



Date October 23, 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. 2023-09, 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 October 23, 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. 2023-09, 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: */s/ Thomas G. Fisher Jr.*

Thomas G. Fisher Jr.
Deputy City Attorney

*SLN*_{pw}

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
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: 2023-09

Rental Inspection

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782306401003 N OF LN BEG 110F N SE COR SW TO W LN OL D BETHEL HEIGHTS PLAT 1; AND PRT E 71F W 358.51F S167F N189F BNG N OF LN BEG SW COR N 40F E 27F N4F E 16F NE TO E LN LT 4 OP SE 1/4 SEC 6-78-23	SPEC-2023-000442	3409 DEAN AVE	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
		T - CODY J GRUNSTED						
782401459016 LOT 11 BLK 10 ESHBAUGH & WESTS ADDITION	RNTC-2023-000635	2718 SCOTT AVE	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
		T - SUSAN GRIMES						
782402108020 LOT 5 BLK 47 STEWARTS ADDITION	RNTC-2023-000379	1516 DES MOINES ST	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
		T - WILLIAM J MOYER, REG. AGENT C - FRANKLIN HARRIS						
782402302006 LOT 25 GOVERNORS SQUARE	RNTC-2022-001347	1433 DEAN AVE	Yes	Rental Inspection	0	\$244.00	\$35.00	\$279.00
		T - SEAN PROCTOR						
782404469019 UNIT 502 KIRKWOOD COMMONS CONDOMINIUMS	SPEC-2023-000393	400 WALNUT ST UNIT 502	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
		T - ISAAC PILCHER, REG. AGENT						
782404469044 UNIT 1002 KIRKWOOD COMMONS CONDOMINIUMS	SPEC-2023-000394	400 WALNUT ST 1002	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
		T - ISAAC PILCHER, REG. AGENT						
782404469049 UNIT 1102 KIRKWOOD COMMONS CONDOMINIUMS	SPEC-2023-000395	400 WALNUT ST UNIT 1102	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
		T - ISAAC PILCHER, REG. AGENT						

782406326016 LOT 5 DENNIS PLACE	SPEC-2023-000426	683 39TH ST	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - JACQUELINE BASSMAN A/K/A JACQUELINE AC								
782414404015 BEG SW COR THN NE133.72F E 45.32F SW 145.22F W30F TO POB LOT 16 PARK FOREST PLAT 3	SPEC-2023-000413	1906 E CRESTON AVE	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - TOBY LAWLESS								
782428479007 LOTS 15 & 16 BLK 1 OFF REPLAT BLK K THOMAS HEIGHTS	SPEC-2023-000396	504 LELAND AVE	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - DAVID BARRY								
782501227053 W 75F LOT 5 KENMORE REPLAT; AND LOT 1 & E 75F LOT 6 HYPERION PARK	SPEC-2023-000427	4224 UNIVERSITY AVE	Yes	Rental Inspection	0	\$149.50	\$35.00	\$184.50
T - CLAYTON LINQUIST, REG. AGENT								
782501382024 -EX W 65 F- LT 5 ALDRICH PLACE	SPEC-2023-000425	4901 GRAND AVE	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
T - LEISHA A DE SMET								
792321377027 LOT 107 CASTALIA PLAZA	SPEC-2023-000406	4016 E SENECA AVE	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
T - AMANDA NEHRING T - MARK NEHRING								
792330377013 LOT 81 WILLOUGHBY PLACE	RNTC-2023-000548	2501 E 23RD ST	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
T - PEDRO E BARAHONA								
792331477018 LOT 2 BLK 2 FAIRVIEW	RNTC-2023-000441	1320 E 28TH ST	Yes	Rental Inspection	0	\$168.50	\$35.00	\$203.50
T - JIANHUA ZHENG, REG. AGENT								
792420479007 LOTS 16 & 17 BLK G LAWNWOODS	SPEC-2023-000415	3816 LAWNWOODS DR	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - JEFF HORNER, PARTNER								

792423329038 PARCEL 2021-101 BK 18665 PG 919 BEG NW COR LOT 20 THN E 140.64F S 49.99F W 140.66F N 50F TO POB LOT 20 & VAC W 1/2 N/S ALLEY LYG E & ADJ BLK 1 OP NE 1/4 SW 1/4 SEC 23-79-24	RNTC-2023-000510	4131 AMHERST ST	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
T - PEDRO E BARAHONA								
792430128032 S 50 F N 100 F LOT 19 KINGMAN ACRES	SPEC-2023-000422	3506 50TH ST	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
T - JOHN B BORDERS, TRUSTEE T - KELI BORDERS								
792431126041 N 5 FT LOT 21 & S 52 F LOT 22 MACS PLACE	SPEC-2023-000423	1904 52ND ST	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
T - JUAN ARTOLA								
792433127028 LOT 7 ADLOG PLACE	SPEC-2023-000400	1930 24TH ST	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - ROBERT SMILEY JR								
TOTALS:						\$2,558.00	\$700.00	\$3,258.00