



**Date** January 09, 2023

**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. 2023-01, 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**

12

**Date** January 09, 2023

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. 2023-01, 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. Parke-Kruse  
Judy K. Parke-Kruse  
Assistant City Attorney I

SLN <sub>plw</sub>

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<p style="text-align: center;"><b>CERTIFICATE</b></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: 2023-01

Rental Inspection

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782406232007 LOT 55 KINGMAN PLACE	RNTC-2022-000973	2810 BRATTLEBORO AVE T - STEVEN SEE	Yes	Rental Inspection	0	\$149.50	\$35.00	\$184.50
782417453037 UNIT 505 THE PARK FLEUR	SPEC-2022-000210	3131 FLEUR DR 505 T - ISAK SIVI	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782420427002 -EX E 3 F- LT 8 & -EX W 15 F- LT 9 WAKONDA MANOR	SPEC-2022-000214	1508 WATROUS AVE T - ANTHONY R LYMAN	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782422201019 E 65F S 39F LOT 2 & E65F LOT 3 COLE PLACE	SPEC-2022-000226	600 E HUGHES AVE T - PAMELA S BUTLER	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
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-2022-000201	4200 KENSINGTON DR 3 T - CORPORATION SERVICE COMPANY, REG. AG	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
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-2022-000222	4111 WINDSOR PL 75 T - CORPORATION SERVICE COMPANY	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50

782435428026 UNIT 308 THE MEADOWLANDS CONDOMINIUMS	SPEC-2022-000223	2100 MEADOW CHASE LN 308  T - ASHOK KUMAR	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
792321251006 BEG NW COR LT 12 THN S APROX 300F E TO E LN LT 8 NWLY TO SE COR LT 12 NW 151.65F W 224.67F TO POB LTS 8,9 10 & 12 CAPITOL HEIGHTS REPLAT	RNTC-2022-001243	4214 HUBBELL AVE  T - JAMES ROBBINS	Yes	Rental Inspection	0	\$1,534.00	\$35.00	\$1,569.00
792428179015 LOT 26 WELBECK TERRACE	SPEC-2022-000198	3108 M L KING JR PKWY  T - WILLIAM J MOYER	Yes	Rental Inspection	0	\$2,356.00	\$35.00	\$2,391.00
<b>TOTALS:</b>						<b>\$4,616.50</b>	<b>\$315.00</b>	<b>\$4,931.50</b>