



Date September 12, 2022

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. 2022-01, 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 (30) days of when due, or in the event of a timely appeal if not paid within ten (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 thirty (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 ten (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,



Roll Call Number

Agenda Item Number

14

Date September 12, 2022

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. 2022-01, 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 9.00% 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, 2023, 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 fall or in part and without interest within thirty (30) 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 (15) days after the date of such certification. On or before the second publication of the Notice the Neighborhood Services 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. Second by _____

Form APPROVED: Judy K. Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney I

SLN pw

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<p style="text-align: center;">CERTIFICATE</p> <p>I, Laura Baumgartner, 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.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</p>
COWNIE					
BOESEN					
GATTO					
MANDELBAUM					
SHEUMAKER					
VOSS					
WESTERGAARD					
TOTAL					

MOTION CARRIED APPROVED

_____ Mayor

_____ City Clerk

ASSESSMENT SCHEDULE NO: 2022-01

Rental Inspection

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782402277007 W 39 F LOT 21 BLK 23 SUNNYSIDE ADDITION	RNTC-2022-000690	2101 E GRAND AVE T - DANIEL DOYLE, REG. AGENT	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782406154015 LOT 114 CAMPBELL PLACE	SPEC-2022-000096	906 39TH ST T - CALVIN JOHANSEN T - VISUAL HOUSE LLC	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
782414453002 UNIT 2 LT 78 FOREST VIEW CONDO	SPEC-2022-000028	2951 SE 19TH ST 2 T - AYEESHA ALI	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782416302009 LOT 131 ROSEBUD PLAT 2	SPEC-2022-000014	1333 CRESTON AVE T - MATT MAURO	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782421180029 LOT 49 WATROUS PARK	SPEC-2022-000015	3618 SW 9TH ST T - CONNIE MARTURELLO	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782421228003 LOT 34 WHITEWOOD KNOLL	SPEC-2022-000016	3209 SW 2ND ST T - BRYAN S WITHERWAX, REG. AGENT	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
782423426040 -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	SPEC-2022-000020	1880 CAMDEN CT 44 T - CORPORATION SERVICE COMPANY	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50

782425307051 UNIT 51 BLDG 4 GAR 51 THE VINEYARDS II AT CARMAN ESTATES	SPEC-2022-000027	5801 SE 24TH ST 51	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - CHARLES GOODALL								
782428352018 LOT 12 NYSEWANDER ACRES	SPEC-2022-000017	6103 SW 13TH PL	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
T - ERIC ESTES								
782434451015 -EX RD & N 742.5F & PARS C & E BOOK 7890 PAGE 479 & PARS F THRU J BOOK 8530 PAGE 817 & W 463F N 85F S 118F- W1/4 SE1/4 SEC 34-78-24	SPEC-2022-000023	802 E COUNTY LINE RD 280	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
T - CORPORATION SERVICE COMPANY, REG. AG								
782511228002 LOT 2 CLELAND PLACE	SPEC-2022-000008	340 59TH ST	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
T - OLEN R HOMME								
792422476004 LOT 22 BLK 8 HIGHLAND PARK	SPEC-2022-000001	3939 6TH AVE	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
T - ROBERT NGUYEN								
792423333013 S 5 F LT 2 & ALL LT 3 MADISON GARDENS	RNTC-2022-000081	4028 NORTH UNION ST	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
T - KYLE J KINNING & KAYDEE J KINNING								
792427427003 LOT 137 BLK 6 LAKE PARK	RNTC-2021-000638	2911 5TH AVE	Yes	Rental Inspection	0	\$293.00	\$35.00	\$328.00
T - LA DONDRA TAYLOR AKA LA DONDRA MOON								
792432380013 E 50F W 93.83F S 150F LT 60 CHETWYND	SPEC-2022-000097	3831 UNIVERSITY AVE	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
T - APPLE HOUSE PROPERTIES LLC								
TOTALS:						\$1,762.00	\$525.00	\$2,287.00