

**REPORT TO COUNCIL**  
**Foreclosure List 2016-02**

188014

Property Owner	Tax Roll Description	Property Address	Lien Account	Amount Owed	Tax Acct	Assessment Date	Delinquency Date	Property Type	Lien Type	No. Liens
1 XUE LIN	CORINA; LOT 1; INC UND INT TRACT A	13409 SE HAROLD ST	155268	\$15,945.79	R178590050	6/18/14	8/17/14	RESIDENTIAL IMPROVED	CODE ENFORCEMENT	4
			155926	\$617.59	R178590050	10/18/14	12/17/14	RESIDENTIAL IMPROVED	CODE ENFORCEMENT	
			156380	\$6,326.92	R178590050	1/10/15	3/11/15	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE	
			158166	\$8,494.46	R178590050	1/10/16	3/10/16	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE	
			<b>TOTAL</b>	<b>\$31,384.76</b>						
2 SANGSIDA, BEE	SECTION 21 1S 2E, TL 11100 0.11 ACRES	6914 SE 91st. AVE.	152843	\$30,291.88	R992211200	12/18/12	2/16/13	RESIDENTIAL IMPROVED	CODE ENFORCEMENT	8
			152879	\$2,674.94	R992211200	1/1/13	3/2/13	RESIDENTIAL IMPROVED	CODE ENFORCEMENT	
			153326	\$732.58	R992211200	4/18/13	6/17/13	RESIDENTIAL IMPROVED	CODE ENFORCEMENT	
			153521	\$6,989.49	R992211200	6/28/13	8/27/13	RESIDENTIAL IMPROVED	CODE VIOLATION	
			154185	\$1,229.94	R992211200	11/10/13	1/9/14	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE	
			154309	\$4,064.67	R992211200	12/28/13	2/26/14	RESIDENTIAL IMPROVED	CODE VIOLATION	
			154885	\$9,881.60	R992211200	4/1/14	5/31/14	RESIDENTIAL IMPROVED	CODE VIOLATION	
			157236	\$2,582.67	R992211200	6/10/15	8/9/15	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE	
			<b>TOTAL</b>	<b>\$58,447.77</b>						
3 YEE, NORMAN TUNG	BERRYS ADD; BLOCK 1; LOT 4	8516 N CALHOUN AVE.	152774	\$3,512.62	R073800040	12/10/12	2/8/13	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE	4
			152805	\$31,538.38	R073800040	12/18/12	2/16/13	RESIDENTIAL IMPROVED	CODE ENFORCEMENT	
			154468	\$1,202.54	R073800040	1/10/14	3/11/14	RESIDENTIAL IMPROVED	NUISANCE W/O INSPECT	
			158546	\$2,726.05	R073800040	3/10/16	5/9/16	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE	
			<b>TOTAL</b>	<b>\$38,979.59</b>						

REPORT TO COUNCIL  
Foreclosure List 2016-02

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4 YEE, NORMAN TUNG	VERNON, BLOCK 53; LOT 16	4725 NE 22ND AVE.	147103	\$1,377.66	R860711100	7/10/09	9/8/09	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE
			147113	\$1,056.29	R860711100	7/10/09	9/8/09	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE
			147176	\$64,414.84	R860711100	7/18/09	9/16/09	RESIDENTIAL IMPROVED	CODE ENFORCEMENT
			152131	\$1,040.81	R860711100	7/18/12	9/16/12	RESIDENTIAL IMPROVED	CODE VIOLATION
			153280	\$3,314.49	R860711100	4/10/13	6/9/13	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE
			156579	\$2,481.67	R860711100	2/10/15	4/11/15	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE
			158567	\$2,163.96	R860711100	3/10/16	5/9/16	RESIDENTIAL IMPROVED	NUISANCE- GF INVOICE
			<b>TOTAL</b>	<b>\$75,849.72</b>					

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TOTAL AMOUNT OWED AS OF 9/13/2016 \$204,661.84

TOTAL NUMBER OF PROPERTIES 4

TOTAL NUMBER OF LIENS 23



188014

## Foreclosure Recommendation Report

**13409 SE Harold St.**

The Auditor's Office recommends foreclosure on 13409 SE Harold Street for delinquent City liens. The lien accounts meet delinquency requirements for foreclosure and no mitigating factors were discovered that would prevent foreclosure or indicate that an adjustment of the lien amount is in order.

### *Summary Information*

<b>Site Address:</b>	13409 SE Harold St.
<b>Recorded Property Owner:</b>	Xue Lin
<b>Property ID:</b>	R178590050
<b>Lien Account Numbers:</b>	155268, 155926, 156380 and 158166
<b>Type of Liens:</b>	Code Enforcement Fees, Nuisance- GF Invoice
<b>Use of Property:</b>	Single Family Dwelling. Rental property, currently unoccupied
<b>Amount of Delinquent Liens:</b>	\$31,384.76
<b>Payoff Amount Recommended:</b>	\$31,384.76

### *General Information*

This property is included on the list of Vacant and Distressed Properties" provided by the Bureau of Development Services and identified as priority for foreclosure. Development Services and the Portland Police Bureau have expressed concerns that these properties are nuisances to the neighborhoods where they are located. In many instances, the Police Bureau is called to disturbances at these properties frequently. Neighbors complain that many of these properties are inhabited by squatters and there are commonly drug activities taking place, which jeopardizes the public health, safety, and welfare of the neighborhood.

The majority of these properties are investment properties owned by financial institutions or absent owners who have no vested interest in the neighborhood effects such distressed properties have on the community. They are demonstrated hazards and magnets for crime. For these reasons, the Auditor's Office's recommendations for these distressed and egregious properties are concise and generally maintain the amount owed as is with no recommended reduction in lien amount, except in cases where mitigating circumstances point toward improved property owner compliance with a reduced lien amount.

### ***Violation History***

Between April 2014 and August 2015, there were 11 inspections to the property and no serious efforts from the property owner to correct the violations detected by the City inspectors during this time. Inspections began on April 14, 2014, when an Inspector for the City of Portland inspected the property and detected 28 violations of City Code Title 29. Of these, 21 were Health Sanitation Violations and Fire, Life, Safety Violations.

The violations included lack of required water, electrical, and garbage services. They included an unapproved dormer and unapproved occupancy of the basement. This property was an investment property that was rented under conditions that violated the **ORS 90, Oregon Residential Landlord Tenant Act**. Such violations make the property uninhabitable in its current state.

There is no evidence that the violations have been corrected or that any significant effort has been made to improve the property other than removal of an illegally occupied motor home. One additional violation has been noted and fines assessed since the motor home was removed.

The property owner is aware of the violations. The neglect of the property by the owner in not addressing the violations were not the result of unavoidable accident, but an intentional act of delayed maintenance and discontinuation of basic services.

Most of the violations were and accumulation of easily correctable problems that became worse over time because they were not dealt with in a timely manner. The neglect means that the violations are now more difficult to address. Because of the inability of the property owner to bring the property into compliance with City Code, the Bureau of Development Services filed a complaint with the City of Portland Code Hearings office on August 25, 2014. A hearing was held shortly after that and the property owner did not appear at the hearing. On September 29, 2014, the Hearings Officer issued an order granting the Bureau of Development Services permission to vacate and secure the dwelling, vehicles, garage, shed or accessory structures; place warning notices on the property; and abate the nuisance.

This property was vacated and has been boarded up since the end of 2014.

### ***Police Involvement***

On February 19, 2015, after receiving a neighbor's report that the property had been broken into, there was an investigation report filed by the Police Bureau. The report described that the side door previously boarded-up had been removed and the door was unlatched and unsecure. The report also stated that the residence, according to the definition of the U.S. Department Justice, fell into the category of an abandoned property.

In total, there have been 71 calls for police service to this property since the initial assessment date of June 18, 2014, including shots fired, assault, suspicious activity, welfare checks, and others. Of these, 18 were dispatched and 53 were self-initiated by the officer. There was a total of 109 calls for service within 200 feet of this property.

### ***Lien Details***

There are four liens placed by the City against the property.

<b>Lien No.</b>	<b>Asses. Date</b>	<b>Principal</b>	<b>Interest</b>	<b>Penalty</b>	<b>Costs</b>	<b>Total</b>
155268	06/18/2014	13,569.60	1,840.22	457.97	78.00	15,945.79
155926	10/18/2014	394.90	86.89	19.80	116.00	617.59
156380	01/10/2015	5,056.79	960.89	202.24	107.00	6,326.92
158166	01/10/2016	7,827.46	548.15	97.85	21.00	8,494.46
<b>Total</b>		<b>26,848.75</b>	<b>3,436.15</b>	<b>777.86</b>	<b>322.00</b>	<b>31,384.76</b>
The amounts owed reflected in the table are as of September 13, 2016.						

### ***Ownership/Interest***

There is no evidence that the property has been sold or foreclosed on and the property owner, Xue Lin, is the owner on record with Multnomah County. The owner is represented by counsel Weinstein & Riley, P.S.

The property was used as a rental property and is no longer in productive service. There is no information on record regarding the financial condition of the property owner.

### ***Communication with Owner***

There have been a number of communication attempts to the property owner since the first lien was assessed on June 18, 2014. The City has mailed 52 monthly billing statements to the property owner. There were 22 written communications, among them six certified letters. Additionally, eight telephone contacts and two emails to the property owner or a party of interest were made

### ***Evaluation of Adjustment Criteria***

City Code 5.30.060 states that "the Auditor may evaluate individual delinquent open liens to develop recommendations on revising the payment amount of the lien and the payment



terms.” Recommendations for any adjustments must be based on the criteria summarized in the table below:

CRITERIA (City Code 5.30.060)	YES	NO	Unknown
Property owner has committed prior City Code violation or has delinquent account	√		
Property owner has taken steps to correct violation or resolve any delinquency		√	
Property owner’s financial condition allows to resolve the problem			√
Violation of high gravity and magnitude	√		
Violation was repeated or continuous	√		
Violation was intentional or negligent caused by the property owner	√		
High degree of difficulty to correct the violation or delinquency	√		
Economic or financial benefit accrued to property owner as a result of the violation	√		
Property owner cooperative and makes effort to correct the violation		√	
Cost to the City to investigate and correct the violation	√		
Any other relevant factors		√	

The Auditor’s Office has reviewed this property and its history of violations using the criteria listed above and found no mitigating factors that would suggest that a reduced lien amount would encourage improved compliance, property improvement, or elimination of hazards.

### ***Conclusion***

The facts contained in the file suggest that the property owner has made the decision not to maintain the property in compliance with City Code. The history of non-compliance dates back to April 14, 2014, when the City Inspector detected the violations and contacted the property owner. From the date of the first City inspection to date, there have been no attempts by the property owner to correct the violations, other than the removal of a motor home illegally parked at the property.

According to information provided by the Bureau of Development Services, staff members have inspected the property on 11 occasions since the detection of the violations. Based on their reports, there are 29 violations of City Code Title 29, of which 21 are Health Sanitation Violations and Fire, Life, Safety Violations. The property lacks garbage, electrical, and water service, creating a hazardous, uninhabitable environment.

The Auditor’s Office also finds that had the property owners addressed the violations within a reasonable time, the corrections would have been less costly and the degree of difficulty to correct the violations would have been much reduced.



## Foreclosure Recommendation Report

**6914 SE 91<sup>st</sup> Ave.**

The Auditor's Office recommends foreclosure on 6914 SE 91<sup>st</sup> Avenue for delinquent City liens. The lien accounts meet delinquency requirements for foreclosure and no mitigating factors were discovered that would prevent foreclosure or indicate that an adjustment of the lien amount is in order.

### *Summary Information*

<b>Site Address:</b>	6914 SE 91 <sup>st</sup> Ave.
<b>Recorded Property Owner:</b>	Bee Sangsida
<b>Property ID:</b>	R992211200
<b>Lien Account Numbers:</b>	152843, 152879, 153326, 153521, 154185, 154309, 154885 and 157236
<b>Type of Liens:</b>	Nuisance- GF Invoice, Code Enforcement Fees, Code Violation
<b>Use of Property:</b>	Single Family Dwelling. Rental property, currently unoccupied
<b>Amount of Delinquent Liens:</b>	\$58,447.77
<b>Payoff Amount Recommended:</b>	\$58,447.77

### *General Information*

This property is included on the list of Vacant and Distressed Properties provided by the Bureau of Development Services and identified as priority for foreclosure. Development Services and the Portland Police Bureau have expressed concerns that these properties are nuisances to the neighborhoods where they are located. In many instances, the Police Bureau is called to disturbances at these properties frequently. Neighbors complain that many of these properties are inhabited by squatters and there are commonly drug activities taking place, which jeopardizes the public health, safety, and welfare of the neighborhood.

The majority of these properties are investment properties owned by financial institutions or absent owners who have no vested interest in the neighborhood effects such distressed properties have on the community. They are demonstrated hazards and magnets for crime. For these reasons, the Auditor's Office's recommendations for these distressed and egregious properties are concise and generally maintain the amount owed as is with no recommended reduction in lien amount, except in cases where mitigating circumstances point toward improved property owner compliance with a reduced lien amount.

### ***Violation History***

Inspections began on October 16, 2012, when an Inspector for the City of Portland visited the property and detected 11 violations to City Code Title 29. There were seven Fire, Life, Safety Violations and one Health Sanitation Violation; however, one of the Fire, Life, Safety Violations was described by the inspector as "extremely hazardous" and required immediate attention.

The violations ranged from lack of required water, garbage, and electrical services to the use of fuel burning appliances in sleeping areas. This property was an investment property that was rented under conditions that violated the **ORS 90, Oregon Residential Landlord Tenant Act**. Such violations make the property uninhabitable in its current state.

To date, there is no evidence that the violations have been corrected or that any effort has been made to improve the property. The property owner was aware of the violations. The neglect of the property by the owners in not addressing the violations were not the result of unavoidable accident, but an intentional act of delayed maintenance and discontinuation of basic services.

Most of the violations were accumulation of easily correctable problems that became worse over time because they were not dealt with in a timely manner. The neglect means that the violations are now more difficult to address.

Because the property owner did not bring the property into compliance with City Code, the Bureau of Development Services filed a complaint with the City of Portland Code Hearings office on March 29, 2013. A hearing was held on April 19, 2013 and the property owner did not appear; however, the tenant was present at the hearing and submitted a rental agreement from June 2011. Although the rental agreement had only the first page, it was accepted as evidence that he was a legitimate tenant.

In the following months, occupants attempted to correct some of the violations, but the most significant issues remained unaddressed, including lack of power and water. A vacate order was issued by the Hearings Officer in June 2013 and occupants had three months to move before the house was boarded up in September. Occupants requested relocation assistance and the inspector made efforts to connect them to social services.

On September 4, 2013 the Senior Housing Inspector executed the warrant. At the time the inspector executed the warrant the property was occupied by six people. The inspector provided time for the occupants to remove their belongings from the property and was told that they had found a place to move. A contractor boarded and secured the property and two sheds.

Squatters continued to occupy or utilize the property despite vacate orders, including at least one of the previous tenants. In December 2013, a fire at the property was reported and entry



to the house was made possible as a result of the fire damage and suppression efforts. A vacate order was served again in January 2014 and five occupants were removed from the site.

Reports throughout 2014 detail the removal of siding and structures, entry into the home on multiple occasions. By August 2015 however, the property appears to have been vacated.

### ***Police Involvement***

There was a police report filed on October 11, 2012, in which the police went to the property to investigate a burglary and possibly illegal tenants. The police officers detected the lack of electricity, water, a moldy environment and the "appearance that the residence has been static for some time." The officers took some pictures and contacted the Bureau of Development Services with their findings.

On April 09, 2014 there was another police report filed describing that the police, responding to a complaint that the this previously vacate and boarded up house had been broken into and reoccupied by transients. The report also stated that the property displayed evidence of abandonment and/or other potential violations.

Since the date of the first assessment on December 12, 2012 through August 15, 2016, there have been 18 police calls for service to this address, half of which were dispatched and half of which were self-initiated. Most of the calls were for premise or area check, with burglary, fire-related issues, disturbance, theft and other incidents. 37 calls for service occurred within 2100 feet of the address.

### ***Lien Details***

There are eight liens placed by the City against the property.

Lien No.	Asses. Date	Principal	Interest	Penalty	Costs	Total
152843	12/18/2012	23,562.00	5,281.93	1,315.95	132.00	30,291.88
152879	01/01/2013	1,617.00	682.60	168.34	207.00	2,674.94
153326	04/18/2013	376.20	150.66	35.72	170.00	732.58
153521	06/28/2013	4,675.00	1,779.65	420.84	114.00	6,989.49
154185	11/10/2013	767.80	253.62	59.52	149.00	1,229.94
154309	12/28/2013	2,849.77	912.42	206.48	96.00	4,064.67
154885	04/01/2014	7,193.68	2,090.46	485.46	112.00	9,881.60
157236	06/10/2015	2,127.51	299.32	63.84	92.00	2,582.67
<b>Total</b>		<b>43,168.96</b>	<b>11,450.66</b>	<b>2,756.15</b>	<b>1,072.00</b>	<b>58,447.77</b>
The amounts owed reflected in the table are as of September 13, 2016.						

### ***Ownership/Interest***

According to Multnomah County records, the property was recorded under the name of Bee Sangsida on April 15, 2009. There have been contacts between the City of Portland and Wells Fargo. The bank seems to be the mortgagee but claims that it has not foreclosed on the property. There is no evidence that the property has been sold or foreclosed.

### ***Communication with Owner***

There have been a number of communication attempts to the property owner since the Bureau of Development Services first detected the violations in 2012. The City has mailed 277 monthly billing statements to the property owner. There were 67 written communications among them 20 certified letters in addition to 16 telephone contacts and seven emails to the property owner or a party of interest.

### ***Evaluation of Adjustment Criteria***

City Code 5.30.060 states that "the Auditor may evaluate individual delinquent open liens to develop recommendations on revising the payment amount of the lien and the payment terms." Recommendations for any adjustments must be based on the criteria summarized in the table below:

CRITERIA (City Code 5.30.060)	YES	NO	Unknown
Property owner has committed prior City Code violation or has delinquent account	√		
Property owner has taken steps to correct violation or resolve any delinquency		√	
Property owner's financial condition allows to resolve the problem			√
Violation of high gravity and magnitude	√		
Violation was repeated or continuous	√		
Violation was intentional or negligent caused by the property owner	√		
High degree of difficulty to correct the violation or delinquency	√		
Economic or financial benefit accrued to property owner as a result of the violation	√		
Property owner cooperative and makes effort to correct the violation		√	
Cost to the City to investigate and correct the violation	√		
Any other relevant factors		√	

The Auditor's Office has reviewed this property and its history of violations using the criteria listed above and found no mitigating factors that would suggest that a reduced lien amount would encourage improved compliance, property improvement, or elimination of hazards.

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*Conclusion*

The facts contained in the file suggest that the property owner has made the decision not to comply with City Code. The history of non-compliance dates back to October 2012, when the City Inspector detected the violations and contacted the property owner. From the date of the first City inspection to date, there have been no attempts by the property owner to correct the violations.

According to information provided by the Bureau of Development Services, staff members have inspected the property on 58 occasions since the detection of the violations. Development Services has taken the case to the Hearings Office six times, the police have been called for services in at least two occasions and Development Services has had to file for search warrants with the Court 6 times.

Based on Development Service's reports, there were 26 violations to City Code Title 29 of which 12 were Fire Life Safety Violations and three Health Sanitation Violations. The violations range from lack of garbage service to lack of electricity and running water that created a hazardous and uninhabitable situation. The environment in which the tenants were living was also a violation of **ORS 90, Oregon Residential Landlord Tenant Act**. In addition, there were two nuisances abated by the Bureau of Development Services.

The Auditor's Office also finds that had the property owner addressed the violations within a reasonable time, the corrections would have been less costly and the degree of difficulty to correct the violations would have been much reduced.



## Foreclosure Recommendation Report

**8516 N Calhoun Ave.**

The Auditor's Office recommends foreclosure on 8516 N Calhoun Avenue for delinquent City liens. The lien accounts meet delinquency requirements for foreclosure and no mitigating factors were discovered that would prevent foreclosure or indicate that an adjustment of the lien amount is in order.

### *Summary Information*

<b>Site Address:</b>	8516 N Calhoun Ave.
<b>Recorded Property Owner:</b>	Norman Tung Yee
<b>Property ID:</b>	R073800040
<b>Lien Account Numbers:</b>	152774, 152805, 154468 and 158568
<b>Type of Liens:</b>	Nuisance- GF Invoice, Code Enforcement Fees
<b>Use of Property:</b>	Single Family Dwelling, currently unoccupied
<b>Amount of Delinquent Liens:</b>	<b>\$38,979.59</b>
<b>Payoff Amount Recommended:</b>	<b>\$38,979.59</b>

### *General Information*

This property is included on the list of Vacant and Distressed Properties provided by the Bureau of Development Services and identified as priority for foreclosure. Development Services and the Portland Police Bureau have expressed concerns that these properties are nuisances to the neighborhoods where they are located. In many instances, the Police Bureau is called to disturbances at these properties frequently. Neighbors complain that many of these properties are inhabited by squatters and there are commonly drug activities taking place, which jeopardizes the public health, safety, and welfare of the neighborhood.

The majority of these properties are investment properties owned by financial institutions or absent owners who have no vested interest in the neighborhood effects such distressed properties have on the community. They are demonstrated hazards and magnets for crime. For these reasons, the Auditor's Office's recommendations for these distressed and egregious properties are concise and generally maintain the amount owed as is with no recommended reduction in lien amount, except in cases where mitigating circumstances point toward improved property owner compliance with a reduced lien amount.



***Violation History***

According to information contained in the file, serious violations of City Code have occurred at this property. Between August 2, 2012 and January 21, 2016, there were 12 inspections to the property and no efforts from the property owner to correct the violations detected by the City inspectors. Three nuisances were abated by the City during this time.

In the course of one of the inspections the inspector had a conversation with one of the neighbors, who stated that the property has been vacant for more than 10 years and that the disrepair and condition of the house has become a nuisance to the neighbors. On March 31, 2014, a neighbors wrote a complaint to the City stating that the "vacant house...has broken windows, collapsing chimney into the neighbor's driveway, trash and the presence of rodents in and around the yard."

By the end of 2014 there were 10 violations including Health Sanitation Violations and collapsing roof and chimney. The City of Portland declared the property as a derelict building in accordance with City Code section 29.40.010 A.

This property is owned by an investor who acquires properties, in general with a very poor record of maintenance, and does not perform any improvements to the properties. The properties are left as they were acquired and become eroded for lack of occupancy and repairs. This property owner has 11 other properties within the City in similar circumstances. They are nuisances to the neighborhoods where they are located and forces the City to spend on abating nuisances, inspections and issuing of City Code violations, and frequent police calls for services at the locations.

***Police Involvement***

In October of 2015, according to the inspector's notes, there was suspicion of possible squatters in the house, so a police officer was present while the inspector served an executed the administrative warrant to vacate the house. There were five dispatched calls for service at this address since the original assessment date of October 10, 2012 and 26 call for service overall within 200 feet.

***Lien Details***

There are four liens placed by the City against the property.

Lien No.	Asses. Date	Principal	Interest	Penalty	Costs	Total
152774	12/10/2012	2,142.81	943.05	219.76	207.00	3,512.62
152805	12/18/2012	24,370.50	5,635.05	1,400.83	132.00	31,538.38
154468	01/10/2014	767.80	237.98	53.76	143.00	1,202.54
158546	03/10/2016	2,533.29	127.44	25.32	40.00	2,726.05
<b>Total</b>		<b>29,814.40</b>	<b>6,943.52</b>	<b>1,699.67</b>	<b>522.00</b>	<b>38,979.59</b>
<b>The amounts owed reflected in the table are as of September 13, 2016.</b>						

***Ownership/Interest***

Although Multnomah County records show the State of Oregon Department of Veterans Affairs as the owner of record, after checking with the Department of Veterans Affairs it was confirmed that the Department no longer has any interest in the property. The loan was paid off on September 27, 2010; however, the current owner has not conveyed the property to his name.

According to the inspector's notes this property has been unoccupied for over 15 years. The property owner is a chronic offender who owns many properties in the Portland metropolitan area and has 11 other properties within the City limits that are eligible for foreclosure and have been included in the Vacant and Distressed Property project.

***Communication with Owner***

There have been a number of communication attempts to the property owner since the first lien was assessed on December 10, 2012. The City has mailed 125 monthly billing statements to the property owner. There were 48 written communications, including 12 certified letters and two telephone calls to the property owner or a party of interest.

***Evaluation of Adjustment Criteria***

City Code 5.30.060 states that "the Auditor may evaluate individual delinquent open liens to develop recommendations on revising the payment amount of the lien and the payment terms." Recommendations for any adjustments must be based on the criteria summarized in the table below:

CRITERIA (City Code 5.30.060)	YES	NO	Unknown
Property owner has committed prior City Code violation or has delinquent account	√		
Property owner has taken steps to correct violation or resolve any delinquency		√	
Property owner's financial condition allows to resolve the problem			√
Violation of high gravity and magnitude	√		
Violation was repeated or continuous	√		
Violation was intentional or negligent caused by the property owner	√		
High degree of difficulty to correct the violation or delinquency	√		
Economic or financial benefit accrued to property owner as a result of the violation	√		
Property owner cooperative and makes effort to correct the violation		√	
Cost to the City to investigate and correct the violation	√		
Any other relevant factors		√	

The Auditor's Office has reviewed this property and its history of violations using the criteria listed above and found no mitigating factors that would suggest that a reduced lien amount would encourage improved compliance, property improvement, or elimination of hazards.

### ***Conclusion***

The facts contained in the file suggest that the property owner has a distinct pattern of operation that negatively impacts the neighborhoods where the properties are located. In addition, the City is forced to spend resources to abate the violations and maintain law and order.

The history of non-compliance dates back to the first inspection that took place on August 2, 2012, when the City Inspector detected the violations and contacted the property owner. From the first inspection to date, the property owner made one attempt to partially repair the collapsing chimney, which finally collapsed not long after the repairs were performed.

According to information provided by the Bureau of Development Services, staff members have inspected the property on 12 occasions and requested three Affidavit for Administrative Search Warrants to abate violations.

Based on inspector's reports, there are 10 violations to City Code Title 29 including Health Sanitation Violations. The property has not been occupied for over a decade and, in accordance with City Code section 29.40.010 A, the bureau director declared the property a derelict building.



## Foreclosure Recommendation Report

**4725 NE 22nd Ave.**

The Auditor's Office recommends foreclosure on 4725 NE 22<sup>nd</sup> Avenue for delinquent City liens. The lien accounts meet delinquency requirements for foreclosure and no mitigating factors were discovered that would prevent foreclosure or indicate that an adjustment of the lien amount is in order.

### *Summary Information*

<b>Site Address:</b>	4725 NE 22 <sup>nd</sup> Ave.
<b>Recorded Property Owner:</b>	Norman Tung Yee
<b>Property ID:</b>	R860711100
<b>Lien Account Numbers:</b>	147103, 147113, 147176, 152131, 153280, 156579, and 158567
<b>Type of Liens:</b>	Nuisance- GF Invoice, Code Enforcement Fees
<b>Use of Property:</b>	Single Family Dwelling currently unoccupied
<b>Amount of Delinquent Liens:</b>	<b>\$75,849.72</b>
<b>Payoff Amount Recommended:</b>	<b>\$75,849.72</b>

### *General Information*

This property is included on the list of Vacant and Distressed Properties provided by the Bureau of Development Services and identified as priority for foreclosure. Development Services and the Portland Police Bureau have expressed concerns that these properties are nuisances to the neighborhoods where they are located. In many instances, the Police Bureau is called to disturbances at these properties frequently. Neighbors complain that many of these properties are inhabited by squatters and there are commonly drug activities taking place, which jeopardizes the public health, safety, and welfare of the neighborhood.

The majority of these properties are investment properties owned by financial institutions or absent owners who have no vested interest in the neighborhood effects such distressed properties have on the community. They are demonstrated hazards and magnets for crime. For these reasons, the Auditor's Office's recommendations for these distressed and egregious properties are concise and generally maintain the amount owed as is with no recommended reduction in lien amount, except in cases where mitigating circumstances point toward improved property owner compliance with a reduced lien amount.

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***Violation History***

This property has a long history of serious violations of City Code dating back to May 2009. During the first inspections 13 violations to City Code Chapter 29, including Fire, Life, Safety Violations. There were 22 subsequent inspections to the property and no serious efforts from the property owner to correct the violations.

Neighbors have submitted 14 complaints against the property due to its condition, citing its state of abandonment and the adverse impacts the property is causing to those living in the vicinity. One of the complainants described the property as "the toilet for the Last Thursday Crowd."

In September of 2009, the Bureau of Development Services, in an attempt to motivate the property owner, offered an Amnesty. The property owner initially showed some interest but never made any efforts to take advantage of the Bureau's given opportunity.

By September of 2014, according to the inspector's list of violations, the number of violations had increased to 18 and there continued to be no indication that the property owner intervened to resolve any of them.

Since the initial inspection in 2009, the City of Portland had abated six nuisances. The property has been in complete disrepair, almost entirely engulfed by overgrown vegetation, with raccoons living in the garage and none of the listed violations resolved. The City has devoted significant resources to mitigating the negative impact to neighbors. An important inspector's note states that according to Title 29 if the conditions at a property are too poor, creating conditions for Fire, Life, Safety issues the conditions can be abated without prior notice through a "Summary abatement". The summary abatement was utilized in this property on three occasions: February 11, 2013, September 11, 2014 and January 15, 2016.

***Police Involvement***

There were no calls for police service at this address, although there were 63 calls for service within 200 feet of this address since the original assessment date of July 10, 2009.

***Lien Details***

There are seven liens placed by the City against the property.

Lien No.	Asses. Date	Principal	Interest	Penalty	Costs	Total
147103	07/10/2009	521.40	443.36	107.90	305.00	1,377.66
147113	07/10/2009	365.20	310.56	75.53	305.00	1,056.29
147176	07/18/2009	42,650.30	17,212.14	4,297.40	255.00	64,414.84
152131	07/18/2012	525.80	255.13	62.88	197.00	1,040.81
153280	04/10/2013	2,085.75	835.76	197.98	195.00	3,314.49
156579	02/10/2015	1,947.57	352.18	77.92	104.00	2,481.67
158567	03/10/2016	2,003.14	100.78	20.04	40.00	2,163.96
<b>Total</b>		<b>50,099.16</b>	<b>19,509.91</b>	<b>4,839.65</b>	<b>1,401.00</b>	<b>75,849.72</b>
<b>The amounts owed reflected in the table are as of September 13, 2016.</b>						

***Ownership/Interest***

Multnomah County records show the State of Oregon Department of Veterans Affairs as the owner of records and Mr. Norman Tung Yee as the contract purchaser. The Department of Veterans Affairs stated that the loan was paid off on July 11, 2006. The ODVA's name is still shown as the owner of records because the property owner has not conveyed the property to his name.

According to the inspector's notes, conversations with neighbors and complaints filed against the property, it has been unoccupied for over six years. The property owner is a chronic offender who owns many properties in the Portland metropolitan area and has 11 other properties within the City limits that have been included in the Vacant and Distressed Property.

***Communication with Owner***

There have been a number of communication attempts to the property owner since the first lien was assessed on July 10, 2009. The City has mailed 369 monthly billing statements to the property owner. There were 69 written communications, including 24 certified letters and numerous unsuccessful telephone contacts.

***Evaluation of Adjustment Criteria***

City Code 5.30.060 states that "the Auditor may evaluate individual delinquent open liens to develop recommendations on revising the payment amount of the lien and the payment

terms.” Recommendations for any adjustments must be based on the criteria summarized in the table below:

CRITERIA (City Code 5.30.060)	YES	NO	Unknown
Property owner has committed prior City Code violation or has delinquent account	√		
Property owner has taken steps to correct violation or resolve any delinquency		√	
Property owner's financial condition allows to resolve the problem			√
Violation of high gravity and magnitude	√		
Violation was repeated or continuous	√		
Violation was intentional or negligent caused by the property owner	√		
High degree of difficulty to correct the violation or delinquency	√		
Economic or financial benefit accrued to property owner as a result of the violation	√		
Property owner cooperative and makes effort to correct the violation		√	
Cost to the City to investigate and correct the violation	√		
Any other relevant factors		√	

The Auditor's Office has reviewed this property and its history of violations using the criteria listed above and found no mitigating factors that would suggest that a reduced lien amount would encourage improved compliance, property improvement, or elimination of hazards.

### ***Conclusion***

This property owner has a lengthy history of non-compliance with City Code on this and 11 other properties in the City. There were 14 complaints filed against this property, the Bureau of Development Service's staff members inspected the property on 22 occasions, and six Affidavit for Administrative Search Warrants were requested since the first inspection. The property has been in complete disrepair, unoccupied or vacant for over six years.

According to the information provided, the City has spent significant resources to abate nuisances and attempt to minimize the negative impact of the property owner's inaction.