

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF VENTURA
VENTURA DIVISION**

TENTATIVE RULINGS

EVENT DATE: 07/13/2015

EVENT TIME: 08:20:00 AM

DEPT.: 43

JUDICIAL OFFICER: Kevin DeNoce

CASE NUM: 56-2015-00468316-CU-OR-VTA

CASE TITLE: WEISWASSER VS PLEASANT VALLEY MOBILEHOME

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Other Real Property

EVENT TYPE: Motion for Preliminary Injunction (CLM)

CAUSAL DOCUMENT/DATE FILED:

With respect to the below scheduled tentative ruling, no notice of intent to appear is required. If you wish to submit on the tentative decision, you may submit a telefax to Judge DeNoce's secretary, Hellmi McIntyre at 805-662-6712, stating that you submit on the tentative. Do not call in lieu of sending a telefax, nor should you call to see if your telefax has been received. If you submit on the tentative without appearing and the opposing party appears, the hearing will be conducted in your absence. This case has been assigned to Judge DeNoce for all purposes.

Absent waiver of notice and in the event an order is not signed at the hearing, the prevailing party shall prepare a proposed order and comply with CRC 3.1312 subdivisions (a), (b), (d) and (e). The signed order shall be served on all parties and a proof of service filed with the court. A "notice of ruling" in lieu of this procedure is not authorized.

The court's tentative ruling is as follows:

Grant Plaintiff's request for a Preliminary Injunction restraining and prohibiting the Defendant from the following activities:

- (1). Engaging in any construction, alteration or other work regarding the Mobilehome and the Premise, without first obtaining all required permits from the California Department of Housing and Community Development;
- (2). Engaging in any construction, alteration or other work regarding the Mobilehome and Premises without first obtaining permission from Plaintiff;
- (3). Using any of the Park's utility services without the express written consent of Plaintiff unless included in the rental agreement;
- (4). Violating any of the Park's Rules and Regulations.

In the amended complaint and reply, Plaintiff is seeking a preliminary mandatory injunction that the Court order Defendant to remove the 2nd story and the mobilehome from the park. That is a new request, and a preliminary mandatory injunction without a hearing/trial on the merits may not be warranted at this time. (*Board of Supervisors v. McMahon* (1990) 219 Cal.AAp.3d 286, 295.) The Court will entertain arguments on this issue.