



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604

www.CityofSacramento.org

PUBLIC HEARING

May 13, 2008

**Honorable Mayor and
Members of the City Council**

Title: Housing Case Fees and Penalties – Findings of Fact for Special Assessment
Liens

Location/Council District: Citywide

Recommendation: Conduct a public hearing and upon conclusion adopt a **Resolution** placing special assessment liens on the properties in the amount of **\$104,408.00** for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

Contact: Ron O'Connor, Code Enforcement Manager, 808-8183

Presenters: Ron O'Connor, Code Enforcement Manager

Department: Code Enforcement

Organization No: 4653

Description/Analysis

Issue: Collection of delinquent fees and penalties are brought before the City Council to secure the debt by placing special assessment liens on the properties for which the fees and penalties were imposed pursuant to Titles 8.96 and 8.100 of the Sacramento City Code.

Policy Considerations: Conducting the special assessment lien hearing is in accordance with Sacramento City Code Titles 8.96 and 8.100. All property owners listed in the attachment were afforded an opportunity to appear before an impartial hearing examiner or hearing board for the stated violation. Each owner was afforded the additional opportunity to protest the imposition of the fees and penalties at a special assessment delinquency lien hearing.

Code Enforcement activities, including the related special assessment lien process, are consistent with policies associated with the City's goal to enhance and preserve the neighborhoods


Environmental Considerations: The proposed resolution will not have any adverse environmental impact.

Commission/Committee Action: None

Rationale for Recommendation: Adopting this Resolution will enable the City to collect unpaid fees and penalties by placing special assessments upon properties, allowing the fees and penalties to be collected through County property tax collections.

Financial Considerations: Special Assessment Lien accruals will be made through County tax collections. The City will also receive partial reimbursement from monies collected by the County based on the "Teeter" legislation agreement with the County. Any money generated from these special assessment liens would be included in the approved budget.

Emerging Small Business Development (ESBD): Not Applicable

Respectfully Submitted by: 
Max B. Fernandez
Director, Code Enforcement Department

Recommendation Approved:

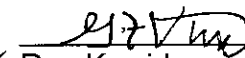

Ray Kerridge
City Manager

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Attachment 1

Background Information:

Prior to the assessment of fees and penalties, each property owner was issued the appropriate legal notices, as set forth in Titles 8.96 and 8.100, and was afforded an opportunity to appear before the Housing Code Advisory and Appeals Board (HCAAB) and/or an appointed third-party examiner. Subsequent to the hearing, a “Decision of HCAAB or Hearing Examiner” notice was issued and mailed to the property owner. Included in this notice were findings and the specific fees and penalties. The decision of the HCAAB or Hearing Examiner is final, and judicial review must be conducted in the manner and time frame set forth in California Code of Civil Procedure §1094.6. Sacramento City Code, Chapter 8.100 Article XVI allows the City Council to order the penalty be made both as a personal obligation and a special assessment against the property.

Each property owner listed on the attachment has received all required notices under Titles 8.96 and 8.100, and has been afforded both an opportunity to appear for an administrative hearing and a special assessment hearing. Each has received a final decision notice. None of the listed owners has paid the fees and penalties.

We submit this Resolution to the City Council for declaration of a special assessment.

RESOLUTION NO. 2008-

Adopted by the Sacramento City Council

May 13, 2008

**ACCEPTING THE FINDINGS OF FACT OVERRULING PROTESTS AND
PLACING LIENS ON PROPERTIES FOR UNPAID ASSESSMENTS
FOR HOUSING AND DANGEROUS BUILDINGS CASE FEES AND PENALTIES**

BACKGROUND

- A. The Code Enforcement Department, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 8.96 Article IX provided a hearing before the Housing Code Advisory and Appeals Board (HCAAB) and/or appointed third-party Hearing Examiner to consider all protests for unpaid fees and penalties, if any.
- B. Notice of the time and place of hearing was given in accordance with Sacramento City Code, Chapter 8.96 Article IX
- C. The Code Enforcement Department, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB and/or appointed third-party Hearing Examiner that the unpaid fees and penalties had been imposed in accordance with City Code.
- D. The Code Enforcement Department, established by competent evidence before the Hearing Examiner that in each case the unpaid fees and penalties are due.
- E. The City Council has found the unpaid fees and penalties to be a reasonable cost.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1: The reasonable penalties in the aggregate amount not to exceed \$104,408.00 for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearings held February 13, 2008 and March 12, 2008. This amount may be reduced as staff determines necessary.
- Section 2: As provided in Section 38773.5 of the California Government Code, the City of Sacramento is entitled to and hereby attaches special assessment liens upon the described properties upon recordation in the office of the County Recorder of the County of Sacramento.

Section 3: Such liens shall constitute a special assessment against the properties at which the services were rendered, and shall be collectible at the same time and in the same manner as secured property taxes are collected, and shall be subject to the same penalties, priorities, and procedures in the case of delinquency.

Section 4: Such lien also constitutes a personal obligation against the owner of the property.

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Exhibit A – List of Properties to be Liened

LINE	PARCEL NUMBER	CASE NUMBER	PROPERTY ADDRESS	PROPERTY OWNER	AMOUNT DUE	INVOICE NUMBER	CD	CTY CD
1	002-0122-012-0000	H050004559	514 13th st	Ramgaria Meik Singh/Satnam Singh	\$1155.00	HCE080109	3	0656
2	002-0122-012-0000	H050004559	514 13th st	Ramgaria Meik Singh/Satnam Singh	\$1000.00	VBAP080001	3	0331
3	002-0122-012-0000	H050004559	514 13th st	Ramgaria Meik Singh/Satnam Singh	\$380.00	VBAP080002	3	0331
4	003-0094-004-0000	06-024830	301 25TH ST	Oconnor Janice E	\$541.00	HCE080084	3	0678
5	007-0094-011-0000	H030036879	1116 23rd St	Leonard W & Diana Chapman	\$511.00	HCE080111	3	0331
6	007-0094-011-0000	H030036879	1116 23rd St	Leonard W & Diana Chapman	\$2028.00	HCE080112	3	0678
7	007-0311-006-0000	H050003696	1818 P St	Makena Cove United Trust	\$720.00	HCE080064	3	0656
8	009-0095-006-0000	07-030447	1713 S ST	CMH S ST. MIDRISE DEVELOPMENT LLC	\$1021.00	HCE080191	4	0678
9	010-0074-002-0000	H050040655	1974 36TH ST	MI HOGAR LLC	\$1566.00	HCE080177	5	0656
10	010-0074-002-0000	H050040655	1974 36TH ST	MI HOGAR LLC	\$500.00	HSAP080010	5	0656
11	010-0074-002-0000	H050040655	1974 36TH ST	MI HOGAR LLC	\$1000.00	VBAP080010	5	0629
12	010-0074-002-0000	H050040655	1974 36TH ST	MI HOGAR LLC	\$2500.00	VBAP080011	5	0629
13	011-0301-020-0000	F050006253	2947 57TH ST	FROELICH KEVIN/SARAH GREENLEAF	\$202.00	HCE080171	6	0656
14	011-0301-020-0000	F050006253	2947 57TH ST	FROELICH KEVIN/SARAH GREENLEAF	\$642.00	HCE080172	6	0678
15	011-0301-020-0000	F050006253	2947 57TH ST	FROELICH KEVIN/SARAH GREENLEAF	\$500.00	HSAP080011	6	0656
16	013-0153-008-0000	H030014617	3640 Bret Harte Ct	Samuel Saldana	\$200.00	HCE080014	5	0656
17	013-0153-008-0000	H030014617	3640 Bret Harte Ct	Samuel Saldana	\$2499.00	HSAP080002	5	0656
18	013-0251-024-0000	07-030013	3082 37th St	Monette Y Corbett	\$1178.00	HCE080100	5	0656
19	013-0251-024-0000	07-030013	3082 37th St	Monette Y Corbett	\$642.00	HCE080101	5	0678

Housing Case Fees and Penalties – Liens

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20	013-0251-024-0000	07-030013	3082 37th St	Monette Y Corbett	\$4560.00	HCE080102	5	0201
21	013-0282-007-0000	06-019209	3060 8TH AV	RUSHING SUSAN ELAINE/THOMAS ANTHONY SHEFF	\$1233.00	RHP080004	5	0656
22	013-0283-022-0000	06-019446	3217 32nd St	Douglas Koepl	\$1233.00	RHP080007	5	0656
23	013-0332-011-0000	H030040098	3280 9TH AV	VARGAS EUGENIO/GARCIA MARIA CHRISTINA	\$910.00	HCE080200	5	0656
24	013-0332-011-0000	H030040098	3280 9TH AV	VARGAS EUGENIO/GARCIA MARIA CHRISTINA	\$882.00	HCE080201	5	0678
25	013-0332-011-0000	H030040098	3280 9TH AV	VARGAS EUGENIO/GARCIA MARIA CHRISTINA	\$1000.00	HSAP080013	5	0656
26	013-0341-002-0000	06-002700	3209 33RD ST	SRR TRADING LLC	\$1155.00	HCE080141	5	0656
27	013-0341-002-0000	06-002700	3209 33RD ST	SRR TRADING LLC	\$414.00	HCE080142	5	0678
28	013-0394-017-0000	H030025147	3517 35TH ST	NUNES JANICE M/TED C PIERCE/DIANA M	\$985.00	HCE080197	5	0656
29	014-0102-023-0000	H050044723	3999 4th Av	Petronella H D Roodenburg	\$702.00	HCE080119	5	0331
30	014-0102-024-0000	H050044722	3997 4th Av	Petronella H D Roodenburg	\$411.00	HCE080118	5	0331
31	014-0152-021-0000	07-040864	4139 BROADWAY	TINA KOULOULIAS, TRUSTEE FOR THE 4141 BROADWAY LAND TRUST	\$735.00	HCE080162	5	0656
32	014-0152-021-0000	07-040864	4139 BROADWAY	TINA KOULOULIAS, TRUSTEE FOR THE 4141 BROADWAY LAND TRUST	\$294.00	HCE080163	5	0678
33	014-0186-001-0000	H050006365	4100 BROADWAY	ODOM BOB M	\$1330.00	HCE080178	5	0656
34	014-0186-001-0000	H050006365	4100 BROADWAY	ODOM BOB M	\$1000.00	VBAP080012	5	0656
35	014-0191-050-0000	06-018441	3232 43rd St	Roman Ozeruga	\$1155.00	HCE080123	5	0656
36	014-0191-050-0000	06-018441	3232 43rd St	Roman Ozeruga	\$552.86	HCE080124	5	0678

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37	015-0263-020-0000	06-001174	5321 14TH AV	Woo Joo Youn	\$1155.00	HCE080078	6	0656
38	018-0013-003-0000	H050045121	2060 15th Av	Matthew Miranda	\$360.00	HCE080079	5	0678
39	019-0063-011-0000	07-033816	4100 28th st	Awet & Tibleise Tekie	\$1009.00	HCE080097	5	0678
40	019-0072-005-0000	06-003531	2561 19TH AV	JAYSHREE KUMAR & AMIT KUMAR	\$1763.00	HCE080204	5	0656
41	019-0072-005-0000	06-003531	2561 19TH AV	JAYSHREE KUMAR & AMIT KUMAR	\$9698.68	HCE080205	5	0678
42	019-0072-005-0000	06-003531	2561 19TH AV	JAYSHREE KUMAR & AMIT KUMAR	\$1000.00	VBAP080015	5	0629
43	019-0211-001-0000	H040013207	2630 29th Av	Kishore Judabans Kushmattie Judabans	\$417.52	HCE080120	5	0678
44	020-0052-001-0000	06-002924	3905 34TH ST	BARKOUKI JOSHUA	\$1535.00	HCE080132	5	0656
45	020-0052-001-0000	06-002924	3905 34TH ST	BARKOUKI JOSHUA	\$618.00	HCE080133	5	0678
46	020-0062-015-0000	H050016985	3960 MARTIN LUTHER KING BL	HRH ENTERPRISES, LLC	\$1355.00	HCE080148	5	0656
47	020-0062-015-0000	H050016985	3960 MARTIN LUTHER KING BL	HRH ENTERPRISES, LLC	\$2499.00	HSAP080009	5	0656
48	020-0122-066-0000	06-006530	4221 35th St	Maretta Dunigan	\$312.00	HCE080094	5	0678
49	020-0132-014-0000	07-030097	3744 18TH AV	JAMKE	\$1155.00	HCE080136	5	0656
50	020-0132-014-0000	07-030097	3744 18TH AV	JAMKE	\$1272.00	HCE080137	5	0678
51	020-1220-120-000	H050004559	514 13TH ST	MEIK S RAMGARIA AND SATNAM SINGH	\$1200.00	HSAP080008	3	0656
52	021-0126-009-0000	H050012587	5401 18TH AV	Burkhard Richard	\$185.00	HCE080082	5	0656
53	021-0271-036-0000	06-025447	4310 77TH ST	DAVID DJURDJEVIC & ANKA DJURDJEVIC	\$1155.00	HCE080196	6	0656
54	021-0342-005-0000	F050024048	7414 MARIN AV	CARTER JUANITA L	\$500.00	HSAP080006	6	0656
55	022-0021-006-0000	07-029037	3561 23rd Av	Debbie Doran Sill	\$1233.00	HCE080089	5	0656
56	022-0021-006-0000	07-029037	3561 23rd Av	Debbie Doran Sill	\$360.00	HCE080090	5	0678

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57	025-0166-014-0000	06-019685	2820 34TH AV	LATA PREM	\$1155.00	HCE080145	5	0656
58	036-0112-022-0000	06-001285	2710 50th Av	Ajeshni Sharma	\$1155.00	HCE080106	5	0656
59	041-0015-009-0000	H060006215	2604 53rd Av	Nazrana Khan	\$1330.00	HCE080107	5	0656
60	049-0186-008-0000	06-017383	7512 29th st	REAG LLC	\$1644.00	HCE080098	8	0656
61	053-0085-002-0000	06-026094	2600 Cheryl Wy	Vera Elizabeth Farrington Living Trust C/O Alan L Farrington	\$1326.72	HCE080041	8	0656
62	053-0085-002-0000	06-026094	2600 Cheryl Wy	Vera Elizabeth Farrington Living Trust C/O Alan L Farrington	\$5025.94	HCE080042	8	0678
63	053-0085-002-0000	06-026094	2600 Cheryl Wy	Vera Elizabeth Farrington Living Trust C/O Alan L Farrington	\$5868.00	HCE080043	8	0201
64	078-0221-031-0000	H050012560	14 Ness Ct	Warren Seto	\$1255.00	HCE080060	4	0656
65	225-0873-00-40000	07-037402	2191 LEJANO WY	BANK OF NEW YORK/ co:Recontrust Company, N.A.	\$1644.00	HCE080206	1	0656
66	237-0434-024-0000	06-013276	31 Casey Ct	Bernadette Lopa	\$1255.00	HCE080092	2	0656
67	237-0434-024-0000	06-013276	31 Casey Ct	Bernadette Lopa	\$742.00	HCE080093	2	0678
68	250-0314-032-0000	07-029701	3257 NORWOOD AV	NORWOOD AVENUE HOUSING PARTNERSHIP	\$777.52	HCE080153	2	0678
69	252-0072-003-0000	06-025117	1901 Grand Av	Shewkali Rajkumar	\$740.82	HCE080095	2	0657
70	262-0286-001-0000	06-014817	990 Arundel Wy	Dharminder S Mann	\$1295.62	HCE080036	1	0656
71	263-0202-012-0000	07-039589	2577 Beaumont St	William Brand III	\$1233.00	HCE080115	2	0656
72	263-0202-012-0000	07-039589	2577 Beaumont St	William Brand III	\$1602.00	HCE080116	2	0678
73	263-0202-012-0000	07-039589	2577 Beaumont St	William Brand III	\$306.86	HCE080117	2	0657
74	263-0242-004-0000	06-020632	624 SANTIAGO AV	KUZMENKO NIKOLAI	\$1566.00	HCE080203	2	0656
75	263-0242-004-0000	06-020632	624 SANTIAGO AV	KUZMENKO NIKOLAI	\$1000.00	VBAP080014	2	0629

Housing Case Fees and Penalties – Liens

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76	265-0093-003-0000	06-022840	1336 SONOMA AV	BALL SUSAN/DARRYL	\$1185.00	HCE080156	2	0656
77	265-0093-003-0000	06-022840	1336 SONOMA AV	BALL SUSAN/DARRYL	\$517.46	HCE080157	2	0678
78	265-0320-024-0000	06-021001	1005 Santiago AV	Deutsche Bank National Trust Comp	\$1000.00	VBAP080008	2	0331
79	265-0323-024-0000	06-021001	1005 Santiago AV	Deutsche Bank National Trust Comp	\$1155.00	HCE080129	2	0656
80	265-0323-024-0000	06-021001	1005 Santiago AV	Deutsche Bank National Trust Comp	\$1554.00	HCE080130	2	0678
81	265-0323-024-0000	06-021001	1005 Santiago AV	Deutsche Bank National Trust Comp	\$411.00	HCE080131	2	0331
82	010-0166-036-0000	06-005618	2115 W St.	Benjamin Ogbebor	\$791.00	HCE070197	4	0656
83	027-0331-026-0000	06-003932	7701 38th St	Andre Holtzclaw	\$753.00	HCE070168	6	0656
				TOTAL	\$104,408.00			