

Date March 9, 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. 2020-03, 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. 2020-03,*

**Date** March 9, 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: 2020-03

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 DATE 03/03/2020  
 TIME 7:48:28

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
060/08341-000-000 LOT 10 TIFFIN PLACE	29-02455-00	3220 HUBBELL AVE T - VM TRUST SERIES 1, T - ESTRADA, RODRIGO	01/08/2020 Rental Inspection	\$113.50	\$35.00 \$35.00	\$148.50
060/02502-000-000 LOT 6 BLK 4 EASTON PLACE PLAT NO 4	29-02456-00	2206 LAY ST T - SEE, RODNEY E	02/05/2020 Rental Inspection	\$167.50	\$35.00 \$35.00	\$202.50
040/01035-027-000 BLDG 3 UNIT 3 DEL RAY HEIGHTS CONDOS	29-02457-00	1120 E 6TH ST 3 T - HEILSKOV, PAMELA T - PRUE, ELIZABETH C - PRUE, ELIZABETH	02/05/2020 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
010/00857-000-000 LOT 576 1ST PLAT OF CLIFTON HGTS	29-02459-00	604 KIRKWOOD AVE T - DENMAR PROPERTIES LLC,	11/13/2019 Rental Inspection	\$193.50	\$35.00 \$35.00	\$228.50
120/05302-203-000 LOT 3 THE MEADOWLANDS PLAT 1	29-02460-00	2000 MEADOW CHASE LN BLDG 4 T - DSMIA LLLP,	11/13/2019 Rental Inspection	\$213.00	\$35.00 \$35.00	\$248.00
120/05302-203-000 LOT 3 THE MEADOWLANDS PLAT 1	29-02461-00	2000 MEADOW CHASE LN BLDG 2 T - DSMIA LLLP,	11/13/2019 Rental Inspection	\$322.00	\$35.00 \$35.00	\$357.00
120/05302-203-000 LOT 3 THE MEADOWLANDS PLAT 1	29-02462-00	2000 MEADOW CHASE LN BLDG 1 T - DSMIA LLLP,	11/13/2019 Rental Inspection	\$306.00	\$35.00 \$35.00	\$341.00
120/05302-203-000 LOT 3 THE MEADOWLANDS PLAT 1	29-02463-00	2000 MEADOW CHASE LN BLDG 3 T - DSMIA LLLP,	11/13/2019 Rental Inspection	\$455.00	\$35.00 \$35.00	\$490.00
120/05302-203-000 LOT 3 THE MEADOWLANDS PLAT 1	29-02464-00	2000 MEADOW CHASE LN BLDG 6 T - DSMIA LLLP,	11/13/2019 Rental Inspection	\$227.00	\$35.00 \$35.00	\$262.00
030/05655-000-000 LOT 100 WOODLAND PLACE	29-02465-00	714 27TH ST T - GUIDNER PROPERTIES LLC, T - WEIDNER-OETH, PATRICIA	11/13/2019 Rental Inspection	\$167.50	\$35.00 \$35.00	\$202.50

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120/05302-203-000 LOT 3 THE MEADOWLANDS PLAT 1	29-02466-00	2000 MEADOW CHASE LN BLDG 7 T - DSMIA LLLP,	11/13/2019 Rental Inpection	\$211.00	\$35.00 \$35.00	\$246.00
020/02225-005-000 -EX W 33F & S 40F- W 1/2 LTS 7 & 8 BLK 17 SOUTH FORT DES MOINES	29-02467-00	13 E LIVINGSTON AVE T - MR & JW MAURO LLC,	12/11/2019 Rental Inpection	\$193.50	\$35.00 \$35.00	\$228.50
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	29-02468-00	4031 BERWICK DR LOT 164 T - YES COMPANIES EXP KEY LLC,	12/11/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
120/01369-017-000 20 X 24 GARAGE ON LEASED LAND BNG -EX E 649F NE 1/4- E 50A N 1/2 SE 1/4 SEC 23-78-24; AND 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 PARK PLACE	29-02469-00	1880 SWAN LAKE CIR 20 T - YES HOMESALES EXP LLC,	12/11/2019 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
030/00038-000-000 N 5F LT 13 & ALL LT 14 IRA W ANDERSONS COTTAGE GROVE ADD	29-02470-00	964 23RD ST T - CULPEPPER, NANCY T - WATKINS, MAXINE T - BANKS, CAROL A T - WATKINS, CLIFFORD J T - WOODS, TEKETHA	12/11/2019 Rental Inpection	\$162.00	\$35.00 \$35.00	\$197.00
120/04896-000-000 W 63 F N 138 F LOT 15 SOUTH MEADOWS	29-02471-00	401 E WALL AVE T - MMB INVESTMENTS LLC, T - BRAGG, NANCY R	01/08/2020 Rental Inpection	\$203.50	\$35.00 \$35.00	\$238.50

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100/05683-003-000 LOT 3 GROVE PARK PLAT 2	29-02474-00	3618 48TH PL T - THOMPSON, LESLY A	02/12/2020 Rental Inpection	\$182.00	\$35.00 \$35.00	\$217.00
100/05803-000-000 W 70 F LOT 78 HALLETT ACRES	29-02475-00	3436 MADISON AVE T - 3436 LLC,	02/12/2020 Rental Inpection	\$138.50	\$35.00 \$35.00	\$173.50
100/06076-000-000 LOT 14 HICKMAN HEIGHTS	29-02476-00	2022 36TH ST T - SABINA-STRATTON, ANNA T - STRATTON, ANNA	02/12/2020 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50
030/01492-000-000 S 45 F LOT 48 & 49 DRAKE UNIVERSITY 3RD ADD	29-02477-00	1103 24TH ST T - DEVICK, SARAH E T - DEVICK, SHANE J	02/12/2020 Rental Inpection	\$284.00	\$35.00 \$35.00	\$319.00
100/00594-000-000 LOTS 76 & 77 BLK E AVIATION PARK	29-02478-00	4131 55TH ST T - DRUPPEL INVESTMENTS LLC,	02/12/2020 Rental Inpection	\$207.00	\$35.00 \$35.00	\$242.00
030/01499-003-000 N 37F LTS 54 & 55 DRAKE UNIVERSITY 3RD ADD	29-02479-00	1110 23RD ST T - LAUER, KELLY D T - LAUER, MICHAEL E	02/12/2020 Rental Inpection	\$112.50	\$35.00 \$35.00	\$147.50
080/03964-001-000 LOTS 3 & 4 LYNN DALE	29-02480-00	1615 LYNN ST T - CAMP 2 CAPITAL LLC,	02/12/2020 Rental Inpection	\$203.50	\$35.00 \$35.00	\$238.50
090/03662-000-000 W 15 F LOT 58 & E 45 F LOT 59 KINGMAN PLACE	29-02481-00	2832 BRATTLEBORO AVE T - KOSHY HOLDINGS LLC, C - MINISTRY PLACE LLC,	02/12/2020 Rental Inpection	\$175.00	\$35.00 \$35.00	\$210.00
100/00383-000-000 LOTS 38 & 39 BLK B AVIATION PARK	29-02482-00	4012 51ST ST T - REHAN FAMILY TRUST,	02/12/2020 Rental Inpection	\$167.50	\$35.00 \$35.00	\$202.50
080/04974-000-000 LOT 52 NORTH WASHINGTON PLACE	29-02483-00	1618 MONDAMIN AVE T - GOOD EARTH REALTY LLC,	02/12/2020 Rental Inpection	\$718.50	\$35.00 \$35.00	\$753.50

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080/05865-000-000 S 50 F LOTS 1 & 2 ROSS ADD TO INGLE WOLD	29-02484-00	1814 16TH ST T - BBT RENTALS LLC,	02/12/2020 Rental Inspection	\$138.50	\$35.00 \$35.00	\$173.50
090/03047-000-000 N 73.26F LOT 48 HYPERION PARK	29-02485-00	4400 UNIVERSITY AVE T - ROILAND, PHYLLIS J	02/12/2020 Rental Inspection	\$136.00	\$35.00 \$35.00	\$171.00
TOTALS				\$5,926.00	\$980.00	\$6,906.00