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OPOA Legal Center

(503) 620-0258

www.oregonpropertyowners.org

May 11, 2026

Multnomah County
Land Use Planning Division
1600 SE 190th Ave.
Portland, OR 97233
ATTN: Hearings Officer David Doughman

Re: Notice of Civil Violation #CCPR1-2025-0003
Scott and Stacy Reed

Hearings Officer Doughman:

The OPOA Legal Center and the Western Resources Legal Center are representing Scott and Stacy Reed in the above-numbered matter, in which the County asserts our clients engaged in activity on their property without first obtaining permit approval from the County. A hearing is scheduled for the matter on May 29.

As I indicated by email to you on May 8, we have been working with June Bradley in the County Counsel's office for the last two weeks attempting to resolve two separate procedural disagreements with the County. First, we have a dispute with the County over the discovery which we believe we are entitled to receive from the County in order to enable our clients to defend themselves against the charges brought by the County. Second, we appear to be at disagreement with the County regarding the procedural process used to conduct the hearing.

Both disputes concern whether our clients are entitled to the statutory protections afforded to property owners charged by the County with a civil violation of the County's zoning ordinance. The dispute turns on the applicability of various provisions of Chapters 153 and 135 of the Oregon statutes. I believe we are at impasse with the County.

In order for co-counsel Samantha Bayer and I to prepare a defense for our clients, we must be afforded access to all evidentiary material the County is required to produce. In addition, both our clients and the County must understand the proper procedural process for conducting the hearing so that we can prepare accordingly. It is our position that the current process proposed by the

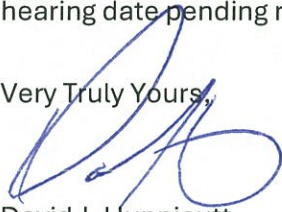
County for the May 29 hearing (the standard land use process subject only to a shift in the burden of proof to the County) is both statutorily and constitutionally insufficient to afford our clients due process. It appears that the County disagrees.

On behalf of our clients, we are prepared to file motions seeking to compel the production of certain materials we have previously requested from the County. In addition, we are prepared to file a motion asking you to clarify the procedural process to be employed at the hearing, and to give Ms. Bayer and I adequate time to prepare a defense for our clients to the County's charges. It is difficult to prepare a defense when you don't have access to materials in the County's possession to which you believe you are entitled. Those difficulties are further exacerbated by a disagreement over the proper procedures for the hearing.

We believe the Hearings Officer and the parties would benefit from an immediate status conference in this matter to discuss and set a briefing schedule on our proposed motions. It is unrealistic to expect that both parties could fully brief and argue the procedural disputes in a manner that would allow us to prepare a defense within the time set for the current hearing. As such, we'll be seeking a setover of that hearing as well.

We request a status conference at your earliest convenience, along with a setover of the current hearing date pending resolution of our procedural disputes with the County. Please advise.

Very Truly Yours,



David J. Hunnicutt

Co-Counsel for Scott and Stacy Reed

cc: June Bradley, Multnomah County Counsel

Samantha Bayer, co-counsel for Scott and Stacy Reed