

Meeting Date: 8/9/2016

Report Type: Public Hearing

Report ID: 2016-00761

Title: Housing and Dangerous Buildings Case Fees - Findings of Fact for Special Assessment (Noticed 05/16/2016 & 06/13/2016)

Location: Citywide

Recommendation: Conduct a public hearing and upon conclusion pass a Resolution making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

Contact: Carl Simpson, Code and Housing Enforcement Chief (916) 808-8183, Community Development Department

Presenter: Carl Simpson, Code and Housing Enforcement Chief (916) 808-8183, Community Development Department

Department: Community Development Dept

Division: Housing & Dangerous Buildings

Dept ID: 21001311

Attachments:

1-Description/Analysis

2-Resolution

3-Exhibit A (Report of the Building Official)

City Attorney Review

Approved as to Form

Michael Benner

7/21/2016 2:55:46 PM

Approvals/Acknowledgements

Department Director or Designee: Frances Chong - 7/18/2016 10:36:53 AM

Description/Analysis

Issue Detail: Delinquent fees are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and/or attaching a special assessment against the respective properties.

Policy Considerations: Conducting the public hearing is in accordance with Section 8.96.360 of the Sacramento City Code.

Prior to the assessment of fees, each property owner was issued the appropriate legal notices, as set forth in Section 8.96.330 of the Sacramento City Code, and was afforded an opportunity to appear before the Housing Code Advisory and Appeals Board (HCAAB) to protest or object. Subsequent to the hearing, the City Clerk transmitted the HCAAB report to the City Council and sent the decision to the objecting property owner via first class mail. Included in this notice was the date and time of the public hearing to be held by the City Council. The decision of the HCAAB is final and conclusive, and judicial review must be conducted in the manner and time frame set forth in California Code of Civil Procedure Section 1094.6. Section 8.96.360 of the Sacramento City Code allows the City Council to order the costs be made both a personal obligation of the property owner and a special assessment against the property.

Housing and Dangerous Buildings activities, including the cost recovery process, are consistent with policies associated with the City's goal to enhance and preserve the neighborhoods.

Economic Impacts: None.

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

Sustainability: There are no sustainability considerations.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Adopting this Resolution will enable the City to collect unpaid fees by attaching special assessments against the respective properties, to be collected through County property tax collections or a personal obligation of the property owner.

Financial Considerations: Upon City Council approval, unpaid fees are attached as special assessments against the properties to be collected through County property tax collections. If special assessments are utilized, the City receives distributions from the County for property tax and assessment revenue that is then deposited into the General Fund.

Local Business Enterprise (LBE): Not applicable.

RESOLUTION NO. 2016-

Adopted by the Sacramento City Council

August 9, 2016

ACCEPTING HOUSING AND DANGEROUS BUILDINGS CASE FEES – FINDINGS OF FACT FOR SPECIAL ASSESSMENT LIENS BACKGROUND

- A. In accordance with Article IX of Sacramento City Code Chapter 8.96 the Community Development Department's Housing and Dangerous Buildings Division prepared and filed reports of unpaid costs of abating substandard and dangerous buildings, and scheduled a hearing before the Housing Code Advisory and Appeals Board (HCAAB) to consider the reports and any protests and objections thereto.
- B. Notice of the time and place of hearings were given in accordance with Sections 8.96.330 of the Sacramento City Code.
- C. Upon the day and hour fixed for the hearing, the HCAAB heard and passed the reports together with any such protests or objections in accordance with Sections 8.96.350 of the Sacramento City Code.
- D. The decisions of the HCAAB were then transmitted to the objecting owners along with notice of a public hearing to be held by the City Council pursuant to Section 8.96.360 of the Sacramento City Code.
- E. A public hearing was held and the City Council found that the HCAAB hearings were conducted in accordance with all applicable City ordinances.

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

- Section 1. As more specifically described in Exhibit A to this Resolution, Report of the Building Official, the fees in the aggregate amount not-to-exceed \$80,607 are the sums set forth by the HCAAB's findings of fact.
- Section 2. Such costs of abatement constitute personal obligations against the owners of the respective properties.
- Section 3. Pursuant to subsection E of Section 8.96.360 of the Sacramento City Code, the costs of abatement are also made special assessments upon the respective properties at which the services were rendered.
- Section 4. Such special assessments shall be collected at the same time and in the same manner as ordinary municipal taxes, and shall be subject to the same penalties and procedures as provided for ordinary municipal taxes.

Table of Contents:

Exhibit A – Report of the Building Official

Exhibit A – Report of the Building Official

August 9, 2016

| LINE | PARCEL NUMBER | CASE NUMBER | PROPERTY ADDRESS | PROPERTY OWNER | FEE AMOUNT DUE | INVOICE NUMBER | CD | COUNTY CODE |
|------|-------------------|-------------|------------------|-----------------------------------|----------------|----------------|----|-------------|
| 1 | 003-0075-028-0000 | 14-019078 | 2006 C ST | S360 PROPERTIES LLC | \$217.00 | CEDCHB04320 | 4 | 0678 |
| 2 | 006-0073-039-0000 | 14-004993 | 1001 2ND ST | NISSIM LANYADOO REV TRUST 1999 | \$535.00 | CEDCHB04321 | 4 | 0678 |
| 3 | 007-0255-014-0000 | 16-003848 | 2315 O ST | GOSAL AMRIK SINGH | \$307.00 | CEDCHB04353 | 4 | 0678 |
| 4 | 007-0255-014-0000 | 16-005515 | 2315 O ST | GOSAL AMRIK SINGH | \$571.00 | CEDCHB04405 | 4 | 0678 |
| 5 | 008-0092-016-0000 | 16-000504 | 901 43RD ST | SANDRA M REISHUS | \$307.00 | CEDCHB04307 | 3 | 0678 |
| 6 | 009-0062-012-0000 | 15-024506 | 1916 7TH ST | THOMPSON DAVID/LINDA RHYME | \$433.00 | CEDCHB04337 | 4 | 0678 |
| 7 | 009-0092-003-0000 | 16-000159 | 1500 S ST | RED KNOLL 15TH/S STREET LLC | \$721.00 | CEDCHB04310 | 4 | 0678 |
| 8 | 009-0092-003-0000 | 16-000159 | 1500 S ST | RED KNOLL 15TH/S STREET LLC | \$469.00 | CEDCHB04341 | 4 | 0678 |
| 9 | 009-0092-003-0000 | 16-000159 | 1500 S ST | RED KNOLL 15TH/S STREET LLC | \$219.00 | CEDCHC11104 | 4 | 0656 |
| 10 | 009-0092-006-0000 | 15-000468 | 1512 S ST | RED KNOLL 15TH/S STREET LLC | \$227.08 | CEDCHB04178 | 4 | 0678 |
| 11 | 009-0092-006-0000 | 16-000286 | 1512 S ST | RED KNOLL 15TH/S STREET LLC | \$433.00 | CEDCHB04319 | 4 | 0678 |
| 12 | 009-0092-006-0000 | 16-000286 | 1512 S ST | RED KNOLL 15TH/S STREET LLC | \$119.00 | CEDCHC11069 | 4 | 0656 |
| 13 | 010-0093-014-0000 | 15-004886 | 1925 U ST | JANIE RICKETTS | \$1,419.00 | CEDCHC11101 | 4 | 0656 |
| 14 | 010-0113-002-0000 | 15-003951 | 2011 25TH ST | FRANCISCO JOSEPH DOMINGUEZ | \$259.00 | CEDCHB04156 | 4 | 0678 |

Exhibit A – Report of the Building Official

August 9, 2016

| | | | | | | | | |
|----|-------------------|-----------|--------------------|-------------------------------|------------|-------------|---|------|
| 15 | 010-0113-002-0000 | 15-003951 | 2011 25TH ST | FRANCISCO JOSEPH DOMINGUEZ | \$307.00 | CEDCHB04332 | 4 | 0678 |
| 16 | 011-0117-010-0000 | 15-017673 | 4308 T ST | JEFFREY/BROOKE ANDERSON - LEE | \$1,619.00 | CEDCHC10953 | 6 | 0656 |
| 17 | 011-0214-016-0000 | 15-019781 | 2501 51ST ST | BARBARA J PERKINS | \$1,619.00 | CEDCHC11115 | 6 | 0656 |
| 18 | 011-0254-022-0000 | 10-023599 | 6201 2ND AV | KEVIN C KELLEY | \$219.00 | CEDCHC10938 | 6 | 0656 |
| 19 | 013-0242-020-0000 | 15-018241 | 3043 6TH AV | COUNTRYWIDE HOME LNS | \$219.00 | CEDCHC11098 | 5 | 0656 |
| 20 | 013-0342-025-0000 | 09-038033 | 3444 9TH AV | HOWARD SUTTON | \$119.00 | CEDCHC11127 | 5 | 0656 |
| 21 | 014-0123-011-0000 | 15-014596 | 4345 4TH AV | GMAC MORTGAGE, LLC | \$219.00 | CEDCHC11089 | 5 | 0656 |
| 22 | 014-0184-021-0000 | 14-022496 | 3031 40TH ST | PATRICK BLACKSHIRE | \$433.00 | CEDCHB04167 | 5 | 0678 |
| 23 | 014-0184-021-0000 | 14-022496 | 3031 40TH ST | PATRICK BLACKSHIRE | \$379.00 | CEDCHB04325 | 5 | 0678 |
| 24 | 014-0203-025-0000 | 15-015917 | 3347 SAN CARLOS WY | VADIE JEAN CONLEY | \$1,783.00 | CEDCHB04316 | 5 | 0678 |
| 25 | 014-0212-021-0000 | 15-022546 | 3311 SANTA CRUZ WY | BLUE FIRE INVESTMENTS LLC | \$476.60 | CEDCHB04330 | 5 | 0678 |
| 26 | 014-0212-021-0000 | 15-022546 | 3311 SANTA CRUZ WY | BLUE FIRE INVESTMENTS LLC | \$1,519.00 | CEDCHC11149 | 5 | 0656 |
| 27 | 014-0249-014-0000 | 15-018124 | 3631 43RD ST | BROJERDI GHOLAMREZA | \$1,419.00 | CEDCHC10972 | 5 | 0656 |
| 28 | 015-0072-010-0000 | 15-012538 | 3216 PERRYMAN WY | NICOLE KIMBROUGH | \$219.00 | CEDCHC11087 | 6 | 0656 |
| 29 | 020-0121-008-0000 | 15-023343 | 4118 34TH ST | CATHERENE MARSHALL | \$445.00 | CEDCHB04357 | 5 | 0678 |
| 30 | 020-0121-008-0000 | 15-023343 | 4118 34TH ST | CATHERENE MARSHALL | \$1,619.00 | CEDCHC11133 | 5 | 0656 |

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| | | | | | | | | |
|----|-------------------|-----------|-------------------|-------------------------------------|-------------|-------------|---|------|
| 31 | 020-0131-044-0000 | 08-100488 | 4216 38TH ST | LANDMARK FINANCIAL SOLUTIONS LLC | \$439.00 | CEDCHB04278 | 5 | 0678 |
| 32 | 020-0131-044-0000 | 08-100488 | 4216 38TH ST | LANDMARK FINANCIAL SOLUTIONS LLC | \$12,007.00 | CEDCHB04279 | 5 | 0201 |
| 33 | 020-0132-015-0000 | 14-009562 | 3748 18TH AV | ARLP SECURITIZATION TRUST | \$127.00 | CEDCHB04363 | 5 | 0678 |
| 34 | 020-0132-015-0000 | 14-009562 | 3748 18TH AV | ARLP SECURITIZATION TRUST | \$544.31 | CEDCHB04364 | 5 | 0201 |
| 35 | 020-0214-019-0000 | 15-020023 | 3748 20TH AV | MATTHEW POOLEY | \$314.60 | CEDCHB04328 | 5 | 0678 |
| 36 | 021-0111-018-0000 | 15-010209 | 4287 STOCKTON BL | HIEP VAN/OANH T NGUYEN | \$1,619.00 | CEDCHC11085 | 5 | 0656 |
| 37 | 022-0063-003-0000 | 14-023697 | 4940 MCGLASHAN ST | BERNARD LEE/EARLE ANCAR | \$589.00 | CEDCHB04318 | 5 | 0678 |
| 38 | 023-0024-022-0000 | 16-002413 | 5312 21ST AV | WILBERT D/MADELINE S HUMBLES TRUST | \$445.00 | CEDCHB04335 | 5 | 0678 |
| 39 | 023-0024-022-0000 | 16-002413 | 5312 21ST AV | WILBERT D/MADELINE S HUMBLES TRUST | \$1,112.60 | CEDCHB04340 | 5 | 0678 |
| 40 | 023-0024-022-0000 | 16-002413 | 5312 21ST AV | WILBERT D/MADELINE S HUMBLES TRUST | \$224.60 | CEDCHB04358 | 5 | 0678 |
| 41 | 023-0134-009-0000 | 16-002197 | 5240 CABRILLO WY | SUSAN ZAVALA | \$932.60 | CEDCHB04361 | 6 | 0678 |
| 42 | 023-0221-003-0000 | 15-016722 | 5320 55TH ST | ROBIN MARK DUARTE/JENNIFER M POWELL | \$219.00 | CEDCHC11090 | 6 | 0656 |
| 43 | 025-0165-016-0000 | 12-009560 | 5741 28TH ST | DAVID TIEU LAC | \$2,567.80 | CEDCHB04333 | 5 | 0678 |
| 44 | 025-0165-016-0000 | 12-009560 | 5741 28TH ST | DAVID TIEU LAC | \$119.00 | CEDCHC11116 | 5 | 0656 |
| 45 | 025-0192-023-0000 | 15-006086 | 2960 35TH AV | JOSE DELTORO | \$1,619.00 | CEDCHC11078 | 5 | 0656 |
| 46 | 035-0365-007-0000 | 16-000135 | 6691 GOLF VIEW DR | NEW CENTURY HOME EQUITY LOAN TRUST | \$433.00 | CEDCHB04302 | 5 | 0678 |

Exhibit A – Report of the Building Official

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| | | | | | | | | |
|----|-------------------|-----------|-----------------------|----------------------------------|------------|-------------|---|------|
| 47 | 036-0062-024-0000 | 16-003543 | 6337 25TH ST | RICHARD CHAMBERLAIN | \$433.00 | CEDCHB04362 | 5 | 0678 |
| 48 | 036-0133-005-0000 | 15-018306 | 6644 30TH ST | MARIO J WOODS | \$703.00 | CEDCHB04329 | 5 | 0678 |
| 49 | 036-0133-005-0000 | 15-018306 | 6644 30TH ST | MARIO J WOODS | \$1,519.00 | CEDCHC10974 | 5 | 0656 |
| 50 | 040-0031-006-0000 | 15-025455 | 6518 63RD ST | PHAM VINH V/LAURA D | \$345.00 | CEDCHB04169 | 6 | 0678 |
| 51 | 040-0071-001-0000 | 15-020898 | 6440 75TH ST | ROSZITA DAUTERIVE | \$1,619.00 | CEDCHC11076 | 6 | 0656 |
| 52 | 047-0053-014-0000 | 14-020217 | 2125 62ND AV | DAISY L SHEGOG | \$884.20 | CEDCHB04365 | 8 | 0201 |
| 53 | 047-0053-014-0000 | 14-020217 | 2125 62ND AV | DAISY L SHEGOG | \$119.00 | CEDCHC11134 | 8 | 0656 |
| 54 | 048-0136-003-0000 | 13-009289 | 2176 KIRK WY | ELLIS R RHYM | \$2,581.39 | CEDCHB04354 | 8 | 0678 |
| 55 | 049-0142-009-0000 | 15-017249 | 2750 MEADOWVALE AV | CLEVELAND WILLIAMS | \$119.00 | CEDCHC11099 | 8 | 0656 |
| 56 | 049-0182-004-0000 | 15-011656 | 7466 29TH ST | L P/M A CLARK 2002 TRUST | \$217.00 | CEDCHB04164 | 8 | 0678 |
| 57 | 049-0244-008-0000 | 14-021172 | 2780 UTAH AV | NAZRANA KHAN | \$1,619.00 | CEDCHC10988 | 8 | 0656 |
| 58 | 049-0440-046-0000 | 15-012311 | 7324 LUTHER DR | ALIANA W/ANDREW O KONG | \$1,619.00 | CEDCHC11082 | 8 | 0656 |
| 59 | 049-0460-037-0000 | 16-003679 | 7514 MANDY DR | MIN FANG | \$448.19 | CEDCHB04355 | 8 | 0678 |
| 60 | 049-0480-017-0000 | 16-003144 | 3430 STARSTONE WY | LIN CHAO YONG | \$418.19 | CEDCHB04315 | 8 | 0678 |
| 61 | 052-0062-014-0000 | 16-000701 | 7677 LYTLE ST | ALI MAHBUBA/SHAKHAWAT HOSSAIN | \$307.00 | CEDCHB04300 | 8 | 0678 |
| 62 | 052-0220-051-0000 | 15-025268 | 7781 19TH ST | GUAN LISA/MEI B/DONALD E LOWE | \$433.00 | CEDCHB04309 | 8 | 0678 |

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| | | | | | | | | |
|----|-------------------|-----------|--------------------|--------------------------------|------------|-------------|---|------|
| 63 | 117-0104-018-0000 | 14-013829 | 5920 HOLLYHURST WY | ELMER HALL/KATHERINE BARNES | \$445.00 | CEDCHB04165 | 7 | 0678 |
| 64 | 117-0450-070-0000 | 15-004895 | 6441 SUNNYFIELD WY | ALBERT LOPEZ JR | \$1,619.00 | CEDCHC10978 | 8 | 0656 |
| 65 | 119-0353-044-0000 | 15-013699 | 3926 DEERBROOK DR | PHONG NGO | \$919.00 | CEDCHC11088 | 7 | 0656 |
| 66 | 201-0750-037-0000 | 14-007502 | 5907 CADDINGTON WY | DAVID R/NYSSA C WILLIAMS | \$119.00 | CEDCHC10993 | 1 | 0656 |
| 67 | 225-1900-040-0000 | 16-000511 | 2830 FRIGATEBIRD | SHEILA SIU WAH YEE | \$433.00 | CEDCHB04322 | 1 | 0678 |
| 68 | 225-2050-001-0000 | 15-012438 | 5101 KANKAKEE DR | LEHMAN XS TRUST | \$219.00 | CEDCHC11086 | 1 | 0656 |
| 69 | 226-0070-052-0000 | 15-024481 | 223 PINEDALE AV | ROSEMARY A WHITLEY REV TRUST | \$307.00 | CEDCHB04336 | 2 | 0678 |
| 70 | 226-0070-052-0000 | 15-024481 | 223 PINEDALE AV | ROSEMARY A WHITLEY REV TRUST | \$119.00 | CEDCHC11126 | 2 | 0656 |
| 71 | 237-0162-014-0000 | 15-015559 | 1525 KATHARINE AV | BONUS BIG REAL ESTATE | \$1,619.00 | CEDCHC10962 | 2 | 0656 |
| 72 | 237-0214-022-0000 | 15-022220 | 1201 NORTH AV | VIRGILIO C SANCHEZ | \$1,619.00 | CEDCHC11114 | 2 | 0656 |
| 73 | 237-0500-019-0000 | 15-021350 | 637 TAILWIND DR | BRENDA PONCE | \$1,619.00 | CEDCHC11112 | 2 | 0656 |
| 74 | 238-0092-043-0000 | 15-015527 | 213 WAINWRIGHT CT | ARTHUR E/CORNELIA MCCOMBS | \$119.00 | CEDCHC10992 | 2 | 0656 |
| 75 | 250-0311-025-0000 | 15-015127 | 257 GRAVES AV | KILLIAN WALTER JR | \$1,419.00 | CEDCHC10949 | 2 | 0656 |
| 76 | 251-0212-036-0000 | 15-017875 | 1217 RIVERA DR | ALLIANCE PROP ACQUISITIONS LLC | \$355.00 | CEDCHB04306 | 2 | 0678 |
| 77 | 251-0282-002-0000 | 09-003502 | 3329 CYPRESS ST | HEATHER GRACE INVESTMENTS LLC | \$452.60 | CEDCHB04345 | 2 | 0678 |
| 78 | 252-0012-021-0000 | 15-003624 | 3938 IVY ST | THOMAS REV TRUST | \$259.00 | CEDCHB04157 | 2 | 0678 |

Exhibit A – Report of the Building Official

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| | | | | | | | | |
|--------------|-------------------|-----------|-----------------|---------------------------------|--------------------|-------------|---|------|
| 79 | 263-0045-005-0000 | 15-017776 | 656 SONOMA AV | REDWOOD STREET PROPERTIES LLC | \$1,619.00 | CEDCHC11109 | 2 | 0656 |
| 80 | 263-0091-011-0000 | 15-014946 | 771 ACACIA AV | PANTELIS PALIOUDAKIS | \$1,619.00 | CEDCHC11075 | 2 | 0656 |
| 81 | 263-0161-014-0000 | 14-006317 | 425 LAMPASAS AV | DOROTHY/EARL MARCUSSEN | \$925.00 | CEDCHB04323 | 2 | 0678 |
| 82 | 263-0161-014-0000 | 14-006317 | 425 LAMPASAS AV | DOROTHY/EARL MARCUSSEN | \$1,519.00 | CEDCHC10980 | 2 | 0656 |
| 83 | 263-0312-002-0000 | 15-003883 | 148 SCONCE WY | GEORGE PETKER | \$1,419.00 | CEDCHC11084 | 2 | 0656 |
| 84 | 263-0312-006-0000 | 15-015533 | 165 OLMSTEAD DR | LONNIE R LANDRUM/ETAL | \$1,619.00 | CEDCHC11081 | 2 | 0656 |
| 85 | 265-0301-007-0000 | 10-005090 | 1021 OLIVERA WY | DAVID/LANORA GARIBAY | \$445.00 | CEDCHB04301 | 2 | 0678 |
| 86 | 265-0303-051-0000 | 13-000323 | 1131 FRIENZA AV | MICHAEL OSAKPOLOR LYASERE | \$119.00 | CEDCHC10983 | 2 | 0656 |
| 87 | 266-0411-006-0000 | 15-021411 | 1417 AUBURN BL | BAYVIEW LN SERVICING LLC | \$1,198.19 | CEDCHB04087 | 2 | 0678 |
| 88 | 266-0411-006-0000 | 15-021411 | 1417 AUBURN BL | BAYVIEW LN SERVICING LLC | \$119.00 | CEDCHC10896 | 2 | 0656 |
| 89 | 275-0074-020-0000 | 16-002113 | 151 ARDEN WY | LSF9 MASTER PARTICIPATION TRUST | \$523.00 | CEDCHB04287 | 2 | 0678 |
| 90 | 277-0071-025-0000 | 15-021445 | 2394 EMPRESS ST | SANDRA E OWENS | \$445.00 | CEDCHB04162 | 2 | 0678 |
| 91 | 277-0071-025-0000 | 15-021445 | 2394 EMPRESS ST | SANDRA E OWENS | \$331.00 | CEDCHB04331 | 2 | 0678 |
| 92 | 277-0071-025-0000 | 15-021445 | 2394 EMPRESS ST | SANDRA E OWENS | \$1,519.00 | CEDCHC10973 | 2 | 0656 |
| TOTAL | | | | | \$80,606.95 | | | |