



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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SCOFFLAW PROPERTY OWNERS FINED \$120,000 FOR MAINTAINING MARIJUANA DISPENSARY IN PACIFIC BEACH

City Attorney has numerous dispensary cases with same owner

San Diego, CA: The owners of a Pacific Beach commercial property at 936 Garnet Avenue where marijuana dispensaries have continually operated was ordered to pay \$120,000 in civil penalties and \$1,800 in investigative costs to the City for violating zoning laws.

In October 2011, the City Attorney's Code Enforcement Unit filed a civil injunction against the property owners, The Nobel Family Trust, John I. Nobel and Mahin Nobel as Trustees; the Abeles Family Trust, David N. Abeles and Melody N. Abeles; and the dispensary operating at 936 Garnet Avenue at the time: Green Earth Management, Inc., doing business as Green Earth Herbal Collective. The dispensary vacated and settled with the City but the property owners have continued to litigate the matter with the City and lease to marijuana dispensaries. The dispensary, "Planet Greens" currently operates at 936 Garnet Ave. At a summary judgment hearing today, the Honorable Ronald S. Prager issued a final permanent injunction against each of the defendants for their unlawful conduct, restraining them from unlawfully maintaining a dispensary anywhere in the City of San Diego and to pay \$120,000 in civil penalties and \$1,800 in investigative costs to the City (please see attached). The City Attorney's Office has two other dispensary cases pending with the Nobels which were filed in late 2011 and a number of newer cases.

"Property owners, as well as dispensary operators need to know that they will be held accountable for violating our zoning laws," said City Attorney Jan Goldsmith. **"The City Attorney's Office will be continuing to shut down dispensaries operating illegally in the City of San Diego."**

In early March 2014, the City Attorney filed a similar injunction against these same defendants who were leasing to 4 dispensaries in different suites at another commercial property of theirs at 3045 Rosecrans: "Greenworks SD", "Fresh Alternative Consulting", "Green Wellness" and "SB Health". The City obtained temporary restraining orders and preliminary injunctions or default judgments against the property owners and all the dispensaries. Notably, Greenworks SD moved to Engineer Road in San Diego where the dispensary caught on fire in July 2014 as a result of the extraction of hash oil on site and the operator was arrested.
<http://www.utsandiego.com/news/2014/aug/07/pacific-beach-pot-marijuana-dea/>

Due to the enforcement action by the City Attorney, the Nobels agreed to issue eviction notices and unlawful detainer actions to the dispensaries currently operating at their properties at: 2603 University Avenue, 936 Garnet Avenue, 1150 Garnet Avenue, 2015 Garnet Avenue, 5560 La Jolla Boulevard and 841 Turquoise Street.

The dispensaries have not vacated at these locations and are litigating the unlawful detainer actions, and the City Attorney is continuing with enforcement action in these cases.

In addition, on March 27, 2014 the City Attorney filed a complaint against the Nobels and the dispensary and operator of "PB 45 Cap" operating at yet another one of their properties at 4688 Cass Street, across from St. Brigid Catholic Church in Pacific Beach. The operator vacated and settled with the City and on July 18, 2014. Judge Prager issued a preliminary injunction against the Nobels as to that property as well.

The [City Attorney's Code Enforcement Unit](#) was established in 1984 to address nuisance properties and code violations throughout San Diego. The Unit works in partnership with the City's Code Enforcement Services Division, the San Diego Police Department, and the community to identify and aggressively address code violations and nuisance properties. Community members can report property violations to the Code Enforcement Services Division at 619-236-5500.

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