

Date July 13, 2015

**RESOLUTION LEVYING ASSESSMENTS FOR FEES, FINES, PENALTIES, COSTS AND INTEREST IMPOSED IN THE ENFORCEMENT OF THE NEIGHBORHOOD INSPECTION RENTAL CODE AND PROVIDING FOR THE PAYMENT THEREOF
(Schedule No. 2015-04, Activity ID 20-1111-000)**

WHEREAS, the fees, fines, penalties, costs and interest itemized in the accompanying schedule have been imposed by the City upon the owners of rental property in the enforcement of the Neighborhood Inspection Rental Code; and,

WHEREAS, each of the owners of the rental property listed in the accompanying schedule have been given notice of the following:

- The amount due from them for the fees, fines, penalties, costs and interest identified in such schedule;
- Their right to appeal the calculation of the amounts due, and the process to make such appeal;
- That if the total amount due from them was not paid within thirty days of when due, or in the event of a timely appeal if not paid within 10 business days of final action on that appeal by the Housing Appeals Board, then:
 - The owner will be charged a late payment penalty in the amount of \$25.00;
 - Interest shall thereafter accrue on the unpaid balance at the rate of 1.5% per month; and,
 - That the City may certify the unpaid balance, accrued interest and late payment penalty to the County Treasurer for collection against the rental property in the same manner as a property tax; and,

WHEREAS, more than 30 days has expired from the date each of the fees, fines, penalties, and costs itemized in the accompanying schedule were originally due, and more than 10 business days has expired from the date of final action by the Housing Appeals Board on any appeals that were timely taken from the calculation of the amounts due; and,

WHEREAS, the fees, fines, penalties, costs and interest itemized in the accompanying schedule remain unpaid; and,

WHEREAS, the City Council of the City of Des Moines desires to exercise the authority granted to it by Iowa Code §364.17 to certify the fees, fines, penalties, costs and interest itemized in the accompanying schedule as a lien against the rental property for collection in the same manner as a property tax; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

★ Roll Call Number

Agenda Item Number

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Date July 13, 2015

1. That the accompanying Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2015-04, Activity ID 20-1111-000, is hereby approved, confirmed and adopted with the amounts shown thereof assessed and levied against each property for collection in the same manner as a property tax.

2. That such assessments shall be payable in one installment; shall bear interest at 9.0% per annum which is the maximum rate allowed by Iowa Code Chapter §74A; the one installment of each assessment shall become due and payable on July 1, 2016, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. However, said assessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after the first date of publication of the Notice of Filing of Schedule.

3. The City Clerk is hereby authorized and directed to certify the accompanying schedule to the County Treasurer of Polk County, Iowa, and to publish the accompanying Notice of Filing of Schedule once each week for two consecutive weeks in the Des Moines Register. The first publication of said Notice shall be made within fifteen days after the date of such certification. On or before the second publication of the Notice the Community Development Department, under the direction of the City Clerk, shall send a copy of the Notice by mail to each property owner whose property is subject to assessment, as shown by the records in the office of the county auditor, all as provided and directed by Iowa Code Section 384.60.

Moved by _____ to adopt.

FORM APPROVED: Roger K. Brown
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

MOTION CARRIED APPROVED
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code

Special Assessment Schedule

Acceptance and Levy:

Type 29 (Housing)
Schedule No. 2015-04
Activity ID 20-1111-000
To Council
Acceptance 7/13/2015

Notice to Property Owners:

Published 7/15/2015
and 7/22/2015
Mail 7/16/2015
Rate of Interest 9.00%
Last Date to Pay
without Interest 7/14/2015
Number of
Payments 1
Roll Call # 15-

City Clerk

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ASSESSMENT SCHEDULE NO: 2015-04

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DATE 06/29/2015
TIME 10:28:47

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
050/00997-000-000 W 18 FT LOT 4 & ALL LOTS 5 & 6 BLK 2 ESHBAUGH & WESTS ADDITION	29-01839-00	2701 E MARKET ST T - HINDLE, LAUREEN	10/08/2014 Rental Inspection	\$163.00	\$35.00 \$35.00	\$198.00
040/04447-000-000 S 85 F LOT 1 BLK 14 STEWARTS ADDITION	29-01840-00	1001 E 12TH ST T - L & R REAL ESTATE LLC, T - JONES, LINDA M	10/08/2014 Rental Inspection	\$307.00	\$35.00 \$35.00	\$342.00
110/02889-000-000 LOT 12 BLK 4 GRAND VIEW	29-01841-00	729 BOYD ST T - MERIC INVESTMENTS LLC,	11/12/2014 Rental Inspection	\$363.00	\$35.00 \$35.00	\$398.00
110/01398-001-000 LT 220 & S 25F LT 221 CAPITAL PARK	29-01842-00	1228 E 13TH ST T - PINA, JUAN P	11/12/2014 Rental Inspection	\$574.00	\$35.00 \$35.00	\$609.00
040/04243-000-000 LOT 6 WILSON T SMITHS SUB DIV OF LT 2 DEANS 2ND SUB DIV OF OUTLOTS	29-01843-00	825 BUCHANAN ST T - SEE, RODNEY E	11/12/2014 Rental Inspection	\$163.00	\$35.00 \$35.00	\$198.00
050/00830-000-000 LOT 1 BLK 6 ELBERT & YORKS ADDITION	29-01844-00	2833 E WALNUT ST T - MUSIC, RONALD B	11/12/2014 Rental Inspection	\$188.00	\$35.00 \$35.00	\$223.00
050/00998-000-000 LOT 7 BLK 2 ESHBAUGH & WESTS ADDITION	29-01845-00	2700 E ELM ST T - RODGERS, RIKKIA	11/12/2014 Rental Inspection	\$110.00	\$35.00 \$35.00	\$145.00
060/06319-001-000 BEG NW COR THN E 36.9F S 77F NW 75.35F NE 43.5F TO POB LT 126 & VAC ALLEY ADJ HUBBELL AVENUE ADDITION	29-01846-00	2305 HUBBELL AVE T - FUNARO, LOUISE A T - MACS REAL ESTATE COMPANY LLC, T - FUNARO, LUCRETIA L C - MACS REAL ESTATE CO LLC,	11/12/2014 Rental Inspection	\$158.00	\$35.00 \$35.00	\$193.00
110/05851-000-000 LOT 87 VAN VLIET MEADOWS	29-01847-00	1519 ARTHUR AVE T - HOLLAND, SANDI T - HOLLAND, MICHAEL T - HODGES, DAN T - HOLLAND, TREVOR	11/12/2014 Rental Inspection	\$216.00	\$35.00 \$35.00	\$251.00

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ASSESSMENT SCHEDULE NO: 2015-04

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
050/03754-000-000 LOTS 23 & 24 BLK 10 YORKS CHOICE	29-01848-00	812 E 26TH ST T - ESTRADA, SANDRA T - ESTRADA PATINO, JOSE A	11/12/2014 Rental Inpection	\$145.00	\$35.00 \$35.00	\$180.00
040/02519-000-000 LOT 27 GRAYS SUB BLKS 50 & 62 BROOKS & COS ADD	29-01849-00	718 SE 14TH CT T - GONZALEZ DE CERDA, SARA C	12/10/2014 Rental Inpection	\$188.00	\$35.00 \$35.00	\$223.00
050/01246-000-000 LOT 11 BLK 3 FARWELL PLACE	29-01850-00	817 E 27TH ST T - AMY LLC,	01/14/2015 Rental Inpection	\$145.00	\$35.00 \$35.00	\$180.00
050/03242-001-000 LT 1 TIMBERLINE TERRACE PLAT 1	29-01851-00	4001 E UNIVERSITY AVE T - RIPARIAN GLOBAL PROP RES HSG COOP,	01/14/2015 Rental Inpection	\$387.00	\$35.00 \$35.00	\$422.00
110/05274-000-000 LOT 34 BLK 8 STALFORD & DIXONS ADD	29-01853-00	1267 E 17TH CT T - ESTRADA, FLORENCIO T - ESTRADA, PAULA	01/14/2015 Rental Inpection	\$110.00	\$35.00 \$35.00	\$145.00
060/03404-007-000 LOT 8 & E 10F LOT 9 FAIRMOUNT PARK PLAT 4	29-01854-00	2700 HULL AVE T - ISLEY, SHANE T - ISLEY, SANDRA J	01/14/2015 Rental Inpection	\$163.00	\$35.00 \$35.00	\$198.00
100/06631-001-000 LOTS 17 & 18 BLK 7 HIGHLAWN	29-01856-00	2513 37TH ST T - PARKER, ROBERT W	05/13/2015 Rental Inpection	\$398.00	\$35.00 \$35.00	\$433.00
080/05345-000-000 LOT 5 BLK 20 PROSPECT PARK	29-01857-00	1807 10TH ST T - OETH, GARY	05/13/2015 Rental Inpection	\$269.00	\$35.00 \$35.00	\$304.00
120/03871-000-000 LOTS 1 & 2 PORTER PLACE	29-01859-00	6200 S UNION ST T - CRIDLEBAUGH, STEVEN R	Rental Inpection	\$5,620.00	\$35.00 \$35.00	\$5,655.00
030/00364-000-000 W 1/2 LTS 61 & 62 T E BROWNS ADD	29-01860-00	1821 CENTER ST T - HICKMAN PROPERTIES,	02/12/2014 Rental Inpection	\$462.50	\$35.00 \$35.00	\$497.50

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ASSESSMENT SCHEDULE NO: 2015-04

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 TIME 10:28:47

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
090/02509-000-000 S 47.5 F LOT 34 GRAND AVE PLACE	29-01861-00	205 58TH ST T - BURCH, CATHERINE D	05/13/2015 Rental Inpection	\$248.00	\$35.00 \$35.00	\$283.00
120/04472-033-000 LOT 33 SCANDIA MAGNOLIA PARK PLAT 1	29-01862-00	4501 S UNION ST T - KNUEVEN, MARY E T - KNUEVEN, PATRICK L	12/10/2014 05/13/2015 Rental Inpection	\$870.00	\$35.00 \$35.00	\$905.00
010/04046-022-000 LT 22 PIONEER KNOLLS	29-01863-00	2407 SE 17TH ST T - HOLLAND, RAEOME T - HOLLAND, SAMUEL L	05/13/2015 Rental Inpection	\$363.00	\$35.00 \$35.00	\$398.00
120/06908-000-000 E 43 F N 151 F LOT 26 YODER ACRES	29-01864-00	801 E WATROUS AVE T - POCHOP, JOHN M	05/13/2015 Rental Inpection	\$138.00	\$35.00 \$35.00	\$173.00
030/04512-000-000 LOT 6 SAUCERMAN PLACE	29-01865-00	2625 CENTER ST T - MERIC INVESTMENTS LLC,	06/10/2015 Rental Inpection	\$163.00	\$35.00 \$35.00	\$198.00
TOTALS				\$11,911.50	\$840.00	\$12,751.50