

City of Portland Risk Management 3/7/2022



GENERAL LIABILITY CLAIM AGAINST THE CITY OF PORTLAND

* for damages to persons or property *



File Number:

2022-012026-28

A claim must be filed with City of Portland Risk Management within 180 days after the occurrence of the incident or event.

Normal business hours: Monday through Friday, 8:00am to 5:00pm. Closed on official holidays.

Claims received during regular business hours will be recorded on the date received.

Faxed or emailed claims received after business hours will be recorded on the next working day.

Please be sure your claim is against the City of Portland, not another public entity.

Where space is insufficient, please use additional paper and identify information by section number and letter.

Completed forms may be mailed, emailed, faxed, or hand-delivered to:

Risk Management/Liability, 1120 S.W. Fifth, Room 709, Portland, OR 97204-1912, Ph: 503-823-5101, Fax: 503-823-6120

LiabilityClaims@portlandoregon.gov

1. Claimant (Circle: Mr. Mrs. Ms. Miss) KRISTINE RUTH PEARSON-DENNING Date of Birth [REDACTED] (KPD)
John Pearson-Denning (JPD)
 a. Address 14350 ORCHARD KNOB ROAD City DALLAS State OR Zip 97338
 b. Home Phone _____ Business Telephone _____ Cell Phone 503-358-6950
 c. Occupation RETIRED d. Marital Status: Single () Married (x) Divorced or Widowed ()

If married, name of spouse [REDACTED]

d. E-mail address _____

2. If claim involves a vehicle: a. Year, make and model 2005 TOYOTA PRIUS

b. License Plate Number [REDACTED] Driver's License Number _____ State _____

c. At time of accident, were you (check all that apply) Owner: ☒ Driver _____ Passenger _____ N/A _____

d. Name and address of owner if different from claimant (1. Above) _____

3. Occurrence or event from which the claim arises:

a. Date JANUARY 13, 2022 Time 10 Circle X AM / PM

b. Place (exact and specific location) 2202 NE Everett Portland

c. Specify the particular occurrence, event, act, or omission by the City that you believe caused the injury or damage (use additional paper if necessary): AN ATTEMPT TO VANDALIZE OUR TOYOTA PRIUS CAUSED IT TO BE DISPLACED INTO TRAFFIC--see ppb report # 22-18353 OUR PRIUS WAS TOWED BY THE CITY, WE INCURRED TOWING CHARGES, FEES, AND STORAGE CHARGES. PLEASE SEE ATTACHED LETTER.

d. State how the City of Portland or its employees were at fault: WE CALLED THE POLICE TOW LINE MULTIPLE TIMES FROM 1/13-16/2022 WHEN WE WERE FINALLY NOTIFIED BY MAIL ON 1/16 THAT THE CAR WAS TOWED. I WAS NOTIFIED BY OUR OMBUDSMAN THAT THE PORTLAND POLICE ADMITTED THEIR ERROR IN NOT TIMELY UPDATING THE POLICE TOW LINE ON 1/13-16.

e. Were you on the job at the time of the accident? Yes _____ No X

If yes, what is the name / phone number of employer _____

4. **Description:** Describe the injury, property damage or loss so far as is known at the time of this claim. _____

We paid \$422 in towing charges, lien fee, and storage charges. Please see attached addendum #1.

5. ***We are required to report all claims for injuries to Medicare/Medicaid Services***

If you were injured please provide the following: Social Security #: _____

Medicare/Medicaid Beneficiary? Yes ___ No ___

6. **Give the name(s) of the City employee(s) and/or City Bureau causing the damage or injury** _____

PORTLAND POLICE TOW LINE

7. **Name and address of any other person injured** _____

8. **Name and address of the owner of any damaged property if different from claimant** _____

9. **Damages claimed:**

a. Amount claimed as of this date: \$ \$108 STORAGE fees

b. Estimated amount of future costs: \$ + 48 lien fee

c. Total amount claimed: \$ \$236.00

d. Basis for computation of amounts claimed (include copies of all bills, invoices, estimates, etc.): _____

Service Charge \$20 + Storage Fee \$168 + Lien Fee \$48

10. **Names, addresses / phone #s of all witnesses** _____

11. **Any additional information that might be helpful in considering your claim** I understand the

~~Portland Police~~ city may have been in the 'right' to tow our vandalized vehicle - but the lack of timely updating of the police Tow Line caused our vehicle to be in storage for over 5 days when - had we been told the truth ~~at that time~~ ^{on 3/8/22} - we would have retrieved the vehicle that day.

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM! (ORS 162.085)

I have carefully read the statements made in this claim, including any attached sheets, and I know them to be true of my own knowledge, except as to those matters stated upon information or belief and to such matters I believe the same to be true. I understand and acknowledge that all statements made in this claim are made to a public servant of the City of Portland, and that the statements are in connection with an application for a benefit from the City of Portland.

Date: 3/8/22

Claimant's Signature

John A. Pearson-Deputies
Print Name

Addendum #1

Tow # 4758373

On January 13th at approx. 11 am, our Toyota Prius:

LIC: OR [REDACTED] VIN: [REDACTED]

was towed for being more than a foot from the curb—parked on NE Everett facing west—at the Corner of NE 22nd.

My daughter parked the car properly across the street from 2202 NE Everett. It was not parked incorrectly the night before but was brought out into the street by thieves who had tried unsuccessfully to steal our catalytic convertor. My Daughter's boyfriend, Max Bowman's van was broken into that same night by thieves who did steal HIS catalytic convertor. (Portland Police Report # 22-18353) These thieves were thwarted by the anti-theft device on our Prius placed there after we were victims of a Catalytic converter theft in 2020 of the same vehicle at our then residence in NE Portland.

My daughter works late nights and did not get up early enough to see the car had been moved and cited and then towed on the 13th. When we called the Tow line of the city of Portland on the 13th and the 14th we were told that the car HAD NOT BEEN TOWED. I was notified by my Insurance Company on Tuesday the 17th that the car HAD NOT been found or towed.

I don't know who is responsible for updating the Police tow phone line but it is clear that we were misinformed several times about the whereabouts of our Prius.

When our mail arrived late on Tuesday—after the Monday holiday-- we were given notice that our Prius HAD been towed dated Jan 14!. We retrieved the car Wednesday, Jan. 19 and paid \$422.00:

These costs were detailed as:

\$133 tow charge

\$20 service charge

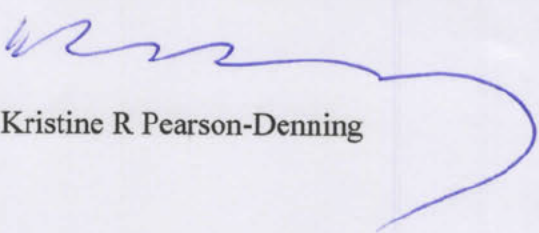
\$38 dispatch charge

\$15 extra man/tierer (?)

\$168 storage

\$48 lien fee

I am appealing all of these charges in addition to the citation of \$55.00 (also paid upon receipt) as we were victims of attempted theft and then the tow of our Prius when it could just have as easily been returned to the curb as being moved five miles to a private tow lot. I realize the tow may have been proper but the circumstances leading to the tow left us being victimized by both the perpetrators and the city. Thank you for your attention.


Kristine R Pearson-Denning