



Roll Call Number

Agenda Item Number

15

Date December 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. 2022-04, 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,



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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. 2022-04, 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, 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

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

MOTION CARRIED

APPROVED

Mayor

City Clerk

ASSESSMENT SCHEDULE NO: 2022-04

Rental Inspection

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782305102013 UNIT 13 KNOB HILL CONDOMINIUMS	RNTC-2022-001328	4045 E UNIVERSITY AVE T - RAMON TAVERAS & DIONY REYNA	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782401205023 LOT 15 BLK 12 FARWELL PLACE	RNTC-2022-001081	2636 LYON ST T - BRAD COWGER, OWNER	Yes	Rental Inspection	0	\$282.00	\$35.00	\$317.00
782404469009 UNIT 302 KIRKWOOD COMMONS CONDOMINIUMS	SPEC-2022-000157	400 WALNUT ST 302 T - BRANDON & KAITLIN BOHLENDER	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
782409481021 E 35F LOT 16 & W 1/2 LOT 17 & N1/2 ALLEY LYNG S OF & ADJ PALMER PLACE	SPEC-2022-000181	608 PALMER PL T - JEFF CLAYTON	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782414401110 W 33F LOT 34 PARK FOREST PLAT 3	SPEC-2022-000195	1918 E BELL AVE T - SHULIN FENG RAN FU	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782414451076 E 1/2 LT 1 FOREST PARK MANOR	SPEC-2022-000148	1830 E PARK AVE T - RICHARD CITARELLA	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
792328253015 -EX W 5F- & -EX E 35.07F- LOT 14 PATRICIA ANN ESTATES PLAT 1	RNTC-2022-001285	4230 BOYD ST T - DOUGLAS E BOYLES	Yes	Rental Inspection	0	\$345.00	\$35.00	\$380.00
792426181004 LOT 24 BLK 23 AUBURN HEIGHTS PLT 1	RNTC-2022-001281	3117 COLUMBIA ST T - ANTHONY L LYNE	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
792431279037 LOT 5 PERKINS PLAT 2	SPEC-2022-000193	1628 44TH ST T - ADAM STEGGE	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50

792434277036 LOTS 5 & W 1/2 LOT 6 OAKDALE	RNTC-2022-000991	229 COLLEGE AVE	Yes	Rental Inspection	0	\$354.00	\$35.00	\$389.00
		T - LOGAN E JEWETT						
792434403021 S 37 F LOT 2 & N 23 F LOT 3 COR OP N 236 F S 266 F- EX E 30 F- LOT 43 OP GOVT LT 3 & SE 1/4 SEC 34-79-24	SPEC-2022-000174	1512 6TH AVE	Yes	Rental Inspection	0	\$149.50	\$35.00	\$184.50
		T - MARY LE T - SABER KHAN						
TOTALS:						\$1,841.00	\$385.00	\$2,226.00