

Date October 12, 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. 2015-07, 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:

Date October 12, 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. 2015-07, 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
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
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

ASSESSMENT SCHEDULE NO: 2015-07

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 DATE 10/06/2015
 TIME 15:41:02

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
040/04243-000-000 LOT 6 WILSON T SMITHS SUB DIV OF LT 2 DEANS 2ND SUB DIV OF OUTLOTS	29-01884-00	827 BUCHANAN ST T - SEE, RODNEY E	07/08/2015 Rental Inpection	\$163.00	\$35.00 \$35.00	\$198.00
070/02501-000-000 LOT 4 LUCE PLACE	29-01885-00	3823 BOWDOIN ST T - JOHNSON, SHONDESS T - JOHNSON, MEOKA	07/08/2015 Rental Inpection	\$216.00	\$35.00 \$35.00	\$251.00
010/00947-000-000 S 93.33F N 186.67F W 97F LOT 17 COLE PLACE	29-01886-00	3512 SE 8TH ST T - DE FAZIO, JOSEPH G	09/09/2015 Rental Inpection	\$363.00	\$35.00 \$35.00	\$398.00
040/05012-001-000 LTS 8, 9, 10, 11, 12 & W 10F LT 13 BLK 39 STEWARTS ADD	29-01889-00	1440 E GRAND AVE T - BLOOMSBURY VILLAGE LLLP,	09/09/2015 Rental Inpection	\$429.00	\$35.00 \$35.00	\$464.00
070/00412-000-000 LOT 2 BLK 19 AUBURN HEIGHTS PLT 1	29-01890-00	3318 AMHERST ST T - SIL LLC,	09/09/2015 Rental Inpection	\$163.00	\$35.00 \$35.00	\$198.00
060/08755-000-000 LOTS 134 & 135 WILLOUGHBY PLACE	29-01891-00	2323 E 23RD ST T - KRISMAN, STEVEN J T - KRISMAN, PATRICIA A C - REIFSCHNEIDER, ERIN L	09/09/2015 Rental Inpection	\$138.30	\$35.00 \$35.00	\$173.30
070/00835-000-000 LOT 10 BLK 2 PLAT 1 COLLEGE ADD TO HIGHLAND PARK	29-01892-00	3629 BOWDOIN ST T - ROBBEN, BRET	09/09/2015 Rental Inpection	\$163.00	\$35.00 \$35.00	\$198.00
060/05287-000-000 W 60 F LOT 205 GRAND VIEW HTS PLAT 2	29-01893-00	2609 GRANDVIEW AVE T - NGUYEN, TARA T - JONES, LINDA T - KARAIDOS, RANDY	09/09/2015 Rental Inpection	\$138.30	\$35.00 \$35.00	\$173.30
110/04173-011-001 -EX E 18F- LOT 11 PAGLIAI PLACE	29-01894-00	1020 E Aurora T - KORDICK, JOSEPH	09/09/2015 Rental Inpection	\$216.00	\$35.00 \$35.00	\$251.00
010/03972-501-002 LOT 1 PARK FOREST PLAT 1	29-01895-00	2000 E VIRGINIA AVE T - PARK FOREST RESIDENTIAL COOPERATIVE,	09/09/2015 Rental Inpection	\$797.50	\$35.00 \$35.00	\$832.50

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ASSESSMENT SCHEDULE NO: 2015-07

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Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
010/03972-591-002 LOT 1 PARK FOREST PLAT 2	29-01896-00	2198 E VIRGINIA AVE T - PARK FOREST RESIDENTIAL COOPERATIVE,	09/09/2015 Rental Inpection	\$964.00	\$35.00 \$35.00	\$999.00
010/03972-502-002 LOT 2 PARK FOREST PLAT 1	29-01897-00	2001 E VIRGINIA AVE T - PARK FOREST RESIDENTIAL COOPERATIVE,	09/09/2015 Rental Inpection	\$964.00	\$35.00 \$35.00	\$999.00
010/03972-592-002 LOT 2 PARK FOREST PLAT 2	29-01898-00	2100 E VIRGINIA AVE T - PARK FOREST RESIDENTIAL COOPERATIVE,	09/09/2015 Rental Inpection	\$964.00	\$35.00 \$35.00	\$999.00
120/05551-002-000 -EX E 67F- LTS 21 THRU 24 BLK 2 CORR PLT 1ST ADD TO THOMAS HGTS	29-01899-00	303 PORTER AVE T - J & J ENTERPRIZES LLC,	09/09/2015 Rental Inpection	\$158.00	\$35.00 \$35.00	\$193.00
010/03972-593-004 W 298.25F LOT 3 PARK FOREST PLAT 2	29-01900-00	2101 E VIRGINIA AVE T - PARK FOREST RESIDENTIAL COOPERATIVE,	09/09/2015 Rental Inpection	\$749.00	\$35.00 \$35.00	\$784.00
120/03443-000-000 W 75F LOT 15 PASCUZZI PLACE	29-01901-00	1323 PAYTON AVE T - NELSEN, JAMES S	09/09/2015 Rental Inpection	\$663.00	\$35.00 \$35.00	\$698.00
120/05203-206-000 LOT 6 STANTON LANDING PLAT 1	29-01902-00	4501 SW 29TH ST T - THE ALTOONA CO, T - THE ALTOONA COMPANY,	09/09/2015 Rental Inpection	\$135.00	\$35.00 \$35.00	\$170.00
TOTALS				\$7,384.10	\$595.00	\$7,979.10