



APPROVED  
BY THE CITY COUNCIL

AUG 11 1998

OFFICE OF THE  
CITY CLERK

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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

July 28, 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:** August 11, 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. Any money generated from these liens would be included in the approved budget.

**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.

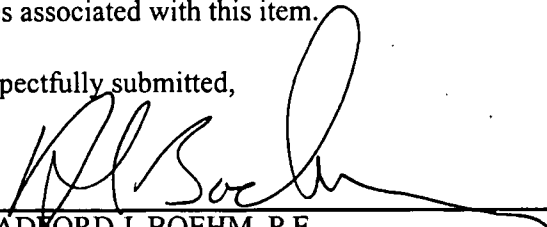
**POLICY CONSIDERATIONS:**

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,

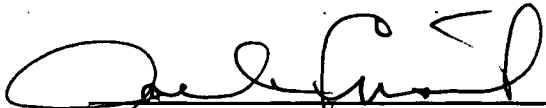


BRADFORD J. BOEHM, P.E.  
Building Official  
Neighborhoods, Planning & Development Services Dept

Approved for Council Information:



WILLIAM H. EDGAR  
City Manager



JACK CRIST  
Deputy City Manager

Attachment

APPROVED  
BY THE CITY COUNCIL

AUG 11 1998

OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 98-401**

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 \$15,312.40 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.

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DATE ADOPTED: \_\_\_\_\_

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.

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MAYOR

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CITY CLERK

Attachment

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_ 4

Housing Case Fees & Penalties -- Attachment

August 11, 1998

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
010-0324-003-0000	36001AV00	3600 1st Av	Landon Chase	759.00	HCE50498	5	0656
022-0024-022-0000	380924AV01	3809 24th Av	James Giller	4,180.25	HCE50486	5	0201
035-0152-007-0000	2061BERG01	2061 Berg Av	William S. Henderson	759.00	HCE50493	4	0656
049-0302-002-0004	95CASE05	95 Caselli Cr #4	Teresa De Porcel	1,190.25	HCE50495	8	0656
049-0302-019-0001	7516LASA01	7516 La Sandia Wy #1	Danny C. Lawson & Roby M. Lawson	696.90	HCE50496	8	0656
215-0280-077-0000	1329MAIN00	1329 Main Av	Ben Navas	816.50	HCE50491	2	0656
225-0612-021-0000	54CEDR00	54 Cedro Cr	Hillis H. Schlak & Lorraine F. Schlak	172.50	HCE48407	1	0656
238-0116-005-0000	107MACA00	107 Mac Arthur St	Barbara Sliwa	759.00	HCE50499	2	0656
238-0192-002-0000	4044DAYT00	4044 Dayton St	Anton Linskiy & Mariya K. Linskiy	759.00	HCE48329	2	0656
250-0160-006-0000	446WSIL00	446 West Silver Eagle Rd	Ronald C. Patterson & Mimi E. Miller-Patterson	759.00	HCE50490	2	0656
251-0033-003-0000	1336NORT00	1336 North Av	Roger J. Bartholomew	2,500.00	HCE50489	2	0656
251-0141-014-0000	3644MAY00	3644 May St (AKA 1060 Roanoke Av)	Eugene J. Schroder	759.00	HCE50492	2	0656
252-0242-035-0000	3520DAYT00	3520 Dayton St	Sacramento Commercial Bank	1,202.00	HCE50500	2	0656

**TOTAL TO BE LIENED:**

**\$ 15,312.40**

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