
COURTS - CALIFORNIA

Dedication and Everlasting Love to Animals, Inc. v. City of El Monte

Court of Appeal, Second District, Division 8, California - November 8, 2022 - Cal.Rptr.3d - 2022 WL 16757286 - 2022 Daily Journal D.A.R. 11,509

Property owner brought action, designated as a limited civil case, challenging administrative hearing officer's decision upholding citations for property owner's violations of municipal code based on accumulated trash on property owner's vacant lot.

The Superior Court summarily affirmed, and property owner filed a notice of appeal to the Appellate Division of the Superior Court. The Appellate Division rejected the filing, and property owner appealed to the Court of Appeal.

The Court of Appeal held that:

- Property owner's appeal was a limited civil case;
- The Appellate Division of the Superior Court, not the Court of Appeal, had jurisdiction over property owner's appeal; and
- The Court of Appeal had authority to transfer property owner's appeal to the Appellate Division of the Superior Court.

Property owner's action challenging the decision in an administrative hearing in which the amount in controversy was less than $25,000, an action that had been designated a limited civil matter from the outset, was a limited civil case.

Appellate Division of the Superior Court, not the Court of Appeal, had jurisdiction over property owner's appeal from the Superior Court's affirmance, in an action that had been designated a limited civil matter from the outset, of an administrative decision in which the amount in controversy was less than $25,000, because the appeal was in a limited civil case.

The inherent authority of the Court of Appeal, together with the statute governing appeals taken to the incorrect court, empowered the Court of Appeal to transfer to the Appellate Division of the Superior Court property owner's appeal from the Superior Court's affirmance, in a limited civil case, of an administrative decision upholding citations for property owner's violations of municipal code.

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