



Date April 01, 2024

**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. 2024-04, 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,



Roll Call Number

Agenda Item Number

11

Date April 01, 2024

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. 2024-04, 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, 2025, 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	<p style="text-align: center;">CERTIFICATE</p> <p>I, Laura Baumgartner, City Clerk of said City Council, 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.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</p>
BOESEN					
COLEMAN					
GATTO					
MANDELBAUM					
SIMONSON					
VOSS					
WESTERGAARD					
TOTAL					

MOTION CARRIED APPROVED

Mayor

City Clerk

ASSESSMENT SCHEDULE NO: 2024-04

Rental Inspection

GEOPARCEL / LEGAL DESCRIPTION	CASE NUMBER	OWNER INFORMATION	RENTAL	ASSESSMENT TYPE	PREVIOUS CLEANUPS (Last 5 Yrs)	COST	INCID	TO BE ASSESSED
782406232011 LOT 51 KINGMAN PLACE	RNTC-2023-001208	2800 BRATTLEBORO AVE T - COLE LOPEZ T - LIA GUERRA	Yes	Rental Inspection	0	\$182.00	\$35.00	\$217.00
782406426009 N 70 F S 225.3 F E 170 F W 200 F NE 1/4 SE 1/4 SEC 6-78-24	RNTC-2023-001246	651 31ST ST	Yes	Rental Inspection	0	\$287.50	\$35.00	\$322.50
782407201023 LOT 7 WINDSOR HEIGHTS	RNTC-2023-000933	310 31ST ST T - MARK PEIFFER	Yes	Rental Inspection	0	\$142.50	\$35.00	\$177.50
782409264003 400 SW 7TH UNIT 103 EDISON CONDOMINIUMS	SPEC-2024-000037	400 SW 7TH ST UNIT 103 T - MARCO A MATIAS	Yes	Rental Inspection	0	\$123.50	\$35.00	\$158.50
782415176042 E 188F LOT 85 CRAWFORD PLACE	RNTC-2023-000815	2420 SE 5TH ST T - DANIEL DOYLE, REG. AGENT	Yes	Rental Inspection	0	\$142.50	\$35.00	\$177.50
782416479026 E 50F W 200F LOT 6 & ALL LOT 2 SMITHS & MC CLURGS PLACE	SPEC-2024-000093	15 PARK AVE T - BRAD COWGER, OWNER	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782421227054 E 57 F S 150 F LOT 17 BROOKMONT ACRES	SPEC-2024-000100	307 THORNTON AVE T - LEROY REEVES	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
782422102107 -EX S 125F- LOT 3 & ALL LOT 4 SMITHS ACRES	SPEC-2024-000101	210 E THORNTON AVE T - BRAD MCANINCH, REG. AGENT	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50

782428251010 -EX BEG NW COR LT 10 E 7.92F S 404.86F W 7.77F N 404.85 TO POB- & -EX S 1/2 LT 11- & -EX PR1 BEG NE COR LT 10 THN S 404.2F W 250F N 284.2F NWLY TO PT 380F W OF NE COR LT 10 THN E 380F TO POB- LTS 10 & 11 DU PONT PLACE	RNTC-2023-000945	5205 SW 9TH ST	Yes	Rental Inspection	0	\$660.50	\$35.00	\$695.50
T - ERIC ESTES								
782428451002 -EX E 170F- LTS 2,3,4 & E 197F LTS 9 & 10 BLK H THOMAS HEIGHTS CORR PLT	RNTC-2023-000523	810 PAYTON AVE BLDG. 1	Yes	Rental Inspection	0	\$646.50	\$35.00	\$681.50
T - ROBIN AUBE								
782428451002 -EX E 170F- LTS 2,3,4 & E 197F LTS 9 & 10 BLK H THOMAS HEIGHTS CORR PLT	RNTC-2023-000524	810 PAYTON AVE BLDG. 2	Yes	Rental Inspection	0	\$760.50	\$35.00	\$795.50
T - ROBIN AUBE								
782434451006 BEG 731.63F N & 540F W SE COR THN N 590F W 1008.53F N 65F W 430F S 1350.4F E 313.24F N 281.29F E 346.5F S 281.29F E 110F N 310F E 549.36F N 156.18F E 119.98F N 230F TO POB SE 1/4 SEC 34-78-24	SPEC-2024-000095	802 E COUNTY LINE RD UNIT 72	Yes	Rental Inspection	2	\$87.50	\$35.00	\$122.50
T - COGENCY GLOBAL INC. T - YES SOUTHRIDGE, LLC								
782434451006 BEG 731.63F N & 540F W SE COR THN N 590F W 1008.53F N 65F W 430F S 1350.4F E 313.24F N 281.29F E 346.5F S 281.29F E 110F N 310F E 549.36F N 156.18F E 119.98F N 230F TO POB SE 1/4 SEC 34-78-24	SPEC-2024-000098	802 E COUNTY LINE RD UNIT 162	Yes	Rental Inspection	2	\$87.50	\$35.00	\$122.50
T - COGENCY GLOBAL INC. T - YES SOUTHRIDGE, LLC								
782501451008 LOT 11 GILLESPIE PLACE	RNTC-2022-001767	640 48TH ST	Yes	Rental Inspection	0	\$142.50	\$35.00	\$177.50
T - WILLIAM BROSNAHAN								

792321327008 LOT 4 WILSON HEIGHTS	RNTC-2023-000982	4010 E 42ND ST	Yes	Rental Inspection	0	\$1,343.50	\$35.00	\$1,378.50
T - BRAD CARLSON								
792321352028 -EX NWLY 11.5F MEAS PERP NWLY LN LOT 6- LOT 6 & N 163F LT 2 AQUARIUS	RNTC-2023-000934	3909 HUBBELL AVE	Yes	Rental Inspection	0	\$694.50	\$35.00	\$729.50
T - DANIEL DOYLE, REG. AGENT								
792326102007 LOT 39 WOODBURY PLAT 1	RNTC-2023-001603	5653 BROOK VIEW AVE	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
T - GURCHETAN SINGH T - TARNJIT K SHARMA								
792329151021 LOT 2 HAUGE AND HILD ACRES	RNTC-2023-001434	3005 E OVID AVE	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
T - JOHN JORGENSEN								
792422331011 W 44F E 88F LOTS 274-275 & 276 COLLEGE PARK	RNTC-2023-001460	917 MADISON AVE	Yes	Rental Inspection	0	\$142.50	\$35.00	\$177.50
T - ANDREA RANDALL T - PHILIP RANDALL								
792422451008 LOT 17 BLK 4 NORTH OAK PARK	RNTC-2023-001412	3919 9TH ST	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - PATRICK J DE CARLO								
792422456011 E 55 F S 135 F LOTS 13- 14 & 15 BLK 10 NORTH OAK PARK	RNTC-2023-001411	817 DOUGLAS AVE	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - PATRICK J DECARLO & KATHLEEN DECARLO								
792426131014 LOT 3 BLK 11 PLAT 1 AUBURN HEIGHTS	RNTC-2023-001418	3512 BOWDOIN ST	Yes	Rental Inspection	0	\$142.50	\$35.00	\$177.50
T - MAXIE M NEWMAN								
792426182026 LOTS 6 & 7 BLK 22 AUBURN HEIGHTS PLT 1	RNTC-2023-001388	3026 AMHERST ST	Yes	Rental Inspection	0	\$87.50	\$35.00	\$122.50
T - MANUELA V BANEGAS-ROMERO								
792427127017 LOT 17 BLK 12 OAK PARK	SPEC-2024-000057	1131 EUCLID AVE	Yes	Rental Inspection	0	\$111.00	\$35.00	\$146.00
T - DOLORES G ROMERO-ALDANA								

792429428045 LOT 24 WESTRIDGE	RNTC-2023-001308	3101 SHERIDAN AVE	Yes	Rental Inspection	0	\$204.50	\$35.00	\$239.50
T - TEAP SAN, REG. AGENT								
792430401003 E 50F W 158F N 30F LOT 6 & E 50F W 158F S 90.27F LOT 7 EARLWOOD ACRES	RNTC-2023-001416	4940 URBANDALE AVE	Yes	Rental Inspection	0	\$113.50	\$35.00	\$148.50
T - MICOLE VAN WALBEEK, REG. AGENT								
792434206001 LTS 1,2,3,4,5,6 & S OF HICKMAN BEG 20.16F N OF SE COR THN W 109.56F SWLY TO SW COR LT 7 & BEG 60F N OF SE COR THN NW 5.5F WLY 151.31F TO A PT 45.16F N OF SW COR LT 10 & ALL LT 11 & VAC 6TH AV E & ADJ LTS 1, 11 & 10 BEG 13.44F N OF SE COR LT 1 THN NE TO A	RNTC-2023-001378	2008 6TH AVE AKA 603 ALLISON AVE	Yes	Rental Inspection	1	\$388.50	\$35.00	\$423.50
T - DANIEL DOYLE, REG. AGENT								
792436101021 LOT 16 DEWEY HEIGHTS	RNTC-2023-000453	1428 ALPHA AVE	Yes	Rental Inspection	0	\$178.50	\$35.00	\$213.50
T - JACK BETTS								
TOTALS:						\$7,464.00	\$980.00	\$8,444.00