

Date December 17, 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. 2018-10, 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 December 17, 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. 2018-10, 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: Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

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.

 Mayor

 City Clerk

ASSESSMENT SCHEDULE NO: 2018-10

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
070/02738-000-000 LOT 104 L M MANNS 1ST ADD TO OAK PK	29-02237-00	3814 14TH ST T - PLECAS (TRUSTEE), REIKE T T - BARBARA J PLECAS REVOCABLE TRUST, T - PLECAS (TRUSTEE), SAMUEL J	06/13/2018 Rental Inspection	\$399.50	\$35.00 \$35.00	\$434.50
010/02017-000-000 LOT 35 FRUITA	29-02257-00	106 DAVIS AVE T - DSMBLC HOLDINGS INC,	10/10/2018 Rental Inspection	\$136.00	\$35.00 \$35.00	\$171.00
010/06865-002-000 -EX S233F- LTS 14 & 15 & -EX E 167F- N 33F S 233F LT 15 & -EX N 330F & ST- E 115F LT 16 OP NW 1/4 SEC 23-78-24	29-02258-00	1512 EVERGREEN AVE T - SOUTHBROOK GREEN APTS LP,	10/10/2018 Rental Inspection	\$136.00	\$35.00 \$35.00	\$171.00
120/02119-000-000 LOT 63 HIGHLAND HILLS PLT 3	29-02259-00	7105 SW 15TH ST T - NEWTON, ALEXIS C T - SKINNER HERITAGE HOMES LC,	10/10/2018 Rental Inspection	\$116.00	\$35.00 \$35.00	\$151.00
120/01967-054-000 LT 4 HALLMARK SOUTH PLAT 2	29-02260-00	512 PORTER AVE T - MC CLISH, JUNE L T - NTHB PROPERTIES LLC,	10/10/2018 Rental Inspection	\$233.00	\$35.00 \$35.00	\$268.00
120/05086-000-000 LOT 25 SOUTHWICK	29-02261-00	121 E PORTER AVE T - POTENTIAL PROPERTIES LLC,	10/10/2018 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
040/00245-400-001 UNITS 101 THRU 113 & UNITS 201 THRU 229 & UNITS 301 THRU 329 & UNITS 401 THRU 414 & UNITS 416 THRU 429 & UNITS 501 THRU 529 BRIDGE DISTRICT VERVE CONDOMINIUMS	29-02262-00	225 E CENTER ST T - BRIDGE DISTRICT VERVE LLC,	10/10/2018 Rental Inspection	\$92.00	\$35.00 \$35.00	\$127.00
120/05551-002-000 -EX E 67F- LTS 21 THRU 24 BLK 2 CORR PLT 1ST ADD TO THOMAS HGTS	29-02263-00	303 PORTER AVE T - J & J ENTERPRIZES LLC,	10/10/2018 Rental Inspection	\$136.00	\$35.00 \$35.00	\$171.00

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Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
120/01369-003-002 -EX E 649F NE 1/4- E 50A N 1/2 SE 1/4 SEC 23-78-24; AND -EX BEG SW COR LOT 57 NW 877.26F E 7.62F SE 836.84F SE 41,41F TO PT ON S LN W 9.14F TO POB- BEG SE COR THN W TO SW COR NW 874.85F E 228.51F S 100.15F E 462F N 149.82F E TO NE COR S TO POB LT 57 EWING	29-02264-00	1970 REGENCY DR LOT 105 T - YES COMPANIES EXP KEY LLC,	10/10/2018 Rental Inpection	\$148.50	\$35.00 \$35.00	\$183.50
010/04135-002-000 E10F LT 1 & 30F ABAND RY NELY & ADJ LT 2 & S OF KIRKWOOD AV & ALL LT 2 ROOPS SUBDIVISION	29-02265-00	932 KIRKWOOD AVE T - RYAN LEE GRANT,	10/10/2018 Rental Inpection	\$203.50	\$35.00 \$35.00	\$238.50
010/04922-000-000 LOT 107 SUMMIT VIEW PLAT 2	29-02266-00	1508 E GLENWOOD DR T - J & J ENTERPRIZES LLC,	10/10/2018 Rental Inpection	\$748.00	\$35.00 \$35.00	\$783.00
010/06356-000-000 -EX W 150F S 1/2 & N 60F E 125F- & -EX S72F LYG E OF LN 150F E OF SW COR- LT 2 OP E1/2 W 1/2 NW 1/4 SE 1/4 SEC 15-78-24	29-02268-00	2511 SE 6TH ST T - TAPIA, ISELA C - DOERRING, RICHARD L	12/12/2018 Rental Inpection	\$148.50	\$35.00 \$35.00	\$183.50
120/02113-000-000 LOT 57 HIGHLAND HILLS PLT 3	29-02269-00	7106 SW 15TH ST T - ANDREWS, JOAN M	09/12/2018 Rental Inpection	\$142.50	\$35.00 \$35.00	\$177.50
090/05227-000-000 N 55 F E 91.5 F LOTS 8 & 9 MILLER HEIGHTS	29-02270-00	690 35TH ST T - MYERS, ROBERTA L T - ROBERTA L MYERS REV TRUST,	11/07/2018 Rental Inpection	\$136.00	\$35.00 \$35.00	\$171.00
030/01492-000-000 S 45 F LOT 48 & 49 DRAKE UNIVERSITY 3RD ADD	29-02271-00	1103 24TH ST T - DEVICK, SARAH E T - DEVICK, SHANE J	11/07/2018 Rental Inpection	\$413.50	\$35.00 \$35.00	\$448.50

ASSESSMENT SCHEDULE NO: 2018-10

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
010/03972-571-004 BEG .76F N OF SW COR THN E 149.27F TO A PT .24F N OF SE COR N 26F W149.89F S 26.01F TO POB LT 71 PARK FOREST PLAT 1	29-02272-00	2903 SE 20TH ST T - JENKINS-LOEB, TERRENCE T - LOEB, JUSTINA	11/07/2018 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
090/04563-000-000 E 45 FT W 1/2 LOT 5 LYONS PARK	29-02273-00	3326 UNIVERSITY AVE T - 3326 UNIVERSITY LLC,	11/07/2018 Rental Inspection	\$213.00	\$35.00 \$35.00	\$248.00
030/04526-000-000 E 35 FT LOT 3 SAUCERMAN & ENGLISH ADD	29-02274-00	1309 LAUREL ST T - JACKSON, TONJA	11/07/2018 Rental Inspection	\$193.50	\$35.00 \$35.00	\$228.50
TOTALS				\$3,846.50	\$630.00	\$4,476.50