



Date April 10, 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. 2023-04, 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,

Date April 10, 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. 2023-04, 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, 2024, 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: Thomas G. Fisher Jr.
Thomas G. Fisher Jr. (Apr 4, 2023 13:40 CDT)

 Thomas G. Fisher Jr.
 Deputy City Attorney



COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	CERTIFICATE
COWNIE					
BOESEN					
GATTO					
MANDELBAUM					
SHEUMAKER					
VOSS					
WESTERGAARD					
TOTAL					

MOTION CARRIED APPROVED

_____ Mayor

_____ City Clerk

ASSESSMENT SCHEDULE NO: 2023-04

Rental Inspection

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 DATE 3/30/2023
 TIME 12:01:19PM

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782410476037 PARCEL F BOOK 12654 PAGE 46 LT 12 & LTS 13, 14, 15 & 22 THRU 25 & S 290F LTS 32 THRU 35 & W 188F & N 8F E 50F W 238F LT 44 & E 60F & N8F E120F LT 45 & E120F LT 46 & W 188F LT 47 & S 620F LT 48 VALENTINE	SPEC-2023-000087	1204 HARTFORD AVE BLDG E T - CHIP LOWE	Yes	Rental Inspection	0	\$263.50	\$35.00	\$298.50
792431107038 N 1/2 LT 13 RYDERS PLACE	SPEC-2023-000064	1924 53RD ST T - CHAD DANIEL, REG. AGENT	Yes	Rental Inspection	0	\$137.00	\$35.00	\$172.00
792434260040 LT 2 & E 15 F LT 1 OP LT 46 OAKLAND	RNTC-2022-001377	1600 OAKLAND AVE T - REIKE PLECAS	Yes	Rental Inspection	1	\$978.00	\$35.00	\$1,013.00
792434332016 N 40 F LOT 5 BLK 2 HARLAN AND TUBBS REPLAT	SPEC-2023-000067	1426 10TH ST T - RICARDO SEGURA	Yes	Rental Inspection	1	\$113.50	\$35.00	\$148.50
TOTALS:						\$1,492.00	\$140.00	\$1,632.00