



BBK

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Charisse Smith
Of Counsel
(909) 466-4907
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File No. 46700.61133

April 24, 2024

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED &
U.S. MAIL**

Bethlehem Ajam One, Inc.
c/o Roni Hannoona (Agent/CEO)
317 North Euclid Avenue
Ontario, CA 91762

Re: 317 North Euclid Avenue, Ontario, CA 91762
(APN 1048-566-05-0-000)
("Subject Property")
DEMAND TO CEASE AND DESIST UNLAWFUL BUSINESS ACTIVITY /
NOTICE OF INTENTION TO FILE A LAWSUIT

Dear Property Owner:

Best Best and Krieger LLP serves as the City Attorney for the City of Ontario ("City"). In that capacity, we have been authorized and directed to write this letter regarding the Subject Property in which title records reflect that you are the Owner pursuant to a Grant Deed recorded on December 26, 2014 as Document No. 2014-0492900. (See enclosed Grant Deed.) As such, you are responsible for maintaining the Subject Property in compliance with the Ontario Municipal Code ("OMC"). You have failed to complete all of the work listed in the City's Notice and Order to Vacate, Secure, and Repair dated July 24, 2015 and Administrative Citations dated April 16, 2016, August 31, 2016, April 2, 2024, and April 22, 2024 ("Notices"). The Notices are enclosed for your reference. Moreover, the City's records show several expired permits.

DEMAND TO CEASE AND DESIST

ON BEHALF OF THE CITY, IT IS HEREBY DEMANDED THAT YOU IMMEDIATELY CEASE AND DESIST USING THE PROPERTY FOR PUBLIC OR PRIVATE BANQUETS UNTIL YOU FIRST OBTAIN AND FINALIZE THE BUILDING PERMITS FOR ALL ALTERATIONS TO THE BUILDING AND OBTAIN A BUSINESS LICENSE TO OPERATE THE BUSINESS

Because of your failure to obey the City's Notices and due to the nuisance conditions, the City has forwarded the matter to this office to take appropriate legal action against you regarding the substandard conditions that exist at the Subject Property. The City is legally entitled to recover from you all costs incurred in pursuit of this matter. To date, you owe the City approximately \$3,000.00. The City has asked us to take such action, including, but not limited to civil prosecution

Best Best & Krieger LLP | 2855 E. Guasti Road, Suite 400, Ontario, California 91761
Phone: (909) 989-8584 | Fax: (909) 944-1441 | bbklaw.com

46700.61133\42232342.1

**Via Certified Mail Return Receipt Requested &
U.S. Mail**

Bethlehem Ajam One, Inc.
c/o Roni Hannoona
April 24, 2024
Page 2

to seek an injunction against you prohibiting the use of the building for public events without having corrected the violations listed in the City's Notices. The City may seek civil penalties of up to \$1,000.00 per violation, per day. Such legal action will result in significant additional City fees, attorney's fees and expenses that the City is legally entitled to collect from you. At the time of final resolution of this matter, these costs could exceed \$35,000.00, not including the cost of rehabilitation or potential civil penalties. Alternatively, the City may exercise its administrative rights to abate the nuisance conditions by vacating the building and requiring the power to the building to be turned off until the violations are corrected.

To avoid further legal or administrative action, you must stop using or allowing the building to be used for public or private banquets and consult with the Planning and Building Department no later than May 3, 2024, on what is needed to obtain new permits to correct any and all Ontario Municipal Code violations. Thereafter, you must follow through with any instructions given by said Departments to finalize the permits, and obtain the appropriate business license(s) before commencing business.

If you have any questions or need further clarification regarding the contents of this letter, please feel free to contact me at (909) 989-8584. An appointment is required should you wish to meet with the City's attorney in person.

Sincerely,



Charisse Smith
for BEST BEST & KRIEGER LLP

CS:

Enclosures

Grant Deed
City's Notices

cc: Angela Magana
James Caro
Scott Murphy
Henry K. Noh
Admin Team

FIDELITY NATIONAL TITLE
ORANGE COUNTY

RECORDING REQUESTED BY:

Newcomer Escrow, Inc.

Order No. 80514

Escrow No. 3405-CN

Parcel No. 1048-566-05

TRA: 004-051

AND WHEN RECORDED MAIL TO:

Mail taxes to
Bethlehem Ajam One, Inc.
317 North Euclid Ave
Ontario, Ca 91762

Electronically Recorded in Official Records, County of San Bernardino

12/26/2014

09:57 AM

SG

SAN



DENNIS DRAEGER
ASSESSOR - RECORDER - CLERK
764 Fidelity Title

Doc #: 2014-0492900



Titles: 1 Pages: 3

Fees	21.00
Taxes	429.00
Other	.00
PAID	450.00

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$429.00 and CITY \$0.00



☒ Ontario, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Guillermina Madriles, a Married Woman as her sole and separate property

hereby GRANT(S) to

Bethlehem Ajam One, Inc.

the following described real property in the County of San Bernardino, State of California, described as:
LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Date December 22, 2014

Guillermina Madriles
Guillermina Madriles

STATE OF CALIFORNIA

}
}S.S.
}

COUNTY OF Orange

On 12-22-2014, before me, Katya J. Walker, Notary Public
personally appeared Guillermina Madriles who proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is
true and correct.

WITNESS my hand and official seal.

Signature

Katya J. Walker

(Seal)



Mail taxes to same as above

NOTARY SEAL

Under the provisions of Government Code 27361.1, I certify under the penalty of perjury that the Notary Seal on the document to which this statement is attached reads as follows:

Name of Notary: Katya J. Walker

Commission #: 1999375

Date Commission Expires: Nov 29 2016

County where Bond is filed Orange

PLACE OF EXECUTION: RIVERSIDE

DATE: 12/26/14

SIGNATURE: 
A Salters



PRELIMINARY REPORT
YOUR REFERENCE:

Fidelity National Title Company
ORDER NO.: 00080514-997-OC1-DB1

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE SOUTH 21.17 FEET OF LOT 6, ALL OF LOT 7, AND THE NORTH 12.34 FEET OF LOT 8, IN BLOCK 28, OF TOWN OF ONTARIO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 9 OF MAPS, PAGE 43, RECORDS OF SAID COUNTY.

PARCEL NO. 2:

LOTS 4 AND 5 AND THE NORTHERLY 10 FEET OF LOT 6, IN BLOCK 28, TOWN OF ONTARIO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 9 OF MAPS, PAGE 43, RECORDS OF SAID COUNTY.

APN: 1048-566-05

CITY OF



ONTARIO

CODE ENFORCEMENT DEPARTMENT

**NOTICE AND ORDER TO VACATE, SECURE,
AND REPAIR**

PAUL S. LEON
MAYOR

AL C. BOLING
CITY MANAGER

DEBRA DORST-PORADA
MAYOR PRO TEM

July 24, 2015

MARY E. WIRTES, MMC
CITY CLERK

ALAN D. WAPNER
JIM W. BOWMAN
PAUL VINCENT AVILA
COUNCIL MEMBERS

JAMES R. MILHISER
TREASURER

VIA FIRST CLASS AND CERTIFIED MAIL

Bethlehem Ajam One Inc.
317 North Euclid Avenue
Ontario, CA 91762

LEGAL NOTICE AND ORDER of the Building Official of the City of Ontario regarding

Address: 317 North Euclid Avenue, Ontario, California 91762

APN: 1048-566-05

LEGAL DESCRIPTION: Ontario City Lots 4 5 6 7 And N 12.34 Ft Lot 8 Blk 28, in the City of Ontario, County of San Bernardino, State of California, in the Office of the County Recorder of said County.

To Whom It May Concern:

The Building Official or designee has made an inspection of this property as authorized by the City of Ontario Municipal Code Section 8-1.01. This inspection was made on July 21, 2015. Using the following definitions of dangerous building conditions taken from Chapter 3 of the 1997 Uniform Code for the Abatement of Dangerous Buildings, inspectors found and determined that the building(s) on your property constitute(s) a dangerous building.

On the basis of these inspections, and under the provisions of Section 202 of the Uniform Code for the Abatement of Dangerous Buildings, I hereby find, determine and declare the building on this property to be dangerous and a per se public nuisance, and that these dangerous conditions constitute an immediate danger to the life, limb, property or safety of the public or occupants of the building(s), sufficient that **THE BASEMENT MUST BE VACATED WITHIN 24 HOURS DUE TO IMPROPER OCCUPANCY.**

The following is a brief and concise description of the conditions found to render the building dangerous:

Section 302, definition 1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic. *The basement does not provide adequate exits for use as a banquet hall.*

Section 302, definition 13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirements or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings. *Tenant improvements have been made to accommodate a banquet hall, to include: partition walls, alterations to the electrical system, and a stage.*

Section 302, definition 16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connection or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard. *There are inadequate exits and substandard electrical system alterations throughout the basement area.*

Section 302, definition 17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity of jurisprudence. *A banquet hall business is operating from location without Planning Department approval and a City of Ontario business license. There is prohibited signage throughout the exterior of the building.*

These dangerous conditions must be abated by repair or demolition. All work, including demolition of any improvements on the property, must be performed in accordance with the current Uniform Building Code and all other applicable state and municipal code requirements, including, when appropriate, obtaining City of Ontario Building Department permits (demolition of most improvements on a property requires obtaining a demolition permit from the City of Ontario Building Department). Before such work begins, you must contact Anthony Vega of the Code Enforcement Department to determine what permits will be necessary for the required repairs. Failure to obtain necessary permits will result in the City continuing to view these buildings as substandard even if repairs have been made. After repairs have been made, this property must be maintained in such a way so that the property will not constitute a public nuisance.

Repairs or demolition must commence within 30 days of the date of this Notice and Order. Permits must be obtained within 20 days of this Notice and Order.

Note: any application for a demolition permit will be subject to the following requirements and restrictions:

- All applications for a demolition permit must be accompanied by plans, specifications and other data that the building official may designate in order to determine compliance with any applicable laws under the City's jurisdiction.
- No demolition permit for a Historical Resource will be issued after the nomination of a Historical Resource and while any public hearing or appeal proceedings are underway.

-
- No demolition permit will be issued for a Historical Resource unless and until Planning Department approval is obtained pursuant to the Historic Preservation Ordinance of the City of Ontario.
 - No demolition permit will be issued by the City unless the City receives from the applicant either: (1) a copy of each written asbestos notification regarding the building if such has been required to be submitted to the United States Environmental Protection Agency or to a designated state agency, or both, pursuant to Part 61 of Title 40 of the Code of Federal Regulations, or (2) a written declaration from the applicant stating that the notification is not applicable to the scheduled demolition.

ALL WORK – REHABILITATION OR DEMOLITION – MUST BE COMPLETED WITHIN 60 DAYS OF THIS NOTICE AND ORDER. FAILURE TO COMMENCE WORK OR OBEY THIS NOTICE AND ORDER MAY RESULT IN ONE OR MORE OF THE FOLLOWING:

- Criminal (misdemeanor) or civil prosecution, including the City petitioning the Court for the appointment of a receiver pursuant to State Housing Law.
- Our causing the work to be done and charging cost of the repairs against the property
- Our causing the property to be vacated and posted to prevent further occupancy until the work is completed
- Our causing the property to be repaired or demolished and charging that cost against the property
- Our issuance of administrative fines and/or civil penalties, which may be substantial.

Any person having any record title of legal interest in the above referenced property may appeal this Notice and Order or any action of the Building Official. Such an appeal must be made in writing and filed with the Building Official within 30 days of the date of service, which is the day that this Notice and Order was mailed via certified mail. All appeals must also conform to the requirements of Chapter 5 Section 501.1 of the Uniform Code for the Abatement of Dangerous Buildings, a copy of which has been enclosed with this Notice and Order. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of this matter. If you choose to appeal this Notice and Order, you should read the attachment that explains the true purpose of an appeal. Pursuant to Section 401.3 of the Uniform Code for the Abatement of Dangerous Buildings, this Notice and Order has been posted at or upon each exit of the building.

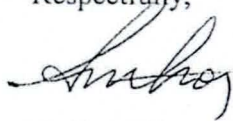
Lessors can not retaliate against a lessee pursuant to Civil Code Section 1942.5.

Finally, Sections 17274 and 24436.5 of the California Revenue and Taxation Code provides, in part, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with health, safety, or building, cannot deduct from state personal income tax and bank and corporate income tax, interest, taxes, depreciation, or amortization paid or incurred in the taxable year attributable to each substandard structure where the substandard conditions are not corrected within six (6) months after notice of violation by the regulatory agency. The date of service of this Order

marks the beginning of that six-month period. The City is required by law to notify the Franchise Tax Board of failure to comply with the code sections listed herein.

If you have any questions regarding this Notice and Order, please contact Anthony Vega at (909) 395-2287, Monday through Friday, 8:00 a.m. to 5:00 p.m., except holidays, or in writing at City of Ontario, 208 W. Emporia St., Ontario, CA 91762.

Respectfully,



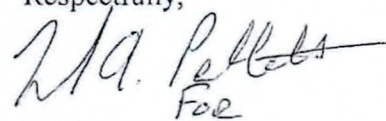
Anthony Vega
Senior Code Enforcement Officer

Respectfully,



Kevin Shear
Building Official

Respectfully,



Art Andres
Deputy Fire Chief/Fire Marshall

AV:KS:AA:lm

Enclosures: Photocopy of UCADB Chapter 5
Explanation of the Appeal Process

Certified Mail/Return Receipt Requested 7014 2870 0001 4599 7828

317 North Euclid Avenue
Ontario, CA 91761
(909) 395-2007



☐ Stop Work Order

Citation # 312163
☐ Warning

ADMINISTRATIVE CITATION

Date: 4/22/2024

Time: 7:40

AM
PM

☐ Transient Violation

☐ Continuing Violation

Minor:

☐ 1st offense \$50 ☐ 2nd offense \$100 ☐ 3rd offense \$200

General:

☐ 1st offense \$100 ☐ 2nd offense \$200 ☐ 3rd offense \$400

Health & Safety:

☐ 1st offense \$150 ☐ 2nd offense \$300 ☒ 3rd offense \$500

Payment of \$ 500.00 is due on 4/22/2024
(See reverse side for payment information.)

Corrections indicated below are required by 4/22/2024.
If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

Person Cited: BETHLEHEM ASAM INC.
NPN: 1048-566-05
Case Number: CE 15001507

Mailing Address: PO Box 1177, Yorba Linda,
CA 92885

Address of Violation: 317 NORTH EUCLID AVENUE

☒ Photo Taken

STICKERS ATTACHED

Code Section(s) Violated:	Violation Description:
OMC 8-1.01	BUILDING ALTERATION WITHOUT
OMC 1.8.1.1	APPROVAL OR PERMITS.
OMC 3-1.105	NO BUSINESS LICENSE ON FILE FOR THIS LOCATION.

Corrections Required:

PLEASE OBTAIN PROPER BUILDING PERMITS.

PLEASE OBTAIN CITY BUSINESS LICENSE.

Name of Issuing Officer R. LEE ID # 21

Signature R. LEE

Signature of Person Cited HAILOO

READ REVERSE SIDE FOR IMPORTANT INFORMATION

FILE COPY

02/08



☐ Stop Work Order

Citation # **804176**
☐ Warning

ADMINISTRATIVE CITATION

Date: 8-31-16 Time: 8:30 AM
PM

☐ Transient Violation

☐ Continuing Violation

Minor:

☐ 1st offense \$50 ☐ 2nd offense \$100 ☐ 3rd offense \$200

General:

☐ 1st offense \$100 ☐ 2nd offense \$200 ☐ 3rd offense \$400

Health & Safety:

☐ 1st offense \$150 ☐ 2nd offense \$300 ☐ 3rd offense \$500

Payment of \$ is due on .
(See reverse side for payment information.)

Corrections indicated below are required by .
If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

Person Cited: Bethlehem Adam One Inc

CDL/ID Number: CE15001507

Mailing Address: 317 North Euclid Avenue

Address of Violation: 317 North Euclid Avenue

☐ Photo Taken

Code Section(s) Violated:	Violation Description:
<u>CBC 106.1</u>	<u>Permits required.</u>

Corrections Required:

Obtain required permits for
construction.

Name of Issuing Officer D. Nye ID # 2

Signature [Signature]

Signature of Person Cited posted

READ REVERSE SIDE FOR IMPORTANT INFORMATION

FILE COPY

02/08



☐ Stop Work Order

Citation # **309855**
☐ Warning

ADMINISTRATIVE CITATION

Date: 4/2/2024 Time: 8:12 AM
PM

☐ Transient Violation

☐ Continuing Violation

Minor:

☐ 1st offense \$50 ☐ 2nd offense \$100 ☐ 3rd offense \$200

General:

☐ 1st offense \$100 ☐ 2nd offense \$200 ☐ 3rd offense \$400

Health & Safety:

☐ 1st offense \$150 ☒ 2nd offense \$300 ☐ 3rd offense \$500

Payment of \$ 300.00 is due on 5/2/2024.
(See reverse side for payment information.)

Corrections indicated below are required by 4/16/2024.
If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

Person Cited: BETHLEHEM ADAM ONE INC

Case Number: CE15001507

Mailing Address: PO BOX 1177, YORBA LINDA,

Address of Violation: 317 NORTH EUCLID AVENUE

☐ Photo Taken

Code Section(s) Violated:	Violation Description:
<u>DMC 8-1.01</u>	<u>BUILDING ALTERED WITHOUT</u>
<u>CBC 1.8.4.1</u>	<u>APPROVAL OR PERMITS.</u>
<u>DMC 3-1.105</u>	<u>NO BUSINESS LICENSE ON</u>
	<u>FILE FOR THIS LOCATION.</u>

Corrections Required:

PLEASE OBTAIN FINAL SIGN-OFF ON PERMITS.
PLEASE OBTAIN CITY BUSINESS LICENSES.

Name of Issuing Officer R. Lee ID # 21

Signature [Signature]

Signature of Person Cited MAILED

READ REVERSE SIDE FOR IMPORTANT INFORMATION

FILE COPY

02/08



☐ Stop Work Order

Citation # 803948
☐ Warning

ADMINISTRATIVE CITATION

Date: 4/18/16 Time: 3:25 PM

☐ Transient Violation

☐ Continuing Violation

Minor:

☐ 1st offense \$50 ☐ 2nd offense \$100 ☐ 3rd offense \$200

General:

☐ 1st offense \$100 ☐ 2nd offense \$200 ☐ 3rd offense \$400

Health & Safety:

☐ 1st offense \$150 ☐ 2nd offense \$300 ☐ 3rd offense \$500

Payment of \$ 150.00 is due on 5/16/16
(See reverse side for payment information.)

Corrections indicated below are required by 5/12/16.
If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

Person Cited: BETHLEHEM #13AM ONE WAY

CDL/ID Number: CE5001507

Mailing Address: 317 NORTH EXLID AVE

Address of Violation: 317 NORTH EXLID AVE

☐ Photo Taken

Code Section(s) Violated:	Violation Description:
<u>ONE WAY</u>	<u>FAILURE TO OBEY</u>
<u>EXTRA 201</u>	<u>THE ORDER OF A</u>
	<u>BOUNDARY OFFICIAL</u>

Corrections Required:

RECEIVED ORDER OF THE
BOUNDARY OFFICIAL

Name of Issuing Officer CHAD BROWN ID # 11

Signature [Signature]

Signature of Person Cited [Signature]

READ REVERSE SIDE FOR IMPORTANT INFORMATION