



## City Council Report

915 I Street, 1<sup>st</sup> Floor  
Sacramento, CA 95814

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**File #:** 2016-01307

**Public Hearing Item 13**

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**Title: Housing and Dangerous Buildings Case Fees - Findings of Fact for Special Assessment (Noticed 07/18/2016 & 08/16/2016)**

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

**Location:** Citywide

**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 Department

**Attachments:**

- 1-Description/Analysis
- 2-Resolution
- 3-Exhibit A - Report of the Building Official

## 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

November 15, 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 \$153,733 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**

**November 15, 2016**

| <b>LINE</b> | <b>PARCEL NUMBER</b> | <b>CASE NUMBER</b> | <b>PROPERTY ADDRESS</b> | <b>PROPERTY OWNER</b>            | <b>FEE AMOUNT DUE</b> | <b>INVOICE NUMBER</b> | <b>CD</b> | <b>COUNTY CODE</b> |
|-------------|----------------------|--------------------|-------------------------|----------------------------------|-----------------------|-----------------------|-----------|--------------------|
| 1           | 002-0164-015-0000    | 16-007201          | 1301 H ST               | NISSIM LANYADOO IRREV TRUST 2016 | \$385.00              | CEDCHB04480           | 4         | 0678               |
| 2           | 003-0094-002-0000    | 15-023464          | 309 25TH ST             | MARK MICHELON                    | \$119.00              | CEDCHC11177           | 4         | 0656               |
| 3           | 009-0092-003-0000    | 16-000159          | 1500 S ST               | RED KNOLL 15TH/S STREET, LLC     | \$517.00              | CEDCHB04367           | 4         | 0678               |
| 4           | 009-0092-003-0000    | 16-000159          | 1500 S ST               | RED KNOLL 15TH/S STREET, LLC     | \$583.00              | CEDCHB04447           | 4         | 0678               |
| 5           | 009-0092-004-0000    | 16-007888          | 1508 S ST               | RED KNOLL 15TH/S STREET, LLC     | \$119.00              | CEDCHC11187           | 4         | 0656               |
| 6           | 009-0092-004-0000    | 16-007888          | 1508 S ST               | RED KNOLL 15TH/S STREET, LLC     | \$811.00              | CEDCHB04463           | 4         | 0678               |
| 7           | 009-0092-004-0000    | 16-007888          | 1508 S ST               | RED KNOLL 15TH/S STREET, LLC     | \$355.00              | CEDCHB04488           | 4         | 0678               |
| 8           | 009-0092-005-0000    | 16-004875          | 1508 S ST               | RED KNOLL 15TH/S STREET, LLC     | \$433.00              | CEDCHB04393           | 4         | 0678               |
| 9           | 009-0232-015-0000    | 16-007135          | 401 BROADWAY            | BROADWAY SPC LLC                 | \$554.60              | CEDCHB04605           | 4         | 0678               |
| 10          | 010-0127-011-0000    | 15-016483          | 2008 28TH ST            | RAMIREZ REV LIVING TRUST         | \$219.00              | CEDCHC11169           | 4         | 0656               |
| 11          | 013-0104-015-0000    | 12-014951          | 2920 33RD ST            | MICHAEL EDWARDS                  | \$760.60              | CEDCHB04481           | 5         | 0201               |
| 12          | 013-0343-008-0000    | 15-013985          | 3530 9TH AV             | ANDREW GRIFFEN                   | \$500.60              | CEDCHB04454           | 5         | 0678               |
| 13          | 013-0343-008-0000    | 15-013985          | 3530 9TH AV             | ANDREW GRIFFIN                   | \$1,441.00            | CEDCHB04594           | 5         | 0678               |
| 14          | 014-0102-002-0000    | 15-020680          | 3914 3RD AV             | MARIA TERESA AVALOS              | \$219.00              | CEDCHC11143           | 5         | 0656               |

**Exhibit A – Report of the Building Official**

**November 15, 2016**

|    |                   |           |                    |   |            |             |   |      |
|----|-------------------|-----------|--------------------|---|------------|-------------|---|------|
| 15 | 014-0184-021-0000 | 14-022496 | 3031 40TH ST       | PATRICK BLACKSHIRE                        | \$403.00   | CEDCHB04450 | 5 | 0678 |
| 16 | 014-0184-021-0000 | 14-022496 | 3031 40TH ST       | PATRICK BLACKSHIRE                        | \$885.00   | CEDCHB04409 | 5 | 0678 |
| 17 | 014-0203-025-0000 | 15-015917 | 3347 SAN CARLOS WY | VADIE JEAN CONLEY                         | \$439.00   | CEDCHB04410 | 5 | 0678 |
| 18 | 014-0203-025-0000 | 15-015917 | 3347 SAN CARLOS WY | VADIE JEAN CONLEY                         | \$127.00   | CEDCHB04489 | 5 | 0678 |
| 19 | 014-0213-021-0000 | 11-025121 | 3319 SAN JOSE WY   | TKS COMMUNITY DEVELOPMENT CORP            | \$119.00   | CEDCHC11170 | 5 | 0656 |
| 20 | 015-0144-011-0000 | 16-007250 | 3431 58TH ST       | BRIAN NORMAN ANDERSON                     | \$488.60   | CEDCHB04448 | 6 | 0678 |
| 21 | 015-0144-011-0000 | 16-007250 | 3431 58TH ST       | BRIAN NORMAN ANDERSON                     | \$433.00   | CEDCHB04449 | 6 | 0678 |
| 22 | 016-0161-014-0000 | 14-016154 | 1030 RIO LN        | FEDERAL HOME LOAN MORTGAGE CORP           | \$119.00   | CEDCHC11243 | 4 | 0656 |
| 23 | 019-0082-015-0000 | 13-023691 | 2900 19TH AV       | 2900 19TH AVE TRUST                       | \$119.00   | CEDCHC11146 | 5 | 0656 |
| 24 | 019-0161-002-0000 | 16-003174 | 2810 24TH AV       | US BANK NATIONAL ASSOCIATION              | \$1,619.00 | CEDCHC11249 | 5 | 0656 |
| 25 | 020-0015-026-0000 | 15-019816 | 3737 32ND ST       | WILMINGTON TRUST                          | \$1,619.00 | CEDCHC11246 | 5 | 0656 |
| 26 | 020-0121-008-0000 | 15-023343 | 4118 34TH ST       | CATHERENE MARSHALL                        | \$439.00   | CEDCHB04412 | 5 | 0678 |
| 27 | 020-0214-019-0000 | 15-020023 | 3748 20TH AV       | MATTHEW POOLEY                            | \$1,419.00 | CEDCHC11140 | 5 | 0656 |
| 28 | 020-0214-019-0000 | 15-020023 | 3748 20TH AV       | MATTHEW POOLEY                            | \$241.00   | CEDCHB04383 | 5 | 0678 |
| 29 | 020-0214-031-0000 | 12-010605 | 3631 21ST AV       | ELLA MAE LOFTON                           | \$119.00   | CEDCHC11245 | 5 | 0656 |
| 30 | 023-0024-022-0000 | 16-002413 | 5312 21ST AV       | WILBERT D/MADELINE S HUMBLES FAMILY TRUST | \$219.00   | CEDCHC11178 | 5 | 0656 |

**Exhibit A – Report of the Building Official**

**November 15, 2016**

|    |                   |           |                   |   |            |             |   |      |
|----|-------------------|-----------|-------------------|---|------------|-------------|---|------|
| 31 | 023-0024-022-0000 | 16-002413 | 5312 21ST AV      | WILBERT D/MADELINE S HUMBLES FAMILY TRUST | \$385.00   | CEDCHB04436 | 5 | 0678 |
| 32 | 023-0024-022-0000 | 16-002413 | 5312 21ST AV      | WILBERT D/MADELINE HUMBLES FAMILY TRUST   | \$721.00   | CEDCHB04469 | 5 | 0678 |
| 33 | 023-0134-009-0000 | 16-002197 | 5240 CABRILLO WY  | SUSAN ZAVALA                              | \$1,069.60 | CEDCHB04414 | 6 | 0201 |
| 34 | 023-0134-009-0000 | 16-002197 | 5240 CABRILLO WY  | SUSAN ZAVALA                              | \$1,619.00 | CEDCHC11157 | 6 | 0656 |
| 35 | 023-0134-009-0000 | 16-002197 | 5240 CABRILLO WY  | SUSAN ZAVALA                              | \$439.00   | CEDCHB04413 | 6 | 0678 |
| 36 | 023-0263-023-0000 | 16-000197 | 5451 70TH ST      | ALVERNAZ INVS, LLC                        | \$219.00   | CEDCHC11193 | 6 | 0656 |
| 37 | 026-0072-007-0000 | 16-009319 | 5625 53RD ST      | ALICIA OSEGUERA                           | \$571.00   | CEDCHB04592 | 6 | 0678 |
| 38 | 029-0174-003-0000 | 16-006249 | 5979 GLORIA DR    | ELVERA L PETRELL                          | \$247.00   | CEDCHB04603 | 5 | 0678 |
| 39 | 035-0266-004-0000 | 15-016983 | 6921 DEMARET DR   | RAYMUNDO HARO                             | \$1,619.00 | CEDCHC11103 | 5 | 0656 |
| 40 | 036-0133-005-0000 | 15-018306 | 6644 30TH ST      | MARIO J WOODS                             | \$673.00   | CEDCHB04457 | 5 | 0678 |
| 41 | 039-0171-042-0000 | 15-024064 | 6025 RIZA AV      | SOFIA/SOYA NEW                            | \$1,519.00 | CEDCHC11247 | 6 | 0656 |
| 42 | 039-0171-042-0000 | 15-024064 | 6025 RIZA AV      | SOFIA/SOYA NEW                            | \$2,353.00 | CEDCHB04379 | 6 | 0678 |
| 43 | 040-0220-010-0000 | 15-020899 | 6416 63RD ST      | CASEY B CAPEHART                          | \$1,594.00 | CEDCHC11093 | 6 | 0656 |
| 44 | 041-0063-019-0000 | 13-004068 | 7000 CARNATION AV | JAGDEEP SINGH                             | \$283.00   | CEDCHB04482 | 5 | 0678 |
| 45 | 048-0136-003-0000 | 13-009289 | 2176 KIRK WY      | ELLIS R RHYM                              | \$439.00   | CEDCHB04408 | 8 | 0678 |
| 46 | 048-0136-003-0000 | 13-009289 | 2176 KIRK WY      | ELLIS R RHYM                              | \$536.60   | CEDCHB04455 | 8 | 0678 |

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**November 15, 2016**

|    |                   |           |                         |                                 |            |             |   |      |
|----|-------------------|-----------|-------------------------|---------------------------------|------------|-------------|---|------|
| 47 | 048-0136-003-0000 | 13-009289 | 2176 KIRK WY            | ELLIS R RHYM                    | \$1,406.60 | CEDCHB04441 | 8 | 0678 |
| 48 | 048-0203-016-0000 | 16-005584 | 7511 AMHERST ST         | SHEILA HENDRIX                  | \$119.00   | CEDCHC11166 | 8 | 0656 |
| 49 | 048-0203-016-0000 | 16-005584 | 7511 AMHERST ST         | SHEILA HENDRIX                  | \$1,292.60 | CEDCHB04416 | 8 | 0678 |
| 50 | 048-0203-016-0000 | 16-005584 | 7511 AMHERST ST         | SHEILA HENDRIX                  | \$314.60   | CEDCHB04461 | 8 | 0678 |
| 51 | 049-0182-004-0000 | 15-011656 | 7466 29TH ST            | L P M A CLARK 2002 TRUST        | \$1,633.00 | CEDCHB04479 | 8 | 0678 |
| 52 | 049-0222-002-0000 | 14-018632 | 7567 TWILIGHT DR        | CARMELITA /THONGPHET<br>PHALOM  | \$119.00   | CEDCHC11160 | 8 | 0656 |
| 53 | 049-0222-002-0000 | 14-018632 | 7567 TWILIGHT DR        | CARMELITA /THONGPHET<br>PHALOM  | \$307.00   | CEDCHB04477 | 8 | 0678 |
| 54 | 049-0440-046-0000 | 15-012311 | 7324 LUTHER DR          | ALIANA/ANDREW KONG              | \$637.00   | CEDCHB04483 | 8 | 0201 |
| 55 | 050-0444-017-0000 | 14-021795 | 7508 RUBENS PKWY        | US BANK NATIONAL<br>ASSOCIATION | \$607.00   | CEDCHB04485 | 8 | 0678 |
| 56 | 053-0131-016-0000 | 16-007409 | 7766 25TH ST            | FEDERAL NTL MTG<br>ASSOCIATION  | \$119.00   | CEDCHC11191 | 8 | 0656 |
| 57 | 053-0131-016-0000 | 16-007409 | 7766 25TH ST            | FEDERAL NTL MTG<br>ASSOCIATION  | \$254.60   | CEDCHB04471 | 8 | 0678 |
| 58 | 053-0131-016-0000 | 16-007409 | 7766 25TH ST            | FEDERAL NTL MTG<br>ASSOCIATION  | \$817.00   | CEDCHB04600 | 8 | 0678 |
| 59 | 117-0250-034-0000 | 16-000302 | 5961 BAMFORD DR         | ROBERT T TYLER                  | \$1,519.00 | CEDCHC11248 | 8 | 0656 |
| 60 | 117-0550-024-0000 | 16-007088 | 7963 WHISPER WOOD<br>WY | MARY L WADE                     | \$343.00   | CEDCHB04465 | 7 | 0678 |
| 61 | 117-1250-053-0000 | 16-005284 | 5541 REXLEIGH CT        | MERRILL LYNCH MTG INVS<br>TRUST | \$1,069.00 | CEDCHB04402 | 8 | 0678 |
| 62 | 119-0352-009-0000 | 16-002319 | 4008 FAWN CR            | XINGLONG LIN                    | \$1,619.00 | CEDCHC11162 | 7 | 0656 |

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**November 15, 2016**

|    |                   |           |                          |                               |             |             |   |      |
|----|-------------------|-----------|--------------------------|-------------------------------|-------------|-------------|---|------|
| 63 | 201-0750-037-0000 | 14-007502 | 5907 CADDINGTON WY       | DAVID/NYSSA WILLIAMS          | \$337.00    | CEDCHB04478 | 1 | 0678 |
| 64 | 215-0260-049-0000 | 15-010113 | 5112 DRY CREEK RD        | FIX IT TODAY INC              | \$119.00    | CEDCHC11168 | 2 | 0656 |
| 65 | 225-0352-007-0000 | 16-004963 | 2785 MENDEL WY           | JOSE A CHAVEZ                 | \$548.60    | CEDCHB04394 | 3 | 0678 |
| 66 | 225-0430-060-0000 | 16-003207 | 2880 STONECREEK DR       | RONALD/YVETTE LEE             | \$1,619.00  | CEDCHC11196 | 3 | 0656 |
| 67 | 225-0430-060-0000 | 16-003207 | 2880 STONECREEK DR       | RONALD/YVETTE LEE             | \$782.60    | CEDCHB04384 | 3 | 0678 |
| 68 | 225-277-0003-0000 | 16-005296 | 2010 CLUB CENTER DR #120 | NATOMAS RETAIL CENTER LLC     | \$433.00    | CEDCHB04403 | 1 | 0678 |
| 69 | 226-0101-052-0000 | 09-011256 | 5209 RIO LINDA BL        | MELVIN CURTACCIO              | \$64,864.00 | CEDCHB04398 | 2 | 0201 |
| 70 | 237-0214-022-0000 | 15-022220 | 1201 NORTH AV            | VIRGILIO C SANCHEZ            | \$517.00    | CEDCHB04487 | 2 | 0678 |
| 71 | 237-0355-016-0000 | 12-016900 | 4445 BOLLENBACHER AV     | CHIEW L SAECHAO               | \$307.00    | CEDCHB03893 | 2 | 0678 |
| 72 | 238-0092-022-0000 | 10-007462 | 406 STILLWELL CT         | N VEST N REAL ESTATE SERVICES | \$398.63    | CEDCHB04400 | 2 | 0201 |
| 73 | 238-0092-022-0000 | 10-007462 | 406 STILLWELL CT         | N VEST N REAL ESTATE SERVICES | \$217.00    | CEDCHB04417 | 2 | 0678 |
| 74 | 250-0064-011-0000 | 15-020677 | 471 GRAND AV             | KARIN FRANK/ FRANCES MCGUIRE  | \$1,545.00  | CEDCHB04385 | 2 | 0201 |
| 75 | 250-0064-011-0000 | 15-020677 | 471 GRAND AV             | KARIN FRANK/ FRANCES MCGUIRE  | \$119.00    | CEDCHC11142 | 2 | 0656 |
| 76 | 250-0130-014-0000 | 16-003161 | 330 SOUTH AV             | SUSAN A LANGBEHN              | \$219.00    | CEDCHC11197 | 2 | 0656 |
| 77 | 251-0105-020-0000 | 16-005875 | 3720 CLAY ST             | MICHAEL MELLO/GORDON TAMPLIN  | \$307.00    | CEDCHB04424 | 2 | 0678 |
| 78 | 252-0012-021-0000 | 15-003624 | 3938 IVY ST              | THOMAS REVOCABLE TRUST        | \$884.20    | CEDCHB04378 | 2 | 0201 |

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**November 15, 2016**

|              |                   |           |                    |  |                     |             |   |      |
|--------------|-------------------|-----------|--------------------|--|---------------------|-------------|---|------|
| 79           | 252-0071-004-0000 | 15-023647 | 3829 MAHOGANY ST   | REDWOOD STREET PROPERTIES, LLC             | \$1,419.00          | CEDCHC11150 | 2 | 0656 |
| 80           | 263-0041-014-0000 | 16-004021 | 745 ARCADE BL      | ALDEA HOMES INC                            | \$583.00            | CEDCHB04427 | 2 | 0678 |
| 81           | 263-0051-020-0000 | 07-051731 | 147 ARCADE BL      | MERNA KINNEY                               | \$23,863.00         | CEDCHB04399 | 2 | 0201 |
| 82           | 263-0051-020-0000 | 07-051731 | 147 ARCADE BL      | MERNA KINNEY                               | \$119.00            | CEDCHC11108 | 2 | 0656 |
| 83           | 263-0051-020-0000 | 07-051731 | 147 ARCADE BL      | MERNA KINNEY                               | \$4,063.00          | CEDCHB04391 | 2 | 0678 |
| 84           | 263-0161-014-0000 | 14-006317 | 425 LAMPASAS AV    | DOROTHY/EARL MARCUSSEN                     | \$259.00            | CEDCHB04595 | 2 | 0678 |
| 85           | 263-0216-021-0000 | 09-050014 | 141 EL CAMINO AV   | KEN JONOUBEI                               | \$1,243.00          | CEDCHB04407 | 2 | 0678 |
| 86           | 263-0312-006-0000 | 15-015533 | 165 OLMSTEAD DR    | LONNIE R LANDRUM/ETAL                      | \$752.60            | CEDCHB04593 | 2 | 0678 |
| 87           | 265-0030-024-0000 | 12-005589 | 1279 SONOMA AV     | FH INVS LLC/FIROOZEH HARONIAN LIVING TRUST | \$259.00            | CEDCHB04396 | 2 | 0678 |
| 88           | 265-0180-002-0000 | 15-002354 | 2916 MARYSVILLE BL | SCHMITZ RAYMOND/SHARON G/TR                | \$1,419.00          | CEDCHC11164 | 2 | 0656 |
| 89           | 265-0301-007-0000 | 10-005090 | 1021 OLIVERA WY    | DAVID/LANORA GARIBAY                       | \$877.00            | CEDCHB04484 | 2 | 0678 |
| 90           | 265-0341-005-0000 | 15-017868 | 2546 TAFT ST       | CHARLES S COLARD                           | \$1,519.00          | CEDCHC11106 | 2 | 0656 |
| 91           | 266-0321-007-0000 | 15-004970 | 2645 PLOVER ST     | DAMITZ DENNIS DARREL                       | \$1,039.00          | CEDCHB04380 | 2 | 0201 |
| 92           | 266-0321-007-0000 | 15-004970 | 2645 PLOVER ST     | DAMITZ DENNIS DARREL                       | \$812.80            | CEDCHB04381 | 2 | 0678 |
| <b>TOTAL</b> |                   |           |                    |  | <b>\$153,732.43</b> |             |   |      |