



CITY OF
PORTLAND, OREGON
HEARINGS OFFICE

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HEARINGS OFFICER'S ORDER

APPEAL OF EMILY DAWSON

CASE NO. 1080314

DESCRIPTION OF VEHICLE: Ford Taurus (CA 3AUZ325)

DATE OF HEARING: October 21, 2008

APPEARANCES:

Ms. Emily Dawson, Appellant

HEARINGS OFFICER: Mr. Gregory J. Frank

Ms. Dawson appeared and testified at the hearing. The Hearings Officer makes this decision based upon the testimony of Ms. Dawson and the exhibits admitted into the evidentiary record (exhibits 1 through and including 7).

Ms. Dawson testified that her roommate called in a complaint about an abandoned vehicle, which it turned out to be her vehicle. Ms. Dawson stated that the licensing tags on her vehicle were expired. Ms. Dawson stated that her vehicle was warned, that it may be towed, on October 6, 2008 and that it was towed on October 15, 2008. Ms. Dawson stated that she moved her vehicle about 2 blocks away for a few days, after it was warned, and then moved it back to the street upon which it was warned prior to it being towed.

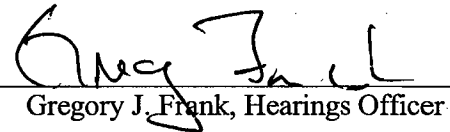
The towing officer's report stated that a warning was placed on the subject vehicle on October 6, 2008 because it was considered to be abandoned (expired tags and no trip permit) (see exhibits 5 and 6). It was still on the public right-of-way and in violation on October 15 and so was towed. More than the required 72 hours warning period had passed.

The Hearings Officer finds that the officer who ordered Ms. Dawson's vehicle towed on October 15, 2008 followed the relevant rules/laws. The Hearings Officer finds that the proper notice was given of the possibility of the tow (tow warning on October 6, 2008), the vehicle was in violation (no current tags) and more than 72 hours elapsed between the tow warning and tow. The Hearings Officer finds the tow of Ms. Dawson's vehicle is valid.

Therefore, it is ordered that all towing and storage charges against the vehicle shall remain the responsibility of the vehicle's owner.

This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: October 22, 2008
GJF: rs



Gregory J. Frank, Hearings Officer

Bureau: Abandoned Autos
Tow Number: 27836

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Hearing request letter	Dawson, Emily	Received
2	Tow Desk printout	Hearings Office	Received
3	Hearing Notice	Hearings Office	Received
4	Tow Hearings Process Info. sheet	Hearings Office	Received
5	Tow hearing report	Abandoned Autos	Received
6	Detail case history	Abandoned Autos	Received
7	Photo	Abandoned Autos	Received