

Date September 9, 2019

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. 2019-09, 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 September 9, 2019

1. That the accompanying *Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2019-09, 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, 2020, 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 II

SLN

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: 2019-09

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 DATE 08/30/2019
 TIME 9:56:07

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
120/07330-001-000 -EX BEG 2092.74F N & 33F E OF S1/4 COR OF SEC THN N529F E 20.96F SWLY ALNG CRV 529.26F W 5.08F TO POB- E 1012F N 362F & S 365F N 529F W 308F N 25A NW 1/4 SE 1/4 LESS RD SEC 32-78-24	29-02370-00	7301 FLEUR DR LOT 25 T - MOTHERSHIP PROPCO GSE IA LLC, C - SAYLOR, MARY L C - SAYLOR, JERRY R	07/10/2019 Rental Inspection	\$193.50	\$35.00 \$35.00	\$228.50
010/01234-000-000 N 80F LOT 110 CRAWFORD PLACE	29-02371-00	2808 SE 5TH ST T - PROPERTIES BY BC INC,	06/12/2019 Rental Inspection	\$167.50	\$35.00 \$35.00	\$202.50
040/02166-007-000 UNIT 107 EAST VILLAGE COURT	29-02372-00	301 E COURT AVE UNIT 107 T - RIKER, ERIN R T - BOTT, VICKI A	06/12/2019 Rental Inspection	\$148.50	\$35.00 \$35.00	\$183.50
120/04318-000-000 LOTS 39 & 40 BLK 11 RODGERS PLACE	29-02373-00	1023 JOHNSON ST T - STILWELL, KAREN A	06/12/2019 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
020/01911-040-000 UNIT 508 MULBERRY LOFTS	29-02374-00	112 11TH ST UNIT 508 T - KHA, JOHN	07/10/2019 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
010/03972-606-001 S 29.56F ON W LN & S 30F ON E LN LOT 6 PARK FOREST PLAT 3	29-02375-00	2012 KING AVE T - CAPITAL ASSETS LC,	07/10/2019 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
030/03262-001-000 VAC S 115F N/S ALLEY LYNG S OF MLK JR PKWY & N OF LEYNER ST BLK B LEYNER PLAT SEC 5-78-24; AND W 43 1/3F LOTS 4 & 5 BLK B LEYNER PLAT	29-02376-00	1931 LEYNER T - FIRST NATIONAL ACCEPTANCE COMPANY, C - LINHART, NEJA C - LINHART, KENNEY L	07/10/2019 Rental Inspection	\$193.50	\$35.00 \$35.00	\$228.50
120/04473-543-000 LT 43 SHARON HILLS PLAT 1	29-02377-00	613 E SPRING ST T - FORGET PROPERTIES 6 LLC, T - FORGET PROPERTIES 6L LLC, C - FORGET PROPERTIES 6L, LLC, C - FORGET PROPERTIES 6A, LLC,	07/10/2019 Rental Inspection	\$233.00	\$35.00 \$35.00	\$268.00

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DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
40/03561-001-000 LOTS 7 & 8 KUHNS SUB DIV	29-02378-00	824 E 9TH ST T - SALURI LLC,	07/10/2019 Rental Inpection	\$201.00	\$35.00 \$35.00	\$236.00
40/05688-000-000 LOT 8 BLK 66 STEWARTS ADDITION	29-02379-00	1742 E GRAND AVE T - L & R REAL ESTATE LLC, C - JONES, LINDA M C - L & R REAL ESTATE LLC,	07/10/2019 Rental Inpection	\$297.50	\$35.00 \$35.00	\$332.50
70/01656-000-000 LOT 20 BLK 4 PLAT OF BLKS 4,5,6 & 7 HIGHLAND PARK ADD	29-02380-00	3929 2ND AVE T - TAYLOR, TIMOTHY M	08/21/2019 Rental Inpection	\$248.50	\$35.00 \$35.00	\$283.50
50/00279-000-000 LOT 83 CENTRAL PARK	29-02381-00	2424 E GRAND AVE T - RANGER51 LLC, C - ZION CAPITAL GROUP LLC,	06/12/2019 Rental Inpection	\$5,708.50	\$35.00 \$35.00	\$5,743.50
40/06580-000-000 -EX E 50F- LT 1 BLK C EAST PARK PLACE; AND -EX E 50F- N 70F LT 5 OP NE 1/4 SEC 2-78-24	29-02382-00	255 E 18TH ST T - L & R REAL ESTATE LLC, T - JONES, LINDA M	04/10/2019 Rental Inpection	\$211.00	\$35.00 \$35.00	\$246.00
70/04053-000-000 LOT 7 BLK 3 OAK PARK	29-02383-00	624 EUCLID AVE T - BARBARA PLECCAS REVOCABLE TRUST, T - PLECCAS, REIKE T T - BRADLEY E PLECCAS REVOCABLE TRUST, C - SMITH, THOMAS E	12/12/2018 Rental Inpection	\$5,712.50	\$35.00 \$35.00	\$5,747.50
080/04661-000-000 LOT 76 & S 4 FT LOT 75 NORTH PARK	29-02384-00	1330 7TH ST T - COOK, ROBERT C T - PHAM, THANH T	07/10/2019 Rental Inpection	\$222.50	\$35.00 \$35.00	\$257.50
100/07538-000-000 -EX S 8 F- W 50 F LT 33 KINGMAN ACRES	29-02385-00	5216 OVID AVE T - LOCKSTEP LLC, T - CLARK, ADAM	08/14/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
090/00484-000-000 N 80 F LOT 42 BROOKLINE HTS	29-02386-00	932 59TH ST T - GORE, TERESA L	08/14/2019 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50

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00/08898-000-000 5 F LOT 22 & ALL LOT 23 MACS LACE	29-02387-00	1910 52ND ST T - LYONS, CHAD H	08/14/2019 Rental Inspection	\$148.50	\$35.00 \$35.00	\$183.50
80/03381-000-000 1/2 LOT 37 & N 12.5 F LOT 36 BLK 2 INGLESIDE	29-02388-00	1642 22ND ST T - SMITH, MARILYN K C - JACD-S INC,	08/14/2019 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
80/08044-000-000 1/2 W 1/7 E 3.3A LT 53 OP GOV T 3 & SE 1/4 SEC 34-79-24	29-02389-00	219 FOREST AVE T - BOOKER, RISHA	08/14/2019 Rental Inspection	\$203.50	\$35.00 \$35.00	\$238.50
00/09699-000-000 LOT 16 MESA PARK	29-02390-00	1815 56TH ST T - DINGEMAN, ADAM S T - IBARRA, JORGE G C - ROBBINS, PATRICIA M C - IBARRA, JORGE G	08/14/2019 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
00/09444-000-000 -EX S 40F- LOT 3 MERLE ADDITION	29-02391-00	6212 URBANDALE AVE T - JKLM REAL ESTATE LLC, T - IKELJIC, BEJZA	08/14/2019 Rental Inspection	\$162.00	\$35.00 \$35.00	\$197.00
00/00630-000-000 -EX N 15F- LT 41 & ALL LTS 42 & 43 BLK F AVIATION PARK	29-02392-00	5501 MADISON AVE T - SIBLEY, LINDA M	08/14/2019 Rental Inspection	\$162.00	\$35.00 \$35.00	\$197.00
090/00529-001-000 -EX BEG SW COR THN N 50F E 10.38F SWLY 49.99F W 8.96 TO POB- W 205F LOT 87 BROOKLINE HTS	29-02393-00	1133 63RD ST T - BBT RENTALS LLC,	08/14/2019 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
00/00725-001-000 -EX W 70F- LTS 39 & 40 & -EX W 70F- N 21F LT 41 BLK H AVIATION PARK	29-02394-00	4010 57TH ST T - CAL-XU, YONG T - XU, YIMIN	08/14/2019 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
090/05185-000-000 LOT 104 MIDDLESEX PLAT NO 2	29-02395-00	719 34TH ST T - DOBSON, EDGAR T	08/14/2019 Rental Inspection	\$203.50	\$35.00 \$35.00	\$238.50

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00/08926-000-000 LOT 4 MACS PLACE PLAT 2	29-02396-00	2211 51ST ST T - WILKINS, CLAUDE T - WILKINS, BRENDA	09/11/2019 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50
TOTALS				\$15,672.00	\$945.00	\$16,617.00