



# REPORT TO COUNCIL

## City of Sacramento

915 I Street, Sacramento, CA 95814-2604  
[www. CityofSacramento.org](http://www.CityofSacramento.org)

**PUBLIC HEARING**  
**August 12, 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 \$173,040.01 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

**Division:** Housing & Dangerous Building

**Organization No:** 20001311

### **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

**Sustainability Considerations:** There are no applicable sustainability considerations.

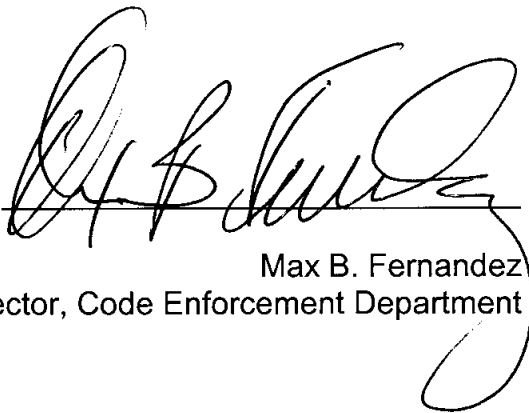
**Environmental Considerations:** The proposed resolution will not have any adverse environmental impact.

**Commission/Committee Action:** None

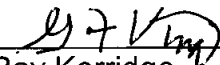
**Rationale for Recommendation:** Adopting this Resolution will enable the City to collect unpaid fees and penalties by placing special assessments upon properties, allowing the fees and penalties to be collected through County property tax collections.

**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:

  
for 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

August 12, 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 \$173,040.01 for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact hearing held May 14, 2008, May 28, 2008, June 11, 2008 and June 25, 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	CD	CTY ID
1	002-0102-018-0000	06-020821	523 7TH ST	ROSE RODNEY B	\$2,499.00	CEDCHA00046	1	0656
2	002-0102-018-0000	06-020821	523 7TH ST	ROSE RODNEY B	\$1,000.00	CEDCHA00047	1	0656
3	002-0102-018-0000	06-020821	523 7TH ST	ROSE RODNEY B	\$1,150.00	CEDCVB00021	1	0629
4	002-0102-018-0000	06-020821	523 7TH ST	RODNEY B. ROSE	\$771.00	CEDCHC00250	1	0656
5	002-0102-018-0000	06-020821	523 7TH ST	RODNEY B. ROSE	\$270.00	CEDCHC00251	1	0678
6	002-0115-007-0000	06-012671	417 11TH ST	STANLEY YEUNG	\$1,566.00	CEDCHC00231	1	0656
7	002-0115-007-0000	06-012671	417 11TH ST	STANLEY YEUNG	\$1,572.00	CEDCHC00232	1	0678
8	002-0122-009-0000	H040005598	1232 E ST	MEIK RAMGARIA SATNAM SINGH	\$836.00	CEDCHC00212	3	0629
9	007-0051-014-0000	07-042037	3015 I ST	STEVENS CHRISTOPHER	\$185.00	CEDCHC00158	3	0656
10	007-0051-014-0000	07-042037	3015 I ST	STEVENS CHRISTOPHER	\$751.48	CEDCHC00159	3	0678
11	007-0094-011-0000	H030036879	1116 23RD ST	LEONARD W. CHAPMAN AND DIANA CHAPMAN	\$37,295.99	CEDCHA00043	3	0656
12	007-0094-011-0000	H030036879	1116 23RD ST	LEONARD W. CHAPMAN AND DIANA CHAPMAN	\$6,150.00	CEDCVB00030	3	0629
13	010-0025-004-0000	H040025419	1816 21ST ST	KENNY M/PAMELA V CARLTON	\$1,505.00	CEDCHC00001	4	0656
14	010-0025-004-0000	H040025419	1816 21ST ST	KENNY M/PAMELA V CARLTON	\$1,846.80	CEDCHC00002	4	0678
15	010-0314-006-0000	H050008129	3448 Y ST	PRAVDIN YEVGENIY/GALINA GALANT	\$185.00	CEDCHC00006	5	0656
16	013-0154-027-0000	07-032974	3709 BIGLER WY	JOHN PAUL NEVENS	\$1,133.00	CEDCHC00073	5	0656
17	013-0154-027-0000	07-032974	3709 BIGLER WY	JOHN PAUL NEVENS TRESKON ALBERT AND KATHERINE C TRESKON	\$216.00	CEDCHC00074	5	0678
18	013-0281-006-0000	06-019197	3017 7TH AV	TRESKON	\$1,233.00	CEDCRH00003	5	0656
19	013-0281-034-0000	06-019200	3207 FRANKLIN BL	CASTILLO ESTHER REVOCABLE TRUST	\$1,233.00	CEDCRH00008	5	0656
20	013-0283-029-0000	07-029136	3200 6TH AV	CITIBANK	\$1,155.00	VECT080001	5	0656
21	013-0403-030-0000	06-019601	3535 38TH ST	GRP LOAN, LLC	\$1,000.00	VBAP080013	5	0629
22	014-0185-040-0000	H050042090	3201 SANTA CRUZ WY	HSBC BANK USA	\$1,150.00	CEDCVB00006	5	0629
23	014-0185-040-0000	H050042090	3201 SANTA CRUZ WY	HSBC BANK USA	\$1,531.49	CEDCHC00208	5	0656
24	014-0185-040-0000	H050042090	3201 SANTA CRUZ WY	HSBC BANK USA	\$570.00	CEDCHC00209	5	0678
25	014-0202-012-0000	06-025682	3412 SAN CARLOS WY	JOHN SERTIC	\$1,644.00	CEDCHC00195	5	0656
26	014-0202-012-0000	06-025682	3412 SAN CARLOS WY	JOHN SERTIC	\$1,525.00	CEDCHC00196	5	0678

Housing Case Fees and Penalties – Liens

August 12, 2008

27	014-0212-001-0000	07-035198	4042 8TH AV	DEUTSCHE BANK NATIONAL TRUST COMPANY C/O AMERICAS SERVICING CO	\$1,913.32	CEDCHC00210	5	0656
28	014-0212-001-0000	07-035198	4042 8TH AV	DEUTSCHE BANK NATIONAL TRUST COMPANY C/O AMERICAS SERVICING CO	\$570.00	CEDCHC00211	5	0678
29	014-0244-002-0000	H060007373	4008 11TH AV	CRAIG A SWINNEY	\$511.00	CEDCHC00197	5	0629
30	020-0061-010-0000	06-004745	4026 38TH ST	WELLS FARGO BANK, N.A. IN TRUST C/O RECONTRUST COMPANY N.A.	\$1,000.00	CEDCHA00045	5	0656
31	020-0061-010-0000	06-004745	4026 38TH ST	WELLS FARGO BANK, N.A. IN TRUST C/O RECONTRUST COMPANY N.A.	\$6,300.00	CEDCVB00022	5	0629
32	020-0061-010-0000	06-004745	4026 38TH ST	WELLS FARGO BANK N.A. C/O RECONTRUST COMPANY N.A.	\$1,566.00	CEDCHC00252	5	0656
33	020-0061-010-0000	06-004745	4026 38TH ST	WELLS FARGO BANK N.A. C/O RECONTRUST COMPANY N.A.	\$2,202.00	CEDCHC00253	5	0678
34	020-0062-015-0000	H050016985	3960 MARTIN LUTHER KING BL	HRH ENTERPRISES, LLC	\$4,999.00	CEDCHA00015	5	0656
35	021-0341-009-0000	07-037047	7241 20TH AV	ROY F RIDLEY JR	\$1,844.00	CEDCHC00269	6	0656
36	022-0014-009-0000	06-006476	3491 24TH AV	WELLS FARGO BANK	\$1,000.00	CEDCHA00049	5	0656
37	022-0014-009-0000	06-006476	3491 24TH AV	WELLS FARGO BANK	\$1,150.00	CEDCVB00023	5	0629
38	022-0014-009-0000	06-006476	3491 24TH AV	WELLS FARGO BANK	\$5,300.00	CEDCVB00024	5	0629
39	022-0014-009-0000	06-006476	3491 24TH AV	WELLS FARGO BANK	\$4,354.56	CEDCHC00254	5	0678
40	023-0093-023-0000	07-040079	4971 BRADFORD DR	BELL MICHAEL	\$85.00	CEDCHC00155	6	0656
41	023-0261-015-0000	06-005097	6829 FRUITRIDGE RD	BANK OF NEW YORK c/o RECONTRUCT COMPANY	\$2,499.00	CEDCHA00032	6	0656
42	030-0242-006-0000	07-037397	320 BELLO RIO WY	VASTELICA EDWARD/BETTE	\$85.00	CEDCHC00150	7	0656
43	030-0242-006-0000	07-037397	320 BELLO RIO WY	VASTELICA EDWARD/BETTE	\$558.00	CEDCHC00151	7	0678
44	035-0202-008-0000	07-037327	6630 23RD ST	BANK OF NEW YORK c/o RECONTRUCT COMPANY	\$1,744.00	CEDCHC00256	5	0656

Housing Case Fees and Penalties – Liens

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45	035-0202-008-0000	07-037327	6630 23RD ST	BANK OF NEW YORK c/o RECONSTRUCT COMPANY	\$180.00	CEDCHC00257	5	0678
46	035-0202-008-0000	07-037327	6630 23RD ST	BANK OF NEW YORK c/o RECONSTRUCT COMPANY	\$1,086.00	CEDCHC00258	5	0678
47	035-0224-004-0000	07-046363	2318 VARDON AV	MEYER CHRIS/SHAUNA TROTH	\$185.00	CEDCHC00178	5	656
48	035-0324-026-0000	F050047427	2131 FLORIN RD	Evanda Dawsom	\$1,155.00	CEDCHC00064	5	0656
49	035-0324-026-0000	F050047427	2131 FLORIN RD	Evanda Dawsom	\$564.00	CEDCHC00065	5	0678
50	047-0043-009-0000	06-003539	2016 FLORIN RD	DOTSON LEON	\$4,999.00	CEDCHA00020	8	0656
51	047-0043-009-0000	06-003539	2016 FLORIN RD	DOTSON LEON	\$1,155.00	CEDCHC00057	8	0656
52	047-0063-004-0000	06-007098	7225 TAMOSHANTER WY	DONALD HURT	\$401.28	CEDCHC00023	8	0678
53	049-0281-003-0001	06-024258	7328 FRANKLIN BL 4343 SHINING STAR DR #2	SAXON MORTGAGE SERVICES	\$996.00	HCE080151	8	0656
54	049-0283-007-0002	06-003469	4343 SHINING STAR DR #2	BILL MOSEMAN	\$1,351.00	CEDCHC00059	8	0656
55	049-0283-007-0002	06-003469	4343 SHINING STAR DR #2	BILL MOSEMAN	\$270.00	CEDCHC00060	8	0678
56	049-0330-041-0000	07-035605	4211 WEYMOUTH LN	CITIBANK NA C/O AMERICA'S SERVICING CO	\$1,835.32	CEDCHC00223	8	0656
57	049-0330-041-0000	07-035605	4211 WEYMOUTH LN	CITIBANK NA C/O AMERICA'S SERVICING CO	\$414.00	CEDCHC00224	8	0678
58	052-0094-004-0000	07-035951	7617 23RD ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O RECONSTRUCT COMPANY	\$1,744.00	CEDCHC00220	8	0656
59	052-0094-004-0000	07-035951	7617 23RD ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O RECONSTRUCT COMPANY	\$534.00	CEDCHC00221	8	0678
60	052-0094-004-0000	07-035951	7617 23RD ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O RECONSTRUCT COMPANY	\$674.40	CEDCHC00222	8	0678
61	052-0142-006-0000	07-034727	1469 JANRICK AV	ANN NGUYEN	\$2,150.00	CEDCVB00010	8	0629
62	078-0042-003-0000	07-040233	2232 GLENCOE WY	GARY MOLOHAN	\$1,133.00	VECT080003	6	0656
63	117-0400-039-0000	H040033969	5905 EHRHARDT AV	RONALD J/ELAINE E BRITT	\$1,891.00	CEDCHC00207	7	0656

Housing Case Fees and Penalties – Liens

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64	117-0410-021-0000	06-017809		6375 SUMMERTIDE WY	KIMBERLY MCKNIGHT/ABRAM MCKNIGHT	\$1,055.00	CEDCHC00190	7	0656
65	117-0860-037-0000	07-039745		5943 LAGUNA RANCH CR	US BANK NATIONAL ASSOCIATION	\$1,233.00	CEDCHC00014	8	0656
66	119-0291-002-0000	06-012141		9 DEERTREE CT	DEUTSCHE BANK	\$1,255.00	CEDCHC00010	7	0656
67	225-1980-024-0000	07-035126		2755 SCREECH OWL WY	JP MORGAN CHASE BAN	\$1,644.00	CEDCHC00263	1	0656
68	225-1980-024-0000	07-035126		2755 SCREECH OWL WY	JP MORGAN CHASE BAN	\$180.00	CEDCHC00264	1	0678
69	225-1980-024-0000	07-035126		2755 SCREECH OWL WY	JP MORGAN CHASE BAN	\$384.00	CEDCHC00265	1	0678
70	226-0151-029-0000	H060007701		529 EXCHANGE ST	EMC MORTGAGE CORPORATION	\$1,641.00	CEDCHC00235	2	0656
71	250-0130-006-0000	H030009277		240 SOUTH AV	NATALYA MOISEYENKO	\$1,000.00	CEDCHA00039	2	0656
72	250-0130-006-0000	H030009277		240 SOUTH AV	NATALYA MOISEYENKO	\$1,635.00	CEDCHC00260	2	0656
73	250-0140-050-0000	H040018221		0 HAYES AV	HENRY/DIETRAH SCROGGINS	\$681.00	CEDCHC00255	2	0629
74	250-0160-008-0002	06-020347		430 W SILVER EAGLE RD	SOLORIO NICHOLAS R/CARMEN (Est Of)/JAMIE VALENCIA	\$1,000.00	CEDCHA00025	1	0656
75	250-0160-008-0002	06-020347		430 W SILVER EAGLE RD	CARMEN/NICHOLAS R SOLORIO/JAMIE VALENCIA (EST OF)	\$1,994.00	CEDCHC00198	1	0656
76	250-0160-008-0002	06-020347		430 W SILVER EAGLE RD	CARMEN/NICHOLAS R SOLORIO/JAMIE VALENCIA (EST OF)	\$1,608.00	CEDCHC00199	1	0678
77	250-028-3005-0000	07-029240		199 BUTTERWORTH AV	U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEES C/O AMERICAS SERVICING CO.	\$1,000.00	CEDCHA00036	2	0656
78	250-0283-005-0000	07-029240		199 BUTTERWORTH AV	U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEES C/O AMERICAS SERVICING CO	\$746.00	CEDCHC00249	2	0629
79	250-0390-020-0000	H040033803		720 BEECHWOOD WY	RODRIGUEZ JUAN M/GLORIA	\$1,030.00	HCE070136	1	0656
80	251-0034-003-0000	07-031534		1408 NORTH AV	GOFF KEVIN	\$563.00	CEDCHC00018	1	0656
81	251-0034-003-0000	07-031534		1408 NORTH AV	GOFF KEVIN	\$1,614.00	CEDCHC00019	1	0678
82	252-0031-013-0000	07-043859		3925 ASTORIA ST	MONTOYA ROBERT	\$1,255.00	CEDCHC00008	2	0656

Housing Case Fees and Penalties – Liens

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83	252-0124-010-0000	H050006098	3713 PRESIDIO ST	MICHAEL/NED/VALERIE LEWIS	\$1,927.60	CEDCHC00228	2	0656	
84	262-0262-020-0000	H050001037	251 WEST EL CAMINO AV	251 WEST EL CAMINO ASSOCIATES LLC	\$511.00	CEDCHC00268	1	0629	
85	263-0141-013-0000	06-023235	2769 OAKMONT ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION CO/RECONTRUST COMPANY	\$2,450.00	CEDCHA00034	2	0656	
86	263-0141-013-0000	06-023235	2769 OAKMONT ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION CO/RECONTRUST COMPANY	\$1,000.00	CEDCHA00035	2	0656	
87	263-0141-013-0000	06-023235	2769 OAKMONT ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O RECONTRUST COMPANY	\$1,566.00	CEDCHC00247	2	0656	
88	263-0141-013-0000	06-023235	2769 OAKMONT ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION C/O RECONTRUST COMPANY	\$2,927.40	CEDCHC00248	2	0678	
89	265-0162-001-0000	H050020672	916 ALAMOS AV	AYALA TORRES NAYELI GUADALUPE	\$1,255.00	CEDCHC00007	2	0656	
90	265-0162-010-0000	H030005311	2865 POQUITA ST	RITA M & JOSE L RAU/ESPINO	\$185.00	CEDCHC00021	2	0656	
91	266-0082-031-0000	06-024788	2017 EDISON AV	HSBC BANK C/O OWEN LOAN SERVICING LLC	\$1,666.00	CEDCHC00244	3	0656	
92	266-0082-031-0000	06-024788	2017 EDISON AV	HSBC BANK C/O OWEN LOAN SERVICING LLC	\$3,529.37	CEDCHC00246	3	0657	
93	275-0011-002-0000	07-046061	12 EL CAMINO AV	AMERICAN HOME MORTGAGE	\$1,233.00	CEDCRH00001	2	0656	
94	275-0011-007-0000	07-046056	78 EL CAMINO AV	DOWNS LEO/MARTHA	\$1,233.00	CEDCRH00002	2	0656	
95	277-0081-004-0000	H050006625	2300 EVERGREEN ST	NORMA & ELOY RAYGOZA	\$1,666.00	CEDCHC00012	2	0656	
<b>TOTAL</b>							<b>\$173,040.01</b>		