



CITY OF
PORTLAND, OREGON

HEARINGS OFFICE

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www.portlandonline.com/auditor/hearings

HEARINGS OFFICER'S ORDER

CITY OF PORTLAND, petitioner, vs. JEFF STEINDLER AND JAMES CONRAD, respondents

CASE NO. 2090012
[Bureau Case No. 07-144673-HS]

PROPERTY / ZONE / PARK: 1805 N Jarret St.

LEGAL DESCRIPTION:
Nut Grove; Lot 4, Block 2, 1N1E16DD-08300,
City of Portland, Multnomah County, Oregon

DATE OF HEARING: April 22, 2009

APPEARANCES:

Mr. James Conrad, Respondent

Mr. Mitchell McKee, for the City

HEARINGS OFFICER: Mr. Gregory J. Frank

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

A hearing was held on April 22, 2009. Mr. James Conrad, Respondent, appeared and testified on behalf of Respondents. Mr. Mitch McKee, City of Portland Bureau of Development Services inspector, appeared and testified on behalf of the City. Mr. McKee offered exhibits 1 through and including 22 into the evidentiary record and Mr. Conrad indicated he had no objection to their admission. The Hearings Officer admits exhibits 1 through and including 22 and Exhibit 23 (hearing notice for May 6, 2009 hearing) into the evidentiary record.

Mr. McKee submitted a Stipulated Agreement For Repairs ("Stipulated Agreement") to the Hearings Officer on May 6, 2009. The Hearings Officer admits into the evidentiary record Exhibit 24, the Stipulated Agreement. The Stipulated Agreement relates to anticipated correction of violations (Exhibit 1) at 1805 North Jarrett Street, Portland, Oregon (the "Subject Property") and consequences for failure, in a timely manner, to make corrections in a way that is acceptable to the City.

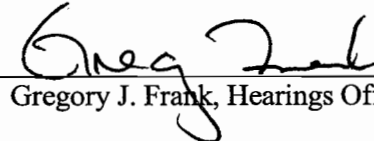
The Hearings Officer, having reviewed the Stipulated Agreement, agrees that it is the best interests of the City and Respondents that the Stipulated Agreement become part of this Order. The Hearings Officer finds that Respondent Conrad has the authority, based upon his representations at the April 22, 2009 hearing, to represent

and bind Respondents and the Subject Property. The Hearings Officer agrees to incorporate the Stipulated Agreement as a part of this Order.

ORDER AND DETERMINATION:

1. The Hearings Officer has accepted the Stipulated Agreement, a copy of which is attached to this Order and made a part thereof. In the event corrections of violations are not made in a timely manner pursuant to the Stipulated Agreement, the Hearings Officer shall assess civil penalties in the amount(s) stated in the Stipulated Agreement and such amounts shall become liens upon the Subject Property.
2. The Hearings Officer retains jurisdiction of this case until May 1, 2010.
3. If no request for additional hearing is received by the Hearings Office by 4:30 p.m. on April 30, 2010 this case shall be closed on May 3, 2010.
4. This Order has been mailed to the parties on May 6, 2009 and shall become final and effective immediately.
5. This Order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: May 6, 2009


Gregory J. Frank, Hearings Officer

GJF:rs

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Complaint with attachment A	McKee, Mitchell R.	Received
2	Notification List	McKee, Mitchell R.	Received
3	Photo	McKee, Mitchell R.	Received
4	Multnomah Assessor Property Information	McKee, Mitchell R.	Received
5	Residential Land Purchase Contract	McKee, Mitchell R.	Received
6	10/15/08 letter, Steindler to McKee	McKee, Mitchell R.	Received
6a	Oregon General Durable Power of Attorney	McKee, Mitchell R.	Received
7	3/20/08 Photos	McKee, Mitchell R.	Received
8	1/15/09 Photos	McKee, Mitchell R.	Received
9	TRACS printout	McKee, Mitchell R.	Received
10	TRACS printout	McKee, Mitchell R.	Received
11	Case history	McKee, Mitchell R.	Received
12	8/14/07 Notice of Violation - Property Maintenance Code letter, McKee to Steindler	McKee, Mitchell R.	Received
13	3/21/08 Progress Report letter, McKee to Steindler	McKee, Mitchell R.	Received
14	11/25/08 Referral of Housing Case to Code Hearings Officer letter, McKee to Steindler	McKee, Mitchell R.	Received
15	City Lien Report	McKee, Mitchell R.	Received
16	6/10/08 letter, Suzanne Lindstrom to Steindler	McKee, Mitchell R.	Received
17	9/26/07 Enforcement Fee Increase Notification letter	McKee, Mitchell R.	Received
18	6/30/08 Enforcement Fee Increase Notification letter	McKee, Mitchell R.	Received
19	Mailing List	Hearings Office	Received
20	Hearing Notice	Hearings Office	Received
21	Notice of Rights and Procedures	Hearings Office	Received
22	Motion for Continuance	Conrad, James M.	Received
23	Rescheduled hearing notice	Hearings Office	Received
24	Stipulated Agreement	McKee, Mitchell R.	Received



City of Portland, Oregon
Bureau of Development Services
Neighborhood Inspections

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STIPULATED AGREEMENT FOR REPAIRS

CITY OF PORTLAND

V

James Conrad

HEARING NUMBER: 2090012

PROPERTY: 1805 N Jarret St.

Date: May 5, 2009

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

Respondent agrees to the following time lines and conditions for repairs and compliance:

- 1) Obtain (Issued status) all necessary permits for required repairs on this property by June 1, 2009. Penalty for failure to meet this deadline-\$5000.
- 2) Request and obtain approvals for framing portion of the project by July 1, 2009. Penalty for failure to meet this deadline to be \$5,000.00.
- 3) Request and obtain approvals for all rough-in plumbing, electrical and mechanical portions of this project by September 1, 2009. Penalty for failure to meet this deadline to be \$5000.

CITY OF PORTLAND
HEARINGS OFFICE
Exhibit #24
Case # 2090012
Bureau Case # 07-144673-HS

RECEIVED

MAY 06 2009

CB

HEARINGS OFFICE

- 4) Complete all work, inspections, gain inspection approvals that will allow occupancy for this dwelling. Correct of all violations listed in "Attachment A" of the hearings complaint by November 1, 2009. Penalty for failure to meet this deadline. -\$10,000. This stipulation does not apply to any add-ons to this permit for additional work not specified in Attachment "A".
- 5) Summary abatement of any future confirmed nuisance or disabled vehicle violations (tall grass and weeds, trash and debris, open and vacant building, disabled vehicles on private property.), for a period of one year (expires May 1, 2010). Summary abatements to be performed without search warrant.
- 6) Hearings officer to retain jurisdiction until May 1, 2010.

Respondents agree to demonstrate to the Housing Inspector with a physical inspection of the property, that property is in compliance by completion dates, including final inspection on all permit-required items.

It is the respondent's responsibility to contact and arrange for all inspections and timelines that relate to this agreement.

Respondent further stipulates that the order or the Code Hearings Officer shall be final and effective immediately.

FOR THE CITY



Name

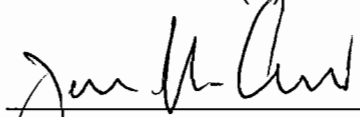
SR ADJUTANT CLERK

Title

5-6-09

Date

RESPONDENT (S)



Name

1805 N. JEFFERSON ST.

Address

5/6/09

Date