

Tentative Rulings for July 21, 2026 Department 4

**To request oral argument, you must notify Judicial Secretary
Crystal Marias at (760) 904-5722
and inform all other counsel no later than 4:30 p.m.**

This court follows California Rules of Court, Rule 3.1308 (a) (1) for tentative rulings (see Riverside Superior Court Local Rule 3316). Tentative Rulings for each law & motion matter are posted on the Internet by 3:00 p.m. on the court day immediately before the hearing at [Riverside Superior Court-Tentative Rulings](#). If you do not have Internet access, you may obtain the tentative ruling by telephone at (760) 904-5722.

To request oral argument, no later than 4:30 p.m. on the court day before the hearing you must (1) notify the judicial secretary for Department 4 at (760) 904-5722 and (2) inform all other parties of the request and of their need to appear remotely, as stated below. If no request for oral argument is made by 4:30 p.m., the tentative ruling **will become the final ruling** on the matter effective the date of the hearing. **UNLESS OTHERWISE NOTED, THE PREVAILING PARTY IS TO GIVE NOTICE OF THE RULING.**

For information and instructions on remote appearances via **ZOOM**, visit the court's website at [Riverside Superior Court-Remote Appearances](#)

You may also make a Telephonic Appearance: On the day of the hearing, call into one of the below listed phone numbers, and input the meeting number (followed by #):

- Call-in Numbers: 1-833-568-8864 (Toll Free), 1-669-254-5252,
1-669-216-1590, 1-551-285-1373 or 1-646-828-7666
- Meeting Number: **160 533 0910**

Please **MUTE** your phone until your case is called and it is your turn to speak. It is important to note that you must call fifteen (15) minutes prior to the scheduled hearing time to check in or there may be a delay in your case being heard.

Riverside Superior Court provides official court reporters for hearings on law and motion matters only for litigants who have been granted fee waivers and only upon their timely request. (See General Administrative Order No. 2021-19-1) Other parties desiring a record of the hearing must retain a reporter pro tempore.

1.

CASE #	CASE NAME	HEARING NAME
CVCO2600108	INFINITY INSURANCE COMPANY vs WILLIAMS	MOTION TO COMPEL

Tentative Ruling: GRANT

2.

CASE #	CASE NAME	HEARING NAME
CVRI2102535	CITY OF LAKE ELSINORE vs MITCHELL	VERIFIED APPLICATION PRO HAC VICE AS TO CITY OF LAKE ELSINORE

Tentative Ruling: GRANT

3.

CASE #	CASE NAME	HEARING NAME
CVRI2102535	CITY OF LAKE ELSINORE vs MITCHELL	MOTION FOR ABATEMENT ORDER

Tentative Ruling: GRANT the Motion for Abatement Order.

In connection with the supplemental briefing following the May 5, 2026 continuance, Dream Center obtained an updated JAMA report dated June 2026 (the “JAMA 2026 Report”), which was served on the City on June 25, 2026, as Dream Center’s “Supplemental Builder’s Report.” The JAMA 2026 Report was a “limited structural observation” confined to “readily observable components” and documented new deterioration not present in the 2021 report—including spalling of concrete and corrosion of reinforcing bars in the concrete pilasters. (JAMA 2026 Report, Attach. 1.) JAMA expressly disclaimed the completeness of its review, stating: “[A]ll structural deficiencies identified and presented in this report and our 2021 report are based upon what could be observed on site. There could be other concealed structural deficiencies that are not currently observable including in the foundation.” (Id.)

On May 4, 2026, the Court issued a Tentative Ruling granting the City’s motion for abatement order. At the May 5, 2026 hearing, Dream Center requested oral argument and a continuance. The Court found good cause and continued the hearing to July 9, 2026 “to allow for additional briefing regarding additional compliance efforts,” ordering Dream Center’s supplemental briefing filed and served on or before June 12, 2026, and the City’s further briefing filed and served on or before June 25, 2026. (Minute Order, dated May 5, 2026.)

Following the May 5, 2026 hearing, the City sent Dream Center an Expedited Compliance Option Letter dated May 14, 2026, advising that a voluntary demolition would not require Planning Approval or CEQA review, could be completed in 9–12 days (asbestos abatement 4–5 days, demolition to grade in 1–2 days, and debris removal in

4–5 days), and that if Dream Center voluntarily demolished by June 12, 2026, the City would discontinue its motion. (Silver Suppl. Decl. ¶ 2, Ex. A.)

On June 1, 2026, Dream Center’s counsel sent a Response Letter stating its intent to pursue its entitlement application without CEQA review, asserting the City had previously represented Dream Center was CEQA-exempt, invoking the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), and stating that if the City denied exemption Dream Center would move forward with litigation. (*Id.* at ¶ 3, Ex. B.) The letter made no mention of intent to demolish or abate. (*Id.*)

On June 14, 2026, the City responded that Dream Center had failed to substantively respond regarding demolition, had taken no action to secure a demolition permit, and that the City had never agreed to alter or excuse compliance with CEQA. (*Id.* at ¶ 4, Ex. C.) The City extended the demolition deadline to June 23, 2026. (*Id.*)

On June 19, 2026, seven days after the ordered deadline, Dream Center served its Supplemental Brief. (*Id.* at ¶ 5, Ex. D.) On June 22, 2026, a City inspector conducted a further right-of-way inspection and confirmed that previously identified violations remain present and no action to abate had been taken. (Belvin Suppl. Decl. ¶ 5, Ex. 1.) On June 25, 2026, Dream Center served a Supplemental Builder’s Report. (Silver Suppl. Decl. ¶ 7, Ex. F.)

In its Supplemental Brief, Dream Center makes two substantive representations: (1) that following the May 5, 2026 hearing it retained a structural engineering firm to provide an updated report on the Property, which it would provide to the Court the following week; and (2) that it is separately seeking leave to file a cross-complaint against the City, and asks that the statement of facts and legal arguments in the proposed Cross-Complaint be incorporated by reference into the Supplemental Brief.¹

In its June 25, 2026 Supplemental Brief, the City responds that Dream Center’s continued failure to submit CEQA technical studies, secure a demolition permit, or take any abatement action confirms demolition is the only remaining feasible remedy.

Request for Judicial Notice

The City asks the Court to take judicial notice of the following categories of documents:

- Exhibits 1, 4, 9, 12, and 16 are judicially noticeable as recorded documents.
- **GRANT.**
- Exhibits 2, 3, 5, 7, 8, 10, 11, 14, 15, 18–21, 23–25, 28, 31–33, and 35 are judicially noticeable as official city records under Evid. Code § 452(c).

¹ **NOTE:** On June 12, 2026, Dream Center submitted a motion for leave to file a cross-complaint, purportedly attaching the proposed Cross-Complaint as Exhibit 1. On June 26, 2026, the Clerk rejected the filing for use of the incorrect document type and directed resubmission with a new reservation under Local Rule 3310. Neither the motion nor the proposed Cross-Complaint is on file or available for the Court’s review, and neither is properly before the Court on this motion.

GRANT.

- Exhibits 6, 13, and 34 are judicially noticeable as court records under Evid. Code § 452(d)(1). **GRANT.**
- Exhibit 36 is judicially noticeable as official code (relevant sections of LEMC) under Evid. Code §§ 452(b), (c). **GRANT.**

Along with its reply, the City submitted a Supplemental Request for Judicial Notice of the following documents in support of its reply brief: (1) Photograph of the Property on April 23, 2026 (**Exhibit A** to the Belvin Reply Declaration); (2) Complete Application Letter dated August 18, 2023 (**Exhibit A** to the Abraham Reply Declaration); and (3) Report to the Planning Commission dated January 16, 2024 (**Exhibit B** to the Abraham Reply Declaration).

After the motion was continued, the City also submitted a Second Supplemental Request for Judicial Notice of (1) Photographs of the Property on June 22, 2026 (**Exhibit 1** to the Belvin Supplemental Declaration); and (2) Court's Docket, dated June 25, 2026 (**Exhibit E** to the Silver Supplemental Declaration). These exhibits are admissible as authenticated exhibits to the supporting declarations, and Dream Center has had a full opportunity to respond through supplemental briefing. The Court therefore should take judicial notice of them. **GRANT.**

Evidentiary Objections

The City objects to the following declarations submitted in support of Dream Center's opposition to the motion for abatement order:

1. Declaration of Brett Masters (Dream Center's Executive Director)

Overrule all objections as the statements are admissible party admissions under Evid. Code §§ 1220 and 1222, and/or rationally-based lay opinion under Evid. Code § 800, are relevant to Dream Center's equitable defenses and RLUIPA claims, and any prejudice does not substantially outweigh their probative value. **OVERRULE.**

2. Declaration of Hoover

OVERRULE.

On June 25, 2026, the City filed Supplemental Evidentiary Objections to three categories of evidence submitted by Dream Center. On July 8, 2026, Dream Center filed a response to the objections and a Declaration of Joel Oster (*pro hac vice*) in support. (1) **Dream Center's Supplemental Brief as untimely.** Dream Center's Supplemental Brief was timely filed on June 12, 2026, but inadvertently served on the City's prior email and physical addresses following the departure of Dream Center's prior lead counsel to the Department of Justice. The City nevertheless obtained the Supplemental Brief from the Court's website and filed a comprehensive supplemental briefing on June 25, 2026, addressing Dream Center's arguments. No prejudice results from the delay. **OVERRULE.** (2) **Dream Center's proposed Cross-Complaint.** The

proposed Cross-Complaint was submitted for filing on June 12, 2026, and rejected by the Clerk on June 26, 2026. It is not on file, and is not offered as evidence in opposition to the abatement motion. In any event, a pleading is not evidence. **SUSTAIN.** (3) **Dream Center’s Supplemental Builder’s Report as untimely. OVERRULE** on the same ground as Objection 1. The report was served 13 days after the ordered deadline, but the City had a full opportunity to respond through its Supplemental Brief and request for judicial notice. No prejudice results from the delay.

Analysis

Following the May 5, 2026 continuance, the City offered an expedited demolition option that would not require Planning Approval or CEQA review, and represented that the demolition could be completed in 9 to 12 days. (Silver Suppl. Decl. ¶ 2, Ex. A.) Dream Center did not accept the offer. (*Id.* at ¶¶ 3–4, Exs. B & C.) In the two months since the continuance, no CEQA technical studies have been submitted, no demolition permit has been sought, and no abatement work has been undertaken.

To the extent Dream Center seeks to challenge the CUP or CEQA requirements as violating the Housing Element Law, Housing Accountability Act, or Planning and Zoning Law—arguments allegedly raised in the proposed Cross-Complaint—those claims are land use determinations that are irrelevant and inapplicable to the nuisance abatement issues before the Court. (See Def.’s Suppl. Brief 7:1–8:16.) Again, the proper procedural vehicle for such claims is administrative writ proceedings under CCP § 1094.5 (or the pending motion for leave to file a cross-complaint), not opposition to the abatement motion.

In its June 14, 2026 letter and June 25, 2026 Supplemental Brief, the City reiterated that it has never entered into any agreement to alter or excuse compliance with CEQA or the CUP requirement. (Silver Suppl. Decl. ¶ 4, Ex. C.)

A further right-of-way inspection on June 22, 2026 confirmed that the previously identified violations remain and that no abatement action has been taken. (Belvin Suppl. Decl. ¶ 5, Ex. 1.)

The City’s certified code enforcement and building officials have opined that demolition is the only feasible means of abatement.

Dream Center’s Supplemental Builder’s Report of June 2026 (“JAMA 2026 Report”) does not alter this conclusion. Although the JAMA 2026 Report states the building “can become occupiable with repair and seismic retrofit,” it suffers from critical limitations. First, it is a “limited structural observation” of “readily observable components,” and JAMA expressly disclaims completeness—“there could be other concealed structural deficiencies that are not currently observable including in the foundation.” Second, the report documents new deterioration not present in 2021, including spalling of concrete and corrosion of reinforcing bars in the concrete pilasters, contradicting Dream Center’s assertion of no material structural change. Third, the

report confirms that the building as it currently stands is not occupiable. (JAMA 2026 Report.)

RULING

OVERRULE the City's Evidentiary Objections to the Declaration of Brett Masters, ¶¶ 3, 5–10, 12–13, 16–17, 19–24, 28–30 and the Declaration of Hoover, ¶ 11.

OVERRULE in part the City's Supplemental Evidentiary Objections to (1) Dream Center's Supplemental Brief, and (2) Dream Center's Supplemental Builder's Report;

SUSTAIN in part as to Dream Center's proposed Cross-Complaint.

GRANT the City's Request for Judicial Notice of Exhibits Nos. 1–16, 18–21, 23–25, 28, and 31–36. **GRANT** the City's Supplemental Request for Judicial Notice of Exhibits A and B to the Reply Declaration of Damaris Abraham and Exhibit A to the Reply Declaration of Bill Belvin. **GRANT** the City's Second Supplemental Request for Judicial Notice of Exhibit 1 to the Supplemental Declaration of Bill Belvin and Exhibit E to the Supplemental Declaration of Matthew R. Silver.

GRANT the City's Motion for Abatement Order. The Court should issue an Order for Abatement:

- (1) Declaring the Property a public nuisance and a nuisance per se in violation of state and local laws, pursuant to Civ. Code §§ 3479, 3480; Health & Saf. Code § 17980; LEMC §§ 1.16.050, 8.18.020.
- (2) Authorizing the City to abate the nuisance conditions on the Property by managing and overseeing the demolition of the Property, pursuant to Health & Safety Code §§ 17980(c)(1), 17982, 17983; Civ. Code §§ 3491, 3494; CCP §§ 1822.50–1822.60; LEMC §§ 8.18.020, 8.18.070.
- (3) Enjoining Dream Center and its employees, agents, and persons acting with it or on its behalf from interfering, obstructing, or impeding the City's demolition of the Property to abate the nuisance conditions, pursuant to Civ. Code §§ 3491, 3494; CCP §§ 1822.50–1822.60; LEMC § 8.18.070.
- (4) Enjoining Dream Center and its employees, agents, and persons acting with it or on its behalf from continuing to maintain, cause, or allowing violations of law and nuisances on the Property, pursuant to Civ. Code §§ 3491, 3494; Health & Safety Code § 17980(c)(1); LEMC §§ 1.16.050, 8.18.020.
- (5) Requiring Dream Center to stop maintaining the violations relating to, but not limited to, manifestly unsafe building structure, damaged and deteriorated walls, ceilings and floors, hazardous wiring, hazardous plumbing, hazardous mechanical equipment, lack of functioning utilities, insect and rodent infestation, extensive water damage and mold, fire hazards, faulty weather protection, and collapsing structural elements, and other violations on the Property that violate applicable laws, pursuant to Health & Safety Code § 17920.3; LEMC § 8.18.020(A), (B), (D),

(R), (U), (CC).

- (6) Making the City's costs and fees in this action a lien upon the Property or special assessment, pursuant to Health & Safety Code § 17980.2(b); Gov. Code §§ 38773.1, 38773.5, 53935; Rev. & Tax. Code § 2192.1; LEMC §§ 1.16.070, 8.18.110, 8.18.120.
- (7) Directing the City's costs, expenses, fees, and attorney's fees incurred in this action to be reimbursed as a lien on the Property, pursuant to Health & Safety Code §§ 17980(c)(1), 17980.4, 17980.7(d)(1), 17982, 17983; and LEMC §§ 1.16.040, 1.16.070, 8.18.090, 8.18.110.