

R171867



City of Portland, Oregon
Bureau of Development Services
Enforcement Program
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-2633
Fax: (503) 823-7915
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Notice of Violation – New Owner Notification

January 12, 2017

MULTNOMAH COUNTY
% SPECIAL PROGRAM GROUP
PO BOX 2716
PORTLAND, OR 97208-2716

RECEIVED
MULTNOMAH COUNTY
JAN 13 2017
DIVISION OF
ASSESSMENT & TAXATION

RE: 6968 N MONTANA AV
BLOCK 12 LOT 11&12, GOOD MORNING ADD; 1N1E15BB 05700
Tax #: R33230-2250 Case #: 99-000944-HS

Our records indicate you are the new owner of the above property. At the time you purchased the property, case # 99-000944-HS was open on the property for violations of the City's Property Maintenance Code, Title 29, and monthly code enforcement fees were being billed. Our records show that the case is still open and the violations on the attached list require correction, inspection and approval by a Housing Inspector.

Please contact the undersigned inspector if you have questions about the violations or are ready to request an inspection. It is your responsibility to call the inspector to arrange for an inspection.

Until you have corrected the violations and had them inspected and approved by a Housing Inspector you will be charged a monthly code enforcement fee. A lien has been placed against the property. Should this case remain open 3 months from the initial notice of violation, the monthly charges will increase to twice the original amount. Enclosed is information explaining all fees, penalties, appeals, and waivers.

Please be aware that if your property or any part thereof is vacant or becomes vacant, the code violations must be corrected and approved before the property or any part thereof can be reoccupied or a \$708.00 penalty will be charged per month until the occupation is discontinued or the case is closed.

Please contact the inspector listed below if you have any questions.

Megan Greenauer
Senior Housing Inspector
(503)-823-7724, Megan.Greenauer@portlandoregon.gov

LIST OF VIOLATIONS

Uncorrected violations from January 17, 2014 letter:

1. Trash and debris has accumulated on the interior of the dwelling unit creating unsanitary conditions. 29.30.140(b)
2. An accumulation of personal belongings stored on the floor limits emergency egress and is a fire hazard. 29.30.140(b)
3. Toilet flushing mechanism does not work properly. 29.30.170(c)
4. Portions of bath/shower faucet assembly are missing or damaged. 29.30.170(c)
5. Because of the above conditions, a complete inspection of the structure is required. Please contact the aforementioned housing inspector within fifteen (15) days of the date of this letter to arrange for a mutually convenient time for the inspection.
6. Portions of gutters and/or downspouts are damaged, deteriorated, and/or missing. 29.30.030
7. Portions of exterior siding and fascia paint are peeled to bare wood. 29.30.060(b)
8. Several window(s) are in disrepair with wood frames peeling to bare wood and missing putty. 29.30.090(b,f,h)
9. Portions of rear exterior door is damaged and deteriorated. 29.30.100(d)
10. Trash and debris have accumulated on exterior property areas. Any time limit on a City of Portland Nuisance Posting on this property takes precedence over the time limits on this Housing Code case. 29.30.140(a)
11. Portions of the garage are in disrepair with deteriorated and/or damaged roof. 29.30.020
12. Trees, shrubs or vines are growing onto the dwelling and garage may contribute to the deterioration of the structure. 29.30.060(a)
13. Portions of the fence are broken and/or falling. 29.30.020
14. **Fire Life Safety Violation:** Dwelling unit lacks required water service. 29.30.170(a)
15. Portions of roof covering are deteriorated, damaged and missing, resulting in possible weather entry. 29.30.030

Additional violations from August 11, 2014 reinspection:

16. Property is a derelict building as defined by Code because it is vacant, has been issued a correction notice by the Director pursuant to section 29.60.050, has been posted for violations of chapter 29.20 more than once in any two year period and has (while vacant) had a nuisance abated by the City pursuant to Title 29. 29.10.020, 29.40.010

c: File



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Fees, Penalties, Reviews, Appeals, and Waiver Information

FEES

If all Fire, Life, Safety and/or Health, Sanitation violations **are not** corrected, inspected, and approved by a City Housing Inspector within thirty (30) days of the mailing date of the first violation letter, a lien may be placed against the property. If all other violations **are not** corrected, inspected and approved by the Housing Inspector within sixty (60) days of the mailing date of the first violation letter, a lien may be placed against the property. The monthly fee is based on the number of units on the property and the number of units in violation.

1-2 Units \$257.00 per unit	3 – 10 Units \$386.00 per unit	11 – 19 Units \$515.00 per unit	20 or more Units \$643.00 per unit	Residential with Any Non-Residential use & Properties with only Non-Residential use \$643.00 per unit
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An additional auditor charge of 10% will be added to the above amounts, along with a possible recording fee. The monthly fees will double for any property that remains in violation for three (3) months from the initial notice of violation. Pursuant to Portland Policy Document ENB 12.07, property owners or their representative may request a review of assessed liens/fees for potential reduction once an enforcement case is closed.

Re-occupation After Notice of Violation: A \$708.00 per month penalty will be assessed if the property or any part thereof is vacant or becomes vacant and is reoccupied before all violations are corrected, inspected, and approved by the City's Housing Inspector. This is in addition to the monthly code enforcement fees and is assessed per occurrence.

Hearings: A \$359.00 penalty will be assessed if the City files a complaint with the Code Hearings Officer regarding the continued existence of violations on the property.

ADMINISTRATIVE REVIEW – Do Violations Exist?

- Pursuant to 3.30.040.E.8, as the property owner or authorized agent, if you believe the finding of the notice was in error you may request an Administrative Review within 15 days of the posting notice or within 15 days of the first violation notice. Code enforcement fees will continue to accrue during the review process.
- If additional violations are cited, any property owner or authorized agent may also request an Administrative Review of additional cited violations within 15 days of the date of the notice citing those additional violations.
- An Administrative Review Fee of \$125.00 is due when the written request for an Administrative Review is received. This fee will only be refunded if it is determined that all of the contested violations were cited in error.

The written request, along with the \$125.00 Administrative Review fee, must be received in our office within 15 days of original notification and must state the reason(s) for the review. Please make the check payable to the City of Portland. Compliance timelines and enforcement actions remain in effect during the Administrative Review process.

Mail requests to:

Bureau of Development Services
Neighborhood Inspections & Compliance Services Section
Review/Appeal Desk
1900 SW 4th Avenue Suite 5000
Portland OR 97201

Your request should indicate if you or a representative of the property owner will be appearing in person for the review. If so, we will notify you and/or your representative of the date and time of the review. A written determination will be mailed following the review, which will include additional appeal information as set forth in Section 29.80.020.

Code Enforcement Fee Waivers (Housing Cases)

A waiver provides for temporary suspension of code enforcement fees assessed against a property. Waivers are available on a limited basis. Call 503-823-0891 for more information or to request an application.

Income-Based Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for (twelve) 12 months. The following requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life safety, health or sanitation violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The dwelling is a one or two family residence; and
5. The property owner(s) must meet the income requirements by providing required documentation; and
6. The property is owner-occupied or vacant.

Residential Renovation Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for up to six (6) months. **Please note: If permits are required, they must be paid for and issued before the waiver will be granted.** These requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected, and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life, and safety violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The building is attached to a permanent foundation or has an issued and active permit for foundation work; and
5. Paid and issued building permit fees of at least
 - A. \$500 or a project value of \$15,000 for one and two family dwellings; or
 - B. \$1,000 or a project value of \$30,000 for properties with 3-10 units; or
 - C. \$1,500 or project value of \$45,000; for properties with 11-19 units; or
 - D. \$2,000 or project value of \$60,000; for properties with 20+ units
6. A submitted work plan that demonstrates a project valuation of non-permit work to be done (or a combination of permit and non-permit work that demonstrates the required valuation as listed above) to rehabilitate the property.
7. A completed waiver application must be received in addition to the above listed requirements before a waiver can be considered.

Exterior Paint and Roof Waiver (no application required)

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for nine (9) months. The following requirements must be met before the waiver may be granted:

1. The property is a residential 1 or 2 family dwelling,
2. All property maintenance violations with the exception of exterior paint and roof work, must be corrected, inspected, and approved by the Housing Inspector; and
3. The property is clear of any other code violation administered by BDS; and
4. The housing case is currently open.

New Owner Grace Period (no application required)

Upon approval of this waiver, Code Enforcement Fees may be suspended for one (1) month. The following requirements must be met before the waiver may be granted:

1. The new owner acquired the property with pre-existing housing violations of Title 29; and
2. The existing liens have been satisfied or paid current and the City Auditor's Office has notified BDS of a new owner; and
3. The case is currently open.

Active Permit, Demolition, Non-Profit and

Warehouse Waivers: Call the Waiver Desk at 503-823-0891 for more information.

Free Home Repair Assistance Grants are Available for Low Income Owner Occupied Property Owners that earn 50% or less of median family income. For more information and to see if you qualify please visit the Portland Housing Bureau website at <http://portlandoregon.gov/phb/article/430363>.

All information is subject to change.