

CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

Hearings Office

1900 SW 4th Avenue, Room 3100

Portland, OR 97201

phone: (503) 823-7307 - fax: (503) 823-4347

web: www.portlandoregon.gov/auditor/hearings



HEARINGS OFFICER'S FINAL ORDER

CITY OF PORTLAND, petitioner, vs. HELEN L. KELLER, respondent

CASE NO. 2100004

[Bureau Case No. 09-151164-TR]

PROPERTY: 5273 NE 14th Place

LEGAL DESCRIPTION:

Tax Account #R295118,

City of Portland, Multnomah County, Oregon

HEARINGS OFFICER: Mr. Gregory J. Frank

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

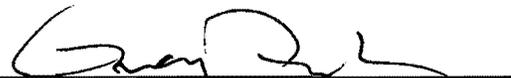
On November 18, 2011, the Hearings Office received a fax from David Nassif on behalf of Richard Eisenhauer (Exhibit 43). Exhibit 43 is a request to dismiss the case due to the property owner abating the violation to the City of Portland Bureau of Transportation's satisfaction. The Hearings Officer admits Exhibit 43 into the record.

The Hearings Officer finds the request of the City to be reasonable and closes the case.

ORDER:

1. The City of Portland Bureau of Transportation request to dismiss the case is granted.
2. This Final Order has been mailed on November 21, 2011, and shall become final and effective on December 5, 2011. Any objections to this order must be in writing and received by the Code Hearings Office prior to the effective date. This case will be closed on December 5, 2011.
3. This Final Order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: November 21, 2011


Gregory J. Frank, Hearings Officer

GJF:rs

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Complaint	Eisenhauer, Richard	Received
2	Mailing List	Eisenhauer, Richard	
3	Photo	Eisenhauer, Richard	
4	Photo	Eisenhauer, Richard	
5	Photo	Eisenhauer, Richard	
6	Aerial photo	Eisenhauer, Richard	
7	TRACS printout	Eisenhauer, Richard	
8	8/14/09 letter, David Nassif to Helen L. Keller	Eisenhauer, Richard	
9	TRACS printout	Eisenhauer, Richard	
10	10/19/09 letter, Nassif to Keller	Eisenhauer, Richard	
11	11/13/09 letter, Scott D. Caplan to Nassif	Eisenhauer, Richard	
12	TRACS printout	Eisenhauer, Richard	
13	TRACS printout	Eisenhauer, Richard	
14	1/22/10 letter, Nassif to Keller	Eisenhauer, Richard	
15	2/1/10 letter, Caplan to Nassif	Eisenhauer, Richard	
16	2/2/10 letter, Nassif to Caplan	Eisenhauer, Richard	
17	TRACS printout	Eisenhauer, Richard	
18	5/13/10 letter, Nassif to Caplan	Eisenhauer, Richard	
19	TRACS printout	Eisenhauer, Richard	
20	Mailing List	Hearings Office	Received
21	Hearing Notice	Hearings Office	Received
22	Notice of Rights and Procedures	Hearings Office	Received
23	Request to reschedule rec'd via fax from Caplan	Nassif, David	
24	Hearing Notice	Hearings Office	Received
25	Letter requesting reschedule	Keller, Helen L.	
26	Copy of Email from April Bertelsen to Respondent dated 7/13/10	Keller, Helen L.	
27	Updated Mailing List	Hearings Office	Received
28	Hearing Notice	Hearings Office	Received
29	Request to postpone	Nassif, David	
30	Hearing Notice	Hearings Office	Received
31	Request to reschedule	Nassif, David	
32	Hearing Notice	Hearings Office	Received
33	Request to postpone for 60 days	Nassif, David	
34	Hearing Notice	Hearings Office	Received
35	Request for 60 day postponement	Nassif, David	
36	Obstruction in the Public Right-of Way, Options to Resolve Hearing's Officer Case #2100004, dated 1/4/11	Eisenhauer, Richard	Received
37	3/7/11 Letter - Status Update	Hearings Office	
38	Status Update	Nassif, David	
39	6/9/11 letter	Keller, Edna	
40	Hearing Notice	Hearings Office	
41	Hearing Notice	Hearings Office	
42	Street Vacation Petition	Eisenhauer, Richard	
43	Request to Dismiss Case	Nassif, David	Received

David Nassif
Portland Transportation
1120 SW 5th Ave - Suite 800
Portland, OR 97204
(503) 823-5586 phone
(503) 865-3447 fax
E-mail: david.nassif@portlandoregon.gov
Visit Our web site:
<http://www.portlandoregon.gov/transportation>

**PORTLAND
TRANSPORTATION**

RECEIVED

NOV 18 2011

HEARINGS OFFICE

Fax

To: Code Hearings Office

From: David Nassif

Fax: 503.823.4347

Pages: 1

Phone: 503.823.7307

Date: 11/18/11

Re: Case #2100004 – Helen Keller – **PLEASE DISMISS THIS CASE**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

The property owner has run into insurmountable obstacles in her attempt to vacate the NE 14th Ave right-of-way, and has removed the fence from the right-of-way. The violation has been abated to PBOT's satisfaction. Therefore, can you please dismiss this case?

Thank you for your assistance in resolving this issue. Please contact me if you need any further information.

Thanks,



David Nassif (for Richard Eisenhauer)

CITY OF PORTLAND
HEARINGS OFFICE
Exhibit #43
Case # 2100004
Bureau Case # 09-151164-TR