

Date November 5, 2018

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. 2018-08, 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 November 5, 2018

1. That the accompanying *Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-08, 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, 2019, 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: _____ for _____

SLN

Roger K. Brown
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
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: 2018-08

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 DATE 10/29/2018
 TIME 10:51:07

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
090/03122-001-000 LT 1 & N 45F LT 2 INGERSOLL PARK	29-02226-00	538 POLK BLVD T - FUNARO, GREGORY M	10/10/2018 Rental Inspection	\$1,786.19	\$35.00 \$35.00	\$1,821.19
090/03122-001-000 LT 1 & N 45F LT 2 INGERSOLL PARK	29-02227-00	534 POLK BLVD T - FUNARO, GREGORY M	10/10/2018 Rental Inspection	\$2,061.19	\$35.00 \$35.00	\$2,096.19
030/01389-000-000 LOT 49 DRAKE UNIVERSITY ADD	29-02228-00	1112 27TH ST T - FOLTZ, SHAWN C	03/14/2018 Rental Inspection	\$424.00	\$35.00 \$35.00	\$459.00
010/05665-000-000 LOT 85 & N 1/2 LOT 86 WATROUS PARK	29-02229-00	3719 GLOVER AVE T - ABBOTT, MALINDA T - POWERHALF PROPERTIES LLC, C - CREES, BRIAN	05/09/2018 Rental Inspection	\$409.50	\$35.00 \$35.00	\$444.50
060/00683-001-000 -EX W 10F- N 82F LT 116 BROADACRE	29-02230-00	1239 WILLIAMS ST T - ELITE RESIDENTIAL II LLC, T - MC CLISH, JUNE L	06/13/2018 Rental Inspection	\$233.00	\$35.00 \$35.00	\$268.00
060/03910-000-000 LOT 191 FOUR MILE	29-02232-00	2351 E 40TH CT T - B&G HOLDINGS LLC, T - PRETIUM MORTGAGE ACQUISITION TRUST, T - CHRISTIANA TRUST (TRUSTEE),	06/13/2018 Rental Inspection	\$718.50	\$35.00 \$35.00	\$753.50
060/07934-013-002 E 68.2F LT 3 STOWE HEIGHTS	29-02233-00	3309 KINSEY AVE T - SYSTEMATIC INVESTMENT PARTNERS LLC, T - HOLLISTER, THOMAS J C - HOLLISTER, DINA L C - ROBINSON, ROBERT E	06/13/2018 Rental Inspection	\$174.50	\$35.00 \$35.00	\$209.50
070/00859-000-000 LOT 4 BLK 4 PLAT 1 COLLEGE ADD TO HIGHLAND PARK	29-02234-00	3636 COLUMBIA ST T - EASLER, SCOTT	08/08/2018 Rental Inspection	\$207.00	\$35.00 \$35.00	\$242.00
060/08341-000-000 LOT 10 TIFFIN PLACE	29-02235-00	3220 HUBBELL AVE T - VM TRUST SERIES 1, T - ESTRADA, MARIO	08/08/2018 Rental Inspection	\$222.50	\$35.00 \$35.00	\$257.50

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Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
070/01043-000-000 LOT 300 COLLEGE PARK	29-02236-00	4003 9TH ST T - OGREN, MARJORIE H T - OGREN, GERALD L	08/08/2018 Rental Inspection	\$167.50	\$35.00 \$35.00	\$202.50
TOTALS				\$6,403.88	\$350.00	\$6,753.88