



APPROVED
BY THE CITY COUNCIL

MAY 19 1998

OFFICE OF THE
CITY CLERK

1.9

NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, SUITE 200
SACRAMENTO, CA 95814

DEVELOPMENT SERVICES DIVISION

HOUSING AND DANGEROUS
BUILDINGS INSPECTIONS
PH 916-264-5404
FAX 916-264-6833

May 6, 1998

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: HOUSING CASE FEES AND PENALTIES -- FINDINGS OF FACT FOR SPECIAL ASSESSMENT LIENS

LOCATION AND COUNCIL DISTRICT: Citywide

STAFF RECOMMENDATION:

It is recommended that the City Council:

Adopt the attached resolution placing liens on the properties for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

CONTACT PERSON: Ron O'Connor, Chief Building Inspector, Neighborhoods, Planning & Development Services Department, 264-8183

FOR COUNCIL MEETING OF: May 19, 1998

SUMMARY:

Delinquent fees and penalties are brought before the City Council to secure the debt by placing liens on the properties for which the fees and penalties were imposed pursuant to Titles 49 and 50 of the Sacramento City Code.

BACKGROUND INFORMATION:

Prior to the assessment of fees and penalties, each property owner was issued the appropriate legal notices, as set forth in Titles 49 and 50, 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, Title §49.16 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 49 and 50, 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 have paid the fees and penalties.

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

FINANCIAL CONSIDERATIONS:

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. No budget amendment is required. No General Fund impact is expected.

ENVIRONMENTAL CONSIDERATIONS:

Per Section 15061(b)(3) of the CEQA guidelines, a Notice of Exemption will be filed. The proposed resolution will not have any adverse environmental impact.

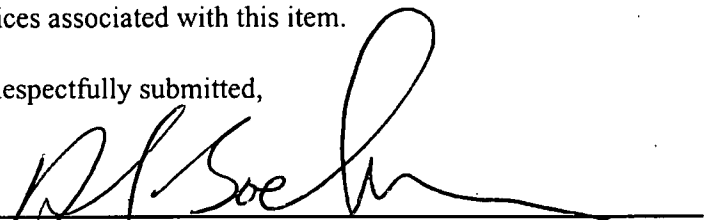
POLICY CONSIDERATIONS:

Conducting the lien hearing is in accordance with Sacramento City Code Titles 49 and 50. 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 hearing.

MBE/WBE

There is no requirement for purchase of goods or services associated with this item.

Respectfully submitted,

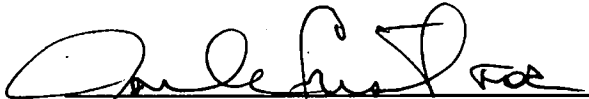


BRADFORD J. BOEHM, P.E.

Building Official

Neighborhoods, Planning & Development Services Dept

Approved for Council Information:



WILLIAM H. EDGAR

City Manager



JACK CRIST

Deputy City Manager

Attachment

APPROVED
BY THE CITY COUNCIL

MAY 19 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-184

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION ACCEPTING THE FINDINGS OF FACT OVERRULING
PROTESTS AND PLACING LIENS ON PROPERTIES FOR UNPAID
ASSESSMENTS AS SHOWN ON ATTACHMENT**

WHEREAS, heretofore the Neighborhood Services Department, Code Enforcement Division, in accordance with Sacramento City Code, Chapter 50.09 did provide a hearing before the Housing Code Advisory and Appeals Board (HCAAB) to consider all protests for unpaid fees and penalties, if any; and

WHEREAS, notice of the time and place of HCAAB hearing was given in accordance with Sacramento City Code, Chapter 50.90; and

WHEREAS, the Neighborhood Services Department, Code Enforcement Division, established by competent evidence before the HCAAB that in each case the unpaid fees and penalties had been imposed in accordance with City Code; and

WHEREAS, the Neighborhood Services Department, Code Enforcement, established by competent evidence before the HCAAB that in each case the unpaid fees and penalties are due; and

WHEREAS, the City Council has found the unpaid fees and penalties to be a reasonable cost.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That, the reasonable penalties in the aggregate amount of \$285,015.75 for unpaid fees and penalties is the sum set forth on the attachment incorporated into this resolution.
2. That, as provided in Section 39577 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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____ *2*

3. That, 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.
4. That, such lien also constitutes a personal obligation against the owner of the property.
5. That, the City Clerk shall transmit a certified copy of this resolution to the Sacramento County Auditor/Controller.

MAYOR

CITY CLERK

Attachment

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Housing Case Fees & Penalties -- Attachment

May 19, 1998

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
002-0116-042-0000	52110ST00	521 10th St	Trent S. Levinson	750.00	HCE48154	1	0656
003-0182-017-0000	2131HST00	2131 H St	Peter Amoruso & Jennifer M. Amoruso	759.00	HCE48282	3	0656
006-0053-020-0000	81713STXX	817 13th St	Elizabethan Inn Associates	5,000.00	VBAP43735	1	0629
007-0315-018-0000	2019QST00	2019 Q St	Moises Cedeno Santana & Rebeca Santana	1,845.75	HCE45236	3	0201
009-0062-020-0000	607TST00	607 T St	Edward E. Loveless & Barbara Loveless	1,000.00	HCE45247	4	0656
010-0113-012-0000	201226ST00	2012 26th St	S. Paul Mueller & Ann Mueller	9,036.54	HCE48212	4	0201
010-0315-016-0000	34172AV00	3417 2nd Av	Mohammad A. Rashid	17,592.00	HCE48195	5	0201
013-0073-007-0000	2300MARS00	2300 Marshall Wy	Joseph E. Staynor	7,154.80	HCE48194	5	0201
013-0302-006-0000	37306AV00	3730 6th Av	Bennie L. Atwater	5,303.80	HCE48163	5	0201
013-0302-008-0000	37406AV00	3740 6th Av	Vincent Jimenez	4,557.45	HCE48241	5	0201
013-0341-027-0000	36407AV00	3640 7th Av	Chih-Hsiung Lang	1,701.71	HCE48184	5	0201
014-0114-001-0000	280442ST00	2804 42nd St	Richard Alan Uhri	708.40	HCE48267	5	0656
014-0171-010-0000	38837AV01	3883 7th Av	Timothy J. Quinones	2,334.50	HCE48160	5	0201
014-0184-013-0000	3200SANT00	3200 Santa Cruz Wy	Dolores J. Schenck	500.00	HCE48151	5	0656
014-0185-035-0000	3105SANT00	3105 Santa Cruz Wy	Lloyd Charles, Sandy Trigg	1,782.50	HCE45233	5	0656
014-0203-015-0000	342440ST00	3424 40th St	Antonio Arellano	732.93	HCE48186	5	0657
014-0271-026-0000	371940ST00	3719 40th St	Jessie Beard & Wanda Beard	977.50	HCE48193	5	0201
019-0101-021-0000	294521AV01	2945 21st Av	Henry Moten	4,460.85	HCE48175	5	0201

Housing Case Fees & Penalties -- Attachment

May 19, 1998

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
019-0191-016-0000	5200FRAN00	5200 Franklin Bl	Tai Gaw Fong & Sue Y. Fong	529.00	HCE48204	5	0656
020-0033-043-0000	3700MART00	3700 Martin Luther King Bl	Edmundo S. Veldez & Maria Del Refungio H. Carranza	2,579.19	HCE48157	5	0201
020-0061-017-0000	370116AV00	3701 16th Av	Robert L. Woods & Audrey B. Woods	4,396.45	HCE48173	5	0201
020-0061-019-0000	361316AV00	3613 16th St	David B. Takach	759.00	HCE48172	5	0656
020-0061-026-0000	400936ST00	4009 36th St	Lucile Blanchard 1992 Trust, Diane Buffington	4,587.12	HCE48252	5	0201
020-0131-012-0000	371216AV00	3712 16th Av	Raymond J. Simpson & Lynne Simpson, American River Properties	759.00	HCE48255	5	0656
023-0074-019-0000	5010EMER00	5010 Emerson Rd	Leo D. Nordeste & Kelly Nordeste	759.00	HCE48256	6	0656
023-0092-028-0000	4921PRIS00	4921 Priscilla Ln	William P. Garcia	172.50	HCE45227	6	0656
025-0161-007-0000	278133AV01	2781 33rd Av	Francis P. Byoff	5,049.85	HCE48192	5	0201
025-0223-012-0000	298038AV00	2980 38th Av	Orlando Linares	4,390.32	HCE48174	5	0201
026-0073-012-0000	5372YOUN03	5372 Young St	Steven Montecito & Angelina Montecito	3,231.50	HCE48258	5	0201
027-0341-028-0000	791538AV00	7915 38th Av	Thomas Edward Thomas, Leona E. Thomas, Donna Lea Thomas, Leona Dorothy Stillwell	7,579.68	HCE48220	6	0201
027-0342-011-0000	801238AV00	8012 38th Av	Ruby La Beau	4,297.55	HCE48221	6	0201
036-0115-005-0000	661630ST00	6616 30th St	United Companies Lending	4,453.95	HCE48171	8	0656
038-0241-005-0000	6240SUNRXX	6240 Sun River Dr	Frankie Mae Cook	6,263.31	HCE48227	6	0201

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Housing Case Fees & Penalties -- Attachment

May 19, 1998

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
049-0302-007-0001	139CASE01	139 Caselli Cr #1	Secty of Housing/Urban Dev	2,476.58	HCE48208	8	0201
049-0302-007-0002	139CASE02	139 Caselli Cr #2	Veronica Bryant	2,476.58	HCE48209	8	0201
049-0302-007-0003	139CASE03	139 Caselli Cr #3	Lydia Perez	2,592.88	HCE48210	8	0201
049-0302-007-0004	139CASE04	139 Caselli Cr #4	Mortgage Lending Associates	2,476.59	HCE48211	8	0201
052-0082-006-0000	2590CADJ00	2590 Cadjew Av	Chase Manhattan Mortgage Corp.	10,000.00	VBAP43734	8	0629
117-0201-009-0000	7325SHAS00	7325 Shasta Av	John J. Mello	529.00	HCE48201	8	0656
237-0052-007-0000	4741DRYC00	4741 Dry Creek Rd	Raymond W. Long	1,000.00	HCE48235	2	0656
237-0070-009-0000	4535RIOL00	4535 Rio Linda Bl	American Savings Bank	1,000.00	HCE48229	1	0656
237-0070-012-0000	4505RIOL00	4505 Rio Linda Bl	Milton J. De Souza Jr. & Sara M. De Souza	1,000.00	VBAP43737	2	0629
237-0213-012-0000	1172ODON00	1172 Odonnell Av	Bonnie May Ragan	3,634.00	HCE48223	2	0201
237-0215-003-0000	1048JEAN00	1048 Jean Av	Peter J. Dinkel	2,196.50	HCE48180	2	0201
237-0215-003-0000	1048JEAN00	1048 Jean Av	Peter J. Dinkel	500.00	HCE48276	2	0656
237-0265-007-0000	324LASA00	324 Las Animas Cr	Secty of Housing/Urban Dev	759.00	HCE48287	2	0656
250-0030-007-0000	61SOUT00	61 South Av	S.W. Scott & Associates	250.00	HCE48279	2	0656
250-0030-019-0000	97SOUT00	97 South Av	Ralph Hopkins & Chone Hopkins	759.00	HCE48288	2	0656
250-0082-005-0000	532GRAN00	532 Grand Av	Rodolefo Perucho & Ederla Perucho	5,792.55	HCE48164	2	0201
250-0103-009-0000	465SOUT00	465 South Av	Satish Chand & Sarita Devi Chand	994.23	HCE48270	2	0656

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
250-0112-013-0000	3631ALTO00	3631 Altos Av	Norwest Mortgage Inc., REO Dept/MS 122509	1,230.50	HCE48238	2	0201
250-0150-022-0000	3565ALTO00	3565 Altos Av	Ernesto T. Malic & Mildred Malic	4,183.70	HCE48199	2	0656
250-0172-010-0000	115FORD00	115 Ford Rd	Margaret Duty	5,923.65	HCE48178	2	0201
250-0191-038-0000	366SILV00	366 Silver Eagle Rd	Bianca C. Johnson	500.00	HCE45243	2	0656
250-0440-015-0000	290MORR00	290 Morrison Av	Jefferson Smith	4,140.00	HCE48170	2	0656
251-0014-008-0000	3913BRAN00	3913 Branch St	Geneva Polk	3,965.20	HCE48162	2	0201
251-0023-001-0000	1138NORT00	1138 North Av	John Daniel Little	4,504.55	HCE48266	2	0201
251-0033-003-0000	1336NORT00	1336 North Av	Roger J. Bartholomew	1,259.00	HCE45232	2	0656
251-0125-015-0000	3604FIG00	3604 Fig St	Esther Schneider	759.00	HCE48265	2	0656
251-0161-016-0000	3516MAY00	3516 May St	JC Investments	845.25	HCE48289	2	0656
251-0171-006-0000	1226SOUT00	1226 South Av	Sigma Properties	250.00	HCE48264	2	0656
251-0175-009-0000	1328NOGA00	1328 Nogales St	Willie J. Mincey	1,000.00	HCE48261	2	0656
251-0221-015-0000	3410HIGH00	3410 High St	James C. Robinson & Yvonne Robinson	500.00	HCE48152	2	0656
251-0221-015-0000	3410HIGH00	3410 High St	James C. Robinson & Yvonne Robinson	500.00	HCE48236	2	0656
251-0242-008-0000	3331RIOL00	3331 Rio Linda Bl	Ashraf Abasi	500.00	HCE45250	2	0656
251-0242-008-0000	3331RIOL00	3331 Rio Linda Bl	Ashraf Abasi	759.00	HCE48283	2	0656
251-0282-010-0000	3318RIOLXX	3318 Rio Linda Bl	Shurrel H. Gray & Alice L. Gray	1,000.00	HCE45245	2	0656
251-0282-010-0000	3318RIOLXX	3318 Rio Linda Bl	Shurrel H. Gray & Alice L. Gray	2,595.55	HCE48248	2	0656

Housing Case Fees & Penalties -- Attachment

May 19, 1998

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
252-0061-007-0000	3821IVY00	3821 Ivy St	Charles Frank	500.00	HCE48233	2	0656
252-0064-005-0000	3829LILY00	3829 Lily St	The Old Fair Oaks General Partnership	500.00	HCE48278	2	0656
252-0191-014-0000	3605ASTO00	3605 Astoria St	Clifford V. Bonham & Vesta H. Bonham	2,866.95	HCE48240	2	0656
252-0211-002-0000	1646SOUT00	1646 South Av	Carlos E. Arias	3,355.47	HCE45234	2	0657
252-0221-001-0000	1804SOUT00	1804 South Av	Eddie Amuneke	5,000.00	HCE48259	2	0656
252-0242-036-0000	3611DELP00	3611 Del Paso Bl	William L. Maynard & Deborah Maynard	2,512.75	HCE48185	2	0201
252-0262-020-0000	3430IVY00	3430 Ivy St	Fourteenth Street Trust, David A. Scharlach	500.00	HCE48153	2	0656
252-0262-020-0000	3430IVY00	3430 Ivy St	Fourteenth Street Trust, David A. Scharlach	2,656.50	HCE48187	2	0301
262-0182-003-0000	2780AMER00	2780 American Av	Muneera Shah	701.50	HCE45242	1	0656
262-0212-008-0000	470WILS01	470 Wilson Av	Beneficial California Inc.	759.00	HCE48281	1	0656
263-0131-011-0000	2769FORR00	2769 Forrest St	Raymond Sanchez	776.25	HCE48156	2	0656
263-0222-026-0000	295ELCA00	295 El Camino Av	Thrifty Oil Company	759.00	HCE48213	2	0656
263-0224-008-0000	2501HAWT02	2501 Hawthorne St	Charles J. Lauria & Beverly Lauria	33,246.50	HCE48205	2	0201
263-0242-009-0000	670SANT00	670 Santiago Av	Joseph Escobar & Terri L. C. Escobar	4,479.25	HCE48161	2	0201
263-0331-018-0000	54SCOL00	54 Scoles Ct AKA 54/56 Olmstead Dr	Omnilife Inc., Debra Sperling	6,587.34	HCE48191	2	0201

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
265-0082-008-0000	1188SONO	1188 Sonoma Av AKA 3091 Clay St	Loretta L. Tunnell	759.00	HCE45230	2	0656
265-0291-016-0000	810LAMP02	810 Lampasas Av	Anthony Marcolongo	3,624.11	HCE48249	2	0656
275-0014-003-0000	112ELCA00	112 El Camino	Beatrice L. Clark & Leroy Clark	3,453.45	HCE48181	2	0201
275-0014-011-0000	180ELCA01	180 El Camino Av	Bankers Trust Vendor Loan, Countrywide Funding	4,845.25	HCE48200	2	0201
275-0035-024-0000	1901DELP00	1901 Del Paso Bl	H. K. Bashi & Tooran K. Bashi	1,621.50	HCE48182	2	0656
275-0035-024-0000	1901DELP00	1901 Del Paso Bl	H K Bashi & Tooran K. Bashi	632.50	HCE48247	2	0201
275-0051-002-0000	2120DELPYY	2120 Del Paso Bl	Afshin Paknush	2,545.62	HCE48242	2	0656
275-0093-004-0000	1825DELP00	1825 Del Paso Bl	Spartan Brokerage Group Profit Sharing, Red Shield Servicing Inc	1,000.00	HCE48263	2	0656
275-0123-010-0000	1340DELPXX	1340 Del Paso Bl	Swiss Max Inc.	11,717.35	HCE48177	2	0201
277-0073-001-0000	2396ERIC00	2396 Erickson St	Pavel Kuzmenko	759.00	HCE48254	2	0656

TOTAL TO BE LIENED:

\$285,015.75

NOTE: The following individual's appeals were upheld; therefore, the fees and penalties were removed:

<u>Case Number</u>	<u>Property Owner</u>	<u>Invoice Number</u>	<u>Council District</u>
736025AV00	Craig A. Chavez & Berta A. Chavez	HCE48224	6