

Exhibit F

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Case Summary:

ACTIONS	DATE
• Compliant based inspection conducted. Violations confirmed unpermitted development, stop work issued.	05/10/2016
• Construction application submitted was void for Pending litigation against previous owner for unpermitted construction.	04/07/2020
• Planning application requested on unpermitted construction application deemed complete on 03/13/2024.	04/16/2020
• Citation issued on correct unpermitted construction and for development in the coastal zone, Short Term Rental use and private events.	11/04/2022
• Extension request of compliance date for 45 days, by legal counsel,	11/28/2022
• Extension granted, to expire on,	01/27/2023
• Notice of violation recorded on,	02/09/2023
• New complaint,	04/09/2024
• Case review,	05/01/2024
• Notice of pending hearing	06/14/2024

The county has incurred the following costs during this investigation:

Cost recovery fee's top date: \$720.00

Cumulated fines as allowed under Title 1 General Provisions, Chapter 1.22 Administrative remedies for Code Enforcement, fines per section 1.22.100 B. Fines are calculated back to original compliance date of December 2, 2024 stated in citation.

Accrued Fines to date: \$558,600.00

See attached Notice of Hearing sent to property owner.

Finally the case has been set for July 17, 2024 to take action on ordering compliance on unpermitted construction and to stop all unpermitted event activities.

COUNTY OF MONTEREY
HOUSING AND COMMUNITY DEVELOPMENT
CRAIG W. SPENCER, DIRECTOR



1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
(831) 755-5025
co.monterey.ca.us

NOTICE OF SCHEDULED ADMINISTRATIVE HEARING

June 14, 2024

Wind & Sea Property LLC
925 N Alpine
Beverly Hills, CA 90210

Lender/Trustees:
Citibank, N.A.
1000 Technology Drive
O'Fallon, MO 63368-2240

Case Number:	16CE00201
Violation Location:	54722 Highway 1, Big Sur
APN:	421-011-010-000
Owner of Record:	Wind & Sea Property LLC

The Enforcement Official has determined that full compliance has not been achieved as required in the Notice of Violation dated **November 4, 2022**.

Pursuant to Monterey County Code Section 1.22.040 D if full compliance has not been achieved within the required time period specified in the Notice of Violation, the Enforcement Official may request a hearing before the Hearing Officer to determine the existence of any violation, establish the requirement of all correction actions, and assess the appropriateness of any administrative penalties and administrative costs.

The Hearing Officer will conduct an Administrative Hearing and consider any written or oral evidence on the matter related to the Notice of Violation on:

Date: July 17, 2024
Time: 09:00 a.m.
Location: *To be conducted via Zoom. Link to be provided at a later date.*

Pursuant to Monterey County Code Section 1.22.060 A 4: the Hearing Officer shall determine amounts and order the payment of costs, fines and penalties. The County has incurred **\$720.00**, in the investigation of this matter.

Pursuant to Monterey County Code Section 1.20.090 A: any person, firm or corporation who creates or maintains a public nuisance in violation of the Monterey County Code shall be liable for the cost of abatement which shall include, but not be limited to cost of investigation, court costs, attorneys' fees and the cost of monitoring compliance.

Pursuant to the formula established in Monterey County Code Section 1.22.090 A or 1.22.100 A and/or B fines have accrued. The County will be requesting that the Hearing Officer award the County 10% of the accrued fines.

- **1.22.090 A- Compliance orders and administrative penalties.**

The Hearing Officer may impose administrative penalties for the violation of any provision of this Code in an amount not to exceed a maximum of two thousand five hundred dollars (\$2,500.00) per day for each continuing violation, except that the total administrative penalty shall not exceed one hundred thousand dollars (\$100,000.00) exclusive of any administrative costs, interest, and restitution for compliance re inspections for any related series of violations.

- **1.22.100 A- Administrative citations and fines.** Except for violations of local building and safety codes, an Enforcement Official may issue to a responsible person an administrative citation that imposes:

1. A fine not exceeding one hundred dollars (\$100.00) for a first violation;
2. A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same ordinance within one year; and
3. A fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same ordinance within one year.

- **1.22.100 B-** For violations of local building and safety codes, an Enforcement Official may issue to a responsible person an administrative citation that imposes:

1. A fine not exceeding one hundred dollars (\$100.00) for a first violation;
2. A fine not exceeding five hundred dollars (\$500.00) for a second violation of the same ordinance within one year; and
3. A fine not exceeding one thousand dollars (\$1,000.000) for each additional violation of the same ordinance within one year of the first violation.

Accrued Fines or Penalties pursuant to:

- **Monterey County Code Section 1.22.090 A:** \$ _____
- **Monterey County Code Section 1.22.100 A:** \$ _____
- X **Monterey County Code Section 1.22.100 B:** \$ 558,600.00

At least five (5) days prior to the scheduled hearing date the Hearing Report will be mailed to you. In lieu of appearing at the administrative hearing, you or the Enforcement Official may request that the Hearing Officer decide the matter based on the Notice of Violation and any other documentary evidence submitted by you and/or the Enforcement Official five (5) days before the hearing date.

If you or the responsible party fail to attend the Administrative Hearing without good cause or without filing a written response your lack of action shall constitute a withdrawal of the request for a hearing,

forfeiture of any deposit paid for the administrative fine and a failure to exhaust administrative remedies to further contest the violation.

After a hearing date is set, you or responsible party may apply to the Hearing Officer for a continuance within ten (10) working days following the time the party discovered or reasonably should have discovered the event or occurrence which establishes good cause for the continuance. A continuance may be granted for good cause after the ten (10) working days have lapsed if the party requesting the continuance is not responsible for the violation and has made a good faith effort to prevent the condition or event establishing the good cause.

Should you have any information or supporting documents that you would like sent to the Hearing Officer you may do that at the following address: Filings@CAHearingOfficers.com.

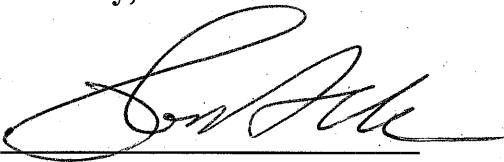
You have the right to bring an attorney to the hearing at your own expense and/or bring your own interpreter if necessary.

The County of Monterey would prefer to discuss an alternative solution to taking this matter to an Administrative Hearing. Code Compliance staff is prepared to discuss a settlement of the code violation(s) with you any time prior to the hearing. If you would like to discuss a settlement/resolution to your case prior to the scheduled hearing date, please contact the Code Compliance Inspector below at (831) 755-5885 or email: montanor@countyofmonterey.gov. A settlement/resolution will not be discussed with code compliance staff during the Administrative Hearing.

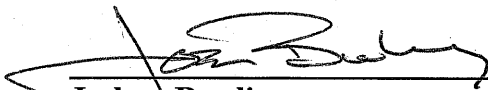
The County may suggest resolving this matter through the use of a Stipulated Agreement. A Stipulated Agreement is a contract between the Property Owner and the County that is used to bring the property into compliance. If the County and the Property Owner agree on the terms and conditions The County will:

- Accrued Fines **\$558,600.00**
- Investigatory Fees of **720.00** for a paid total of **\$559,320.000**

Sincerely,



Code Compliance Inspector II



Joshua Bowling
Chief of Building Services

CC: File, Automation/Documents