

Date January 13, 2020

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. 2020-01, 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:

1. That the accompanying *Schedule of Fees, Fines, Penalties, Costs and Interest Imposed in the Enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2020-01,*

Date January 13, 2020

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				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, P. Kay Cmelik, 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: 2020-01

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
050/01340-000-000 LOT 20 BLK 6 FARWELL PLACE	29-02419-00	822 E 29TH ST T - WHEELER, BRYAN N C - CARDINES, JOHNNY	11/13/2019 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50
040/05688-000-000 LOT 8 BLK 66 STEWARTS ADDITION	29-02420-00	1742 E GRAND AVE T - L & R REAL ESTATE LLC, C - JONES, LINDA M C - L & R REAL ESTATE LLC,	11/13/2019 Rental Inpection	\$385.00	\$35.00 \$35.00	\$420.00
070/03964-000-000 LOT 17 BLK 1 OAKLAND HEIGHTS	29-02421-00	3400 RAVINA DR T - J&B REAL ESTATE HOLDINGS LLC,	11/13/2019 Rental Inpection	\$249.00	\$35.00 \$35.00	\$284.00
060/02597-003-000 -EX E 13F- E 100.46F N 130F LT 1 EDWARDS PLACE	29-02422-00	3025 E DOUGLAS AVE T - CHEN, BILLY CHEN T - BI, DONG X T - FENG, PING T - CHEN, LILLIAN I-	11/13/2019 Rental Inpection	\$136.00	\$35.00 \$35.00	\$171.00
050/01246-000-000 LOT 11 BLK 3 FARWELL PLACE	29-02423-00	817 E 27TH ST T - AMY LLC,	11/13/2019 Rental Inpection	\$248.50	\$35.00 \$35.00	\$283.50
110/05542-000-000 LOT 205 UNION ADDITION	29-02424-00	1922 E 14TH ST T - MOYER, WILLIAM J	11/13/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
040/04243-000-000 LOT 6 WILSON T SMITHS SUB DIV OF LT 2 DEANS 2ND SUB DIV OF OUTLOTS	29-02425-00	827 BUCHANAN ST T - SEE, RODNEY E	11/13/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
060/08755-000-000 LOTS 134 & 135 WILLOUGHBY PLACE	29-02426-00	2323 E 23RD ST T - KRISMAN, PATRICIA A T - KRISMAN, STEVEN J C - REIFSCHNEIDER, ERIN L	11/13/2019 Rental Inpection	\$428.50	\$35.00 \$35.00	\$463.50
010/02546-000-000 PRT LT 34 S & ADJ & LT 15 HARTFORD PLACE	29-02427-00	345 HARTFORD AVE T - AMY LLC, C - A M Y LLC,	08/14/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50

ASSESSMENT SCHEDULE NO: 2020-01

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DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
020/01091-038-015 LOT 15 SFIFTY5 PLAT 1	29-02428-00	555 SW 7TH ST UNIT 15 T - HRC 7TH STREET LLC,	10/09/2019 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50
110/06812-000-000 S 50F LOT 2 OP LOT 15 OP OF GOVT LOTS 1 & 2 SEC 35-79-24	29-02429-00	1359 PENNSYLVANIA AVE T - CELAYA, RAUL T - CARRIZOSA, HERMELINDA C	01/13/2016 Rental Inpection	\$3,942.50	\$35.00 \$35.00	\$3,977.50
120/04524-000-000 LOT 65 SHERIDAN PLACE	29-02430-00	925 FRAZIER AVE T - J&J ENTERPRIZES LLC, T - DUMOND, JEFFREY	10/09/2019 Rental Inpection	\$399.50	\$35.00 \$35.00	\$434.50
040/01264-000-000 S 1/2 LOT 9 BLK 40 TOWN OF DE MOINE	29-02431-00	410 SE 9TH ST T - GLENN, STEPHEN P T - SAMANN LC, C - AMY LLC,	10/09/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
030/05516-000-000 W 75F S 40F LOT 17 BLK B WOODLAND PARK	29-02432-00	605 23RD ST T - MARGARET J CLASON (TRUST), T - CAPITAL VENTURES LLC, T - DAVID A CLASON (TRUST), T - CLASON (TRUSTEE), MARGARET J	10/09/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
040/06335-007-000 UNIT 203 BLDG OXFORD ROW VILLAGE PLACE CONDOMINIUMS	29-02433-00	324 E 6TH ST UNIT 203 BLDG OXFORD T - HOA DEVELOPMENT LLC,	10/09/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
080/02676-005-000 VAC N/S ALLEY W & ADJ S 118.65F LT 25 OP SW1/4 & W & ADJ LTS 5 THRU 9 GORDONS 1ST ADD TO DES MOINES EDMUNDSON & BOYDS ADD; AND S 118.65F W 122F LT 25 OP SW 1/4 SEC 34-79-24; AND LTS 5 THRU 8 GORDONS 1ST ADD TO DES MOINES	29-02434-00	1328 13TH PL T - LEGACY PARK LLLP,	12/11/2019 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50
100/12844-597-000 LOT 97 WESTCHESTER MANOR PLT 5	29-02435-00	4412 54TH ST T - JAMES, ANDREA M T - JAMES, JOSHUA A	12/11/2019 Rental Inpection	\$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
100/08904-000-000 LOT 29 MACS PLACE	29-02436-00	2012 52ND ST T - NATIONAL PLACE LLC,	12/11/2019 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
TOTALS				\$7,206.00	\$630.00	\$7,836.00