



CITY OF
PORTLAND, OREGON

HEARINGS OFFICE

1900 S.W. 4th Avenue, Room 3100

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www.portlandonline.com/auditor/hearings

HEARINGS OFFICER'S ORDER

CITY OF PORTLAND, petitioner, vs. WILLIAM and BETTY M. CEASER, respondents

CASE NO. 2090018

[Bureau Case No. 05-123321-HS]

PROPERTY / PARK: 4910 N. Vancouver Avenue

LEGAL DESCRIPTION:

Williams Ave Add; Lot 14 Block 1, 1N1E22AC-01700,
City of Portland, Multnomah County, Oregon

DATE OF HEARING: April 22, 2009

APPEARANCES:

Mr. Edgar Bolden, for the City

Ms. Betty Ceaser, Respondent

HEARINGS OFFICER: Mr. Gregory J. Frank

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

The hearings office received a copy of a Stipulated Agreement for Repairs (Revised) containing signatures on behalf of the City and Respondent. The Hearings Officer reviewed the Stipulated Agreement for Repairs (Revised) and finds its terms reasonable and appropriate for both parties. The Hearings Officer incorporates the Stipulated Agreement for Repairs (Revised) as part of this Order. At the request of the City, the hearings scheduled for May 4, 2009 is cancelled.

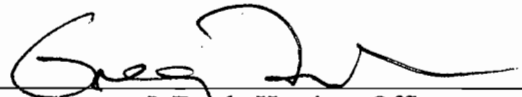
ORDER AND DETERMINATION:

1. The Stipulated Agreement for Repairs (Revised) between the parties, attached hereto and incorporated herein by this reference, is hereby approved and made the order herein. The Respondent is ordered and directed to comply with its terms.
2. This order has been mailed to the parties on May 4, 2009, and shall be final and effective immediately.
3. The Hearings Officer retains jurisdiction of this case until July 17, 2009 and unless further action is requested by the City or Respondent on or before 4:30 p.m. July 17, 2009, the case will be closed

on July 20, 2009.

4. This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: May 4, 2009


Gregory J. Frank, Hearings Officer

GJF:cb/rs

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Complaint	Bolden, Edgar L.	Received
1a	Attachment A - List of Violations (3 pgs)	Bolden, Edgar L.	Received
2	Bureau Notification List	Bolden, Edgar L.	Received
3	Photo	Bolden, Edgar L.	Received
4	Multnomah Assessor Property report (3 pgs)	Bolden, Edgar L.	Received
5	Photos dated 2/6/06 (2 pgs)	Bolden, Edgar L.	Received
6	Blank page stating photos from 1/22/07 are shown	Bolden, Edgar L.	Received
7	Photos dated 1/31/07 (7 pgs)	Bolden, Edgar L.	Received
8	Photos dated 3/8/07 (4 pgs)	Bolden, Edgar L.	Received
9	Photos dated 8/14/07 (9 pgs)	Bolden, Edgar L.	Received
10	Photo dated 9/15/08	Bolden, Edgar L.	Received
11	Photo dated 12/3/08	Bolden, Edgar L.	Received
12	Photos dated 12/10/08 (6 pgs)	Bolden, Edgar L.	Received
13	Photos dated 12/11/08	Bolden, Edgar L.	Received
14	Photos dated 3/2/09 (7 pgs)	Bolden, Edgar L.	Received
15	Data printout	Bolden, Edgar L.	Received
16	AMANDA data printout (2 pgs)	Bolden, Edgar L.	Received
17	Case History report (13 pgs)	Bolden, Edgar L.	Received
18	Notice of Violation dated 5/2/05 (2 pgs)	Bolden, Edgar L.	Received
19	Notice of Violation - Additional Violations (2 pgs)	Bolden, Edgar L.	Received
20	Notice of Violation Progress Report (2 pgs)	Bolden, Edgar L.	Received
21	Notice of Violation - Additional Violations dated 1/29/07 (4 pgs.)	Bolden, Edgar L.	Received
22	Notice of Violation - Referral to Code Hearings Officer (4 pgs.)	Bolden, Edgar L.	Received
23	Notice of Violation - Additional Violations (6 pgs.)	Bolden, Edgar L.	Received
24	Notice of Violation Progress Report dated 12/12/08 (6 pgs.)	Bolden, Edgar L.	Received
25	Lien Accounting report	Bolden, Edgar L.	Received
26	Letter from Melissa Kuhn to respondents dated 5/30/07	Bolden, Edgar L.	Received
27	Memo to Auditor's Office from Kathy Vaniman dated 7/6/07	Bolden, Edgar L.	Received
28	Copy of different Complaint (no date) with Attachment A (4 pgs.)	Bolden, Edgar L.	Received
29	Copy of unsigned Hearing Officer's Order dated 6/8/07	Bolden, Edgar L.	Received
30	Copy of email from Melissa Kuhn to Mitch McKee dated 10/11/07	Bolden, Edgar L.	Received
31	Copy of email from Eva Watts to Suzanne Lindstrom	Bolden, Edgar L.	Received
32	Letter to Betty Ceaser from Suzanne Lindstrom dated 8/15/08	Bolden, Edgar L.	Received
33	Copy of letter from Social Security to Betty Ceaser dated 9/12/07	Bolden, Edgar L.	Received
34	Copy of 2 different checks from US Treasury to Betty		

	Ceaser	Bolden, Edgar L.	Received
35	Copy of check from Oregon Dept. of Justice and narrative	Bolden, Edgar L.	Received
36	Letter from Kathy Vaniman to Betty Ceaser dated 10/17/07	Bolden, Edgar L.	Received
37	Letter to Eva Watson from Kathy Vaniman dated 10/17/07	Bolden, Edgar L.	Received
38	Letter from Suzanne Lindstrom to Betty Ceaser dated 8/15/08	Bolden, Edgar L.	Received
39	Affidavit for Administrative Search Warrant of Residential Premises (10 pages)	Bolden, Edgar L.	Received
40	Different: Affidavit for Administrative Search Warrant of Residential Premises (10 pages)	Bolden, Edgar L.	Received
41	Letter from Mitchell McKee to Betty Ceaser dated 9/19/08	Bolden, Edgar L.	Received
42	Copy of email from Bolden dated 12/3/08	Bolden, Edgar L.	Received
43	Letter from Bolden to Ceaser dated 12/3/08	Bolden, Edgar L.	Received
44	Letter from Bolden to Ceaser dated 12/18/08	Bolden, Edgar L.	Received
45	Letter from Bolden to Ceaser dated 3/2/09	Bolden, Edgar L.	Received
46	Stipulated Agreement for Repairs dated 12/17/08 (2 pgs.)	Bolden, Edgar L.	Received
47	Revised Stipulated Agreement for Repairs (not dated or signed) (2 pgs.)	Bolden, Edgar L.	Received
48	Notice of Possible Lien dated 9/12/05	Bolden, Edgar L.	Received
49	Enforcement Fee Increase Notification dated 9/26/07	Bolden, Edgar L.	Received
50	Enforcement Fee Increase Notification dated 6/30/08	Bolden, Edgar L.	Received
51	Letter from Melissa Kuhn to Betty Ceaser dated 8/28/08	Bolden, Edgar L.	Received
52	Updated Bureau Notification List	Bolden, Edgar L.	Received
53	Mailing list	Hearings Office	Received
54	Hearing notice	Hearings Office	Received
55	Notice of Rights & Procedures	Hearings Office	Received
56	Updated Mailing List	Hearings Office	Received
57	Mail Returned Memo	Hearings Office	Received
58	Progress report dated 4/23/09? (may be post dated to 4/23/09)	Bolden, Edgar L.	Received
59	Photos (4 pgs) dated 4/21/09	Bolden, Edgar L.	Received
60	Photo dated 4/15/09	Bolden, Edgar L.	Received
61	Photo dated 4/21/09	Bolden, Edgar L.	Received
62	Photo dated 4/21/09	Bolden, Edgar L.	Received
63	Photos dated 4/21/09 (2 pgs.)	Bolden, Edgar L.	Received
64	Photo dated 4/15/09	Bolden, Edgar L.	Received
65	Revised Stipulated Agreement	Bolden, Edgar L.	Received
66	Revised Stipulated Agreement	Bolden, Edgar L.	Received



City of

PORTLAND, OREGONBureau of Development Services
Neighborhood Inspections1900 SW 4th Ave., Suite 5000
Portland, Oregon 97201
503-823-7306
Fax: 503-823-7961
TTY: 503-823-6868
www.portlandonline.com/bds**Stipulated Agreement for Repairs
(Revised)**

City of Portland

VS

Betty Ceaser

Case Number: 05-123321-HS
Hearing Case: 2090018
Property: 4910 N Vancouver**RECEIVED****MAY 04 2009****HEARINGS OFFICE** *ps*

Respondent is the owner of subject property, which is located within the City of Portland. Respondent was in possession of and responsible for subject property on April 21, 2005, the date of the original complaint. The respondent received a Notice of Violation of the Housing Maintenance Requirements (Chapter 29.30) of the Code of the City of Portland, Oregon on May 2, 2005, and continues to be in possession of and responsible for subject property to the present date.

Respondent stipulates and agrees that the allegations set forth in the City's complaint are true and shall be corrected as set forth herein, and requests the Hearings Officer to enter an order incorporating this agreement.

Failure to meet the agreed-upon timeline for correction of the violations shall result in a termination of this agreement, removal of access to the property and further adjudication by the Code Hearings Officer.

Respondent understands that each timeline requires a re-inspection by the housing inspector to verify that the violation(s) have been corrected. It is the responsibility of the owner to contact the Housing Inspector to make arrangements for inspections.

Respondent agrees to the following deadlines and penalties for repair and compliance:

- **May 4, 2009 – May 31, 2009** Items: 3(FLS), 21, 41, 56 and 57(FLS). Repair and/or replace all windows such that they are easy to open and weather tight to exclude wind and rain. Every window shall have lifting handles and locking hardware. Every window shall have glass panes and /or an approved substitute without cracks or holes. Any doors that have broken glass must also have glass replaced. Penalty for not meeting this timeline is \$5,000.
- **June 1, 2009 – June 7, 2009** Items 19, 20 and 64(FLS). Repair and or replace all doors that are damaged or have missing hardware. All exterior doors shall have a door hinge, lock, and strike plate that are in good condition. Every exterior door when closed shall fit within its frame and be weather tight. Every exterior door shall be operable from the inside without the use of a key. Every interior door shall be in sound condition (hinges, strike plates and locks) to perform its intended function. Penalty for not meeting this timeline is \$5,000.
- **June 8, 2009 – June 15, 2009** Items 31(FLS), 35(FLS), 55(FLS), 60 (FLS), 61 (FLS), and 62. Repair handrails and guardrails. Guardrails and handrails must be secure, meet the height and spacing requirements. The cross sections of handgrips are not to exceed 2 5/8". Penalty for not meeting this timeline is \$5,000.

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- June 16, 2009- June 23, 2009 Items 54(FLS). Repair or replace front porch steps. Risers varies more than the allowable 3/8". Penalty for not meeting this timeline is \$5,000.
- June 24, 2009 - July 1, 2009 Items 58 (FLS) and 63. Secure washer and dryer outlets. Replace damaged dryer duct. Penalty for not meeting this timeline is \$5,000.
- July 2, 2009 - July 16, 2009 Items 13 and 49. Repair spalling foundation. Repair damaged doors, missing windows, and gutters and downspouts on garage. Penalty for not meeting this timeline is \$5,000.

There is to be no occupancy of the dwelling until all Fire, Life, and Safety (FLS) violations are corrected. There are 10 Fire, Life, and Safety violations of the 19 violations to be corrected. Please note to expedite occupancy, owner may correct Fire, Life, and Safety violations ahead of the scheduled timelines.

Respondent understands that arrangements for inspections are the responsibility of the respondent. The Respondent must demonstrate to the Housing Inspector with a physical inspection of the property, or other documentation agreed upon with the inspector, that the property is in compliance by each completion date.

Respondent understands that all code enforcement fees currently being assessed against the property will continue until all the violations are corrected.

Respondent Signature:

Ms Betty Ceaser

Date:

5-1-09

City Of Portland Signature:

Edgar Balder

Date:

5-4-09