



Date December 18, 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. 2023-11, 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 December 18, 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. 2023-11, 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 full 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: /s/ Thomas G. Fisher Jr.
 Thomas G. Fisher Jr.
 Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
Mayor				

CERTIFICATE

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.

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: 2023-11

Rental Inspection

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782403202008 LOT 22 GENESERS ADDITION	SPEC-2023-000547	915 FILMORE ST T - EMRAAN M ALI	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782405131006 S 74.38F LOT 7 BLK 2 COTTAGE GROVE	SPEC-2023-000553	1065 22ND ST T - OMER ALI	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
782405256004 LOTS 10,11,12 BLK 1 GLENDALE	SPEC-2023-000555	933 18TH ST T - STEVEN LONG, REG. AGENT	Yes	Rental Inspection	0	\$365.50	\$35.00	\$400.50
782405261007 LOT 77 & N 35 F LOT 78 T E BROWNS ADD	RNTC-2023-000821	930 18TH ST T - KENNEY L LINHART T - MAXWELL MIDWEST HOLDING COMPANY LLC	Yes	Rental Inspection	0	\$168.50	\$35.00	\$203.50
782405280002 LT 1 OAKRIDGE PLAT 1	RNTC-2021-000126	926 OAKRIDGE DR BLDG 205 T - PATRICIA PALMER	Yes	Rental Inspection	0	\$263.50	\$35.00	\$298.50
782406380028 S 220 F LOT 28 OP SE 1/4 SW 1/4 SEC 6-78-24	RNTC-2023-000776	3605 GRAND AVE T - ED BEHRMAN, REG. AGENT	Yes	Rental Inspection	0	\$391.50	\$35.00	\$426.50
792329101015 -EX E 13F- E 100.46F N 130F LT 1 EDWARDS PLACE	RNTC-2022-001976	3025 E DOUGLAS AVE T - DONG XU BI T - PING FENG	Yes	Rental Inspection	0	\$244.00	\$35.00	\$279.00
792331401047 W 157.13F E 288.8F LT 15 SUB DIV LT 9 OP E 1/2 SEC 31-79-23	RNTC-2023-000606	1332 E 26TH CT T - HUGO J MOLINA ORTIZ T - JESSICA MOLINA	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50

792426202007 LOT 32 CAMPUS PARK	RNTC-2023-000511	3621 E 7TH ST T - PEDRO E BARAHONA	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
792427103018 LOT 46 SOUTH OAK PARK	RNTC-2023-000761	1411 OAK PARK AVE T - BRAD COWGER, OWNER	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
792428104007 -EX S 20F- LOT 14 EUCLID HEIGHTS	RNTC-2023-000976	2816 EUCLID AVE T - JORDAN BOLEY, PRESIDENT	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
792431104024 LOT 40 JANS PLACE	RNTC-2023-001056	5711 FRANKLIN AVE T - NORMAN MANKEN III	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
792431428008 LOT 27 WHITCOMB	RNTC-2023-000892	1519 46TH ST T - MKC HOLDINGS LLC	Yes	Rental Inspection	0	\$168.50	\$35.00	\$203.50
792434478020 LOTS 3 & 4 RUTHERFURD HEIGHTS	RNTC-2023-001066	1320 2ND AVE T - FLORENCIO ESTRADA T - PAULA ESTRADA		Rental Inspection	0	\$142.50	\$35.00	\$177.50
792436377031 LOT 209 WITMERS	RNTC-2022-001487	1335 MCCORMICK ST T - DUKAN D PAL AKA DUKAN B DREW AKA DUKA	Yes	Rental Inspection	3	\$178.50	\$35.00	\$213.50
792536279012 LOT 48 FRANKLIN PARK	SPEC-2023-000552	1808 59TH ST T - ANGELA MILLER T - THOMAS MILLER	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
TOTALS:						\$2,890.00	\$560.00	\$3,450.00