



CITY OF
PORTLAND, OREGON

HEARINGS OFFICE

1900 S.W. 4th Avenue, Room 3100
Portland, Oregon 97201
Telephone: (503) 823-7307
FAX: (503) 823-4347
TDD (503) 823-6868
www.portlandonline.com/auditor/hearings

HEARINGS OFFICER'S AMENDED ORDER

CITY OF PORTLAND, petitioner, vs. SIDNEY LYNNE, SIDNEY L. HEFFERIN, AND ROBERT M. STANSEL, respondents

CASE NO. 2090001
[Bureau Case No. 06-103162-DB]

PROPERTY / ZONE / PARK: 2910 SW Canterbury Lane

LEGAL DESCRIPTION:
Arlington Hts & Rplt, Block 19, Lot F & 10 TL 13500,
City of Portland, Multnomah County, Oregon

DATES OF HEARINGS: January 28, 2009 and February 4, 2009

APPEARANCES:

Mike Liefeld, for the City

Respondents did not appear

HEARINGS OFFICER: Mr. Gregory J. Frank

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

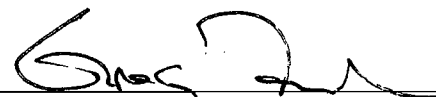
On April 23, 2009, Mr. Liefeld filed a Motion to Amend the Hearings Officer's Order (Exhibit 40) in the above-captioned matter. Mr. Liefeld requested that the Hearings Officer Amend the Order issued on February 9, 2009 ("Original Order") references to an April 30, 2009 deadline with a June 30, 2009 deadline. Mr. Liefeld indicted that ownership of the Subject Property (2910 SW Canterbury Lane, Portland, Oregon) has transferred and the new owner is processing a demolition permit which, when competed, would correct all violations referenced in Exhibit 1a. The Hearings Officer finds it appropriate to amend the Complaint to add, as an additional named respondent, Mr. Robert M. Stansel.

The Hearings Officer finds Mr. Liefeld's request to modify the Original Order to extend the time of suspension of a \$20,000 civil penalty until June 30, 2009 is reasonable and appropriate given the change of ownership of the Subject Property. The Hearings Officer finds that the Original Order shall remain in full force and effect unless specifically modified by this Amended Order.

ORDER AND DETERMINATION:

1. Paragraph 3 of the Original Order is modified by replacing all references to April 30, 2009 with June 30, 2009 and references to May 1, 2009 are replaced with July 1, 2009.
2. Paragraph 4 of the Original Order is modified by replacing all references to April 30, 2009 with June 30, 2009 and references to May 1, 2009 are replaced with July 1, 2009.
3. The Hearings Officer retains jurisdiction until July 17, 2009.
4. The Complaint (Exhibit 1) is amended to add Mr. Robert M. Stansel as an additional named Respondent.
5. All findings and orders contained in the Original Order shall remain in full force and effect unless specifically modified in this Amended Order.
6. This Amended Order has been mailed to the parties on May 1, 2009, and shall become final and effective immediately. This case will be closed on July 17, 2009.
7. This Amended Order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et. seq.

Dated: May 1, 2009


 Gregory J. Frank, Hearings Officer

GJF:rs

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Code Complaint	Liefeld, Michael	Received
1a	Attachment A (list of violations)	Liefeld, Michael	Received
2	Bureau mailing list	Liefeld, Michael	Received
3	Bureau exhibit list (exhibit numbers are NOT the same as Hearings Office exhibit numbers used)	Liefeld, Michael	Received
4	Multnomah Co. Property Record	Liefeld, Michael	Received
5	GARTH printout w/2 color Portland Maps following	Liefeld, Michael	Received
6	Color photos dated 1/17/06 (3 pgs)	Liefeld, Michael	Received
7	Notification of Dangerous Structure to Sidney Lynne dated 1/20/06	Liefeld, Michael	Received
8	Dangerous Building Notice dated 1/23/06	Liefeld, Michael	Received
9	Letter to Sidney Lynne from Miller Consulting Engineers w/6 pgs of data following	Liefeld, Michael	Received
10	Handwritten note to Peg from Sidney Lynne	Liefeld, Michael	Received
10a	Notification of Dangerous Structure and Order to Demolish or Repair w/ handwritten notes dated 1/20/06	Liefeld, Michael	Received
10b	Job Invoice from BJ Rex Construction dated 10/13/05	Liefeld, Michael	Received
11	Handwritten note from Sidney Lynne dated 3/30/06	Liefeld, Michael	Received
11a	Typed comments from Auditor's Office regarding property	Liefeld, Michael	Received
12	Letter to Sidney Lynne dated 3/30/06 from Crystle Cowen	Liefeld, Michael	Received
13	Color photo dated 5/10/06	Liefeld, Michael	Received
14	Dangerous Structure Progress Report dated 3/8/07	Liefeld, Michael	Received
15	Color photos dated 5/16/07 (2 pgs)	Liefeld, Michael	Received

16	Dangerous Structure Progress Report dated 7/26/07	Liefeld, Michael	Received
17	Color photos dated 9/25/07 (2 pgs)	Liefeld, Michael	Received
18	Enforcement Fee Increase Notification to Sidney Lynne & John Hefferin dated 9/26/07	Liefeld, Michael	Received
19	Trustee's Notice of Sale (3 pgs)	Liefeld, Michael	Received
19a	Lien Accounting report dated 9/27/07	Liefeld, Michael	Received
20	Notice of Additional Code Violation & Intent to File Code Hearing dated 12/6/07 (3 pgs)	Liefeld, Michael	Received
20a	Notification of Dangerous Structure and Order to Demolish or Repair dated 1/20/06 (3 pgs)	Liefeld, Michael	Received
21	Stipulated Agreement for Sydney Lynne & John Hefferin	Liefeld, Michael	Received
22	Letter from PSI to Sidney Lynne dated 3/25/08	Liefeld, Michael	Received
23	Handwritten note from Sidney Lynne	Liefeld, Michael	Received
23a	Copy of letter from Miller Consulting Engineers to Sidney Lynne dated 3/21/08	Liefeld, Michael	Received
24	Handwritten note from Sidney Lynne dated 5/21/08	Liefeld, Michael	Received
24a	Copy of letter from Miller Consulting Engineers to Sidney Lynne dated 3/21/08	Liefeld, Michael	Received
24b	Copy of 1st page of Stipulated Agreement to Sydney Lynne & John Hefferin	Liefeld, Michael	Received
25	Stipulated Agreement to Sydney Lynne & John Hefferin w/ handwritten notes	Liefeld, Michael	Received
26	Enforcement Fee Increase Notification to Sidney Lynne & John Hefferin dated 6/30/08	Liefeld, Michael	Received
27	VRBO web page printout (2 pgs)	Liefeld, Michael	Received
28	Nostalgic Realty web page printout (4 pgs)	Liefeld, Michael	Received
29	Copy of email from Michael Liefeld to Sidney Lynne dated 9/16/08 (2 Pgs.)	Liefeld, Michael	Received
30	Hearing Notice	Hearings Office	Received
31	Notice of Rights and Procedures	Hearings Office	Received
32	Mailing List	Hearings Office	Received
33	Photos (4 pgs.) dated 1/26/09	Liefeld, Michael	Received
34	Title report dated 12/30/08	Liefeld, Michael	Received
35	Address Service	USPS	Received
36	Notice of Pending Lien Against Property (original)	Hearings Office	Received
36a	Recorded at County, Notice of Pending Lien Against Property	Hearings Office	Received
37	Address Service	USPS	Received
38	Certification of Civil Penalty and Lien for \$2392.25	Hearings Office	Received
39	Postage due & address forwarding notification card	USPS	Received
40	Motion to Amend Order	Liefeld, Michael	Received
40a	Multnomah Co. Property Record	Liefeld, Michael	Received
40b	Proposal & Acceptance document (6 pgs.)	Liefeld, Michael	Received
41	Mailing List	Liefeld, Michael	Received