

Date January 23, 2023

ABATEMENT OF PUBLIC NUISANCE AT 1439 E OVID AVENUE

WHEREAS, the property located at 1439 E Ovid Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, Nia Boggess, and Mortgage Holders, Mortgage Electronic Registration Systems, Inc. and HomeServices Lending, LLC, were notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 3 in CERTAINTY PLACE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 1439 E Ovid Avenue, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by _____ to adopt.
Second by _____

FORM APPROVED:



Molly E. Tracy, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
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

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	1439 E OVID AVE				
City	DES MOINES	Zip	50316	Jurisdiction	Des Moines
District/Parcel	110/01519-000-000	Geoparcels	7924-25-151-010	Status	Active
School	Des Moines	Nbhd/Pocket	DM07/Z	Tax Authority Group	DEM-C-DEM-77131
TIF	103/Des Moines NE Gateway 2 UR	Submarket	Northeast Des Moines	Appraiser	Joseph Peterson 515-286-3011

Map and Current Photos - 1 Record

Click on parcel to get a new listing

1424 1438
E OVID AVE
1423 1425 1429 1431 1435 1439 1443 1447 3317
E 15TH ST
1422 1428 1432 1436 1438 1440 1442 1446 3305 1504

[Bigger Map](#) [Polk County GIS](#)
[Google Map](#) [Pictometry](#)



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	BOGCESS, NIA	2019-05-01	17310/217

Legal Description and Mailing Address

LOT 3 CERTAINTY PLACE	NIA BOGCESS 1439 E OVID AVE DES MOINES, IA 50316-1322
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Current Values

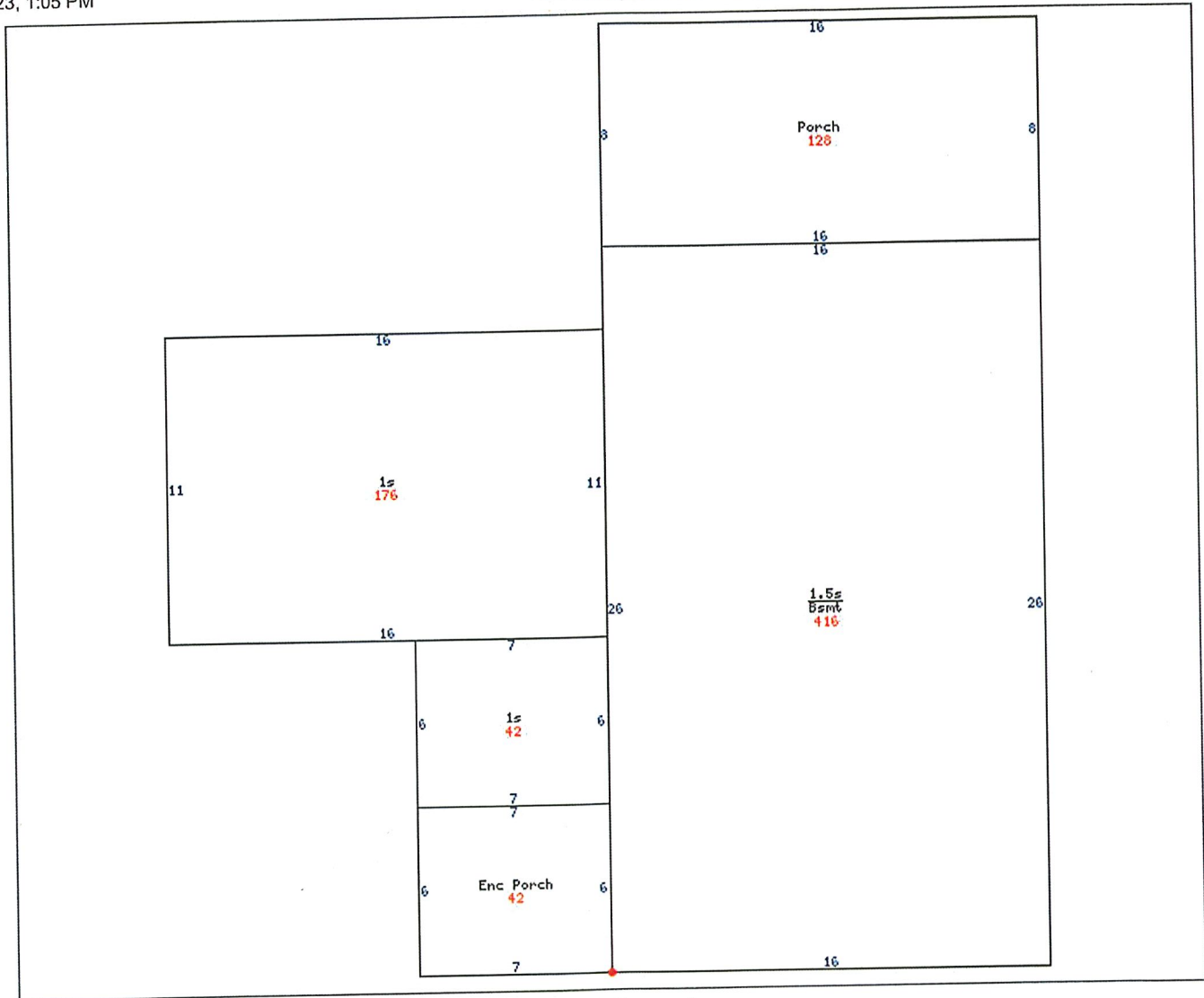
Type	Class	Kind	Land	Bldg	Total
2022 Value	Residential	Full	\$19,400	\$120,400	\$139,800

Market Adjusted Cost Report

Auditor Adjustments to Value

Category	Name	Information
2022 Homestead Credit	BOGCESS, NIA	Application #402869

Zoning - 1 Record					
Zoning	Description		SF	Assessor Zoning	
N5	N5 Neighborhood District			Residential	
<i>City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)</i>					
Land					
Square Feet	6,533	Acres	0.150	Frontage	47.0
Depth	139.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		
Residences - 1 Record					
Residence #1					
Occupancy	Single Family	Residence Type	1.5 Stories	Building Style	Early 20s
Year Built	1895	Number Families	1	Grade	5+10
Condition	Very Good	Total Square Foot Living Area	913	Main Living Area	634
Upper Living Area	279	Basement Area	416	Open Porch Area	128
Enclosed Porch Area	42	Foundation	Brick	Exterior Wall Type	Vinyl Siding
Roof Type	Gable	Roof Material	Asphalt Shingle	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Number Toilet Rooms	1
Number Extra Fixtures	2	Bedrooms	3	Rooms	6



Sales - 9 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
ESTRADA, FLORENCIO	BOGCESS, NIA	2019-04-28	\$133,000	Deed	17310/217
TIN INVESTMENTS LLC	ESTRADA, FLORENCIO	2018-05-29	\$23,000	Deed	16946/386
OHP 79 LC	TIN INVESTMENTS LLC	2017-12-06	\$17,000	Deed	16768/434
PARK SEVEN LLC	MMB INVESTMENTS, LLC	2013-06-14	\$3,500	Deed	14932/890
CPI HOUSING FUND, LLC	PARK SEVEN, LLC	2012-02-15	\$6,000	Deed	14217/310
DEUTSCHE BNK NTL TRST CO TRUSTEE	CPI HOUSING FUND LLC	2011-07-08	\$9,000	Deed	13910/236

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
FALCON INVESTMENTS, LLC	HILL, RICHARD O.	2001-10-30	\$54,900	Deed	9060/700
THE WOLFORD CORP	HILL, RICHARD	1998-01-20	\$54,990	Contract	7996/618
WILSON, LELAM	THE WOLFORD CORPORATION	1997-11-12	\$30,000	Deed	7768/557

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
ESTRADA, FLORENCIO ESTRADA, PAULA	BOGGESS, NIA	2019-04-28	2019-05-01	Warranty Deed	17310/217
TIN INVESTMENTS LLC	ESTRADA, FLORENCIO	2018-05-30	2018-06-04	Warranty Deed	16946/386
OHP 79 LC	TIN INVESTMENTS LLC	2017-12-06	2017-12-20	Quit Claim Deed	16768/434
TAX PARTNERSHIP 66 LLC	OHP 79 LC	2017-07-25	2017-08-01	Quit Claim Deed	16585/916
MALONEY, MARY (Treasurer)	TAX PARTNERSHIP 66 LLC	2017-06-29	2017-07-03	Tax Sale Deed	16546/763
PARK SEVEN LLC	MMB INVESTMENTS LLC	2013-06-14	2013-08-26	Warranty Deed Corporate	14932/890
CPI HOUSING FUND, LLC	PARK SEVEN, LLC	2012-02-15	2012-04-02	Quit Claim Deed	14217/310

Permits - 5 Records

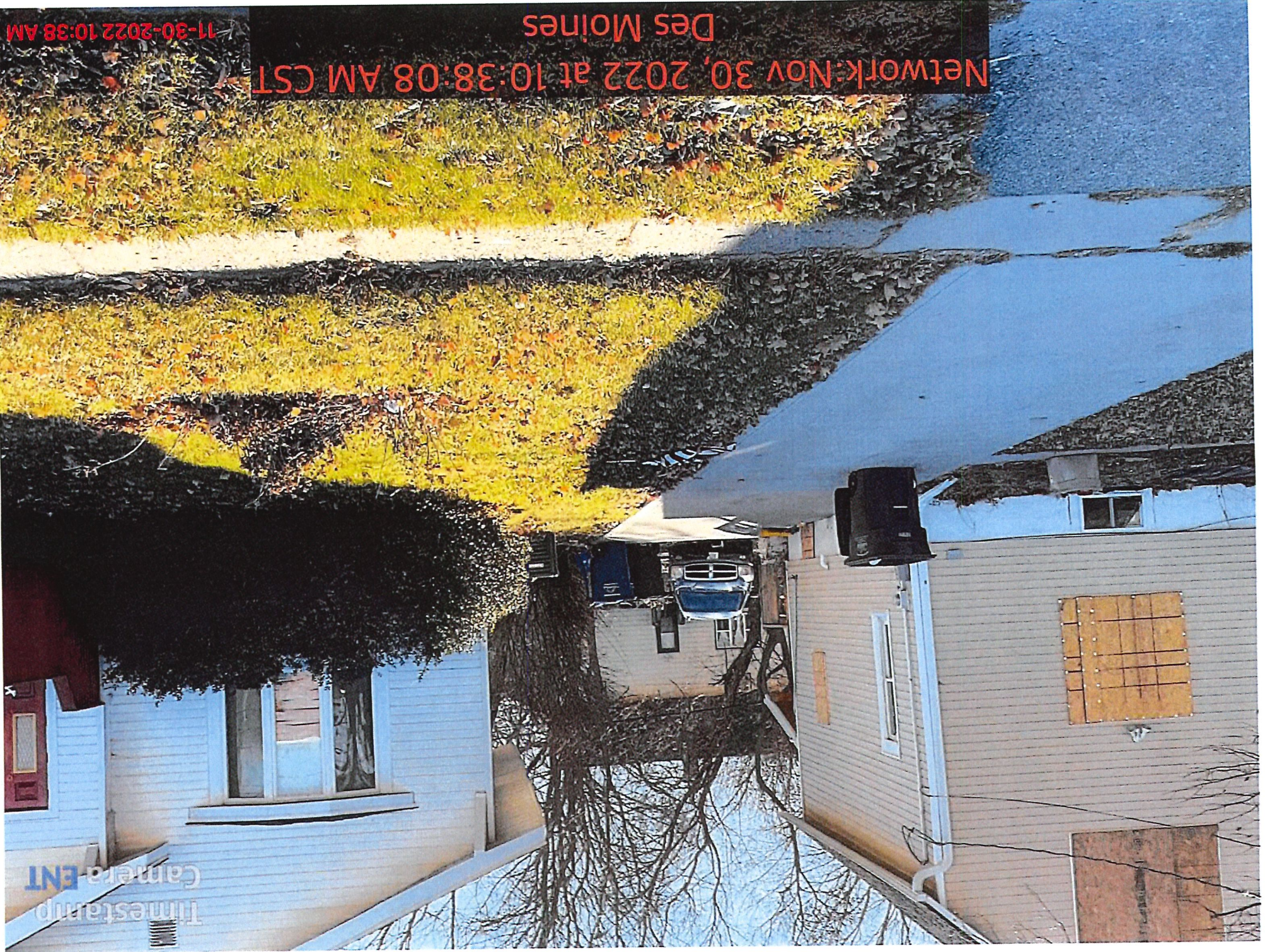
Year	Type	Permit Status	Application	Reason	Reason1
2020	Pickup	Complete	2018-06-13	Review Value	CHECK CONDITION
2019	Pickup	Partial	2018-06-13	Review Value	CHECK CONDITION
2017	Pickup	Complete	2016-06-15	Review Value	CHECK CONDITION
1999	Pickup	Complete	1999-02-04	Addition	AIR CONDITIONING
1996	Pickup	Cancel	1995-12-01	Addition	AIR CONDITIONING

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$19,400	\$120,400	\$139,800
2020	Assessment Roll	Residential	Full	\$16,900	\$105,300	\$122,200
2019	Assessment Roll	Residential	Full	\$16,900	\$62,400	\$79,300
2017	Assessment Roll	Residential	Full	\$15,700	\$19,600	\$35,300

Yr	Type	Class	Kind	Land	Bldg	Total
2015	Assessment Roll	Residential	Full	\$14,300	\$46,700	\$61,000
2013	Board Action	Residential	Full	\$14,200	\$47,400	\$61,600
2013	Assessment Roll	Residential	Full	\$14,200	\$47,900	\$62,100
2011	Assessment Roll	Residential	Full	\$14,200	\$47,300	\$61,500
2009	Assessment Roll	Residential	Full	\$14,000	\$44,600	\$58,600
2007	Assessment Roll	Residential	Full	\$14,000	\$44,600	\$58,600
2005	Assessment Roll	Residential	Full	\$12,300	\$58,000	\$70,300
2003	Assessment Roll	Residential	Full	\$10,940	\$50,820	\$61,760
2001	Assessment Roll	Residential	Full	\$10,190	\$42,150	\$52,340
1999	Assessment Roll	Residential	Full	\$8,680	\$40,320	\$49,000
1997	Assessment Roll	Residential	Full	\$8,310	\$25,370	\$33,680
1995	Assessment Roll	Residential	Full	\$7,330	\$22,380	\$29,710
1993	Assessment Roll	Residential	Full	\$6,490	\$19,820	\$26,310
1991	Assessment Roll	Residential	Full	\$6,490	\$18,880	\$25,370
1991	Was Prior Year	Residential	Full	\$6,490	\$17,120	\$23,610

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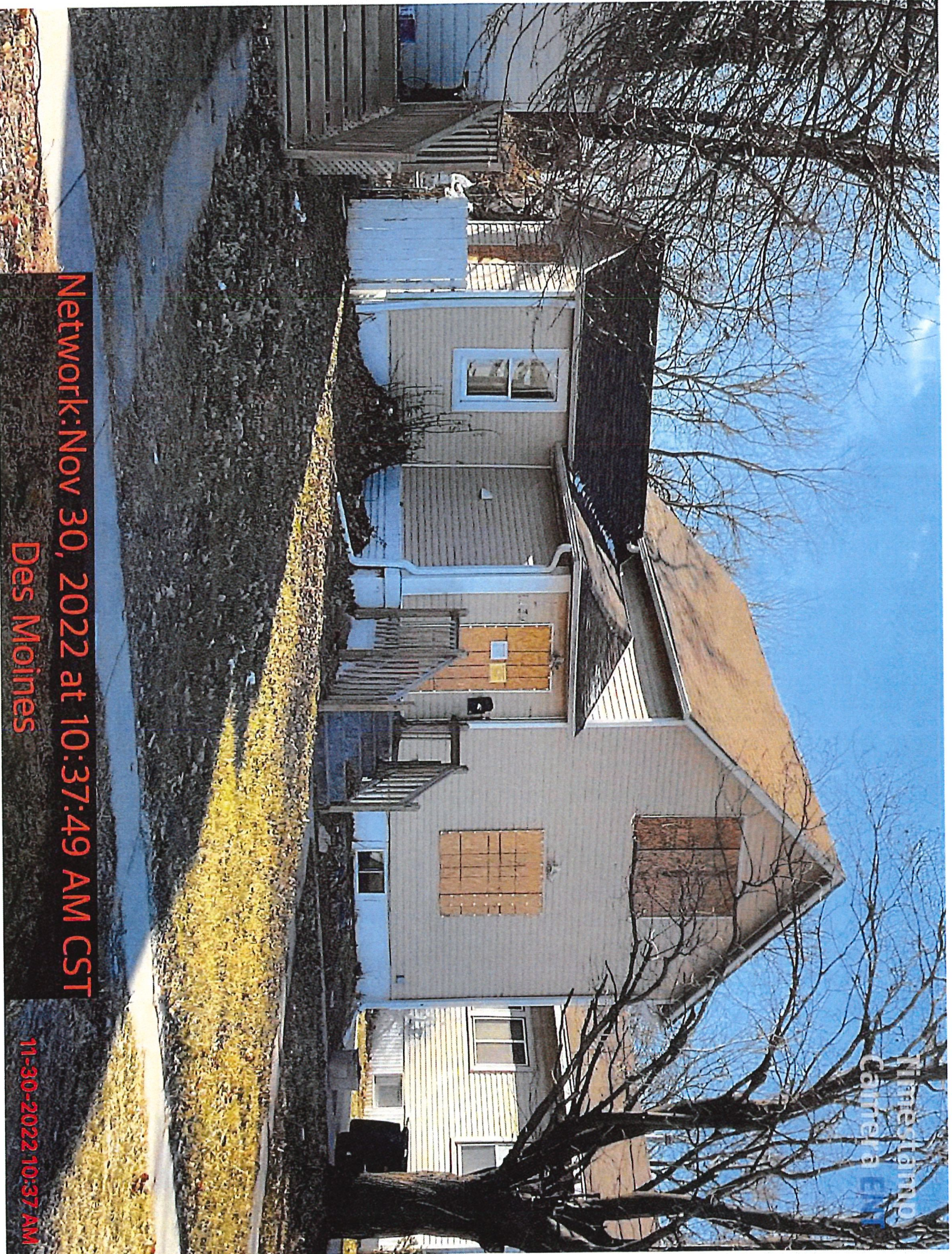


11-30-2022 10:38 AM

Network: Nov 30, 2022 at 10:38:08 AM CST
Des Moines

Timestamp
Camera ENT

23A



TimeStamp
Camera ID

Network: Nov 30, 2022 at 10:37:49 AM CST
Des Moines

11-30-2022 10:37 AM

23A



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

	Case Number: NUIS-2022-000169
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 08/05/2022
	Date of Notice: 09/23/2022
	Date of Inspection: 09/16/2022

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC
CT CORPORATION SYSTEM, REG. AGENT
4701 COX ROAD STE. 285
GLEN ALLEN VA 23060

Address of Property: 1439 E OVID AVE, DES MOINES IA 50316
Parcel Number: 792425151010

Legal Description:

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
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Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p> <p>*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.</p> <p>*IF CHOSEN TO DEMOLISH, PERMIT MUST BE PULLED AND FINALIZED.</p>	10/28/2022
<p>60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.</p> <p>*HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.</p>	10/28/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(12) - Dangerous Structure or Premise - Abandoned Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.</p>	10/28/2022
<p>60-192(14) - Unsafe or dangerous structure Unsafe equipment including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within in the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the unsafe equipment OR demolish the structure.</p> <p>*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR.</p> <p>*HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.</p>	10/28/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(15) - Unsafe or dangerous structure Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the unsafe or unlawful structure OR demolish the structure.</p> <p>*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.</p> <p>*REPLACE ALL SMOKE DETECTORS PER CODE AFTER FIRE.</p> <p>*ANY UNSANITARY CONDITIONS SHOULD BE CORRECTED AND STRUCTURE CLEANED TO ENSURE HEALTH AND SAFETY OF OCCUPANTS BEFORE STRUCTURE IS REOCCUPIED.</p>	10/28/2022
<p>60-192(2) - Dangerous Structure or Premise - Walking Surface For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn or loose, torn or otherwise unsafe so as to not provide safe and adequate means of egress.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.</p>	10/28/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Dangerous Structure or Premise - Damaged</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p> <p>*REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.</p> <p>*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.</p> <p>*GAS SERVICE HAS BEEN SHUT OFF NEED LICENSED MECHANICAL CONTRACTOR TO VERIFY SAFETY OF MECHANICAL SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.</p> <p>*REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.</p>	10/28/2022
<p>60-192(6) - Dangerous Structure or Premise - Unsafe</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.</p>	10/28/2022
<p>60-194 - Defacing and Removing Placard</p> <p>No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	10/28/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES. Should you have any questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner.

If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org

23A



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Case Number: NUIS-2022-000169	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 08/05/2022
	Date of Notice: 09/23/2022
	Date of Inspection: 09/16/2022

HOMESERVICES LENDING LLC
C T CORPORATION SYSTEM, REG. AGENT
400 E COURT AVE
DES MOINES IA 50309

Address of Property: 1439 E OVID AVE, DES MOINES IA 50316
Parcel Number: 792425151010

Legal Description:

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Violation	Corrective Action	Compliance Due Date
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<p>60-192(2) - Dangerous Structure or Premise - Walking Surface For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn or loose, torn or otherwise unsafe so as to not provide safe and adequate means of egress.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.</p>	10/28/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(3) - Dangerous Structure or Premise - Damaged</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(3) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.</p> <p>*REPAIR OR REPLACE DAMAGE DECKING, RAILING, JOIST, BEAMS, HANDRAIL, AND STAIRS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.</p> <p>*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.</p> <p>*GAS SERVICE HAS BEEN SHUT OFF NEED LICENSED MECHANICAL CONTRACTOR TO VERIFY SAFETY OF MECHANICAL SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.</p> <p>*REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.</p>	10/28/2022
<p>60-192(6) - Dangerous Structure or Premise - Unsafe</p> <p>For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance:</p> <p>(6) The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.</p>	10/28/2022
<p>60-194 - Defacing and Removing Placard</p> <p>No person shall deface or remove the placard, except as authorized by the administrator.</p>	<p>Replace or restore defaced or removed placard.</p>	10/28/2022

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure is occupied, it must be **vacated immediately**. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES. Should you have any questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner.

If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Kevin Pyles
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4122
KEPyles@dmgov.org



City of Des Moines
400 Robert D. Ray Drive
Des Moines, IA 50309

Case Number: NUIS-2022-000169	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 08/05/2022
	Date of Notice: 09/20/2022
	Date of Inspection: 09/16/2022

NIA BOGGESS
1439 E OVID AVE
DES MOINES IA 50316

Address of Property: 1439 E OVID AVE, DES MOINES IA 50316
Parcel Number: 792425151010

Legal Description:

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
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Violation	Corrective Action	Compliance Due Date
<p>60-191 - Vacation and Abatement Any structure, dwelling, mobile home, equipment, or premise declared to be a public nuisance and unfit for human habitation or use, and so designated by the administrator, shall immediately be vacated and the nuisance shall be abated. The owner(s) shall be responsible for the vacation and abatement of the nuisance at such owner's expense. If not complied by such owner(s), then the nuisance may be abated by the city at the owner's expense. As indicated by section 60-19, the owner of land upon which a mobile home sits is a responsible owner in the event that mobile home is declared to be a public nuisance. Both the owner of the mobile home and the owner of the land upon which the mobile home sits shall be responsible for vacation and abatement of the public nuisance.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.</p> <p>*ALL ELECTRICAL, MECHANICAL, PLUMBING AND STUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.</p> <p>*IF CHOSEN TO DEMOLISH; PERMIT MUST BE PULLED AND FINALIZED.</p>	10/28/2022
<p>60-192(10) - Dangerous Structure or Premise - Lack of Sufficient Construction For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (10) Any building or structure, because of lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the administrator to be a threat to life or health.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.</p> <p>*HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.</p>	10/28/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(12) - Dangerous Structure or Premise - Abandoned Whenever the condition or maintenance of the premise creates a nuisance that endangers the health and safety of the residents or public.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.</p>	10/28/2022
<p>60-192(14) - Unsafe or dangerous structure Unsafe equipment including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within in the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the unsafe equipment OR demolish the structure.</p> <p>*HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR.</p> <p>*HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.</p>	10/28/2022

Violation	Corrective Action	Compliance Due Date
<p>60-192(15) - Unsafe or dangerous structure Any structure that the administrator determines is unfit for human occupancy meaning that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace the unsafe or unlawful structure OR demolish the structure.</p> <p>*SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.</p> <p>*REPLACE ALL SMOKE DETECTORS PER CODE AFTER FIRE.</p> <p>*ANY UNSANITARY CONDITIONS SHOULD BE CORRECTED AND STRUCTURE CLEANED TO ENSURE HEALTH AND SAFETY OF OCCUPANTS BEFORE STRUCTURE IS REOCCUPIED.</p>	10/28/2022
<p>60-192(2) - Dangerous Structure or Premise - Walking Surface For the purpose of this article, any structure or premise that has any or all of the conditions or defects described below shall be considered dangerous and a public nuisance: (2) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn or loose, torn or otherwise unsafe so as to not provide safe and adequate means of egress.</p>	<p>MAIN STRUCTURE THROUGHOUT</p> <p>Repair or replace walking surface of any aisle, passageway, stairway, exit, or other means of egress that is unsafe and does not provide safe and adequate means of egress.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED EXTERIOR DOORS AND WINDOWS.</p> <p>*REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE.</p>	10/28/2022

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Kevin Pyles
Neighborhood Inspector
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