

**ORDINANCE No.** 189474

\*Initiate foreclosure action on five properties for the collection of delinquent City Liens placed against the properties (Ordinance)

The City of Portland Ordains:

Section 1. The Council finds:

1. Portland City Code Chapter 5.30 establishes a process for foreclosing delinquent liens on properties. The foreclosure process is generally used as a last resort, after repeated code violation fines and liens have gone unpaid.
2. Portland City Code section 5.30.100 requires the Bureau of Revenue and Financial Services, Revenue Division (Revenue) to prepare a proposed foreclosure list and submit the list to the City Council for action.
3. In September of 2018, the Bureau of Development Services submitted thirteen properties it identified as priority Vacant and Distressed Properties to the Auditor's Office for foreclosure consideration. Out of the thirteen properties, two were removed on the advice of the City Attorney's Office, one was removed because the property had been foreclosed, one was removed because the property owner paid the liens off, one was removed because it is a commercial property with a re-instated permit and a new permit under review. The remaining three properties will be included in the next foreclosure list to be submitted to Council.
4. Revenue has reviewed the case files of each property submitted and determined that they should be included on the proposed foreclosure list based on their potential to help solve public health, safety, or welfare objectives, per City Code 5.30.100. Additional consideration was given to the number of abatements on a property, whether the property owner had multiple delinquencies and the negative impact the property was causing to the neighborhood.
5. Revenue mailed notices to the property owners, by certified mail with return-receipts required, of pending foreclosure action between January 24 and April 8, 2019, as required by Portland City Code section 5.30.050. (D).


NOW THEREFORE, the Council directs:

- a. The City Council approves Foreclosure List 2019-01, as attached as Exhibit A, and directs the City Treasurer to begin foreclosure proceedings to sell the following properties:
  1. 529 NE Skidmore St., Trygve Fotland & Penny M Livingstone, owners of record. Tax no. R497300270
  2. 537 NE Skidmore St., Trygve Fotland & Penny M Livingstone, owners of record. Tax no. R497300280
  3. 5034 NE Grand Ave., Trygve Fotland & Penny M Livingstone, owners of record. Tax no. R724500190
  4. 4146 NE 14<sup>th</sup> Ave., Meadows 132 LLC, owner of record. Tax no. R611503510
  5. 7405-7415 NE Fremont St., Margaret J Bogart, owner of record. Tax no. R890804880
- b. The City Council accepts the Foreclosure Reports, attached as Exhibits B-1, B-2, B-3, B-4, and B-5.
- c. As provided by Portland City Code Chapter 5.30 and 5.30.210, the owner or any person having a recorded interest in the property, or their legal representative, may redeem the property by paying the redemption price to the City Treasurer at any time within one year from the date of the foreclosure sale.

Section 2. The City Council declares that an emergency exists for the City to perform its sale auction prior to Multnomah County initiation of its foreclosure to prevent the City's potential loss of its junior liens; therefore, this ordinance shall be in full force and effect from and after its passage at Council.

Passed by the Council: MAY 01 2019

Mayor Ted Wheeler  
Prepared by: Marco Maciel  
Date Prepared: April 04, 2019

**Mary Hull Caballero**  
Auditor of the City of Portland  
By  Deputy

Agenda No. 374

Item Type: Ordinance No. 189474

Council Meeting Date: May 1, 2019

Title: Foreclosure \*Initiate action on five properties for the collection of delinquent City Liens placed against the properties. (Ordinance)

AGENDA TYPE

CONSENT  REGULAR  TIME CERTAIN Start Time: 10:45  Item 1 of 1  
Total amount of time needed for presentation, testimony and discussion (Regular and Time Certain): 15 Minutes

INTRODUCED BY: Mayor Wheeler

COMMISSIONER / AUDITOR APPROVAL  
Mayor - Finance & Administration - Wheeler Michelle Plambeck  
Position 1/ Utilities - Fritz \_\_\_\_\_  
Position 2/ Works - Fish \_\_\_\_\_  
Position 3/ Affairs - Hardesty \_\_\_\_\_  
Position 4/ Safety - Eudaly \_\_\_\_\_  
City Auditor - Hull Caballero \_\_\_\_\_

Digitally signed by Michelle Plambeck  
Date: 2019.04.23 11:57:31 -07'00'

BUREAU APPROVALS  
Bureau: OMF/BRFS  
OMF/CAO: Tom Rinehart Digitally signed by Tom Rinehart  
Date: 2019.04.16 12:08:10 -07'00'  
Bureau Approval: Jennifer Cooperman Digitally signed by Jennifer Cooperman  
Date: 2019.04.16 11:08:02 -07'00'

Prepared By: Marco Maciel  
Date Prepared: April 16, 2019

1) Is a completed Impact Statement attached? Yes   
3) Is the item a Code ordinance? Yes  No   
If yes, Auditor Office Approval  
5a) Is item a Portland Policy Document or Administrative Rule? Yes  No

2) Does the item amend the budget? Yes  No   
If yes, Budget Office Approval  
4) Is this item a contract, code, easement, franchise, comp plan or Charter? Yes  No   
If yes, Attorney Office Approval  
5b) If yes, is the City Policy/Admin Rule directive in the ordinance or resolution? Yes

ACTION TAKEN:

CLERK USE: DATE FILED 4/23/19

Mary Hull Caballero  
Auditor of the City of Portland

Digitally signed by Karla Moore-Love  
Date: 2019.04.23 13:46:50 -07'00'

By: Karla Moore-Love  
Deputy

FOUR-FIFTHS AGENDA

1. Fritz  
2. Fish  
3. Hardesty  
4. Eudaly  
Wheeler

COMMISSIONERS VOTED AS FOLLOWS:

	YEAS	NAYS
1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	<input checked="" type="checkbox"/>	
3. Hardesty	<input checked="" type="checkbox"/>	
4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	<input checked="" type="checkbox"/>	