



**OFFICE OF THE CITY ATTORNEY
CODE ENFORCEMENT DIVISION**

Appeal Information Packet

APPEAL REQUESTED BY: James Molina
CASE NUMBER: E25-13830
LOCATION: 3436 N Virginia Ln
APN: 437-221-29

PREPARED BY: Derek Henderson/DAH
PHONE: (559) 621-8459

HEARING DETAILS: June 16th, 2025
Fresno City Hall
2600 Fresno St., Council Chambers
(located on the second floor)

cc: James Molina, Appellant(s)
Building Standards Appeals Board
John Giannetta, Housing Program Supervisor
Calvin Massey, Deputy City Attorney

Private and sensitive data information including, but not limited to, reporting party's contact information, driver's license numbers, social security numbers, and phone numbers have been redacted.

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CASE SUMMARY
CODE ENFORCEMENT CASE NO. E25-13830

- o 10/01/2025: Received a complaint of unpermitted nighttime construction taking place at the house.
- o 10/02/2025: I attempted to conduct an initial inspection at the property. The owner wasn't present upon my arrival. I left my contact information with the woman that answered the door.
- o 10/09/2025: I spoke on the phone with the property owner to discuss violation of construction without permits. The owner said that he hadn't done any construction on the property. I requested an inspection to confirm that no construction that would require permits has taken place to close the case. The owner requested a call back the following week to schedule an inspection.
- o 10/13/2025: I spoke on the phone with the property owner and scheduled an interior inspection for 10/16/2025.
- o 10/16/2025: I met with the owner James Moloina at his property and conducted an interior inspection. Photos were taken and alterations were confirmed.
- o 11/04/2025: I prepared a notice and order and submitted it for supervisor approval.
- o 11/05/2025: I posted the approved notice and order to the property.
- o 11/19/2025: Appeal From received from the property owner appealing the notice and order.
- o 11/25/2025: I checked for permits on the house alterations. No permits were on record.
- o 12/05/2025: I called the property owner, James Molina, for an update on where he was in the permit process. No answer. Unable to leave a voicemail message due to his voicemail box being full.
- o 01/08/2025: Met Planning Assistant Director Ashley Atkinson and Licensed Engineer Manager Eric Frampton, along with Assistant City Attorney Christina Roberson and Housing Supervisor John Giannetta to go over the meeting with the property owner. The Assistant Director excused herself from the meeting and the property owner, James Molina and his cousin who resides in the altered room in question, joined the meeting to discuss what is being appealed. It was made clearer to the owner that the alterations to the property would more than likely require a permit. As the meeting concluded, Eric Frampton suggested that a Miscellaneous Consultation be conducted by the Building Department. The consultation was offered as a collaborative solution to determine what permits would be required and provide the owner with a list of the permits needed. The

owner and his cousin agreed to this suggestion and an inspection was scheduled for 01/26/2026. I will follow up with the owner after the inspection for permit # B26-00222 takes place for his plan of action.

o 02/09/2026: I called the owner James Molina to find out the results of the consultation. He informed me that the inspection didn't take place and was scheduled for a later date. He said that his cousin that resides in the altered room was coordinating the inspection.

o 02/09/2026: I checked permit # B26-00222 for the results of the consultation inspection. The inspection scheduled 01/26/2026 was cancelled without any future correspondence.

o 02/19/2026: I called the owner James Molina for an update on rescheduling the consultation inspection. No answer. Left message on voicemail requesting a call back.

o 02/19/2026: I called the owner's cousin, Catarino Prado, for an update on rescheduling the consultation inspection. No answer. Left message on voicemail requesting a call back.

o 02/19/2026: Requested a PIRT Title Search to confirm the responsible party for the property.

o 02/20/2026: Received a call back from the owner's cousin, Catarino Prado. He let me know that he took the day off for the original consultation on 01/26/2026 and nobody showed up. He said that he hasn't called back to reschedule yet due to being busy with work and that he would call today to reschedule.

o 03/09/2026: Checked the status of consultation permit # B26-00222 to see if/when the rescheduled inspection was to take place. The inspection has been rescheduled for 03/23/2026.

o 03/24/2026: Checked the results rescheduled consultation permit # B26-00222. The result was marked as failed. The note said the Building department reached out to Catarino at 8:44am and he left for work due to "no prior forewarning confirmation to the 8:00am scheduled appointment with the building inspector".

o 03/24/2026: I called the owner, James Molina, to find out more details on the inspection for 03/23/2026. No answer. Left message on voicemail requesting a call back.

o 03/24/2026: I called the tenant, Catarino Prado, to find out more details on the inspection for 03/23/2026. No answer. Left message on voicemail requesting a call back.

o 03/24/2026: I prepared and issued the first citation to the property owner for the notice and order dated 11/05/2025.

o 03/25/2026: Submitted an administrative billing for the total time spent on the case.

CASE HISTORY REPORT

CASE NUMBER E25-13830

CASE TYPE: General Enforcement
Assessor's Parcel Number: 437-221-29
Primary Address: 3436 N VIRGINIA LN
FRESNO, CA 93726

Date Established: 10/01/2025
Status: IN VIOLATION-ISSUE
NOTICE
Closed Date:

Inspector Assigned: Derek Henderson
Inspector Phone: 559-621-8459
Inspector Email:
Derek.Henderson@fresno.gov

CASE DATA:	JURISDICTION:	CITY	FINE SUMMARY:	TOTAL INVOICED: \$1,030.72
	ZONE CODE:	RS-5		TOTAL PAID: \$0.00
	INSPECTION AREA:			BALANCE: \$1,030.72
	COUNCIL DISTRICT:	4		
	ACREAGE:	0.27		

NARRATIVE: Provided address is doing construction work, believes they do not have any permits because they are doing the work at night. They knocked down a load bearing wall and completely gutted a room, turning it from a 3 bedroom to a 2 bedroom.

OWNER: Primary MOLINA JAMES IBARRA DIANA 3436 N VIRGINIA LN FRESNO CA 93726

CONTACTS:	TYPE	NAME	ADDRESS
	Complainant	[REDACTED]	

HISTORY:	Date	Action	Details
	10/01/2025	Violation Added: HC CONSTRUCTION W/O PERMITS	
	10/01/2025	ASSIGNED TO AREA	Task: Case Intake Action By: Christina Pasillas Comments:
	10/02/2025	PX INSERT PIX INTO PHOTO MGT	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Photo(s) Uploaded 10/02/2025 Photos uploaded into Photo Management. DAH

CASE HISTORY REPORT

CASE NUMBER E25-13830

10/02/2025	DH DOOR HANGER	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Door Hanger 10/02/2025 Left door hanger with contact information to a woman at the door. She said she wasn't the owner and the owner, James, wasn't home. She said she would pass on my information to him or a call back. DAH
10/02/2025	Inspection Scheduled	Inspection Type: Initial Inspection Inspector: Derek Henderson Request Comments: Scheduled via Script
10/09/2025	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Spoke with Property Owner 10/09/2025 Spoke with the property owner, James Molina 559-349-2671. I explained the reason for my call. He informed me that he hasn't done any construction or remodeling. I requested to schedule an interior inspection with him to confirm that the reports were invalid and close the case. He said he wouldn't be available until next week and requested a call back on Monday. Advised I would call back on Monday morning. DAH
10/13/2025	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Call to Owner 10/13/2025 Call to the property owner, James Molina [REDACTED] to schedule an interior inspection. No answer. Left message on voicemail requesting a call back. The owner called back and scheduled an inspection for Thursday, 10/16/2025 at 11:00am. DAH
10/16/2025	PX INSERT PIX INTO PHOTO MGT	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Photo(s) Uploaded 10/16/2025 Photos uploaded into Photo Management. DAH

CASE HISTORY REPORT

CASE NUMBER E25-13830

10/16/2025 **Inspection Resulted**

Inspection Type: Initial Inspection **Time:** 11:00 AM-11:20 AM **Total Time:** 0.33

Status: In Violation - Issue Notice **Inspector:** Derek Henderson

Result Comments: 1. The (wall closing off the entry door to the third bedroom) was added without the required plans, permits, and inspections.
(FMC §§ 11-103, 11-307, 11-308, 11-310; Cal. Residential Code §§ R105.1, R106.1, R109.1.)
Remove this alteration and restore to its original approved construction and configuration.
*B,P,M,E Option: Submit plans to the Planning and Development Department and obtain the required permits and inspections for this alteration.

NOTICE: Pursuant to California Health and Safety Code Section 17980.12, property owner has a right to request a delay in enforcement of an accessory dwelling unit (ADU) on the basis that correcting the violation is not necessary to protect health and safety. Such a request must be submitted in writing to: Code Enforcement, 2600 Fresno Street, Room 3076, Fresno, CA 93721.

2. The house is being remodeled without the required plans, permits, and inspections.
(FMC §§ 11-103, 11-307, 11-308, 11-310; Cal. Residential Code §§ R105.1, R106.1, R109.1.)
Remove all building, plumbing, electrical, and mechanical alterations and restore to its original approved construction and use.
Option: Submit plans to the Planning and Development Department and obtain the required permits and inspections for the alterations.

NOTICE: Pursuant to California Health and Safety Code Section 17980.12, property owner has a right to request a delay in enforcement of an accessory dwelling unit (ADU) on the basis that correcting the violation is not necessary to protect health and safety. Such a request must be submitted in writing to: Code Enforcement, 2600 Fresno Street, Room 3076, Fresno, CA 93721.

^

10/16/2025

Inspected the interior of the property in response to the report of construction without permits. The property owner, James Molina, allowed entry to the property. He showed me to the area he believed was being reported, an interior wall mounted HVAC unit. I requested to see the bedrooms, but he didn't have access to the 2nd/3rd bedrooms. I was able to see the hallway and confirm the entry to the 3rd bedroom was closed off with drywall. He informed me that entry to the 3rd bedroom was through the 2nd bedroom, but he didn't have the key to it. Photos. DAH

10/16/2025

**IN VIOLATION-ISSUE
NOTICE**

Task: Inspection **Action By:** Derek Henderson
Comments:

CASE HISTORY REPORT

CASE NUMBER E25-13830

11/04/2025	N1 NOTICE PREPARATION N&O/NOV	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Notice and Order 11/04/2025 Notice and order prepared and submitted to supervisor for approval. DAH
<hr/>		
11/05/2025	DP DOCUMENT POSTING @ SITE	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Posted Notice and Order 11/05/2025 Posted notice and order to the property. Photos. DAH
<hr/>		
11/05/2025	PS PROOF OF SERVICE FORM	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Proof of Service 11/05/2025 Proof of service uploaded into case documents. DAH
<hr/>		
11/25/2025	PI HC PERMIT INQUIRY	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Permit Inquiry 11/25/2025 Checked for permits on the interior alterations. No permits are on file. DAH
<hr/>		
11/25/2025	Inspection Scheduled	Inspection Type: Follow-Up Inspection Inspector: Derek Henderson Request Comments:
<hr/>		
12/05/2025	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Call to Owner 12/05/2025 Call to the property owner, James Molina [REDACTED], to find out where he in on correcting the violations on the property. No answer. Voicemail is full. Unable to leave a message. DAH

CASE HISTORY REPORT

CASE NUMBER E25-13830

01/08/2026	MG MEETING/CONFERENCE	Status: COMPLETED Assigned Staff: Derek Henderson Time: .75 Description: Met with property owner 01/08/2026 Met Planning Assistant Director Ashley Atkinson and Licensed Engineer Manager Eric Frampton, along with Assistant City Attorney Christina Roberson and Housing Supervisor John Giannetta to go over the meeting with the property owner. The Assistant Director excused herself from the meeting and the property owner, James Molina and his cousin who resides in the altered room in question, joined the meeting to discuss what is being appealed. It was made clear to the owner that the alterations to the property would more than likely require a permit and a Miscellaneous Consultation was suggested to give the owner a detailed list of what is required. The owner and his cousin agreed to this suggestion and an inspection has been scheduled for 01/26/026 with a building inspector. I will follow up with the owner after the inspection for permit # B26-00222 takes place for his plan of action. DAH
02/09/2026	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Spoke with Property Owner 02/09/2026 I spoke with the property owner, James Molina 559-349-2671, who said the original inspection didn't happen on 01/26/2026 and had to be rescheduled for a later date. He didn't have any more details on when or if the inspection ever took place. He said that his cousin was the person coordinating with the inspector. DAH
02/09/2026	PI HC PERMIT INQUIRY	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Permit status check 02/09/2026 Checked for inspection results on permit# B26-00222. The consultation inspection scheduled for 01/26/2026 was cancelled without any future correspondence. DAH
02/19/2026	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Call to Owner 02/19/2026 I called the owner, James Molina [REDACTED]. No answer and his voicemail was full. I also called the number on the consultation permit # B26-00222, [REDACTED] believe this is his cousin's number. I left a message requesting a call back. DAH

CASE HISTORY REPORT

CASE NUMBER E25-13830

02/19/2026	PT HC PIRT (TITLE SEARCH)	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: PIRT request 02/19/2026 PIRT request submitted to supervisor for approval. DAH
02/20/2026	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .0 Description: Call from the Property Owner 02/20/2026 Call back from the property owner's cousin that is scheduling the inspections, [REDACTED]. He said that he had taken the day off of work on 01/26/2026 for the scheduled inspection consultation and was there at the scheduled time. He said that the inspector never showed up and he hasn't called to reschedule yet due to being busy with work. He said that he is calling today to reschedule an inspection. DAH
02/20/2026	Invoice	Processed By: Araseli Hernandez Invoice Number: 916971 Invoice Amount: 100.00
03/09/2026	PI HC PERMIT INQUIRY	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Permit status check 03/09/2026 Checked the status of permit # B26-00222, for a building inspector consultation with the property owner to discuss the required permits or corrections. The inspections has been rescheduled to 03/23/2026 at 8am. DAH
03/23/2026	Invoice	Processed By: Keith Hobday Invoice Number: 920798 Invoice Amount: 1.50
03/24/2026	PI HC PERMIT INQUIRY	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Permit status check 03/24/2026 Checked the status of permit # B26-00222. The inspection consultation scheduled for 03/23/2026 is listed as Failed. DAH

CASE HISTORY REPORT

CASE NUMBER E25-13830

03/24/2026	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Call to Owner 03/24/2026 Call to the property owner, James Molina [REDACTED], to find out the results of the scheduled inspection with the Building Department for 03/23. No answer. Left message on voicemail requesting a call back. DAH
03/24/2026	PC TELEPHONE CALL	Status: COMPLETED Assigned Staff: Derek Henderson Time: .08 Description: Call to Occupant 03/24/2026 I contacted the owner's cousin at [REDACTED], to check the result of the scheduled consultation with the Building Department that was scheduled for 03/23. No answer. Left message on voicemail requesting a call back. DAH
03/24/2026	CT CITATION (ISSUED BY INSPECT	Status: COMPLETED Assigned Staff: Derek Henderson Time: .17 Description: Prepare Citation #1 03/24/2026 Prepared citation # 1. DAH
03/24/2026	Inspection Resulted	Inspection Type: Follow-Up Inspection Time: 1:50 PM-2:10 PM Total Time: 0.33 Status: Recommend Citation Inspector: Derek Henderson Result Comments: 1. Failure to comply with Final Notice and Order dated 11/05/2026, items # 1 & 2 listed on the enclosed Notice and Order. (FMC §10-615.) ^ 03/24/2026 Violations remain, Issue Citation. DAH
03/24/2026	Invoice	Processed By: Araseli Hernandez Invoice Number: 921178 Invoice Amount: 250.00

CASE HISTORY REPORT

CASE NUMBER E25-13830

03/25/2026

**BO BILLED
PROPERTY OWNER**

Status: COMPLETED **Assigned Staff:** Derek Henderson **Time:** .08

Description: Billed Owner 10/01/25-03/25/26
"3/25/2026 8:06:44 AM3/25/2026 8:06:44 AM
CITY OF FRESNO" "CODE ENFORCEMENT DIVISION
CASE LOG REPORT
10/01/2025 - 03/25/2026 \$557.72"

"ADDRESS: 3436 N VIRGINIA LN
CASE NO. E25-13830" APN 437-221-29

DATE	ACTION	TIME
10/02/2025	DOOR HANGER	0.08
10/02/2025	INSERT PIX INTO PHOTO MGT	0.17
10/09/2025	TELEPHONE CALL	0.08
10/13/2025	TELEPHONE CALL	0.08
10/16/2025	Initial Inspection	0.33
10/16/2025	INSERT PIX INTO PHOTO MGT	0.17
11/04/2025	NOTICE PREPARATION N&O/NOV	0.08
11/05/2025	DOCUMENT POSTING @ SITE	0.17
11/05/2025	PROOF OF SERVICE FORM	0.08
11/25/2025	HC PERMIT INQUIRY	0.17
12/05/2025	TELEPHONE CALL	0.08
01/08/2026	MEETING/CONFERENCE	0.75
02/09/2026	HC PERMIT INQUIRY	0.17
02/09/2026	TELEPHONE CALL	0.08
02/19/2026	HC PIRT (TITLE SEARCH)	0.17
02/19/2026	TELEPHONE CALL	0.08
02/20/2026	TELEPHONE CALL	0
03/09/2026	HC PERMIT INQUIRY	0.17
03/24/2026	CITATION (ISSUED BY INSPECT	0.17
03/24/2026	Follow-Up Inspection	0.33
03/24/2026	HC PERMIT INQUIRY	0.17
03/24/2026	TELEPHONE CALL	0.08
03/24/2026	TELEPHONE CALL	0.08
03/25/2026	BILLED PROPERTY OWNER	0.08
		3.82
	@ \$146.00	
	\$557.72	

DAH

CASE HISTORY REPORT
CASE NUMBER E25-13830

03/25/2026 Invoice **Processed By: Vanhtsanah Vongsoury Invoice Number: 921250**
Invoice Amount: 557.72

04/09/2026 Invoice **Processed By: Jose Carrillo Invoice Number: 923682**
Invoice Amount: 120.00

04/22/2026 Invoice **Processed By: Keith Hobday Invoice Number: 925364**
Invoice Amount: 1.50

FINES:

INVOICE	DESCRIPTION	CHARGE	CREDIT	PAID	DUE
916971	PIRT -Title Search	\$100.00	\$0.00	\$0.00	\$100.00
920798	Late Fee	\$1.50	\$0.00	\$0.00	\$1.50
921178	1st Citation for Non-Compliance	\$250.00	\$0.00	\$0.00	\$250.00
921250	Administrative Fee	\$557.72	\$0.00	\$0.00	\$557.72
923682	Lien Release Fee - ASSESSMENT	\$60.00	\$0.00	\$0.00	\$60.00
923682	Lien Release Fee - ASSESSMENT	\$60.00	\$0.00	\$0.00	\$60.00
925364	Late Fee	\$1.50	\$0.00	\$0.00	\$1.50
TOTAL		1030.72	0.00	0.00	1030.72



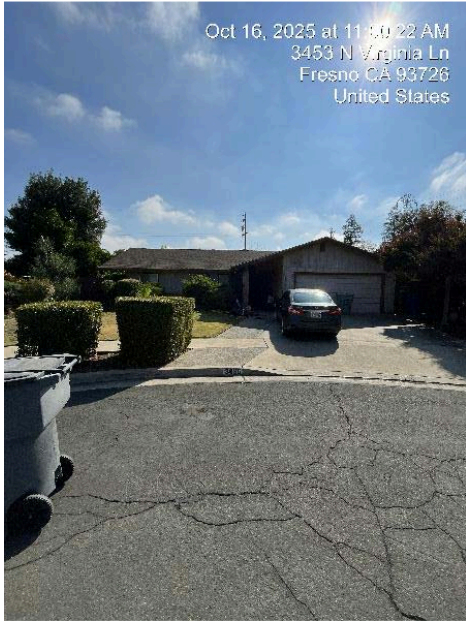
Photo Report

Case ID: E25-13830

Address: 3436 N VIRGINIA LN

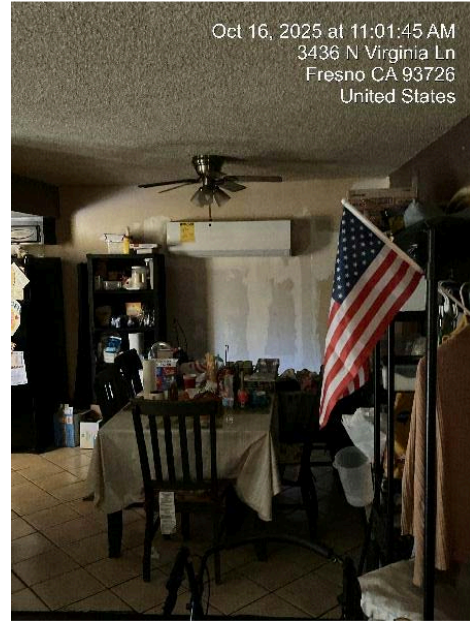
Owner: MOLINA JAMES IBARRA DIANA

APN: 437-221-29



Date: 10/16/2025 11:00:22 AM

10/16/2025 Front view of the property. DAH



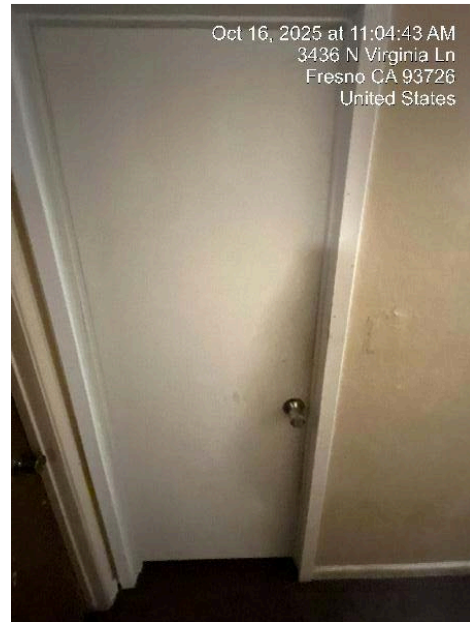
Date: 10/16/2025 11:01:45 AM

10/16/2025 View of wall mounted HVAC in the kitchen/dining area. DAH



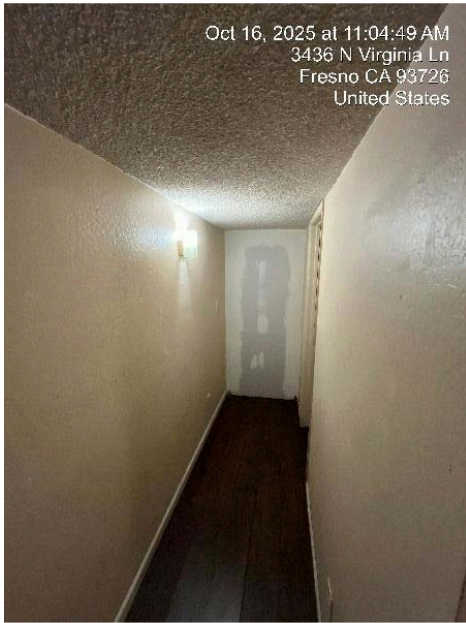
Date: 10/16/2025 11:02:13 AM

10/16/2025 View of wall mounted HVAC in the kitchen/dining area. DAH



Date: 10/16/2025 11:04:43 AM

10/16/2025 Hallway view of locked bedroom door that leads to the closed off area. DAH



Date: 10/16/2025 11:04:49 AM

10/16/2025 Hallway view of a bedroom entry door closed off. DAH



Date: 10/16/2025 11:04:09 AM

10/16/2025 Hallway view of a bedroom entry door closed off. DAH

CODE ENFORCEMENT

2600 FRESNO STREET ROOM 3076
FRESNO, CA 93721
(559) 621-8400, FAX (559) 488-1078
www.fresno.gov

Call or Schedule an Appointment With:

Derek Henderson
Community Revitalization Spec
Phone: 559-621-8459
E-Mail: Derek.Henderson@fresno.gov

Case No. E25-13830/DH

November 05, 2025

MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

SUBJECT: NOTICE AND ORDER
ADDRESS: 3436 N VIRGINIA LN
APN: 437-221-29
DEADLINE: November 24, 2025

Enclosed is a Correction Notice and Order to remove the violations on the property referenced above by **November 24, 2025**. The violations noted on the attached Correction Notice and Order were confirmed and documented by City staff. Staff administrative time is billed to the property owner when violations of the Fresno Municipal Code (FMC) and State Health and Safety Code are confirmed and documented. Administrative fees start at \$146.00 per hour. The City is requiring that all listed violations be corrected and completed within the timeframe noted in the attached Correction Notice and Order. The City will perform a reinspection to determine if corrections have been completed.

Failure to correct the violations within the timeframe provided will result in further action by the City, including administrative citations, criminal prosecution, additional administrative fees, abatement by the City, posting against occupancy, injunction, receivership, and/or other legal action. If such action is required, you will further be held responsible for the City's costs to enforce the code and/or abate the violations. Citations may also include enforcement of Article 7 of Chapter 10 and Section 11-307 of the FMC. The City may collect costs either against the property through the imposition of liens and property tax assessments or as a personal debt collected through a collection agency or a lawsuit.

A notice of pending administrative action regarding the property may immediately be filed with the County Recorder. If the Notice and Order becomes final, a Certificate(s) of Existence of Substandard Building(s) and/or Public Nuisance(s) may be recorded with the County Recorder. Thereafter, when the corrections ordered have been completed and all fees paid, a Certificate(s) of Compliance will be recorded with the County Recorder.

APPEAL: Any person entitled to service of this Notice and Order pursuant to Fresno Municipal Code Section 10-608 or 11-327 may file an appeal pursuant to Article 4 of Chapter 1 or Article 5 of Chapter 11 of the FMC, respectively, provided the appeal is filed within 15 days of the service of this Notice and Order.

The Application for Appeal may be obtained from the City Manager's Office located on the second floor of City Hall, 2600 Fresno Street, Room 2064, Fresno, CA 93721, (559) 621-8000. An application fee of \$35.00 for up to two residential units, \$55.00 for three or more residential units, and \$75.00 for commercial units (payable to the City of Fresno), as set forth in the Master Fee Schedule of the City of Fresno, is also required and must be submitted with the appeal application. Please be advised that if the Notice and Order is upheld on appeal the City may recover enforcement costs including, but not limited to, costs incurred in investigating and defending the Notice and Order on appeal. Enforcement costs incurred by the City are recoverable even if the code violation(s) is corrected by the property owner/responsible party.

If you have any questions regarding this notice, **please contact the inspector. You must call to schedule an appointment if you wish to speak with the inspector in person.**

Enclosures: Photos

**CITY OF FRESNO
CODE ENFORCEMENT
CORRECTION NOTICE AND ORDER**

Address: 3436 N VIRGINIA LN
APN: 437-221-29

Date: November 05, 2025
Case No: E25-13830

CORRECT THE FOLLOWING VIOLATIONS:

1. The wall that closes off the entry door to the third bedroom was added without the required plans, permits, and inspections.
(FMC §§ 11-103, 11-307, 11-308, 11-310; Cal. Residential Code §§ R105.1, R106.1, R109.1.)
Remove this alteration and restore to its original approved construction and configuration.
***B,P,M,E Option:** Submit plans to the Planning and Development Department and obtain the required permits and inspections for this alteration.
Notice: Pursuant to California Health and Safety Code Section 17980.12, property owner has a right to request a delay in enforcement of an accessory dwelling unit (ADU) on the basis that correcting the violation is not necessary to protect health and safety. Such a request must be submitted in writing to: Code Enforcement, 2600 Fresno Street, Room 3076, Fresno, CA 93721.
2. The house is being remodeled without the required plans, permits, and inspections.
(FMC §§ 11-103, 11-307, 11-308, 11-310; Cal. Residential Code §§ R105.1, R106.1, R109.1.)
Remove all building, plumbing, electrical, and mechanical alterations and restore to its original approved construction and use.
Option: Submit plans to the Planning and Development Department and obtain the required permits and inspections for the alterations.
Notice: Pursuant to California Health and Safety Code Section 17980.12, property owner has a right to request a delay in enforcement of an accessory dwelling unit (ADU) on the basis that correcting the violation is not necessary to protect health and safety. Such a request must be submitted in writing to: Code Enforcement, 2600 Fresno Street, Room 3076, Fresno, CA 93721.

PERMITS:

All items marked with an * (asterisk) and a letter (i.e. *B, *P, *M, *E) may require a permit to make the necessary repair.

The Building and Safety Department determines whether a permit will be required to address the violation(s) identified by the Code Enforcement Inspector.

Please bring this correction notice with you to the City of Fresno Building and Safety Permit Counter to determine if a permit is required and how to file an application for permit(s).

The Permit Counter address is 2600 Fresno St, RM 3043 (third floor), phone number (559) 621-8084.

Note: A permit may also be required on unmarked items depending on the extent of the repair(s).

DEADLINES:

The deadline to obtain Development Permit(s) is **November 24, 2025**. All violations are to be corrected by **November 24, 2025**. A final reinspection by this department will be required for clearance of this notice.

Note:

The expiration date of a permit does not change, extend, or otherwise affect the deadline to remove violations.

NOTICE TO TAXPAYERS:

Pursuant to the provisions of Sections 17274 and 24436.5 of the California Revenue and Taxation Code, you may lose certain deductions for interest, taxes, depreciation or amortization attributable to rental income derived from substandard housing.

IMPORTANT INFORMATION:

If you have any questions regarding this notice, **please contact the inspector. You must call to schedule an appointment if you wish to speak with the inspector in person.**

All corrections, removal, and/or disposal of violations must be completed in a lawful manner.



Derek Henderson, Community Revitalization Spec
Phone: 559-621-8459



S.I.



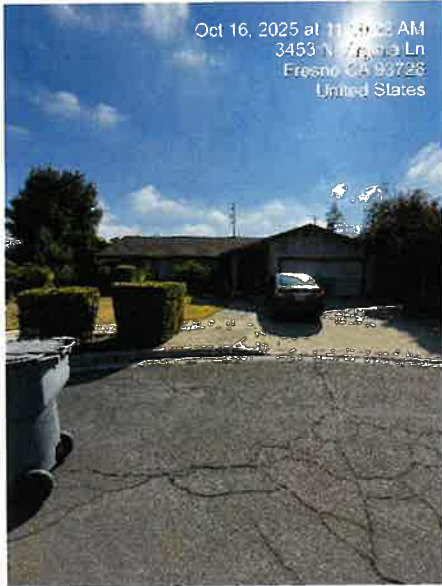
Photo Report

Case ID: E25-13830

Address: 3436 N VIRGINIA LN

Owner: MOLINA JAMES IBARRA DIANA

APN: 437-221-29



Oct 16, 2025 at 11:00:22 AM
3453 N Virginia Ln
Fresno, CA 93728
United States

Date: 10/16/2025 11:00:22 AM

10/16/2025 Front view of the property. DAH



Oct 16, 2025 at 11:04:09 AM
3436 N Virginia Ln
Fresno, CA 93728
United States

Date: 10/16/2025 11:04:09 AM

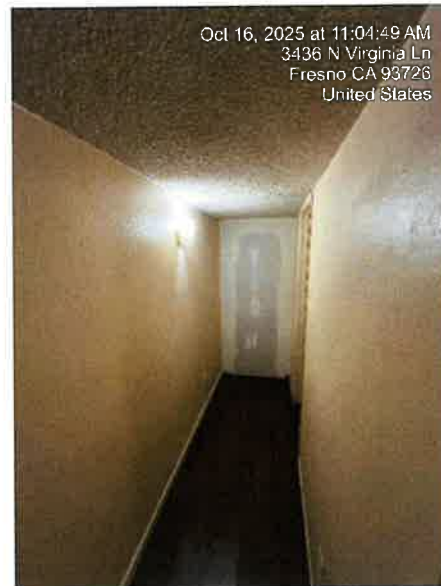
10/16/2025 Hallway view of a bedroom entry door closed off. DAH



Oct 16, 2025 at 11:04:43 AM
3436 N Virginia Ln
Fresno, CA 93726
United States

Date: 10/16/2025 11:04:43 AM

10/16/2025 Hallway view of locked bedroom door that leads to the closed off area. DAH



Oct 16, 2025 at 11:04:49 AM
3436 N Virginia Ln
Fresno, CA 93726
United States

Date: 10/16/2025 11:04:49 AM

10/16/2025 Hallway view of a bedroom entry door closed off. DAH

City of Fresno
Office of the City Attorney
Code Enforcement
2600 Fresno St, Room 3076
Fresno, CA 93721-3618



9314 8699 0430 0142 2126 55
RETURN RECEIPT (ELECTRONIC)



MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726-5718

Reference Number: Case No. E25-13830/DH N&O

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and a resident of the County of Fresno; I am over the age of eighteen years and an employee of the City of Fresno. My business address is 2600 Fresno Street, Fresno, California 93721.

On **November 05, 2025**, I caused to be served the foregoing documents described as **NOTICE AND ORDER** on the interested parties to the within action by placing the original/a true copy thereof, enclosed in a sealed envelope, addressed as stated below, as follows:

- (BY CERTIFIED) I am "readily familiar" with the City's practice of collection and processing correspondence for certified mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business.
- (BY FIRST CLASS MAIL) I am "readily familiar" with the City's practice of collection and processing of correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully paid at Fresno, California in the ordinary course of business.
- (BY PERSONAL SERVICE) I delivered such document(s) by hand to the addressee.
- (BY ELECTRONIC SERVICE) I delivered such document(s) to be delivered by electronic mail to the addressee.
- (BY POSTING) I posted such document(s) at the property located at:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on or about **November 05, 2025**, at Fresno, California.



Signature

Subject Address: 3436 N VIRGINIA LN
Case Number : E25-13830

Mail To:
MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726



November 10, 2025

Dear Covius Document Services:

The following is in response to your request for proof of delivery on your item with the tracking number:
9314 8699 0430 0142 2126 55.


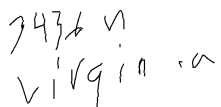
Item Details

Status: Delivered, Left with Individual
Status Date / Time: November 8, 2025, 12:59 p.m.
Location: FRESNO, CA 93726
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: MOLINA JAMES IBARRA DIANA

Destination Delivery Address

Street Address: 3436 N VIRGINIA LN
City, State ZIP Code: FRESNO, CA 93726-5718

Recipient Signature

Signature of Recipient: 
Address of Recipient: 

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

Information in this section provided by Covius Document Services, LLC.

Reference Number: Case No. E25-13830/DH N&O

PROOF OF SERVICE

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- (BY ELECTRONIC SERVICE) I delivered such document(s) to be delivered by electronic mail to the addressee.
- (BY POSTING) I posted such document(s) at the property located at:

3436 N VIRGINIA LN, FRESNO CA 93726

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on or about **November 05, 2025**, at Fresno, California.



Signature

Subject Address: 3436 N VIRGINIA LN
Case Number : E25-13830

Posting To:
3436 N VIRGINIA LN
FRESNO CA 93726



November 10, 2025

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9314 8699 0430 0142 2126 55.


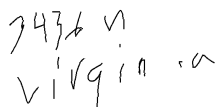
Item Details

Status: Delivered, Left with Individual
Status Date / Time: November 8, 2025, 12:59 p.m.
Location: FRESNO, CA 93726
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: MOLINA JAMES IBARRA DIANA

Destination Delivery Address

Street Address: 3436 N VIRGINIA LN
City, State ZIP Code: FRESNO, CA 93726-5718

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

Information in this section provided by Covius Document Services, LLC.

Reference Number: Case No. E25-13830/DH N&O



CODE ENFORCEMENT DIVISION

If you have questions regarding this citation, please contact the inspector listed below. You must call to schedule an appointment if you wish to speak with the inspector in person.

FIRST ADMINISTRATIVE CITATION

1. Inspection Date: 03/24/2026 Time: 10:14 AM Citation Number: E25-13830.1
2. Location of Violation: 3436 N VIRGINIA LN APN: 437-221-29

3. The following Fresno Municipal Code (FMC) Sections were violated at the date and time noted above:
1. Failure to comply with Final Notice and Order dated 11/05/2025. items # 1 & 2 listed on the enclosed Notice and Order. (FMC §10-615.)

4. The following action is necessary on your part to correct the violation(s):
You are required to correct the violation(s) as indicated on the enclosed correction notice, specifically: Item(s) # 1, 2

5. A fine/penalty of **\$250.00** has been imposed. Payment method may be by cash, money order, or check, payable to the "City of Fresno, Code Enforcement Division", 2600 Fresno Street, Room 3076, Fresno, CA 93721-3605. Please write the citation number on the check or money order.

Please pay within 30 days. No further invoice will be sent.

Total Amount Due: **\$250.00**

Payment Due By: **April 24, 2026**

- 6. CONTINUED FAILURE TO COMPLY WITH THE ENCLOSED CORRECTION NOTICE MAY RESULT IN FURTHER CITATIONS WITH INCREASED AND ADDITIONAL PENALTIES FOR THE SAME VIOLATION(S) ON A DAILY BASIS AND/OR FURTHER LEGAL ACTION. A responsible party shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the FMC is committed, continued, or permitted, and shall be punished accordingly. (FMC 1-304 (d).)
- 7. COLLECTIONS: Should you fail to pay these charges in full within 30 days, the City may seek collection in any or all of the following ways: (1) by a collection agency as a personal obligation; (2) as a lien attached to the subject property; (3) as a special assessment on the subject property; and/or (4) by the City Attorney's Office through judicial action. (FMC 1-501 et seq). Before a special assessment is placed on your property, an administrative hearing officer will confirm the costs by a public hearing. You will be issued a notice of the hearing at least fifteen days prior to the date of the hearing and will be allowed to file an objection.
- 8. LATE FEES: If you fail to pay these charges within 30 days, a late fee of 1.5% or a minimum of \$1.00 will be assessed to your outstanding balance.
- 9. APPEAL: You have the right to contest this citation by filing an appeal within eighteen (18) days from the date this citation was mailed (noted below). You may file the appeal with the Hearing Officer at the Office of the City Manager, City of Fresno, 2600 Fresno Street, Room 2064, Fresno, CA 93721. To schedule an appeal, contact 559-621-8000. There is an Administrative Hearing Fee of \$35 for residential units up to two, \$55 for three or more units and \$75 for commercial units. Please bring or send a check or money order with the request for appeal. You will be billed accordingly if payment is not included with your request for appeal.

Responsible Party Name and Address
MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

Inspector Name and Phone Number
Derek Henderson
559-621-8459

Inspector's Signature

*I, the above-signed inspector, certify under penalty of perjury that I caused this citation to be mailed to the responsible party listed above on: **March 25, 2026***

S.I.

Enclosure: N&O-11/05/25

Certified Article Number

9414 7266 9904 2242 6846 92

SENDER'S RECORD

CODE ENFORCEMENT
2600 FRESNO STREET ROOM 3076
FRESNO, CA 93721
(559) 621-8400, FAX (559) 488-1078
www.fresno.gov

Call or Schedule an Appointment With:
Derek Henderson
Community Revitalization Spec
Phone: 559-621-8459
E-Mail: Derek.Henderson@fresno.gov

MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

Case No. E25-13830/DH

November 05, 2025

SUBJECT: NOTICE AND ORDER
ADDRESS: 3436 N VIRGINIA LN
APN: 437-221-29
DEADLINE: November 24, 2025

Enclosed is a Correction Notice and Order to remove the violations on the property referenced above by **November 24, 2025**. The violations noted on the attached Correction Notice and Order were confirmed and documented by City staff. Staff administrative time is billed to the property owner when violations of the Fresno Municipal Code (FMC) and State Health and Safety Code are confirmed and documented. Administrative fees start at \$146.00 per hour. The City is requiring that all listed violations be corrected and completed within the timeframe noted in the attached Correction Notice and Order. The City will perform a reinspection to determine if corrections have been completed.

Failure to correct the violations within the timeframe provided will result in further action by the City, including administrative citations, criminal prosecution, additional administrative fees, abatement by the City, posting against occupancy, injunction, receivership, and/or other legal action. If such action is required, you will further be held responsible for the City's costs to enforce the code and/or abate the violations. Citations may also include enforcement of Article 7 of Chapter 10 and Section 11-307 of the FMC. The City may collect costs either against the property through the imposition of liens and property tax assessments or as a personal debt collected through a collection agency or a lawsuit.

A notice of pending administrative action regarding the property may immediately be filed with the County Recorder. If the Notice and Order becomes final, a Certificate(s) of Existence of Substandard Building(s) and/or Public Nuisance(s) may be recorded with the County Recorder. Thereafter, when the corrections ordered have been completed and all fees paid, a Certificate(s) of Compliance will be recorded with the County Recorder.

APPEAL: Any person entitled to service of this Notice and Order pursuant to Fresno Municipal Code Section 10-608 or 11-327 may file an appeal pursuant to Article 4 of Chapter 1 or Article 5 of Chapter 11 of the FMC, respectively, provided the appeal is filed within 15 days of the service of this Notice and Order.

The Application for Appeal may be obtained from the City Manager's Office located on the second floor of City Hall, 2600 Fresno Street, Room 2064, Fresno, CA 93721, (559) 621-8000. An application fee of \$35.00 for up to two residential units, \$55.00 for three or more residential units, and \$75.00 for commercial units (payable to the City of Fresno), as set forth in the Master Fee Schedule of the City of Fresno, is also required and must be submitted with the appeal application. Please be advised that if the Notice and Order is upheld on appeal the City may recover enforcement costs including, but not limited to, costs incurred in investigating and defending the Notice and Order on appeal. Enforcement costs incurred by the City are recoverable even if the code violation(s) is corrected by the property owner/responsible party.

If you have any questions regarding this notice, **please contact the inspector. You must call to schedule an appointment if you wish to speak with the inspector in person.**

Enclosures: Photos

**CITY OF FRESNO
CODE ENFORCEMENT
CORRECTION NOTICE AND ORDER**

Address: 3436 N VIRGINIA LN
APN: 437-221-29

Date: November 05, 2025
Case No: E25-13830

CORRECT THE FOLLOWING VIOLATIONS:

1. The wall that closes off the entry door to the third bedroom was added without the required plans, permits, and inspections.
(FMC §§ 11-103, 11-307, 11-308, 11-310; Cal. Residential Code §§ R105.1, R106.1, R109.1.)
Remove this alteration and restore to its original approved construction and configuration.
***B,P,M,E Option:** Submit plans to the Planning and Development Department and obtain the required permits and inspections for this alteration.
Notice: Pursuant to California Health and Safety Code Section 17980.12, property owner has a right to request a delay in enforcement of an accessory dwelling unit (ADU) on the basis that correcting the violation is not necessary to protect health and safety. Such a request must be submitted in writing to: Code Enforcement, 2600 Fresno Street, Room 3076, Fresno, CA 93721.
2. The house is being remodeled without the required plans, permits, and inspections.
(FMC §§ 11-103, 11-307, 11-308, 11-310; Cal. Residential Code §§ R105.1, R106.1, R109.1.)
Remove all building, plumbing, electrical, and mechanical alterations and restore to its original approved construction and use.
Option: Submit plans to the Planning and Development Department and obtain the required permits and inspections for the alterations.
Notice: Pursuant to California Health and Safety Code Section 17980.12, property owner has a right to request a delay in enforcement of an accessory dwelling unit (ADU) on the basis that correcting the violation is not necessary to protect health and safety. Such a request must be submitted in writing to: Code Enforcement, 2600 Fresno Street, Room 3076, Fresno, CA 93721.

PERMITS:

All items marked with an * (asterisk) and a letter (i.e. *B, *P, *M, *E) may require a permit to make the necessary repair.

The Building and Safety Department determines whether a permit will be required to address the violation(s) identified by the Code Enforcement Inspector.

Please bring this correction notice with you to the City of Fresno Building and Safety Permit Counter to determine if a permit is required and how to file an application for permit(s).

The Permit Counter address is 2600 Fresno St, RM 3043 (third floor), phone number (559) 621-8084.

Note: A permit may also be required on unmarked items depending on the extent of the repair(s).

DEADLINES:

The deadline to obtain Development Permit(s) is **November 24, 2025**. All violations are to be corrected by **November 24, 2025**. A final reinspection by this department will be required for clearance of this notice.

Note:

The expiration date of a permit does not change, extend, or otherwise affect the deadline to remove violations.

NOTICE TO TAXPAYERS:

Pursuant to the provisions of Sections 17274 and 24436.5 of the California Revenue and Taxation Code, you may lose certain deductions for interest, taxes, depreciation or amortization attributable to rental income derived from substandard housing.

IMPORTANT INFORMATION:

If you have any questions regarding this notice, **please contact the inspector. You must call to schedule an appointment if you wish to speak with the inspector in person.**

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Derek Henderson, Community Revitalization Spec
Phone: 559-621-8459



S.I.



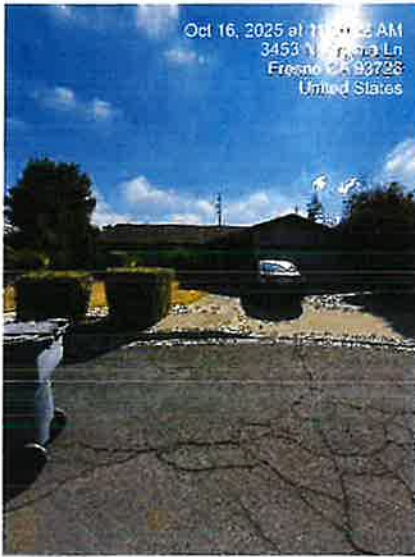
Photo Report

Case ID: E25-13830

Address: 3436 N VIRGINIA LN

Owner: MOLINA JAMES IBARRA DIANA

APN: 437-221-29



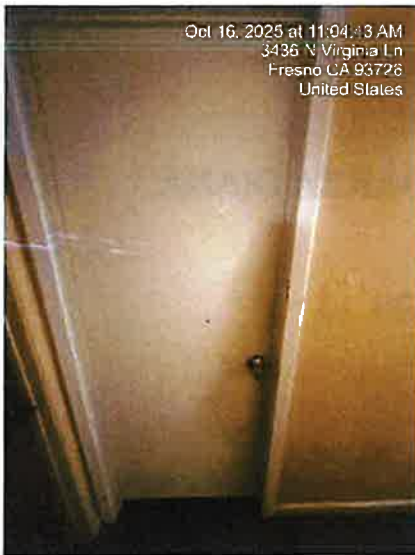
Date: 10/16/2025 11:00:22 AM

10/16/2025 Front view of the property. DAH



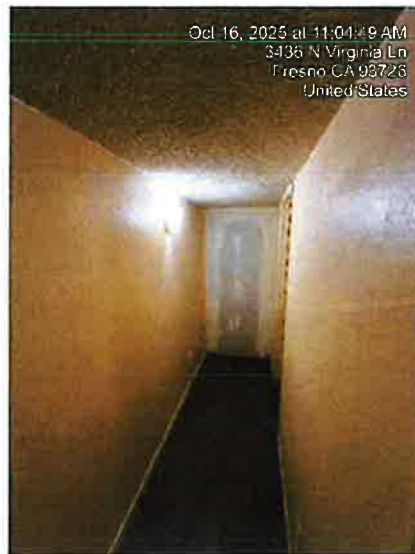
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10/16/2025 Hallway view of locked bedroom door that leads to the closed off area. DAH



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City of Fresno
Office of the City Attorney
Code Enforcement
2600 Fresno St, Room 3076
Fresno, CA 93721-3618



9314 8699 0430 0142 2126 55
RETURN RECEIPT (ELECTRONIC)



MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726-5718

Reference Number: Case No. E25-13830/DH N&O

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and a resident of the County of Fresno; I am over the age of eighteen years and an employee of the City of Fresno. My business address is 2600 Fresno Street, Fresno, California 93721.

On November 05, 2025, I caused to be served the foregoing documents described as **NOTICE AND ORDER** on the interested parties to the within action by placing the original/a true copy thereof, enclosed in a sealed envelope, addressed as stated below, as follows:

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(BY ELECTRONIC SERVICE) I delivered such document(s) to be delivered by electronic mail to the addressee.

(BY POSTING) I posted such document(s) at the property located at:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on or about **November 05, 2025**, at Fresno, California.



Signature

Subject Address: 3436 N VIRGINIA LN
Case Number : E25-13830

Mail To:
MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

Citation Request Form	
Record #:	E25-13830
Inspector Assigned to Case:	Derek Henderson
Division:	Code
Inspection Date:	3/24/2026
Type of Notice:	N&O
Notice of Violation/Order Dated:	N&O 11/25/2026 11/05/2025
Additional Mailing? (Tenant, Property Manager, etc)	No
If Yes, who is the Additional Mailing for? (Tenant, Property Manager, etc)	
Citation Type 1:	Non-Compliance
Citation Amount 1:	\$250
Citation Type 2 (if applicable):	
Citation Amount 2 (if applicable):	

Items# 1,2
 Invoice# 921178

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and a resident of the County of Fresno; I am over the age of eighteen years and an employee of the City of Fresno. My business address is 2600 Fresno Street, Fresno, California 93721.

On March 25, 2026, I caused to be served the foregoing documents described as 1st Administrative Citation - Case E25-13830.1 on the interested parties to the within action by placing the original/a true copy thereof, enclosed in a sealed envelope, addressed as stated below, as follows:

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Executed on or about March 25, 2026, at Fresno, California.



Signature

Subject Address: 3436 N VIRGINIA LN
Case Number : E25-13830

Mail To:
MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

U.S. Postal Service®
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

USPS® ARTICLE NUMBER

9414 7266 9904 2242 6846 92

Certified Mail Fee	\$	
Return Receipt (Hardcopy)	\$	3.60
Return Receipt (Electronic)	\$	2.85
Certified Mail Restricted Delivery	\$	
Postage	\$	1.20
Total Postage and Fees	\$	7.65

MAR 25 2010 10:37 AM

**Postmark
Here**

Sent to:

MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

Reference information

DH/AH Case# E25-13830
3436 N VIRGINIA LN
FRESNO, CA 93726

PS Form 3800, Facsimile, July 2015



9590 9266 9904 2242 6846 95

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and a resident of the County of Fresno; I am over the age of eighteen years and an employee of the City of Fresno. My business address is 2600 Fresno Street, Fresno, California 93721.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on or about March 25, 2026, at Fresno, California.



Signature

Subject Address: 3436 N VIRGINIA LN
Case Number : E25-13830

Mail To:
MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

U.S. Postal Service®
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

USPS® ARTICLE NUMBER

9414 7266 9904 2242 6846 92

Certified Mail Fee	\$	
Return Receipt (Hardcopy)	\$	3.60
Return Receipt (Electronic)	\$	2.85
Certified Mail Restricted Delivery	\$	
Postage	\$	1.20
Total Postage and Fees	\$	7.65

MAR 25 2010 10:37 AM

**Postmark
Here**

Sent to:

MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

Reference information

DH/AH Case# E25-13830
3436 N VIRGINIA LN
FRESNO, CA 93726

PS Form 3800, Facsimile, July 2015



9590 9266 9904 2242 6846 95

Return Receipt (Form 3811) Barcode



9590 9266 9904 2242 6846 95

1. Article Addressed to:

MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

2. Certified Mail (Form 3800) Article Number

9414 7266 9904 2242 6846 92

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

Agent

Addressee

B. Received by (Printed Name)

[Handwritten Name]

C. Date of Delivery

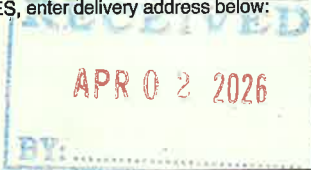
3-31-26

Is delivery address different from item 1?

Yes

If YES, enter delivery address below:

No



3. Service Type:

Certified Mail

Reference Information

CED DH/AH Case# E25-13830

3436 N VIRGINIA LN

**LEGAL AUTHORITIES
CODE ENFORCEMENT CASE NO. E25-13830**

Fresno Municipal Code

SEC. 1-302. - GENERAL ENFORCEMENT AUTHORITY; ENFORCEMENT OFFICERS.

(a) The City Manager or any of his or her designated enforcing officers as set forth in this Code have the authority and powers necessary to gain compliance with the provisions of the Code and applicable laws. The term "enforcement officers" includes any city employee vested with authority to enforce the Code, which also includes any employee or person under contract with the City Attorney appointed to investigate and/or prosecute violations of this Code. These powers include the power to inspect public and private property and use whatever judicial and administrative remedies are available under the Code or applicable laws.

SEC. 1-303. - AUTHORITY TO INSPECT.

Any enforcement officer shall also have authority to enter upon any property or premises to ascertain whether provisions of the Fresno Municipal Code or applicable state codes, regulations, or ordinances are being obeyed, and to make examinations and surveys as may be necessary in the performance of their duties. These may include taking photographs, video, samples, or other physical evidence. All inspections, entries, examinations, and surveys shall be done in a reasonable manner and where entry onto the premises is necessary with the consent of the owner, agent, or occupant. If an owner, occupant, or agent refuses permission to enter or inspect, the enforcement officer may seek an inspection warrant pursuant to the procedures provided for in Code of Civil Procedure Sections 1822.50 through 1822.59 or their successors to perform duties imposed upon said person.

SEC. 1-408. CONDUCT OF HEARING.

- (a) **Continuance.** Upon good cause shown, the hearing officer may continue the hearing by written notice before the scheduled hearing or orally at or during the hearing. Failure of the parties to exchange documents in advance of the hearing does not constitute good cause, and is not a basis for a continuance.
- (b) **Hearing.** At the hearing, the officer or employee who issued the order, citation, decision, or determination or his or her designee shall present evidence in support of the findings or reasons upon which the order, citation, decision, or determination, was based. The appellant, or any individual authorized in writing to represent the appellant, may then present evidence in support of the contentions made in the notice of appeal. The hearing shall be informally conducted. The hearing officer shall call each hearing and conduct the hearing in an orderly manner. The hearing officer shall maintain control over the order of evidence and order of witnesses called. The hearing officer shall maintain processes and procedures to facilitate an efficient and effective handling of multiple hearings.

- (c) **Rights of Parties.** The parties and anyone who participates in a hearing may be represented by an attorney or other person of the parties' choice. The parties have a right to appear, testify, present evidence, examine and cross-examine witnesses, and present written or oral arguments. Additionally, the parties may request and the hearing officer may allow the parties to submit written briefs, either before, during or after the hearing.
- (d) **Evidence.** All administrative hearings shall be governed by the following rules of evidence:
- (1) Oral evidence shall be taken only on oath or affirmation which shall be administered by the hearing officer. Only credible testimony shall be considered by the hearing officer.
 - (2) Each party may call and examine witnesses, introduce exhibits, and cross-examine and impeach any witness on any matter relevant to the issues. If the appellant does not testify in his/her own behalf, the appellant may be called and examined as if under cross-examination.
 - (3) Such hearing need not be conducted according to the technical rules of law relating to evidence and witnesses. Any relevant evidence may be admitted if it is the type of evidence on which responsible persons are accustomed to rely on in the conduct of serious affairs, regardless of the existence of any common law rule or statute which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.
 - (4) Copies of the reports and records of any governmental agency, division, or bureau will be accepted as evidence in lieu of the original thereof.
- (e) **Scope.** The scope of the hearing shall be limited to the order, citation, decision, or determination being appealed, the grounds for relief raised in the notice of appeal and any specific requirements of this Code. The hearing officer may expand the scope of the hearing on a finding that it is necessary to ensure a fair process.
- (f) **Burden of Proof; Burden of Evidence.** Except where otherwise provided in this Code, the burden of proof and production of evidence shall be with the city. Except where otherwise provided in the Code, the burden of proof shall be preponderance of the evidence.
- (g) **Open to the Public.** All hearings shall be open to the public. Any interested person shall have the right to speak at the hearing subject to the hearing officer's right to exclude irrelevant and unduly repetitious evidence. Notwithstanding the above, the parties have the right to petition the hearing officer and the hearing officer may in his or her discretion accept submission of evidence outside the presence of the public, if such evidence would not be disclosable under the Public Records Act, California Gov't Code §§ 6250, et seq.
- (h) **Waiver of Rights.** The failure of the appellant or any interested party to raise an objection to the hearing officer either before or during the hearing of any defect in notice or procedure provided under the Code or at law or in equity shall be deemed a waiver of the defect. For purposes of a waiver of objection in this subsection, defect

in procedure shall include a claim that the hearing officer is biased when facts regarding the claimed bias are known or readily discoverable by the appellant or interested party or have been published to the appellant or interested party by the city. An objection of bias of the hearing officer shall be raised to the City Manager.

- (i) **Failure of Appellant to Appear.** Unless otherwise provided in the Code, if the appellant fails to appear for the hearing at the time and place noticed, the hearing officer in his or her discretion may conduct the hearing to a conclusion or may dismiss the appeal. If the appeal is dismissed, the order, citation, decision, determination appealed from shall become final and effective on the date of the hearing. Upon a showing of good cause, the hearing officer may set aside his or her decision or dismissal upon the appellant's failure to appear and may reschedule the appeal for hearing.
- (j) **Recording.** Code Enforcement appeal hearings shall be digitally sound recorded and made available for inspection and copying in the City Clerk's Office or on the City Clerk's website. Additionally, the proceedings may also be recorded by a certified shorthand reporter. If an appellant requests a certified shorthand reporter the costs of the reporter shall be borne by the appellant.
- (k) **Ex parte communication.** Other than at the hearing, there shall be no direct oral communication between the parties and the hearing officer on any matter related to the hearing without both parties being present. Any written communication to the hearing officer by a party shall be copied and served to the other party.

SEC. 1-409. HEARING OFFICER AUTHORITY.

- (a) **Order of Attendance or Production.** At the request of either the city or the appellant, the hearing officer or the City Clerk shall, on behalf of the city, issue orders for attendance of witnesses at the hearing, or production of documents on a date certain. In no event shall the date for the production of documents be less than ten days after the date the order was issued. Failure by a party to comply with an order of attendance or production may be considered a violation of this Code and, at the petition of a party, the hearing officer may impose a civil fine of up to one hundred dollars (\$100) at the time of the hearing and may take such failure into consideration in making his or her determination of the hearing.
- (b) **Subpoenas.** At the request of either the city or the appellant, the hearing officer or the City Clerk shall, on behalf of the city, issue subpoenas for attendance of witnesses at the hearing or production of documents on a date certain. In no event shall the date for production of documents be less than ten days from the date the subpoena was issued. Disobedience of such subpoena or the refusal to testify, upon other than constitutional grounds, shall constitute a misdemeanor.
- (c) **Inspection of Premises.** The hearing officer may inspect the premises involved in the hearing at any time prior to a decision, to investigate or confirm the existence of the violation(s) or conditions which are on appeal, provided that:
 - (1) Consent is granted by a person with the lawful right to grant consent or an inspection warrant is obtained;
 - (2) Reasonable notice of such inspection is given to the owner before the inspection is made;

- (3) The parties are given an opportunity to be present during the inspection;
 - (4) The hearing officer shall place in the record the material facts and the conclusions drawn from the inspection either orally at the time of the hearing or in writing after the hearing; and
 - (5) Each party then shall have a right to rebut or explain the matters so stated by the hearing officer for the record either at the hearing or by filing a written statement within ten calendar days after the hearing.
- (d) **Oaths.** The hearing officer shall have the power to administer oaths and affirmations.
- (e) **Procedures.** The hearing officer shall have the authority to establish procedures before or during a hearing consistent with this article and the Code for purposes of efficiency and order.
- (f) **Review Authority.** The hearing officer shall sit as the trier of fact and shall rule on questions of law and admissibility of evidence. The hearing officer may affirm, reverse, modify, or set aside the order, citation, decision, or determination appealed from or may delete or impose conditions as the facts and law warrant. The hearing officer may not increase a penalty or impose a harsher remedy beyond the penalty or remedy imposed under the order, citation, decision, or determination being appealed.

If the hearing officer finds any nuisance or legal violation set forth in the citation or notice and order is continuing and remains as of the time of the hearing, the hearing officer shall order the record owner and or occupants to repair or otherwise remedy the illegal condition within thirty days from the date of the order. The hearing officer shall set a hearing to occur between thirty and sixty days after the date of the order to confirm whether the record owner and or occupants have made all repairs or remedied all illegal conditions as ordered. If the owner and or occupants show at the subsequent hearing they have made substantial progress, but have not been able to complete repairs or remedy all illegal conditions for reasons beyond their control, the hearing shall be continued to a later date to allow sufficient time to complete repairs or remedy all illegal conditions as ordered. If it is shown at a subsequent hearing the record owner and or occupants have failed to fully repair or otherwise remedy the illegal conditions, the hearing officer shall order payment of double the maximum fines permitted in this code, as well as all allowable costs and fees. Additionally, the willful failure of the owner and or occupants to timely comply with the hearing officer's order shall be deemed a criminal violation and may be prosecuted as a misdemeanor in superior court, subject to fines and or imprisonment as set forth in Section 1502 of the Charter.

- (g) **Limitations.** The hearing officer shall not have authority to waive any requirements of the Code or law. The hearing officer is required to adhere to any citation amount set in the Code or Master Fee Schedule and may not increase or decrease the amount imposed on the parties. The parties themselves maintain the discretion to reduce citation amounts in order to independently settle the dispute.
- (h) **Record keeper.** The city shall maintain the administrative record of the hearing and make it available upon request by either party. The record shall be maintained for two years from the date the case is closed and no further appeals are available under the Code or at law.

SEC. 10-1901. - ASSUMPTION OF RESPONSIBILITIES.

Pursuant to Section 18300 of the Health and Safety Code, and upon authorization from the Department of Housing and Community Development of the State of California (HCD) and subject to the acceptance of reasonable conditions of approval, if any, the City of Fresno (city) hereby assumes responsibility for the enforcement of Division 13, Part 2.1, commencing with section 18200 (Mobilehome Parks Act) and Part 2.3 commencing with section 18860 (Special Occupancy Parks Act), of the California Health and Safety Code and their implementing regulations set forth in Title 25, California Code of Regulations Division 1, Chapters 2 and 2.2, the building standards published in the California State Building Standards Code relating to mobilehome parks, special occupancy parks, travel trailer parks, recreational trailer parks, temporary trailer parks, incident camping areas and tent camps and the related administrative regulations (collectively referred to as "the Acts.")

SEC. 10-1902. - DELEGATION OF AUTHORITY AND ASSIGNMENT OF PERSONNEL.

Pursuant to HCD approval, the city shall be the enforcement agency as defined by section 18207 of the Health and Safety Code and will assign the responsibility for the enforcement of the Acts to the city's Code Enforcement Division (Division). The Division shall provide qualified personnel for the actual enforcement of the Acts. Code Enforcement will assign four code enforcement inspectors to carry out the duties and responsibilities of the Acts.

SEC. 11-103. - CALIFORNIA RESIDENTIAL CODE.

The California Residential Code, 2022 Edition, which may be referred to in this Code as the CRC, as promulgated by the California Building Standards Commission, which incorporates the adoption of the 2021 edition of the of the International Residential Code as amended with necessary California amendments and the 2021 International Residential Code of the International Code Council, are adopted and incorporated by reference into the Code, except that in addition to Chapter 1 of the CRC, Chapter 1 of the Fresno Building Code shall apply to the administration of the CRC. The CRC, incorporated into the Code shall be referred to as the Fresno Residential Code. For purposes of administering the Fresno Residential Code, all references in Chapter 1 of the Fresno Building Code to the "building code" or "code" shall mean and include the Fresno Residential Code. Where provisions of Chapter 1 of the Fresno Building Code overlap with provisions of Chapter 1 of the Fresno Residential Code, the Fresno Building Code controls. One copy of the CRC is on file and available for use by the public in Planning and Development Department, Building and Safety Services Division.

SEC. 11-307. - VIOLATIONS.

- (a) It shall be unlawful for any person, firm or corporation or other entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this article. Each day that any building or lot is used, occupied or

maintained contrary to any provisions of this article shall be deemed a separate offense.

(b) Violations deemed a threat to health and safety as defined in this Code or pursuant to Health and Safety Code Section 17920.3 shall be penalized as set forth in the Master Fee Schedule.

(c) **Serial Violator.**

(1) Definitions. For purpose of this section, the following terms shall be defined as follows:

(i) Property Owner shall mean a person or entity with an ownership interest in a property, and shall include all entities in which that person or entity has an ownership interest.

(ii) Citation shall be as defined in Section 1-308, whether resulting in bringing the property into compliance, a fine, or other remedy; Citation, for the purposes of this section alone, shall not include instances in which an issued citation results in the Property Owner prevailing upon an ultimate determination that there was no violation.

(2) Any Property Owner who receives at least one Citation for each of ten or more of its properties within a twelve month period shall be deemed a Serial Violator.

(3) Following the tenth Citation, each subsequent Citation of any type at any property owned by Property Owner shall be penalized as follows:

(i) \$1,000 for the first violation.

(ii) \$5,000 for the second violation.

(iii) \$10,000 for the third and each subsequent violation, and/or, the City Attorney may prosecute the third and each subsequent violation as a misdemeanor, with the maximum penalties as provided in the Charter and this Municipal Code.

(4) A Property Owner shall be considered a Serial Violator until the Property Owner has completed a twelve month period with no Citations at any of its properties.

SEC. 11-308. - GENERAL.

No building or structure regulated by this article shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished without first obtaining all required permits and a separate permit for each building or structure from the Building Official in the manner and according to the applicable conditions prescribed in his code. Time periods set forth in this article Supersede all other time allotments ordinarily permitted under the provisions of the Fresno Building Code.

SEC. 11-310. - INSPECTION.

Buildings or structures within the scope of this article and all construction or work for which a permit is required shall be subject to inspection by the Building Official in accordance with and in the manner provided by the Fresno Building Code.

California Health and Safety Code

§ 18300. Applicability of part; enforcement; adoption of regulations; local police powers

- (a) This part applies to all parts of the state and supersedes any ordinance enacted by any city, county, or city and county, whether general law or chartered, applicable to this part. Except as provided in Section 18930, the department may adopt regulations to interpret and make specific this part and, when adopted, the regulations shall apply to all parts of the state.
- (b) Upon 30 days' written notice from the governing body to the department, any city, county, or city and county may assume the responsibility for the enforcement of both this part and Part 2.3 (commencing with Section 18860) and the regulations adopted pursuant to this part and Part 2.3 (commencing with Section 18860) following approval by the department for the assumption.

§ 18400. Duty of department; authority of officers

- (a) The department shall enforce this part and the rules and regulations adopted pursuant to this part, except as provided in Section 18300.
- (b) The officers or agents of the enforcement agency may do either of the following:
 - (1) Enter public or private property to determine whether there exists any park to which this part applies.
 - (2) Enter and inspect all parks, wherever situated, and inspect all accommodations, equipment, or paraphernalia used in connection therewith, including the right to examine any registers of occupants maintained therein in order to secure the enforcement of this part and the regulations adopted pursuant to this part.

California Code of Regulations – Title 25

§ 1018. Permits Required or Not Required.

- (a) No person shall erect, construct, reconstruct, install, replace, relocate or alter any building, structure, accessory building or structure, or building component; any electrical, mechanical, or plumbing equipment; any fuel gas equipment and installations, or fire protection equipment; or installations of, or within, a park, or a lot, or perform any non-load bearing grading or area fill with a depth of one (1) foot or greater, unless exempted from obtaining a grading permit pursuant to Appendix J of the California Building Code, without first obtaining a written construction permit from the enforcement agency.

California Residential Code

SEC. R105 PERMITS.

R105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install enlarge, alter repair remove, convert or replace any electrical, gas mechanical or plumbing system the installation of which is regulated by this code, or to cause any such work to be performed shall first make application to the building official and obtain the required permit.

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated

R106.1 - Permits Required. The provisions of this chapter shall control the design and construction of walls and partitions for buildings.

R109.1 - Scope. The provisions of this chapter shall govern the design, materials, construction and quality of roof assemblies.

SUGGESTED APPEAL FORM

Appeal of:

JAMES MOLINA

(Name)

3436 N. VIRGINIA LN

(Mailing Address)

FRESNO, CA 93726

(City, State, Zip Code)

CITY OF FRESNO

NOV 19 2025

RECEIVED BY: [Signature]

E25-13830

(Citation/Case Number)

3436 N. Virginia Lane

(Address of Violation)

1559 285 2398
DERMOLOGIE@gmail.com

(Telephone Number/Email address)

Please include a copy of the specific order, citation, decision, or determination being appealed.

Please note that additional administrative fees for Code Enforcement staff time (re-inspection and/or research) may be incurred. Please refer to your original notices for more information.

Description of appellant's legal existing interest in the property, right or entitlement of the order, citation, decision, or determination being appealed (Are you the property owner, business owner, tenant, other?):

I AM THE PROPERTY OWNER OF 3436 N. VIRGINIA LN. (APN 437-221-29) and hold

full legal responsibility for the use, maintenance and compliance of the property with city of Fresno code enforcement requirements.

Brief description of the specific order, citation, decision, or determination being appealed (What are you appealing?):

I AM APPEALING CORRECTION NOTICE AND ORDER CASE No. E25-13830 dated

NOVEMBER 5, 2025. THE NOTICE ALLEGES closure of the third bedroom entry door with out permits. It also ALLEGES remodeling of the house without required plans, permits or inspections.

Statement of the relief sought (What are you requesting?) PLEASE NOTE- THE HEARING OFFICER IS PROHIBITED FROM REDUCING OR REVOKING A FINE PER FMC §1-409(g):

I request DISMISSAL OR MODIFICATION OF THE CITED VIOLATIONS based on substantial compliance. Alternatively, I seek of retroactive permitting to validate the minor alterations. I also request DELAY IN ENFORCEMENT under California Health & Safety Code §17980.12 (Section)

Reasons why such relief should be granted (Why should your request be granted?): THE THIRD BEDROOM WAS shifted, not closed, with safe pathway access preserved, see exhibits A, B, C, D, no electrical

plumbing, or structural systems were altered, so habitability and safety remain intact.

Remodeling was limited to minor, non-structural work, not requiring permits under FMC/CRC intent. Enforcement requiring removal/restoration is disproportionate GIVEN absence of health or safety risk. Retroactive permitting and delay

Will you need an interpreter at the hearing? For what language? Provide a fair lawful remedy. no

Estimate of the amount of time you will need to present your argument at a hearing: 20 MINUTES

Would you be interested in being assisted by the FCC Law Pathways Student Advocacy Project? Yes

May they contact you by: Telephone email USPS (using contact information provided above)?

CO-occupant of house and occupant of rooms 2 and 3 is a Fresno County LOA will assist. (LEGAL DOCUMENT ASSISTANT)

I declare under penalty of perjury that the facts stated in this appeal are true of my own knowledge, except as to matters which are not within my knowledge and are not of public record, and as to those matters, I believe the facts stated to be true.

Executed at FRESNO, CALIFORNIA

(City and State)

on 11/18/2025

(Date)

[Signature]

(Signature of Appellant)

City Manager's Office
Attn: Michael D. Flores
2600 Fresno Street
Fresno, CA 93721-3601
Phone: (559) 621-7766
Fax: (559) 621-7776

CODE ENFORCEMENT

2600 FRESNO STREET ROOM 3076
FRESNO, CA 93721
(559) 621-8400, FAX (559) 488-1078
www.fresno.gov

Call or Schedule an Appointment With:

Derek Henderson
Community Revitalization Spec
Phone: 559-621-8459
E-Mail: Derek.Henderson@fresno.gov

MOLINA JAMES IBARRA DIANA
3436 N VIRGINIA LN
FRESNO, CA 93726

Case No. E25-13830/DH

November 05, 2025

SUBJECT: NOTICE AND ORDER
ADDRESS: 3436 N VIRGINIA LN
APN: 437-221-29
DEADLINE: November 24, 2025

Enclosed is a Correction Notice and Order to remove the violations on the property referenced above by **November 24, 2025**. The violations noted on the attached Correction Notice and Order were confirmed and documented by City staff. Staff administrative time is billed to the property owner when violations of the Fresno Municipal Code (FMC) and State Health and Safety Code are confirmed and documented. Administrative fees start at \$146.00 per hour. The City is requiring that all listed violations be corrected and completed within the timeframe noted in the attached Correction Notice and Order. The City will perform a reinspection to determine if corrections have been completed.

Failure to correct the violations within the timeframe provided will result in further action by the City, including administrative citations, criminal prosecution, additional administrative fees, abatement by the City, posting against occupancy, injunction, receivership, and/or other legal action. If such action is required, you will further be held responsible for the City's costs to enforce the code and/or abate the violations. Citations may also include enforcement of Article 7 of Chapter 10 and Section 11-307 of the FMC. The City may collect costs either against the property through the imposition of liens and property tax assessments or as a personal debt collected through a collection agency or a lawsuit.

A notice of pending administrative action regarding the property may immediately be filed with the County Recorder. If the Notice and Order becomes final, a Certificate(s) of Existence of Substandard Building(s) and/or Public Nuisance(s) may be recorded with the County Recorder. Thereafter, when the corrections ordered have been completed and all fees paid, a Certificate(s) of Compliance will be recorded with the County Recorder.

APPEAL: Any person entitled to service of this Notice and Order pursuant to Fresno Municipal Code Section 10-608 or 11-327 may file an appeal pursuant to Article 4 of Chapter 1 or Article 5 of Chapter 11 of the FMC, respectively, provided the appeal is filed within 15 days of the service of this Notice and Order.

Exhibit A



Exhibit B



Exhibit C



Exhibit D



APPEAL OF FIRST ADMINISTRATIVE CITATION

CITY OF FRESNO

APR 15 2026

RECEIVED BY: *[Signature]*

Citation No. E25-13830.1 (Inspection Date: 03/24/2026)

To:

Office of the City Manager

Attn: Administrative Hearing Officer

2600 Fresno Street, Room 2064

Fresno, CA 93721

From:

James Molina

3436 N. Virginia LN.

Fresno, CA 93726

Date: April 14, 2026

RE: Appeal of First Administrative Citation – FMC §10-615 Alleged Non-Compliance

I am submitting this appeal to contest the First Administrative Citation (Citation No. E25-13830.1) issued on March 25, 2026, alleging failure to comply with a Final Notice and Order dated 11/05/2025. I dispute the citation on multiple grounds, including due-process violations, procedural defects, lack of proper notice, missed inspections, and the City's failure to process the original appeal.

1. Due Process Violations – The City Failed to Provide a Fair, Functional Appeal Process
The City previously acknowledged that its appeal system was not functioning, which prevented timely processing of my original appeal. Because the City failed to provide a working appeal mechanism, I was denied the opportunity to challenge or clarify the alleged violations. A citation based on an order that was still under appeal violates fundamental due-process rights.

2. The Original Appeal Was Never Handled Correctly

I filed the first appeal on time and paid the required fee. The City never scheduled a hearing, never issued a written determination, and never completed the appeal process. The underlying order was never adjudicated, making enforcement improper.

3. The Citation Fails to Specify What Allegedly Remains Out of Compliance

The citation references "items #1 & 2" of the 11/05/2025 Notice and Order but provides

no updated inspection report, no photographs, and no written findings. This violates due-process requirements for adequate notice. Also, no inspection was actually done at the address on that date, it was recycled information from previous citation. There were two scheduled appointments that were missed by the city.

4. I Paid \$144 for Inspections That Never Occurred

I paid \$144 for two inspection appointments required to resolve the alleged violations. The assigned inspector, Morgan, failed to appear on both dates:

- January 26, 2026 – 8:00 AM: I was present; the inspector did not arrive. I have photo evidence.

- March 23, 2026 – 8:00 AM: Again, I was present; the inspector did not arrive. I have photo evidence.

Both times, the inspector called around 9:00 AM with excuses. These failures prevented compliance and cannot be used against me.

5. The March 24, 2026, Inspection Was Conducted Without Proper Coordination, or even an inspection. The inspector conducted the inspection at 10:14 AM without confirming access or scheduling, despite the City's own requirement that appointments be scheduled. This inspection used information from months back and no real inspection was made on March 24, 2026.

6. The \$250 Penalty Is Premature and Unsupported

The City imposed a fine without establishing that violations still exist and without providing documentation to justify the penalty.

7. I am also scheduled to pay an additional administrative fee of \$557.72 on or before April 24, 2026. I will make this payment to avoid further penalties; however, this fee is being imposed solely because the City failed to process my original appeal, failed to conduct the inspections I paid for, and failed to provide proper notice or a functioning appeal process. This additional financial burden is a direct result of the City's procedural errors, not any failure on my part. This payment will be made under protest, and I am preserving this issue for future litigation, as the continued imposition of administrative fees without due process constitutes an ongoing violation of my rights under the Fresno Municipal Code and constitutional due-process protections.

8. I will be submitting public records requests related to this citation, including inspection logs, photographs, internal notes, GPS data, call records, and any documentation used to justify the alleged violations. In anticipation of these requests, I am formally instructing the City to preserve all documents, records, communications, and evidence pertaining to Citation No. E25-13830.1. and prior related citations. This includes any materials held by Code Enforcement staff, supervisors, administrative personnel, or third-party contractors. No documents should be deleted, altered, or destroyed while this appeal and any related

proceedings remain pending. This preservation demand is necessary to ensure transparency, protect due-process rights, and maintain the integrity of the administrative record for potential future litigation.

9. The legal basis for my claim is, no electrical wiring, fixtures, circuits, or panels were installed, moved, modified, or worked on in any way. Because there was no installation or alteration of the electrical system, there was no permit requirement triggered, and the citation improperly assumes work that never occurred.

10. In the Alternative; Request for Extension of Time and Cooperative Compliance Should the Hearing Officer decline to dismiss the citation outright, I respectfully request, in the alternative, that the City grant a reasonable extension of time to comply. This request is made in good faith and is supported by the City's own procedural failures, including missed inspections, the unresolved first appeal, and the lack of proper notice. California Health & Safety Code §§ 17980.6 and 17980.7 authorize enforcement agencies to grant extensions when the responsible party is acting in good faith, delays are caused by the agency's own actions, and additional time is necessary to achieve safe and lawful compliance.

PRAYER FOR RELIEF

1. Dismiss Citation E25-13830.1 due to due-process violations and procedural defects.
2. Acknowledge that the original appeal was never adjudicated.
3. Require Code Enforcement to issue a corrected, specific Notice of Findings.
4. Confirm that no additional penalties will accrue until proper notice is provided.
5. Grant additional time to comply if dismissal is not granted.
6. Schedule a hearing if necessary.

/x/ *James Molina*

James Molina

SUGGESTED APPEAL FORM

Appeal of:

(Name)

(Citation/Case Number)

(Mailing Address)

(Address of Violation)

(City, State, Zip Code)

(Telephone Number/Email address)

Please include a copy of the specific order, citation, decision, or determination being appealed.

*****Please note that additional administrative fees for Code Enforcement staff time (re-inspection and/or research) may be incurred. Please refer to your original notices for more information. *****

Description of appellant's legal existing interest in the property, right or entitlement of the order, citation, decision, or determination being appealed (Are you the property owner, business owner, tenant, other?):

Brief description of the specific order, citation, decision, or determination being appealed (What are you appealing?):

Statement of the relief sought (What are you requesting?) **PLEASE NOTE- THE HEARING OFFICER IS PROHIBITED FROM REDUCING OR REVOKING A FINE PER FMC §1-409(g):**

Reasons why such relief should be granted (Why should your request be granted?):

Will you need an interpreter at the hearing? For what language?

Estimate of the amount of time you will need to present your argument at a hearing: _____

Would you be interested in being assisted by the FCC Law Pathways Student Advocacy Project? Yes

May they contact you by: Telephone email USPS (using contact information provided above)?

I declare under penalty of perjury that the facts stated in this appeal are true of my own knowledge, except as to matters which are not within my knowledge and are not of public record, and as to those matters, I believe the facts stated to be true.

Executed at _____ on _____
(City and State) (Date)

(Signature of Appellant)

City Manager's Office Attn: Michael D. Flores 2600 Fresno Street Fresno, CA 93721-3601 Phone: (559) 621-7766 Fax: (559) 621-7776
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CODE ENFORCEMENT DIVISION

If you have questions regarding this citation, please contact the inspector listed below. You must call to schedule an appointment if you wish to speak with the inspector in person.

FIRST ADMINISTRATIVE CITATION

- 1. Inspection Date: 03/24/2026 Time: 10:14 AM Citation Number: E25-13830.1
- 2. Location of Violation: 3436 N VIRGINIA LN APN: 437-221-29
- 3. The following Fresno Municipal Code (FMC) Sections were violated at the date and time noted above:
 - 1. Failure to comply with Final Notice and Order dated 11/05/2025. items # 1 & 2 listed on the enclosed Notice and Order. (FMC §10-615.)

- 4. The following action is necessary on your part to correct the violation(s):
 - You are required to correct the violation(s) as indicated on the enclosed correction notice, specifically: Item(s) # 1, 2

- 5. A fine/penalty of **\$250.00** has been imposed. Payment method may be by cash, money order, or check, payable to the "City of Fresno, Code Enforcement Division", 2600 Fresno Street, Room 3076, Fresno, CA 93721-3605. Please write the citation number on the check or money order.

Please pay within 30 days. No further invoice will be sent.

Total Amount Due: **\$250.00** Payment Due By: **April 24, 2026**

- 6. CONTINUED FAILURE TO COMPLY WITH THE ENCLOSED CORRECTION NOTICE MAY RESULT IN FURTHER CITATIONS WITH INCREASED AND ADDITIONAL PENALTIES FOR THE SAME VIOLATION(S) ON A DAILY BASIS AND/OR FURTHER LEGAL ACTION. A responsible party shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the FMC is committed, continued, or permitted, and shall be punished accordingly. (FMC 1-304 (d).)
- 7. COLLECTIONS: Should you fail to pay these charges in full within 30 days, the City may seek collection in any or all of the following ways: (1) by a collection agency as a personal obligation; (2) as a lien attached to the subject property; (3) as a special assessment on the subject property; and/or (4) by the City Attorney's Office through judicial action. (FMC 1-501 et seq). Before a special assessment is placed on your property, an administrative hearing officer will confirm the costs by a public hearing. You will be issued a notice of the hearing at least fifteen days prior to the date of the hearing and will be allowed to file an objection.
- 8. LATE FEES: If you fail to pay these charges within 30 days, a late fee of 1.5% or a minimum of \$1.00 will be assessed to your outstanding balance.
- 9. APPEAL: You have the right to contest this citation by filing an appeal within eighteen (18) days from the date this citation was mailed (noted below). You may file the appeal with the Hearing Officer at the Office of the City Manager, City of Fresno, 2600 Fresno Street, Room 2064, Fresno, CA 93721. To schedule an appeal, contact 559-621-8000. There is an Administrative Hearing Fee of \$35 for residential units up to two, \$55 for three or more units and \$75 for commercial units. Please bring or send a check or money order with the request for appeal. You will be billed accordingly if payment is not included with your request for appeal.

Responsible Party Name and Address
 MOLINA JAMES IBARRA DIANA
 3436 N VIRGINIA LN
 FRESNO, CA 93726

Inspector Name and Phone Number
 Derek Henderson
 559-621-8459

Inspector's Signature

*I, the above-signed inspector, certify under penalty of perjury that I caused this citation to be mailed to the responsible party listed above on: **March 25, 2026***

S.I.
 Enclosure: N&O-11/05/25

Certified Article Number

9414 7266 9904 2242 6846 92

SENDER'S RECORD

TRANSCRIPT OF CATARINO PRADO

FEBRUARY 24, 2026

Hello, this message is for Derek. Derek, this is Catarino regarding the Virginia property, case number E25-13830. We just got a new date of March 23rd with Robert Fisher, he was the one who scheduled the appointment and that's for 8:00 a.m., rescheduling. If you have any questions, feel free to give me a call. (Redacted Number). Thank you, bye bye

**CITY OF FRESNO
MASTER FEE SCHEDULE**

City Attorney's Office

CODE ENFORCEMENT FEES

Amend #	Fee Description & Unit/Time	Current
580	Code Enforcement Fees - General Complaints and Abatements	
	Complaint Response and Issue Identification Per hour, 1 hour minimum - - No charge if complaint is verified and resolved by property owner / responsible party within 18 days.	146.00
	Notice and Order Per hour, 1 hour minimum	146.00
	Notice of Violation Per hour, 1 hour minimum	146.00
	Hotel / Motel Inspection Fee Per hour, 1 hour minimum	146.00
580	Code Violation Appeal Fee	
	Single Family Residential up to two units	35.00
	Multi-Residential with three or more units	55.00
	Commercial Business	75.00
	Panel Appeal by three hearing officers	480.00
	Code Violation Appeal - Successful Appeal	No Charge
	Code Violation Appeal - Unsuccessful Appeal Per hour, 1 hour minimum	146.00
580	Abatement Enforcement Fees and Penalties	
	Administrative Fee Per hour, 1 hour minimum	146.00
	Cost of Enforcement / Abatement	Actual
	Citation for lack of Smoke Detector or Carbon Monoxide Detector (H&S 13113.7 / H&S 17926) pr violation	200.00
580	Code Citation Penalties - General*	
	1 st citation for non-compliance of code violations up to or maximum	250.00
	2 nd citation for non-compliance of code violations up to or maximum	500.00
	3 rd citation for non-compliance of code violations up to or maximum	1,000.00
580	*Code Citation Penalties may be issued by enforcing officers as set forth in, but not limited to, Fresno Municipal Code Sections I-302 and I-308.	

**CITY OF FRESNO
MASTER FEE SCHEDULE**

City Attorney's Office

CODE ENFORCEMENT FEES

Amend #	Fee Description & Unit/Time	Current
580	Code Citation Penalties - Health and Safety*	
	1st citation for non-compliance of code violations up to or maximum	800.00
	2nd citation for non-compliance of code violations up to or maximum	1,200.00
	3rd citation for non-compliance if code violations up to or maximum	1,600.00
580	Collection Agency Recovery Fee**	27%
580	Late Payment Charge	
	\$1.00 minimum	1.50%
580	Lien Release Fee	
	Per lien release - County Filing Fee	60.00
	Policy of Insurance of Record (PIRT)	
	City Processing Fee	146.00
	Vendor Cost	Actual
580	Public Nuisance Enforcement	
	Per hour, 1-hour minimum	146.00
580	Management of Real Property Ordinance Violations (MC 10-608)	
	Administrative Citation	
	1st Violation ***	1,000.00
	2nd Violation within a rolling 12 month period ***	10,000.00
	3rd Violation within a rolling 12 month period ***	50,000.00
580	* Code Citation Penalties may be issued by enforcing officers as set forth in, but not limited to, Fresno Municipal Code Sections I-302 and I-308.	
580	** This Fee is also used by the other departments.	
580	*** Plus any abatement, actual, administrative and enforcement costs and administrative expenses incurred.	

**CITY OF FRESNO
MASTER FEE SCHEDULE**

City Attorney's Office

CODE ENFORCEMENT FEES

Amend #	Fee Description & Unit/Time	Current
580	Rental Housing	
	Registration Fee	0.00
	Health and Safety Inspection, per unit	100.00
	Courtesy Re-Inspection, per unit	50.00
	Compliance Re-Inspection, per unit	100.00
	Rental Housing Registration Penalties	
	Property registration is 30 days late	100.00
	Property registration is 31 to 60 days late*	200.00
	Property registration is 61 to 120 days late*	500.00
	Property registration is over 120 days late*	1,000.00
580	*Penalties are cumulative	
	Rental Housing Penalty for False Statement regarding Exemption or Self-Certification	
	First Offense	100.00
	Second and subsequent Offenses	250.00
580	Code Enforcement Fees - Miscellaneous	
	Sign Retrieval	
	Per hour, 1 hour minimum	146.00
580	Tire Disposal Service	
	Automobile tires without rim	1.00
	Automobile tires with rim	3.00
	Diesel Truck tire without rim	7.00
	Diesel Truck tire with rim	21.00
	Tractor tires without rim (14 x 20 or 17.5 x 24.5)	55.00
	Tractor tires with rim (14 x 20 or 17.5 x 24.5)	110.00
	Tractor tires without rim (17.5 x 25 or 23.5 x 25)	75.00
	Tractor tires with rim (17.5 x 25 or 23.5 x 25)	150.00
580	Weed Abatement Enforcement Penalty	
	(penalty to be determined by department director within specified range)	100% + 500.00 with maximum of 1,500.00
580	Inspection or Enforcement Services Otherwise not Listed for Public Nuisance, Zoning Code, or Housing Code	
	Per hour, 1 hour minimum	146.00

**CITY OF FRESNO
MASTER FEE SCHEDULE**

City Attorney's Office

CODE ENFORCEMENT FEES

Amend #	Fee Description & Unit/Time	Current
580	Illegal Dumping Citations (10-611(a))	
	1st violation	1,000.00
		+ City's cost to abate the violation
	2nd violation	1,500.00
		+ two times the City's cost to abate the violation
	3rd violation	3,000.00
		+ three times the City's cost to abate the violation
580	Illegal Use of Land Citations (10-611(b))	
	1st violation	250.00
		+ City's cost to abate the violation
	2nd violation	1,000.00
		+ City's cost to abate the violation
	3rd violation	3,000.00
		+ City's cost to abate the violation
580	Vacant Building Ordinance Penalties (10-617(d))	
	1st violation	Up to 2,500.00
	2nd violation	Up to 5,000.00
	3rd violation	Up to 10,000.00
	Unregistered vacant properties, per month	250.00
588	Exterior Elevated Elements (Health & Saf. Code § 17973(i)(2))	
	Incomplete Repairs Penalty	
	Repairs incomplete 30 days after City receives notice, per day	100.00

View Log

Help

Inspection Detail

Checklist

Conditions (0)

Conditions of Approval (0)

Documents (0)

Related Inspections

Random Audit History (0)

Inspection Type
B CONSULTING

Address
3436 N VIRGINIA LN, FRESNO, CA 93726

Request Date
02/24/2026

Request Time
10:29

Created By ACA

No

Request Comment

#1 - [8AM PER ECF] 30-min call ahead req (310) 745-4772

Vehicle ID

Scheduled Date
03/23/2026

Scheduled Start Time

Inspection Date
03/23/2026

Inspection Time
03:08 PM

Department

Inspector
Morgan Crawford

Result Comment

Spoke to contact provided at 8:44a
He left for work and will reschedule.
There was no prior forewarning confirmation to the 8a scheduled appt. with
building inspector.

Total Time
0

Record Type
Building/Miscellaneous Inspection/NA/NA

Internal Use Only
REC26-00000-000N0

PROOF OF SERVICE

CCP §§ 1011, 1013, 1013a, 1013b, 2015.5 / FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602. My electronic address is toni.hunter@fresno.gov.

On **June 1, 2026**, I served the document described as **City of Fresno’s Appeal Packet** on the interested parties listed by causing delivery to be made in the mode of service indicated below:

James Molina
Diana Ibarra
3436 N Virginia Ln
Fresno, CA 93726

(BY MAIL) I enclosed the document(s) listed above in a sealed envelope, addressed to the listed addressee(s), and deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

First-Class Mail Certified Mail; Return Receipt Requested

I am “readily familiar” with the City of Fresno’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(BY ELECTRONIC SERVICE) I electronically transmitted the document(s) listed above to the listed addressee(s). See Rules of Court, Rule 2.251 and CCP section 1010.6.

(BY OVERNIGHT COURIER) I enclosed the document(s) listed above in a sealed envelope, addressed to the listed addressee(s), and caused such envelope to be delivered to an overnight courier service for delivery to the listed addressee(s).

(BY POSTING) I caused to be posted a true copy of the document(s) listed above at the listed location(s).

(BY PERSONAL SERVICE) I enclosed the document(s) listed above in a sealed envelope, addressed to the listed addressee(s), and caused such envelope to be delivered by hand to the listed addressee(s).

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **June 1, 2026**, at Fresno, California.

Toni Hunter

Toni Hunter