"/> FPD	<input type="checkbox"/> EPD	<input type="checkbox"/> CHP	PAGE
	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			Page 3 of 3
INVESTIGATOR	ID	DATE	APPROVED BY		DATE	
J.R. Burke	7K10	12/21/2016				

INCIDENT/INVESTIGATION REPORT

INCIDENT DATA

Agency Name: Eureka Police Department
ORI: CA0120300

Case# 16-007453
Date / Time Reported 10/17/2016 00:45 Mon
Last Known Secure 10/17/2016 00:40 Mon
At Found 10/17/2016 00:40 Mon

Location of Incident: 1635 G St, Eureka CA 95501-
Premise Type: Residence/home
Zone/Tract: B1
#1 Crime Incident(s): Assault With Deadly Weapon - Firearm
#2 Crime Incident
#3 Crime Incident

MO

VICTIM

of Victims 2 Type: INDIVIDUAL/ NOT LAW Injury: Possible Internal Injury Domestic: N
V1 Victim/Business Name (Last, First, Middle) GRANT, MICHAEL BRANDON
Home Address: Eureka, CA 95501-
Employer Name/Address: EUREKA, CA 95501 (STUDENT/EUREKA)

OTHERS

CODES: V- Victim (Denote V2, V3) O - Owner (if other than victim) R = Reporting Person (if other than victim)
Type: INDIVIDUAL/ NOT LAW ENFORCEMENT Injury:
V2 Name (Last, First, Middle) GRANT, MICHAEL
Home Address: Eureka, CA 95501

INVOLVED

Type: INDIVIDUAL/ NOT LAW ENFORCEMENT Injury:
RP Name (Last, First, Middle) CAMERON, TIMOTHY RAY
Home Address: 1625 G St - Eureka, CA 95501
Employer Name/Address: Eureka, Ca 95501

PROPERTY

Table with columns: VI #, Code, Status, Value, OJ, QTY, Property Description, Make/Model, Serial Number. Includes entries for BMW 330i.

Officer/ID# ALTIC, B. L. (4045)
Invest ID# COSETTI, A. (629)
Supervisor HARKNESS, S. A. (494)
Case Status Suspended 11/08/2016
Case Disposition: Page 1

Incident Report Additional Name List

Eureka Police Department

OCA: 16-007453

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	BAYLESS, TIMOTHY HATZER Address 1635 G St Apt. [REDACTED] Eureka, CA 95501- Emp/Addr [REDACTED] Eureka, Ca 95502		[REDACTED] 1948	68	W	M
			H: 707-502-[REDACTED]			
			B: - -			
			Mobile #: - -			
2) WI 2	SIMPSON, MONICA Address 1635 G St Apt. [REDACTED] Eureka, CA 95501- Emp/Addr [REDACTED]		[REDACTED] 1994	22	W	F
			H: - -			
			B: - -			
			Mobile #: - -			
3) WI 3	DALEY, DAVID GEORGE Address [REDACTED] Eureka, CA 95503- Emp/Addr [REDACTED] Fortuna, Ca 95540		[REDACTED] 1968	47	W	M
			H: 707-725-[REDACTED]			
			B: 707- -			
			Mobile #: - -			
4) WI 4	CAMERON, TIMOTHY RAY Address 1625 G St Apt. [REDACTED] Eureka, CA 95501- Emp/Addr [REDACTED] Eureka, Ca 95501		[REDACTED] 1969	47	W	M
			H: 707-498-[REDACTED]			
			B: - -			
			Mobile #: - -			
5) WI 5	BURNS, ANITA GAIL Address 1625 G St Apt. 8, Eureka, CA 95501- Emp/Addr [REDACTED] Eureka, Ca 95501		[REDACTED] 1965	51	W	F
			H: - -			
			B: - -			
			Mobile #: - -			
6) WI 6	BROWN, KALIE MARIE Address 1625 G St, Eureka, CA 95501- Emp/Addr [REDACTED] Eureka, Ca 95503		[REDACTED] 1989	27	W	F
			H: 707-267-[REDACTED]			
			B: - -			
			Mobile #: - -			
7) WI 7	HARDY, CHRISTOPHER FRANKLIN Address [REDACTED] Eureka, CA 95501- Emp/Addr [REDACTED] Eureka, Ca 95501		[REDACTED] 1992	23	W	M
			H: 707-298-[REDACTED]			
			B: 707- -			
			Mobile #: - -			
8) IO 1	SQUIRES, FLOYD EVERETT III Address [REDACTED] Eureka, CA 95501-0000 Emp/Addr [REDACTED] Eureka		[REDACTED] 1946	70	W	M
			H: 707-834-[REDACTED]			
			B: 707-442-[REDACTED]			
			Mobile #: 707- -			

INCIDENT/INVESTIGATION REPORT

Eureka Police Department

Case # 16-007453

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type

Assisting Officers

SOLTOW, H. (4044), HSIAO, K.C. (4051), LAFRANCE, L.E. (4011), HUYNH, M. (4063), WILSON, E. (491), COSETTI, A. (629), HARKNESS, S.A. (494), LINFOOT, S. (4033)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Eureka Police Department

OCA 16-007453
Date / Time Reported Mon 10/17/2016 00:45

Victim GRANT, MICHAEL BRANDON	Offense ASSAULT WITH DEADLY WEAPON - FIREARM
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 10-17-16, at approximately 0045 hours, I was dispatched to 1635 G St in response to the report of shots being fired.

I arrived on scene and contacted a male who lived at 1635 G St Apt # [REDACTED]. The male identified himself as (W) Timothy Bayless. Bayless told me he heard multiple loud noises which may have been shots. He did not know exactly where the shots came from but believed they may have come from somewhere either around or inside 1635 G St. Bayless told me he did not see anyone around or inside the apartment building, see anyone who appeared injured, hear any argument, or have any further information regarding the incident.

After speaking with Bayless I spoke to the reporting party, who identified himself as (RP) Timothy Cameron. Cameron told me he heard what sounded like an argument coming either from inside or around 1635 G St. He then heard multiple shots from what he believed was a hand gun. After hearing the shots he saw a male flee northbound on G St. Cameron told me he knew the male from prior contacts to be Christopher Hardy. Cameron described the male he believed to be Hardy as a white male adult in his 20's wearing a white shirt and baseball cap. Cameron said he did not see anyone with a firearm or anyone who appeared to be injured but believed Hardy might be involved due to him having arguments with residents at 1635 G St in the past. Cameron said there were video cameras around his residence but that they were not functioning when the incident occurred.

Other officers on scene and I checked the yard surrounding 1635 G St and inside the apartment building. We were unable to locate any shell casings, injured subjects, witnesses to any crime, or other evidence suggesting there were shots fired. On the north side of 1635 G St there was a broken window but it appeared to be old damage. There was a mattress propped up against the window inside the building. There was no bullet hole or damage to the mattress suggesting the window was broken by being struck by a bullet. Other officers attempted to locate the male who was reported to have fled the scene. There were unable to locate anyone matching the male's description.

After checking the scene and speaking with multiple subjects on scene we were unable to locate any further evidence suggesting shots were actually fired or anyone who was injured. We left the scene.

At approximately 0140 I was re-dispatched to 1635 G St in response to Bayless advising that there may be an injured male on scene.

I arrived on scene and spoke with Bayless again. Bayless told me after we had left earlier, a white male adult in his 20's had run in, told Bayless there was an injured male in a vehicle outside the residence, and then ran away in an unknown direction. Bayless said he did not know the male who reported the injured person or exactly where the reportedly injured person was located. Officer LaFrance and I began looking in vehicle's parked around the residence for anyone who appeared to be injured. I observed a BMW sedan (Lic # [REDACTED]) with tinted windows parked on 17th St, just east of G St. I looked inside the vehicle and observed a male lying on the back seat of the vehicle. I called out to the male and asked if he was injured. He did not answer my question but sat up. The door the vehicle was opened and I observed blood on the male's clothing. An ambulance was requested to respond. The male identified himself to me as (V) Michael Grant. As I spoke with Grant Officer Soltow and I observed blood on his back. We observe a small hole in

REPORTING OFFICER NARRATIVE

Eureka Police Department

OCA

16-007453

Victim

GRANT, MICHAEL BRANDON

Offense

ASSAULT WITH DEADLY WEAPON - FIREARM

Date / Time Reported

Mon 10/17/2016 00:45

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

the lower right side of Grant's back. It appeared to be a bullet wound. An ambulance was immediately requested and arrived on scene shortly afterwards.

Prior to being transported to St. Joseph's Hospital I asked Grant some questions. I asked Grant if he had been shot. He said he did not know. I asked where he was when he got shot. He told me he did not know where he was shot and only remembered waking up inside 1635 G St lying down near a house plant. He said he was helping friends move items in the house earlier in the day but did not remember anything else regarding what happened. Grant told me he had no idea who shot him. I asked Grant if he knew Hardy. He said he was friends with Hardy and he did not believe Hardy would shoot him. I asked Grant where he was when we originally responded to the report of gun shots and attempted to locate any wounded subjects. Grant told me he had been asleep in the back seat of the vehicle. Grant told me he had no more information regarding the incident.

Grant was transported to St. Joseph Hospital and I followed behind the ambulance. When we arrived at the hospital Grant was treated and maintained a stable conduction. I asked Grant if he remembered any further details regarding the incident. Grant refused to answer any more questions. I stood by with Grant at the hospital until Detective Cosetti arrived on scene.

At the hospital I took photographs of Grant's injuries and person (See attached photographs). I later downloaded the photographs to the Eureka police department "M" drive as evidence.

Officer Soltow towed the vehicle I located Grant in for evidence collection and preservation (Refer to his supplemental report).

Disposition: To CID.

Incident Report Related Vehicle List

Eureka Police Department

OCA: 16-007453

1		VehYr/Make/Model <i>2002 BMW, 330i</i>		Style <i>4D</i>		Color <i>TEA</i>		Lic/Lis <i>CA 2016</i>		VIN	
IBR Status <i>Towed</i>		Date <i>10/17/2016</i>		Location <i>1635 G ST, EUREKA CA</i>							
Condition		Value <i>\$1,000.00</i>		Offense Code		Jurisdiction <i>Locally</i>		State #		NIC #	
Name (Last, First, Middle) <i>Brown, Kalie Marie</i>						Also Known As			Home Address <i>1625 G ST EUREKA, CA 95501 707-267-█</i>		
Business Address											
DOB <i>█/█/1989</i>	Age <i>27</i>	Race <i>W</i>	Sex <i>F</i>	Hgt <i>0</i>	Wgt	Scars, Marks, Tattoos, or other distinguishing features					

Notes

2		VehYr/Make/Model <i>BMW, 330i</i>		Style <i>4T</i>		Color <i>GRY/GRY</i>		Lic/Lis <i>CA</i>		VIN	
IBR Status <i>Towed</i>		Date <i>10/17/2016</i>		Location <i>1635 G, EUREKA CA</i>							
Condition		Value <i>\$0.00</i>		Offense Code <i>04A</i>		Jurisdiction <i>Locally</i>		State #		NIC #	
Name (Last, First, Middle) <i>* No name *</i>						Also Known As			Home Address		
Business Address											
DOB	Age	Race	Sex	Hgt	Wgt	Scars, Marks, Tattoos, or other distinguishing features					

Notes

Refer to Officer Saltow's supplemental report for towing information.

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

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Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *HSIAO, K. C. (4051)*

Date/Time: 10/17/2016 04:44:54, Monday

Supervisor: *HARKNESS, S. A. (494)*

Supervisor Review Date / Time: 10/19/2016 06:11:24, Wednesday

Contact:

Reference: *Witness Interview*

On 10/17/16 at approximately 0137 hours I was dispatched to assist Officer Lafrance on a report of a welfare check at 17th St and G St. EPD Dispatch advised a male subject was inside a vehicle and had sustained a gunshot wound.

Earlier in the evening on 10/17/16 at approximately 0041 hours, EPD Officers had been dispatched to a possible shots fired call at 1635 G St (refer to CAD #201660937 for further detail)

Upon arrival, Officer Lafrance and I canvassed the area for a possible injured subject. Other EPD Officers arrived on scene to assist. The subject, later identified as Michael Grant, was located in a teal BMW which was parked along the north curb of 17th St, just east of G St. Grant appeared to have sustained a bullet wound to his back. Medical personnel was requested to respond.

While awaiting medical to arrive, I observed a female subject, later identified as Kalie Brown, approach the BMW. I contacted Brown and requested her take a seat which she complied. Brown sat down on the north curb of 17th St. Due to inclement weather, I offered Brown to sit in my patrol vehicle (unit #2058) to stay dry which she accepted.

While in the patrol vehicle, Brown provided the following statement in summary: Brown is the legal owner of the BMW. Brown's BMW was parked along the north curb of 17th St for approximately one month and was not in working order. Brown was inside the residence located at 1635 G St on 10/16/16 at approximately 1700 hours until approximately 0040 hours on 10/17/16 heard about seven loud explosions which sounded like gun shots.

Brown did not see any subjects flee the scene, nor did she observe anyone who was injured. No one had permission to enter into her vehicle or remain in her vehicle.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *SOLTOW, H. (4044)*

Date / Time: 10/25/2016 03:11:42, Tuesday

Supervisor: *HARKNESS, S. A. (494)*

Supervisor Review Date / Time: 10/25/2016 05:56:39, Tuesday

Contact:

Reference: *Incident Supplemental*

On 10-17-16, at approximately 0134 hours, I was on duty when I responded to the intersection of 17th St. and G St. for a welfare check. Dispatch received a second hand report that someone with a gunshot wound was inside a vehicle near the reported location. It should be noted that approximately one hour prior officers responded to a report of shots fired at the same location. During the earlier incident no involved subjects or victims had been located.

I arrived on scene and began searching the area. Officers located a vehicle (a teal 2002 BMW 330i CA Lic# [REDACTED]) parked on 17th St. between G St. and H St. Sgt. Harkness, Officer Huynh, and I contacted a subject who was lying in the rear passenger seat of the vehicle. The subject verbally identified himself as Michael Grant. I noticed Grant appeared to be responding and moving slowly. I asked Grant about his behavior, which he attributed to sleepiness. As I spoke to Grant I noticed what appeared to be a fresh bloodstain on some blankets which Grant had been laying on moments earlier. I asked Grant to step out of the vehicle. He complied however he appeared to have difficulty moving.

As Grant approached the rear driver's side door I was able to view his back. I observed what appeared to be a fresh bloodstain on the right side of Grant's lower back area. Grant lifted his shirt upon request and I observed a small circular entry wound directly underneath the bloodstained clothing. I believed the wound was a gunshot wound. Sgt. Harkness requested an ambulance to respond to the location. Grant was subsequently transported to St. Joseph's Hospital for treatment.

I was directed by Sgt. Harkness to tow the vehicle pursuant to 22655.5 (b) CVC. Humboldt Towing responded and loaded the vehicle onto a tow truck. I followed the tow truck to Humboldt Towing's storage facility, located at 101 H St. I secured the vehicle as evidence by placing evidence seals on the vehicles entry points (doors, windows, hood, sunroof, and trunk). I also took 15 photographs of the exterior of the vehicle. I later booked digital copies of the photographs into evidence by transferring the files onto EPDs server.

DISPOSITION: Attach to original report.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *COSETTI, A. (629)*

Date/Time: 10/31/2016 11:11:30, Monday

Supervisor: *ONEILL, P. (463)*

Supervisor Review Date/Time: 11/02/2016 12:30:41, Wednesday

Contact:

Reference: *Incident Supplemental*

HISTORY

In 2014 Jesus Garcia was killed and Sr. Det. Harpham conducted an investigation into the murder, case#14-010549. During the investigation Nicholas Liegl was one of 4 suspects arrested for the murder. The arrests were made in 2016. Michael Grant was a witness to the murder. On 10-15-16 Daniel Liegl, Nicholas Liegl's father, contacted EPD to report his vehicle had been shot and believed Michael Grant was the suspect. On 10-17-16 Michael Grant was shot in the back by an unknown suspect.

SUMMARY

On 10-17-16 at about 0041 hours, Dispatch received emergencies calls from multiple people reporting gunshots had been fired in the vicinity of the 1600 block of G Street and three males were seen running north on G Street. Upon arrival, officers checked the vicinity including the interior of 1635 G Street and the interior of vehicles parked along the streets. Officers did not locate anything suspicious. At about 0134 hours, Dispatch received a call from Timothy Bayless. Bayless reported he received second hand information that a person with a gunshot wound was in a vehicle near 1635 G Street. Officer Altic located Michael Grant laying down in the back seat of a green BMW [REDACTED] which was parked along the north curb line of 17th Street between G and H Streets. Grant had a gunshot wound to his back and was transported to St. Joseph's Hospital. See Officer Altic's report for further information.

NARRATIVE

On 10-17-16 at about 0200 hours I was off duty however on-call when I received a call from Sgt. Harkness advising a shooting had occurred at the 1600 block of G Street. Sgt. Harkness advised Officer Altic was at the hospital with Grant while additional officers were at 1635 G Street. Upon my arrival, I contacted Sgt. Harkness and Officer Wilson. I also saw a vehicle being towed away by Humboldt Towing. Sgt. Harkness informed me Grant had been found in a BMW sedan [REDACTED] which was parked along the north curb line of 17th Street between G and H Streets. Sgt.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

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Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *COSETTI, A. (629)*

Date / Time: 10/31/2016 11:11:30, Monday

Supervisor: *ONEILL, P. (463)*

Supervisor Review Date / Time: 11/02/2016 12:30:41, Wednesday

Contact:

Reference: *Incident Supplemental*

Harkness advised he requested the vehicle be towed for evidence by Humboldt Towing. Sgt. Harkness also advised the registered owner, Kalie Brown, was cooperative and waiting to speak with me.

Officer Wilson informed me he and Sgt. Harkness had checked the interior of 1635 G Street during the first call for service and during the second call for service. Officer Wilson advised there was a red stain, which he believed to be blood, on the wall between two couches and a plant in the common area of 1635 G. Officer Wilson and Sgt. Harkness both advised they did not see that red stain on the wall when they checked the interior the first time. Sgt. Harkness stated when they checked 1635 G the first time he saw a duffle bag and other items on the ground between the two couches. The second time when they discovered the red stain the items they had seen were no longer there. Sgt. Harkness also advised when he responded to the first call he walked the vicinity and checked the interior of vehicles including the BMW. Sgt. Harkness advised he did not see anyone inside the vehicles during that time.

After obtaining a summary of the events I followed Sgt. Harkness and Officer Wilson into the common area of 1635 G Street. The common area was downstairs and included a kitchen, bathroom, and living area. There was a door connecting to the interior hallway and another door which lead to the exterior of the building on the south side (17th Street side). There was a set of stairs near the exterior door which lead to the upper portion of the building. There was a small hallway next to the stair case which lead to a nook.

In the living room portion of the common area Officer Wilson pointed out where on the wall the red stain was located. The red stain was located on the lower portion of the south wall between the plant and couch. Based on my training and experience I believed the red stain to be blood. The blood was slightly dry yet sticky and a bright red color. Based upon my training and experience I believed the blood to have been recently applied to the wall. I took photos of the common area and the blood. I used a swab to collect a sample of the blood on the wall. I conducted a cursory search of the common area and did not locate any other items of evidentiary value. (At that point during the investigation there was no confirmation that the shooting occurred inside 1635 G Street).

Kalie Brown witness statement

I contacted Kalie Brown who was standing by with other officers at the corner of 17th and G Streets. Brown told me the following in summary:

She had just entered the common area at 1635 G Street and heard multiple gunshots being fired. She hid in the small hallway/nook area by the stairs. While under the stairs she heard several people yelling and running. Some people were running down the stairs which lead her to believe the shooting was happening upstairs. When things became

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

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Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *COSETTI, A. (629)*

Date/Time: 10/31/2016 11:11:30, Monday

Supervisor: *ONEILL, P. (463)*

Supervisor Review Date/Time: 11/02/2016 12:30:41, Wednesday

Contact:

Reference: *Incident Supplemental*

quiet she exited the hallway/nook and entered the common kitchen/living area. She grabbed a bag that belonged to her which she left in the kitchen area then exited the main door on the G Street side. She then walked to 17th Street and continued walking east about 4 blocks. She waited on the corner of one of the blocks while watching the area of 17th and G Streets. She did not see anyone enter her vehicle.

Brown stated while she was waiting she remembered she had left her phone inside 1635 G Street. She walked back to the building and was contacted by an officer who advised her not to enter the building. She then went to her vehicle and grabbed a bag out of the back seat. There was no one inside her vehicle at the time. Once she had her bag she walked east on 17th Street. She returned about 15 minutes later and entered 1635 G Street. She did not know until contacted by EPD that Grant was in her vehicle. She did not know Grant and was not friends with him.

Brown stated her vehicle was not operational and had been parked along 17th Street in the same spot for over a month. The vehicle's battery was dead and the windows/door locks would not operate correctly. She would enter her vehicle by pushing down one of the windows and opening the door. She was unsure if the doors to her vehicle had been secured and believed it was possible that she left the doors unsecured after she grabbed her bag. Brown agreed to allow EPD to search her vehicle and signed a consent to search form.

Neighborhood canvas and witness statements

I spoke with some of the tenants at 1635 G. I first started with apartment #8 whom I was told housed a resident named Bobby. Bobby would not open the door and refused to speak with me. Bobby yelled profanities and stated he didn't know anything about the shooting. In apartment #9 I spoke with Tim Bayless who told me the following in summary:

When officers arrived the first time he had heard more than one gunshot being fired. He thought someone might have gotten hurt however was unsure. He believed the shots were being fired in or around 1635 G Street. When officers arrived he spoke with them. About 30 minutes after officers left, a WMA in his early 20s wearing a red jacket and having short hair was inside the building yelling that someone had been shot. The WMA said the person shot was in a vehicle parked outside and asked Tim what to do. Tim offered to call the police which he did. The WMA left prior to officers arriving. He did not recognize the WMA and had not seen him around the neighborhood.

In apartment # I contacted Monica Simpson. Simpson stated she was asleep and did not hear or see anything that had occurred. I contacted David Daley in apartment 3 who also stated he was asleep and didn't see or hear anything. There were several other apartments in the building, however some were unoccupied and others I received no answer.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

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Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *COSETTI, A. (629)*

Date/Time: 10/31/2016 11:11:30, Monday

Supervisor: *ONEILL, P. (463)*

Supervisor Review Date/Time: 11/02/2016 12:30:41, Wednesday

Contact:

Reference: *Incident Supplemental*

After speaking with tenants at 1635 G I went to 1625 G which is just north of 1635 G. In apartment # [REDACTED] I contacted Timothy Cameron who told me the following in summary:

He was in his apartment playing Xbox when he heard several gun shots. He has several cameras on the exterior of his apartment which faced south towards 1635 G Street. He looked at the live footage and saw Chris Hardy running west along the walkway between the two apartment buildings. Hardy was wearing a blue baseball cap, a white shirt and jeans. He recognized Hardy because he had spoken to Hardy in the past when Hardy lived at 1635 G. He called EPD on prior occasions to report that Hardy was threatening other tenants with a firearm.

I asked Cameron about his surveillance footage. Cameron stated his surveillance system does record however his hard drive was full and did not record the incident.

In apartment # [REDACTED] at 1625 G I contacted Anita Burns. Burns advised she did not see or hear anything. I attempted to contact several other apartments however did not receive an answer when I knocked.

Michael Grant's statement

After attempting to locate witnesses, I went to St. Joseph's Hospital to speak with Grant. I contacted Officer Altic in the emergency department next to Grant's room. Officer Altic advised Grant was asleep possibly due to medications he was given by hospital staff. I attempted to wake Grant however he would not wake. Hospital staff suggested I check again in about 4 hours.

At about 1000 hours on 10-17-16 I arrived at St. Joseph's Hospital in hopes of speaking with Grant. I contacted Dr. Gerdes in the ER who advised Grant had been moved to the PCU area of the hospital. I went to the PCU area and contacted Grant in his room. Grant was asleep and briefly woke up when I tried to speak with him however he immediately fell back asleep. I spoke with hospital staff and asked them to contact me when Grant was able to speak. At about 1330 hours hospital staff informed me Grant was going to be discharged and was willing to speak with me. I arrived at the hospital about 15 minutes later and spoke to Grant. Grant told me the following in summary:

He doesn't remember much about what happened to him. He remembers being at the apartments near 17th and G

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 12/19/2016 16:22

Eureka Police Department

OCA: 16007453

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *SUSPENDED*Case Mng Status: *SUSPENDED*

Occurred: 10/17/2016

Offense: *ASSAULT WITH DEADLY WEAPON - FIREARM*Investigator: *COSETTI, A. (629)*

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(1635 G) then waking up in a vehicle with a gunshot wound. He remembers going to the apartments to visit his friend, Casey Camacho. He and Casey along with several other people were in the common kitchen/living area of the apartments. He was drinking a mixed drink of rum and coke when he heard two loud pops. He remembers at some point standing or being on the floor between the two couches in the living area near the potted plant/tree. The only other thing he remembered was waking up in the vehicle. He does not remember being shot or who shot him.

I asked Grant if he knew Chris Hardy and if Hardy was with him. Grant stated he knew Hardy and Hardy was upstairs asleep when the shooting occurred. I spoke to Grant about his willingness to pursue this investigation. Grant stated he did not plan to pursue this case far however wanted police to continue the investigation. Grant agreed to and signed a medical release form. Prior to leaving I told Grant I would follow up with him and I provided him with my contact information.

Since speaking with Grant at the hospital I have attempted to contact him several times. I tried to contact him at 833 H St. Apt. [REDACTED] which is where he usually stays with his girlfriend, N [REDACTED], and their child. I could hear a child inside and another person. I knocked several times but the person inside refused to come to the door. I left a business card on the door requesting Grant contact me. I also called the phone number Grant provided and spoke with a male who advised Grant was unavailable. I left a message with the male requesting Grant contact me. I have yet to speak with Grant again.

Chris Hardy statement

In the early morning hours of 10-18-16 Chris Hardy was taken into custody due to outstanding warrants. On 10-18-16 at about 0800 hours, I spoke to Hardy at HCCF. Because Hardy was in custody (unrelated charges) Hardy was not free to leave therefore I read him the Miranda Admonition from my department issued Miranda card. Hardy confirmed he understood the admonition by saying "ya." I asked Hardy about the shooting at 1635 G and Hardy told me the following in summary:

He had seen Grant with Casey Camacho several times on 10-17-16. Grant and Casey were in and out of the apartment building. When the shooting occurred he was asleep upstairs in one of the apartments then woke up hearing several gunshots. He heard people running and saying that the cops were on their way. He ran downstairs then out of the apartment building using the front door. He then ran north on G Street. He did not walk or run along the path between 1625 and 1635 G (area where Cameron stated he saw Hardy).

Hardy stated he was unsure exactly what had happened and later learned Grant had been shot. He also learned Grant

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had shot at someone prior to this incident which led him to believe Grant was being targeted. He believed Grant had upset several people in the past and people were "not happy" with Grant. Hardy advised he learned those things through friends however would not state who those friends were.

Scene, BMW, and evidence

While Officer Altic was at the hospital with Grant he collected Grant's shirt which was stained with blood. I collected Grant's jeans and boots. Officer Altic also took photos of Grant's injury. I later took photos of Grant's clothing.

On 10-17-16 at about 1430 hours, I returned to 1635 G Street to check for any additional evidence. I received permission from building owner, Floyd Squires, to search the common areas of the building. Upon my arrival, I saw two males moving furniture and debris out of the building. When I spoke with Squires he advised the males worked for him and were cleaning out the building.

I started searching the common kitchen/living area where blood was located on the wall earlier that day. I noticed several items had been removed and the floors had been swept. There were small piles of dirt/debris on the floor which were formed after being swept. At that time I did not locate any additional evidence. I also checked upstairs and did not locate any evidence. There was a hole in a window at the top of the stairs which appeared to be from a bullet however the exterior of the hole was rusted, which led me to believe the hole was not formed on 10-17-16.

At about 1530 hours on 10-20-16 I returned to 1635 G Street to look for evidence (permission granted from Squires). During my search of the common kitchen/living area I located a spent CCI brand .22 casing behind a refrigerator. The casing was on the ground between the refrigerator and the door to apartment # [REDACTED] Tim Bayless' apartment. During that initial search it was unknown if that common area was where the shooting occurred or just where Grant rested after being shot. After discovering the spent casing and the blood on the wall, I believed the shooting occurred in that common area. I took photos of the casing along with photos of the scene.

On 10-18-16 at about 0900 hours, Evidence Technician Schwend and I processed Brown's BMW for evidence. On the back seat we located a damp red plaid blanket. Officers who located Grant in the vehicle stated Grant was covered with a blanket along with other items therefore I collected the blanket. There was no other evidence located. Evidence Technician Schwend took photos of the BMW and its contents. Due to the blanket being wet I placed it in the drying cabinet in the EPD lab. Once the blanket was dry I examined it. I located a red stain on the blanket which I believed to be blood, based on my training and experience. I took photos of the blanket and the blood.

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I booked all the photos, audio recordings, the swab from the blood on the wall, Grant's clothing, the spent casing, and the blanket into Property at EPD as evidence. Brown's vehicle was returned to her on 10-21-16 by Humboldt Towing.

Grant's medical records

On 10-18-16 I faxed a copy of the signed medical release form to St. Joseph's Hospital. On that same day I received copies of Grant's medical records pertaining to his treatment on 10-17-16. Dr. Edward Perry examined Grant and below is a summary of his findings as well as lab results.

Lab tests pertaining to Grant's blood were conducted at 0218 hours on 10-17-16. The tests indicated Grant had little to no alcohol in his system.

Lab test pertaining to Grant's urine were conducted at 0520 hours on 10-17-16. The tests indicated positive results for amphetamine, methamphetamine, benzodiazepines, cannabinoids, and MDMA (ecstasy).

Dr. Perry's findings (summary):

A single gunshot wound to the right back. Bullet entry was made in the right back and became lodged in a lower rib on the left side of the spine. A small amount of gas was located in the wound tract which showed the bullet trajectory to be just above the lower spine. The lower left rib was fractured by the bullet and the bullet was extending just beyond the rib. The extension of the rib caused a small amount of hemorrhaging and thickening of a portion of the left abdominal muscle. Within the rib fracture was a single tiny bullet fragment along with a 10mm deformed metallic bullet. There was no organ damage or any other injury. Dr. Perry's written impression of the injury was that it was a single, fairly superficial, gunshot wound to the right back which crossed the midline and fractured the left posterior 11th rib.

Based upon Dr. Perry's findings Grant suffered a gunshot wound which entered his lower right back. The bullet then traveled slightly up and to the left passing the spine and hit a lower left rib. The rib was fractured and bullet became lodged in that rib.

Grant's wound and the spent .22 caliber casing

The bullet hole to Grant's back was small and circular as if the caliber of bullet was small like a .22. Dr. Perry

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reported the fragmented bullet inside Grant measured about 10mm. The diameter of the spent casing was about 5mm. Based on my training and experience I know bullets usually expand when they come into contact with another object. Based upon the size of the entry wound and the expanded size of the bullet fragment inside Grant, I believe Grant was shot with a .22 caliber bullet. I also believe the spent .22 caliber casing I collected was from one of the bullets shot at Grant.

Conclusion

A press release was issued after this incident occurred however no witnesses or involved parties have come forward with information. I sent a department wide email requesting officers obtain contact information for Casey Camacho in order for me to speak with him. If/when contact information for Camacho is obtained I will attempt to speak with him about this incident. Due to the lack of evidence, witnesses, and cooperation from Grant, I must suspend this investigation. Additional investigation will be conducted upon discovery of new evidence, witness statements, and/or contact from Grant.

Investigator Signature

Supervisor Signature



**County of Humboldt
Office of the District
Attorney
INVESTIGATIVE REPORT**

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER	
Floyd Squires	12/22/2016	DA16-0375	
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER
			1

CHARGES TYPE	CODE SECTION	DESCRIPTION
17920.3	H&S	Within the Building conditions detrimental to welfare of Tenants
17920.3 (12)	H&S	Infestation of insects – cockroaches
17920.3 (16)	H&S	Lack of adequate garbage storage
17920.3 (g)(2)	H&S	Faulty weather protection – broken window

VICTIM #1 NAME	DATE OF BIRTH	ADDRESS	PHONE
John/Jane Doe		833 H Street Eureka	
VICTIM #2 NAME	DATE OF BIRTH	ADDRESS	PHONE
John/Jane Doe		833 H Street Eureka	
SUSPECT NAME	DATE OF BIRTH	ADDRESS	PHONE
Squires, Floyd	██████ 1946	██████ Eureka	

NARRATIVE

On Wednesday, December 14, 2016, at approximately 1420 hours, I accompanied Eureka Code Enforcement Officer Matt Morgan, Eureka Police Officers Drake Goodale and Young Porambo on a walkthrough of the Floyd Squires rental property located at 833 H Street, Eureka. As we were walking towards the front door of 833 H Street, I noticed a large volume of garbage overflowing from the two cubic yard garbage container. It should be noted that garbage had been stacked as high as gravity would permit while other garbage bags had spilled out on to the ground. Additionally, I contacted Recology Humboldt County, the garbage company utilized to collect the garbage each Friday, and was told by an employee that the two cubic yard garbage container isn't adequate to service the building as garbage is always strewn about and overflowing.

As we walked to the front door, which has a metal security door, I noticed the exterior door knob to the security door was missing.

COPIES TO:	<input checked="" type="checkbox"/> DA	<input type="checkbox"/> HCSO	<input type="checkbox"/> FPD	<input type="checkbox"/> EPD	<input type="checkbox"/> CHP	PAGE
	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			Page 1 of 3
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
J. R. Burke	7K10	12/22/2016	<i>[Signature]</i>	12/22/16		



**County of Humboldt
Office of the District
Attorney
INVESTIGATIVE REPORT**

DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER	
Floyd Squires	12/22/2016	DA16-0375	
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1

Supplemental – continued:

I then noticed that the complete door knob assembly to the front door was gone, leaving a circular hole in the door, rendering the front entry point non-securable.

While on the first floor, we then walked south to the rear door which I found to be in the same non-functioning state as the front door, i.e. missing door knobs. By not having both front and rear doors being securable, this rendered the building vulnerable and unsafe for the residing tenants.

I saw that a window near the back door was broken out.

Officers Goodale and Porambo started to walk into the basement area only to be turned back by about a foot of standing water as reported by Officer Young.

We then walked to the second floor finding a door on the west side of the building that lead to the outside however there wasn't a landing nor stairs. This door lead to open space.

Contact was made with a Mr. Donald Brown and Mr. Kenneth Thomas, both residents of 833 H Street. Mr. Brown stated his concerns of squatters sleeping on the hallway floors during the night time hours. Mr. Brown said he is somewhat intimidated by and reluctant to confront these squatters. When asked by Mr. Morgan if he had any cockroaches, Mr. Brown reported he keeps the cockroaches at bay by placing traps all around.

Mr. Thomas said that he was fed up with the heroin addicts buying their heroin from one of the rooms on the first floor and squatters sleeping in the halls. Mr. Thomas further stated that he had told Floyd Squires about the heroin sales. According to Mr. Thomas Squires then threatened to evict him uttering derogatory comments about Mr. Thomas' Native American heritage.

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	<input type="checkbox"/> Probation					
INVESTIGATOR	ID	DATE	APPROVED BY		DATE	
J. R. Burke	7K10	12/22/2016				



County of Humboldt
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INVESTIGATIVE REPORT

	DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER
	Floyd Squires	12/22/2016	DA16-0375
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1

Supplemental – continued:

These listed Health and Safety Code violations are as follows:

- 17920.3 (12) Infestations of insects – cockroaches
- 17920.3 (16) Inadequate garbage storage
- 17920.3 (g) (2) Faulty weather protection – broken window

These violations render the building at 833 H Street as Substandard as well as creating an unhealthy, unsafe and deplorable living condition for the tenants residing there.

The reader should understand that the condition of 833 H Street, as well as 1635 G Street, the address of the initial report attached, are not the exception of rental properties owned by Floyd and Betty Squires, and managed by the Court Appointed Receiver, Jeffrey Smith and they are representative of the majority of Squires' properties.

Disposition:

Forward to DA Fleming for review.

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	<input type="checkbox"/> Probation	<input type="checkbox"/> Parole	<input type="checkbox"/> Other:			Page 3 of 3
INVESTIGATOR	ID	DATE	APPROVED BY	DATE		
J. R. Burke	7K10	12/22/2016				



**County of Humboldt
Office of the District
Attorney
INVESTIGATIVE REPORT**


DEFENDANT / SUSPECT NAME		DATE	CASE NUMBER
Squires, Floyd		12/27/2016	DA16-0375
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
17920.3 (a) (6)	Eureka Police Department	16-007917	

CHARGES TYPE	CODE SECTION	DESCRIPTION	
17920.3 (a) (6)	H&S	Substandard Building, Lack of Adequate Heating	
VICTIM #1 NAME	DATE OF BIRTH	ADDRESS	PHONE
Bayless, Tim		1635 G Street # [redacted] Eureka	707-502-[redacted]
VICTIM #2 NAME	DATE OF BIRTH	ADDRESS	PHONE
SUSPECT NAME	DATE OF BIRTH	ADDRESS	PHONE
Floyd Squires	[redacted] 1946	[redacted] Eureka	707-834-[redacted]

NARRATIVE

On Friday, December 23, 2016, I spoke to Mr. Bayless at the Humboldt County Court building. At that time Mr. Bayless told me that he has not had any heat supplied to his room for approximately three weeks. Mr. Bayless told me that he was thinking of calling Pacific Gas and Electric (PG&E) and request an audit of the first floor heater.

On Tuesday, December 27, 2016, at approximately 0950, I made contact with Mr. Bayless via telephone merely to find out what PG&E had found wrong, if anything, with the heater. Mr. Bayless told me that he had understood taht a PG&E representative had responded to 1635 G Street and as he was arriving, Squires, who was also arriving at the residence "flagged" them away without inspecting the heater. Mr. Bayless advised me that he has now been without heat for almost one month. It should be noted by the reader that according to the Times-Standard, the local newspaper, the temperature of the Eureka area has been in the high 20's or low 30's, record breaking lows.

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		Probation				Parole				Other:	
INVESTIGATOR	ID	DATE	APPROVED BY				DATE				
J. R. Burke	7K10	12/27/2016					12-27-16				



**County of Humboldt
Office of the District
Attorney
INVESTIGATIVE REPORT**

	DEFENDANT / SUSPECT NAME	DATE	CASE NUMBER
	Squires, Floyd	12/27/2016	DA16-0375
CRIME	CROSS REFERENCE AGENCY	AGENCY CASE NUMBER	SUPPLEMENTAL NUMBER 1
17920.3 (a) (6)	Eureka Police Department	16-007917	

Supplemental – continued:

During my conversation with Mr. Bayless, he stated that he will call Mr. Jeffrey Smith, the court appointed Receiver, and forward his concerns about the heater to him and advise me of the outcome of that conversation.

Dispositions

Please forward to DA Fleming for review.

COPIES TO:	<input checked="" type="checkbox"/>	DA	<input type="checkbox"/>	HCSO	<input type="checkbox"/>	FPD	<input type="checkbox"/>	EPD	<input type="checkbox"/>	CHP	PAGE
		Probation	<input type="checkbox"/>	Parole	<input type="checkbox"/>	Other:					Page of 2
INVESTIGATOR	ID	DATE	APPROVED BY				DATE				
J. R. Burke	7K10	12/27/2016					12-27-16				

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 3777 North Harbor Boulevard, Fullerton, California 92835.

On **December 28, 2016**, I served the foregoing document described as:

**DECLARATION OF KRISTA MACNEVIN JEE IN SUPPORT OF
MOTION FOR ADDITIONAL RECIEVER AUTHORITY OR IN THE
ALTERNATIVE FOR REPLACEMENT OF RECEIVER**

on each interested party listed on the attached service list:

Counsel for Defendants

Bradford C. Floyd, Esq.
Floyd Law Firm,
A California Partnership
819 Seventh Street
Eureka, CA 95501
EMAIL: bcfloyd@floydlawfirm.net

Court Appointed Receiver

Jeff Smith
Lenders Construction Services
P.O. Box 6218
Eureka, CA 95502
Email: jeff@lendersconstructionservices.com

_____ (VIA MAIL) I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Jones & Mayer's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service on that same day with postage thereon fully prepaid at La Habra, California, in the ordinary course of business. I am aware that on motion of the parties served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

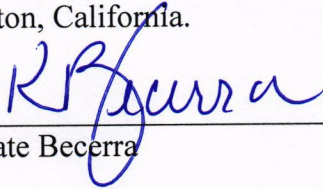
 X (VIA EMAIL) By electronically transmitting the document(s) listed above to the e-mail address(es) of the person(s) set forth above. The transmission was reported as complete and without error. See Rules of Court, Rule 2.251.

 X (VIA PERSONAL SERVICE) I caused the aforementioned documents to be personally delivered to the persons at the addresses listed above. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney(s) office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

 X (VIA OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to each interested party. I placed the envelope or package for collection and overnight delivery in the

overnight delivery carrier depository at Fullerton, California to ensure next day delivery.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **December 28, 2016**, at Fullerton, California.



Kate Becerra

SERVICE LIST

Counsel for Defendants

Bradford C. Floyd, Esq.
Floyd Law Firm,
A California Partnership
819 Seventh Street
Eureka, CA 95501
EMAIL: bcfloyd@floydlawfirm.net

**VIA EMAIL AND PERSONAL
DELIVERY**

Court Appointed Receiver

Jeff Smith
Lenders Construction Services
P.O. Box 6218
Eureka, CA 95502
Email: jeff@lendersconstructionservices.com

**VIA EMAIL AND OVERNIGHT
DELIVERY**