



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Property Compliance Program**  
FROM CONCEPT TO CONSTRUCTION

Dan Ryan, Commissioner  
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Phone: (503) 823-2633  
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www.portland.gov/bds

**NOTICE OF VIOLATION - PROPERTY MAINTENANCE CODE**  
**PROGRESS REPORT**

December 23, 2021

UNITED STATES OF AMERICA

**RE: 5635-5639 SE 84TH AVE \***

**EVELYN; BLOCK 4; LOT 6; 1S2E16CB 08500**  
**Tax #: R26080-0660 Case #: 18-247364-HS**

On November 1, 2021, we sent you a Notice of Violation regarding Property Maintenance Code violations found at the property listed above. A Housing Inspector was at the property on December 7, 2021 to inspect the corrections that had been made. Included with this Notice is a list of the current violations found at your property.

**YOU MUST CORRECT ALL OF THESE CODE VIOLATIONS PROMPTLY.** Until the corrections are inspected and approved by a Housing Inspector, your case remains open and you will be charged, or continued to be charged, monthly code enforcement fees. In addition, a lien will be, or has been, placed against the property. If this case has been open three (3) months or more from the initial notice of violation, the monthly code enforcement fee will double. If your property or any part thereof is vacant or becomes vacant, it cannot be occupied until the violations are corrected. In the event the property or any part thereof is reoccupied before all violations are corrected a \$819.00 per month penalty, in addition to the monthly enforcement fee, will be charged until the property is vacated and/or all violations are corrected and approved by the Housing Inspector. Enclosed is an information sheet explaining all fees, penalties, and exceptions.

As owner of this property, **you must:**

1. Correct the Property Maintenance Code Violations; **and**
2. Have the corrections inspected by the Housing Inspector. It is **your** responsibility to call the inspector to arrange for an inspection.

Please contact the inspector listed below. Thank you for your cooperation.

Amanda Sokolowsky  
Housing Inspector (503)-823-8511

# LIST OF VIOLATIONS

## Current list of violations as of December 7, 2021:

1. **CORRECTED December 7, 2021: Fire Life Safety Violation:** Dwelling unit 5635 lack required water service. 29.30.170(a) *\*See note at end of list*
2. **CORRECTED December 7, 2021: Health Sanitation Violation:** The owner of a residential rental property of four or fewer dwelling units shall subscribe to and pay for weekly recycling and composting service and every other week garbage service by a franchisee as defined in Chapter 17.102 of the Code of the City of Portland. Each unit must be provided at least one 20 gallon receptacle into which garbage and rubbish may be emptied for storage and collection. Receptacles shall have tight fitting lids. The licensed hauler for your area is Waste Management (800) 808-5901. 29.30.140(c) *\*See note at end of list*
3. **CORRECTED December 7, 2021: Health Sanitation Violation:** Trash and debris have accumulated on exterior property areas. Any time limit on a City of Portland Nuisance Posting on this property takes precedence over the time limits on this Housing Code case. 29.30.140(a)
4. **Fire Life Safety Violation:** Several window panes are broken and/or missing. 29.30.090(h)
5. **CORRECTED December 7, 2021: Fire Life Safety Violation:** Dwelling units lacks required electrical service. 29.30.190 *\*See note at end of list*
6. **Permit Required: Fire Life Safety Violation:** Structural work done without obtaining required permits and inspections. Violations include but are not limited to: Removal of wall and installation of a door at common interior duplex wall. The building inspector may require additional corrections. 29.05.040, 29.50.010, 29.50.020
7. **Permit Required:** Plumbing work done without obtaining required permits and inspections. Violations include but are not limited to: Installation of hot water heat in unit 5639. The building inspector may require additional corrections. 29.05.040, 29.50.010, 29.50.020
8. **CORRECTED December 7, 2021: Fire Life Safety Violation:** The closet under unit 5639 interior stairs is being occupied as unapproved habitable space. This area does not meet minimum requirements for habitable space, including but not limited to: ceiling height and light and ventilation. 29.30.200(a,b), 29.30.090(b), 29.30.210(a,c)
9. **Fire Life Safety Violation:** Sleeping and common areas lack required protection by operable smoke detectors and/or alarms. 29.30.240. *Note: Multiple disabled, damaged or missing smoke detectors observed.*
10. **Fire Life Safety Violation:** Interior stairs in unit 5639 lacks required safety guardrail with intermediate rails spaced so that no object larger than a four-inch sphere may pass through. 29.30.080(c)

# LIST OF VIOLATIONS

11. **Fire Life Safety Violation:** Exposed electrical wiring not in conduit is subject to mechanical damage. 29.30.190. *Note: exposed wiring observed at multiple locations in both duplexes.*
12. **Fire Life Safety Violation:** Throughout both duplex units electrical outlets and/or switches lack cover plates. 29.30.190
13. **Health Sanitation Violation:** Mold growth on the kitchen wall of unit 5635 indicates lack of ventilation and/or moisture control. 29.30.120
14. Kitchen sink faucet in unit 5639 leaks. 29.30.170(c)
15. Portions of kitchen sink faucet assembly in unit 5639 are missing or damaged. 29.30.170(c)
16. Portions of kitchen cabinets/cupboards in unit 5639 are damaged and/or missing. 29.30.270(a,b), 29.30.110(a)
17. Portions of wall coverings are damaged and missing in both duplex units. 29.30.110(a)
18. Portions of front and rear exterior door hardware, frame, and casings are damaged, deteriorated, and/or missing. 29.30.100(d)
19. Interior door in unit 5639 is broken, deteriorated, and/or missing. 29.30.100(e)
20. Portions of gutters and/or downspouts are damaged, deteriorated, and/or missing. 29.30.030

***NOTE: Regarding violations 1, 2, and 5 above, utilities including water, electrical, and garbage services are not required at vacant properties. If/when the property becomes occupied, those services will be required. Therefore, if the property does become occupied without said services, those 3 violations will be reinstated.***

c: File



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**Fees, Penalties, Reviews, Appeals, and Waiver Information**

**FEES**

If all Fire, Life, Safety and/or Health, Sanitation violations **are not** corrected, inspected, and approved by a City Housing Inspector within thirty (30) days of the mailing date of the first violation letter, a lien may be placed against the property. If all other violations **are not** corrected, inspected and approved by the Housing Inspector within sixty (60) days of the mailing date of the first violation letter, a lien may be placed against the property. The monthly fee is based on the number of units on the property and the number of units in violation.

1-2 Units \$299.00 per unit	3 – 10 Units \$447.00 per unit	11 – 19 Units \$597.00 per unit	20 or more Units \$745.00 per unit	Residential with Any Non-Residential use & Properties with only Non-Residential use \$745.00 per unit
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An additional auditor charge of 10% will be added to the above amounts, along with a possible recording fee. The monthly fees will double for any property that remains in violation for three (3) months from the initial notice of violation. Pursuant to Portland Policy Document ENB 12.07, property owners or their representative may request a review of assessed liens/fees for potential reduction once an enforcement case is closed.

**Re-occupation After Notice of Violation:** A \$819.00 per month penalty will be assessed if the property or any part thereof is vacant or becomes vacant and is reoccupied before all violations are corrected, inspected, and approved by the City’s Housing Inspector. This is in addition to the monthly code enforcement fees and is assessed per occurrence.

**Hearings:** A \$416.00 penalty will be assessed if the City files a complaint with the Code Hearings Officer regarding the continued existence of violations on the property.

**ADMINISTRATIVE REVIEW – Do Violations Exist?**

- Pursuant to 3.30.040.E.8, as the property owner or authorized agent, if you believe the finding of the notice was in error you may request an Administrative Review within 15 days of the posting notice or within 15 days of the first violation notice. Code enforcement fees will continue to accrue during the review process.
- If additional violations are cited, any property owner or authorized agent may also request an Administrative Review of additional cited violations within 15 days of the date of the notice citing those additional violations.
- An Administrative Review Fee of \$145.00 is due when the written request for an Administrative Review is received. This fee will only be refunded if it is determined that all of the contested violations were cited in error.

**The written request, along with the \$145.00 Administrative Review fee, must be received in our office within 15 days of original notification and must state the reason(s) for the review.** Please make the check payable to the City of Portland. Compliance timelines and enforcement actions remain in effect during the Administrative Review process.

Mail requests to: Bureau of Development Services  
 Neighborhood Inspections & Compliance Services Section  
 Review/Appeal Desk  
 1900 SW 4th Avenue Suite 5000  
 Portland OR 97201

Your request should indicate if you or a representative of the property owner will be appearing in person for the review. If so, we will notify you and/or your representative of the date and time of the review. A written determination will be mailed following the review, which will include additional appeal information as set forth in Section 29.80.02

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## Code Enforcement Fee Waivers (Housing Cases)

A waiver provides for temporary suspension of code enforcement fees assessed against a property. Waivers are available on a limited basis. Call 503-823-0891 for more information or to request an application.

### Income-Based Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for (twelve) 12 months. The following requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life safety, health or sanitation violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The dwelling is a one or two family residence; and
5. The property owner(s) must meet the income requirements by providing required documentation; and
6. The property is owner-occupied or vacant.

### Residential Renovation Waiver

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for up to six (6) months. **Please note: If permits are required, they must be paid for and issued before the waiver will be granted.** These requirements must all be met before the waiver may be granted:

1. All cited fire, life safety, health or sanitation violations must be corrected, inspected, and approved by the Housing Inspector; or the property is vacant with no significant exterior fire, life, and safety violations; and
2. The property is clear of any other code violation administered by BDS; and
3. The housing case is currently open; and
4. The building is attached to a permanent foundation or has an issued and active permit for foundation work; and
5. Paid and issued building permit fees of at least
  - A. \$500 or a project value of \$15,000 for one and two family dwellings; or
  - B. \$1,000 or a project value of \$30,000 for properties with 3-10 units; or
  - C. \$1,500 or project value of \$45,000; for properties with 11-19 units; or
  - D. \$2,000 or project value of \$60,000; for properties with 20+ units
6. A submitted work plan that demonstrates a project valuation of non-permit work to be done (or a combination of permit and non-permit work that demonstrates the required valuation as listed above) to rehabilitate the property.
7. A completed waiver application must be received in addition to the above listed requirements before a waiver can be considered.

### Exterior Paint and Roof Waiver (no application required)

Upon approval of this waiver, monthly Code Enforcement Fees may be suspended for nine (9) months. The following requirements must be met before the waiver may be granted:

1. The property is a residential 1 or 2 family dwelling,
2. All property maintenance violations with the exception of exterior paint and roof work, must be corrected, inspected, and approved by the Housing Inspector; and
3. The property is clear of any other code violation administered by BDS; and
4. The housing case is currently open.

### New Owner Grace Period (no application required)

Upon approval of this waiver, Code Enforcement Fees may be suspended for one (1) month. The following requirements must be met before the waiver may be granted:

1. The new owner acquired the property with pre-existing housing violations of Title 29; and
2. The existing liens have been satisfied or paid current and the City Auditor's Office has notified BDS of a new owner; and
3. The case is currently open.

**Active Permit, Demolition, Non-Profit and Warehouse Waivers:** Call the Waiver Desk at 503-823-0891 for more information.

**Free Home Repair Assistance Grants are Available for Low Income Owner Occupied Property Owners that earn 50% or less of median family income. For more information and to see if you qualify please visit the Portland Housing Bureau website at <http://portlandoregon.gov/phb/article/430363>.**

All information is subject to change.