

Date ..... March 8, 2021 .....

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. 2021-03, 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,

Date March 8, 2021


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. 2021-03, 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, 2021, 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:   
 Judy K. Parks-Kruse  
 Assistant City Attorney I

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

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## ASSESSMENT SCHEDULE NO: 2021-03

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DATE 03/01/2021  
TIME 9:04:22

Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
050/00331-000-000 GEO-7824-12-134-009 LOT 12 BLK 2 CHESTERFIELD	29-02611-00	2500 ONAWA ST T - GRIMES, SUSAN M T - GRIMES, JERRY	Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
060/08755-000-000 GEO-7923-30-380-005 LOTS 134 & 135 WILLOUGHBY PLACE	29-02612-00	2323 E 23RD ST T - KRISMAN, PATRICIA A T - KRISMAN, STEVEN J C - REIFSCHNEIDER, ERIN L	01/13/2021 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
070/02792-000-000 GEO-7924-22-355-014 LOT 161 L M MANNS 1ST ADD TO OAK PK	29-02613-00	3840 15TH ST T - ANCHOR BOLT LLC,	01/13/2021 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
060/05287-000-000 GEO-7923-30-403-016 W 60 F LOT 205 GRAND VIEW HTS PLAT 2	29-02615-00	2609 GRANDVIEW AVE T - JONES, LINDA T - NGUYEN, TARA T - KARAIIDOS, RANDY	02/10/2021 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
060/07260-000-000 GEO-7923-32-153-035 S 269.5 F LOT 4 OSCEOLA	29-02616-00	2928 E WASHINGTON AVE T - HENDERSON, MEGAN T - HENDERSON, CHRISTOPHE C - ZUNIGA, MANUEL	02/10/2021 Rental Inspection	\$112.50	\$35.00 \$35.00	\$147.50
040/02154-000-000 GEO-7824-02-259-006 E 54.4F W 104.4F N 42F LOT 16 OP NE 1/4 SEC 2-78-24; AND E 54.4F LOT 2 BLK C EAST PARK PLACE	29-02618-00	1819 LOGAN AVE T - ANDURIL LLC,	02/10/2021 Rental Inspection	\$222.50	\$35.00 \$35.00	\$257.50
090/03661-000-000 GEO-7824-06-232-005 W 40 F LOT 57 & E 35 F LOT 58 KINGMAN PLACE	29-02619-00	2830 BRATTLEBORO AVE T - LOPEZ, COLE T - GUERRA, LIA	Rental Inspection	\$136.00	\$35.00 \$35.00	\$171.00
100/05347-000-000 GEO-7924-20-305-015 E 100 F LOT 119 GLEN ECHO	29-02620-00	4016 43RD ST T - SIBLEY, LINDA	Rental Inspection	\$207.00	\$35.00 \$35.00	\$242.00
030/04870-001-000 GEO-7824-05-205-011 N 24F LT 73 & S23F LT 74 TIDRICKS ADDITION	29-02621-00	1065 21ST ST T - UNITED FED SAV & LN ASN, C - CAPPuccio, WILLIAM C - BANDURSKI, WILLIAM	Rental Inspection	\$249.00	\$35.00 \$35.00	\$284.00

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PAGE 2  
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Emergency: Rental Inspection

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
030/04931-000-000 GEO-7824-05-111-010 LOT 194 UNIVERSITY LAND COS 1ST ADDITION	29-02622-00	1020 25TH ST T - KOSHY HOLDINGS LLC, T - VOGEL, PATRICIA C C - KOSHY HOLDINGS LLC,	Rental Inpection	\$348.00	\$35.00 \$35.00	\$383.00
090/02468-000-000 GEO- 7825-01-379-018 -EX E 5F- LOT 15 ORP LOTS 19 THRU 24, 37 THRU 40, 42 & 43 GRAND AVE HEIGHTS	29-02623-00	5127 SHRIVER AVE T - WILLIAMS, CHAD L T - WILLIAMS, KAREN C	Rental Inpection	\$136.00	\$35.00 \$35.00	\$171.00
080/05309-000-000 GEO-7924-34-254-008 LOT 2 BLK 14 POLK COUNTY HOMESTEAD & TRUST CO ADD	29-02624-00	1724 8TH ST T - WU, WENYAN T - CHEN, JIE	Rental Inpection	\$246.00	\$35.00 \$35.00	\$281.00
090/03743-000-000 GEO-7824-06-234-008 LOT 145 KINGMAN PLACE	29-02625-00	2814 RUTLAND AVE T - NEWCOMB, ADAM D	Rental Inpection	\$167.50	\$35.00 \$35.00	\$202.50
080/00149-000-000 GEO-7924-34-227-023 ALL LOTS 11 & 12 E OF A LINE DRAWN FROM A PT 4 FT E OF NW COR LOT 11 TO A PT 15.3 FT E OF SW COR LOT 12 ARLINGTON PLACE	29-02626-00	319 FRANKLIN AVE T - JR TT LLC,	Rental Inpection	\$854.00	\$35.00 \$35.00	\$889.00
TOTALS				\$3,128.50	\$490.00	\$3,618.50