



NOTICE OF HEARING

December 18, 2023

Rodrigo Quintanilla
15246 S Holcomb Blvd.
Oregon City, OR 97045

RE:: County of Clackamas v. Rodrigo Quintanilla
File: V0026622

Hearing Date: January 11, 2024

Time: This item will not begin before 10:30am however it may begin later depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights
2. Copy of Complaint and Request for Hearing

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>

You may contact Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officer's Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

Carl Cox
Attorney at Law
14725 NE 20th Street, #D-5
Bellevue, WA 98007
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



You must have access to the internet or to a telephone line to use the Zoom platform, a copy of the link is provided below.

If you would like to present evidence at the Hearing please email or mail your evidence to Diane Bautista at 150 Beavercreek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Diane Bautista at 503-742-4459 **within 3 calendar days of receipt of the Notice of Hearing**.

If you do not know how to use Zoom, please Google “how to use Zoom” and there are many interactive guides on the internet.

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/89707834904?pwd=MldFTG1Kck5CMkNka2F6aHdBOVduQT09>

Passcode: 649169

Or One tap mobile:

+16699006833,,89707834904# US (San Jose)

+17193594580,,89707834904# US

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 669 444 9171 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623

Webinar ID: 897 0783 4904

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER
for the
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

RODRIGO QUINTANILLA,

Respondent.

File No: V0026622

COMPLAINT AND REQUEST FOR HEARING

I, Diane Bautista, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's place of residence is: 15246 S. Holcomb Blvd., Oregon City, OR 97045.

2.

The location of the violation(s) of law alleged in this Complaint is: 15252 S. Holcomb Blvd., Oregon City, OR 97045, also known as T2S, R2E, Section 27BC, Tax Lot 01200, and is located in Clackamas County, Oregon.

3.

On or about the 25th day of October, 2022 Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Building Code, Title 9.02 by failing to obtain required permits and approved final inspections for construction/remodel to a commercial accessory structure. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.
- b. Respondent violated the Clackamas County Building Code, Title 9.02 by failing to renew building permit B0214519 and obtain required inspections for construction of a 35' x 38' steel building. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities

4.

The Department initiating this procedure is the Code Enforcement Section of the Department of Transportation and Development.

5.

Notice of the violations was given to Respondent in the following manner: Citation and Complaint #2200266 in the amount of \$1,000.00 was mailed via first class mail on October 25, 2022. A copy of the notice document is attached to this Complaint as Exhibit G, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter.

Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code Title 9.02 Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

4. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

and

5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 14th day of December 2023.



Diane Bautista
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

RODRIGO QUINTANILLA,

Respondent.

File No.: V0026622

STATEMENT OF PROOF

History of Events and Exhibits:

January 14, 2022 Exhibit A	I conducted research in regards to violation file V0024017 for an accessory structure at this location and noted Building Permit B0214519 for a 35' x 38' steel building had expired and no inspections had occurred. I emailed the Respondent and advised him of the status.
June 29, 2022 Exhibit B	I conducted a site inspection and the metal structure was being built and work was also being done to the existing structure.
June 29, 2022 Exhibits C	I contacted the building department and provided them pictures of the steel structure. Building Supervisor Don Countryman replied that this structure should have had at least a footing inspection.
June 30, 2022 Exhibit D	I emailed attorney Rachel McCart to confirm her representation in this matter. Ms. McCart responded that all correspondence be directed to her.
June 30, 2022 – July 1, 2022 Exhibit E	I emailed Plans Examiner Supervisor Richard Carlson to determine what would be required for expired building permit B0214519. On July 1, 2022 Richard Carlson responded that the County has the original engineered drawings that were submitted in 2019 and would be able to use those drawings but they would need to get approval of the floor/footings by a structural engineer in lieu of our inspectors seeing them.
July 5, 2022 Exhibit F	Correspondence was sent to the Respondent's attorney, Rachel McCart with a deadline of August 5, 2022 to obtain permits for the construction/remodel to the existing accessory structure on site and to renew building permit B0214519 and receive approval of the floor and footings by a structural engineer.
October 25, 2022 Exhibit G	Citation 2200266 was issued for \$1,000.00 and sent via first class mail. This citation has not been paid.

November 9, 2022 Exhibit H	The County received a request for hearing.
November 16, 2022 Exhibit I	The County prepared the violation file for Hearing. Hearing was scheduled for January 10, 2023
January 9, 2023 Exhibit J	The Respondent signed a Compliance and Payment Agreement acknowledging violations of the Clackamas County Building Code and the Clackamas Zoning Ordinance, Files V0024017, V0020321 and V0026622. Respondent agreed to pay \$20,664.87 in monthly payment of \$500.00 and abate the existing violations within 180 days from the date of the Agreement.
May 25, 2023 Exhibit K	Received an email from attorney Rachel McCart stating that she is no longer representing the Respondent.
December 12, 2023 Exhibit L	I conducted a site inspection which showed the metal structure remains in the same condition as June of 2022. The storage structure that had tarp on the back side in June of 2022 has almost been completed including five windows and a door. Tyvek remains on the right side that has not been finished. A review of the County permit system showed permit B0214519 for the metal structure has expired and no inspections have been conducted. Permit B0151123 for the detached storage structure has not been issued.
December 12, 2023	A review of the permit system shows that payments of \$6,000.00 have been received by the County in compliance with the Agreement leaving a remaining balance on the Agreement of \$14,664.87.
December 14, 2023	The County referred this matter to the Code Enforcement Hearings Officer

If the Compliance Hearings Officer affirms the County's position by a preponderance of the evidence, the County requests a Final Order be issued in this matter recommending the following:

- Payment of remaining fees owed of \$14,664.87.
- Note: Citation #2200266 for \$1,000.00 and \$225.00 in Administrative Fees were included in the Compliance and Payment Agreement. Reference Exhibit J - Page 2.
- The administrative compliance fee to be imposed from February 2023 until the violations are abated (fees not included in signed Agreement of January 2023).
- The County requests the Hearings Officer to permanently prohibit the Respondent from violating this law in the future.

- County request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.
- If the Respondent fails to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.

Bautista, Diane

From: Bautista, Diane
Sent: Friday, January 14, 2022 1:01 PM
To: 'info@nailitroofing.com'
Subject: RE: Re: Barn Conversion - 15252 Holcomb Blvd - Steel building without permits or inspections

Good morning,

Please also be advised that your building permit B0214519 for the 35' x 38' steel building on site has expired and no inspections have been conducted.

Thank you.

From: info@nailitroofing.com <info@nailitroofing.com>
Sent: Friday, January 14, 2022 10:16 AM
To: Bautista, Diane <DianeBau@clackamas.us>
Subject: Fwd: Re: Barn Conversion

Warning: External email. Be cautious opening attachments and links.

Hi Diane,

I have pdf's here of the barn drawings and calculations. Did you also need printed versions? I can get them sent to a print shop if needed. Let me know,

Thanks

Rodrigo Quintanilla



16239 McLoughlin Blvd #202
Milwaukie, OR 97267
503-557-8989

OR CCB 164929, WA CC NAILIIC956RF

----- Original Message -----













Bautista, Diane

From: Countryman, Don
Sent: Wednesday, June 29, 2022 4:15 PM
To: Building Public Service; Bautista, Diane
Subject: RE: Building Permit B0055019 - 15252 S. Holcomb Blvd

Yes, at least a footing inspection and there isn't any inspection history. B0214519 is also expired.
Thanks,

Don Countryman
Structural/Mechanical Inspector Supervisor Clackamas County Building Codes Division
503-519-6954
doncou@clackamas.us

-----Original Message-----

From: McNall, Kelsi <KMcNall@clackamas.us> On Behalf Of Building Public Service
Sent: Wednesday, June 29, 2022 2:40 PM
To: Bautista, Diane <DianeBau@clackamas.us>
Cc: Countryman, Don <DonCou@clackamas.us>
Subject: RE: Building Permit B0055019 - 15252 S. Holcomb Blvd

Hi Diane,

That permit number is void.. B0214519 is the permit that I think they should be using. They probably should have at least had a footing inspection. Probably a framing. But since I'm not an inspector, I can't guarantee that. I've copied Don here!

Thanks,

Kelsi McNall
Permits Technician
kmcnall@clackamas.us
503-742-4240

M-Th 7:30 until 4:30, F 7:00 until 3:30

-----Original Message-----

From: Bautista, Diane <DianeBau@clackamas.us>
Sent: Wednesday, June 29, 2022 2:27 PM
To: Building Public Service <BldService@clackamas.us>
Subject: Building Permit B0055019 - 15252 S. Holcomb Blvd

Hi Building,

Should there have been any inspections so far?

Your message is ready to be sent with the following file or link attachments:

22-06-29 IMG_9099 (113)

22-06-29 IMG_9099 (111)

22-06-29 IMG_9099 (112)

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Bautista, Diane

From: Rachel McCart <rachel@preservelegalsolutions.com>
Sent: Thursday, June 30, 2022 11:06 AM
To: Bautista, Diane; Rodrigo Quintanilla
Cc: Munns, Jeffrey
Subject: Re: New Violation File - V0026622 - 15252 S. Holcomb Blvd

Warning: External email. Be cautious opening attachments and links.

Yes, I will be representing Mr. Quintanilla in this matter and all correspondence should be directed to me.

Thank you,

Rachel Kosmal McCart
[Preserve Legal Solutions, PC](#)
(844) 468-2388

From: Bautista, Diane <DianeBau@clackamas.us>
Date: Thursday, June 30, 2022 at 9:48 AM
To: Rodrigo Quintanilla <info@nailitroofing.com>, Rachel McCart <rachel@preservelegalsolutions.com>
Cc: Munns, Jeffrey <JMunns@clackamas.us>
Subject: New Violation File - V0026622 - 15252 S. Holcomb Blvd

Good morning,

A new violation file has been opened for a steel accessory structure being built without permits and inspections. Permit B0214519 has expired and no inspections have taken place.

A letter will be sent today. Can you please confirm if you will be representing Mr. Quintanilla in this matter and would like to receive copies of the correspondence.

Thank you.

Diane Bautista

Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement
dianebau@clackamas.us
(503) 742-4459
150 Beaver Creek Road, Oregon City, OR 97045
Office Hours: 6:30 a.m. to 4:00 p.m.

Bautista, Diane

From: Carlson, Richard
Sent: Friday, July 1, 2022 9:29 AM
To: Bautista, Diane
Subject: RE: Expired Permit B0214519 - 15252 Holcom Blvd

We have the original engineered drawings that they submitted in 2019. I don't see a problem with working off of those. They will need to get approval of the floor/footings by a structural engineer in lieu of our inspectors seeing them.

Richard Carlson
Plans Examiner Supervisor
Clackamas County, OR

-----Original Message-----

From: Bautista, Diane <DianeBau@clackamas.us>
Sent: Thursday, June 30, 2022 12:12 PM
To: Carlson, Richard <richardcar@clackamas.us>
Cc: McNall, Kelsi <KMcNall@clackamas.us>
Subject: Expired Permit B0214519 - 15252 Holcom Blvd

Hi Richard,

I am writing a violation letter for this steel building that is currently under construction. The permit has expired and no inspections have been done. Will they need engineered drawings at this point to renew their permit?

Thank you.

Your message is ready to be sent with the following file or link attachments:

22-06-29 IMG_9099 (112)
22-06-29 IMG_9099 (108)
22-06-29 IMG_9099 (111)

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



July 5, 2022

Rodrigo Quintanilla
15246 S. Holcomb Blvd.
Oregon City, OR 97045

SUBJECT: Violation of Clackamas County Building Code, Title 9.02.040 (E)

VIOLATION: V0026622

SITE ADDRESS: 15252 S. Holcomb Blvd., Oregon City, OR 97045

LEGAL DESCRIPTION: T2S, R2E, Section 27BC, Tax Lot 01200

This letter serves as notice of violations of the Clackamas County Code. The violations include:

- Accessory structure being built without a valid permit and inspections
- Construction being done to existing structure without permits

35' x 38' Steel Building

Permit B0214519 for the construction of a steel accessory building has expired and no inspections have occurred. Construction of an accessory structure without permits constitutes a violation of Clackamas County Code Title 9.02.40 (E). In order to abate the violations, please complete the following **no later than August 5, 2022**:

- Renew building permit B0214519 and pay appropriate fees
- Receive approval of the floor/footings by a structural engineer
 - The permits must be picked up within ten days of being notified.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

Construction/Remodel to existing accessory structure

The construction/remodel of an accessory structure without permits constitutes a violation of Clackamas County Code Title 9.02.40 (E). In order to abate the violations, please complete the following **no later than August 5, 2022**:

- Please submit applicable permit applications, technically complete plans and appropriate fee(s).
 - The permits must be picked up within ten days of being notified.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at blbservice@clackamas.us.

If you have any questions my direct telephone number is 503-742-4459 and my email is dianebau@clackamas.us.

ITEMS INCLUDED IN THIS PACKET

1. Violation Letter
2. Required Notice of Fines and Penalties



Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Citation No. 2200266

Case No. V0026622

ADMINISTRATIVE CITATION

Date Issued: October 25, 2022

Name and Address of Person(s) Cited:

Name: Rodrigo Quintanilla
Mailing Address: 15246 S. Holcomb Blvd.
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 25th day of October, 2022, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 15252 S. Holcomb Blvd., Oregon City, OR 97045

Legal Description: T2S, R2E Section 27BC, Tax Lot(s) 01200

Law(s) Violated:

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A) and (E)

Description of the violation(s):

- 1) Commercial accessory structure being built without permits and inspections

Maximum Civil Penalty \$1,000.00 Fine \$500.00

- 2) Construction/Remodel to existing accessory structure without permits

Maximum Civil Penalty \$1,000.00 Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,000.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Diane Bautista
Telephone No.: 503-742-4459

Date: October 25, 2022
Department Initiating Enforcement Action: Code Enforcement

Bautista, Diane

From: Bautista, Diane
Sent: Wednesday, November 9, 2022 3:03 PM
To: 'Rachel McCart'; DTD-CodeEnforcement
Subject: RE: Request for Hearing

Good afternoon,

This is to confirm I have received your request for hearing and will schedule as soon as possible.

Thank you.

From: Rachel McCart <rachel@preservelegalsolutions.com>
Sent: Wednesday, November 9, 2022 2:09 PM
To: DTD-CodeEnforcement <CodeEnforcement@clackamas.us>
Cc: Bautista, Diane <DianeBau@clackamas.us>
Subject: Request for Hearing

Warning: External email. Be cautious opening attachments and links.

Good afternoon. On behalf of my client, Rodrigo Quintanilla, I hereby request a hearing to contest the code enforcement violations set forth in citation 2200266 with respect to case number V0026622. Please confirm receipt of this request.

Sincerely,

Rachel Kosmal McCart
[Preserve Legal Solutions, PC](#)
(844) 468-2388



NOTICE OF HEARING

November 16, 2022

Rachel Kosmal McCart - Attorney
38954 Proctor Blvd, Ste 186
Sandy, OR 97055

RE:: County of Clackamas v. Rodrigo Quintanilla
File: V0026622

Hearing Date: January 10, 2023

Time: This item will not begin before 10:00 am however it may begin later depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights;
2. Copy of Exhibits which have been submitted by the County

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>

You may contact Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

COMPLIANCE AND PAYMENT AGREEMENT

This Agreement is entered into by and between Clackamas County, hereinafter referred to as the "COUNTY", and Rodrigo Quintanilla hereinafter referred to as "QUINTANILLA", or as the "RESPONDENT". Per the Clackamas County Code Enforcement Division pertaining to violations V0024017, V0020321, and V0026622, fees, fines, and penalties with interest have been imposed for violations of the Clackamas County Code in the total amount of \$20,664.87. RESPONDENT and his ex-wife Cynthia Quintanilla, granted the property to RESPONDENT solely prior to entry of the Final Orders in the above violations by deed 2021-007936. This Agreement is with RESPONDENT only.

RESPONDENT agrees to pay \$20,664.87 to the COUNTY by making monthly payments of \$500.00 and on or before the 15th of every month beginning January 2023 until the debt is paid. No additional interest shall accrue on this amount should payment remain timely.

Should RESPONDENT fail to make a payment, for any reason, by the above referenced date each month, the COUNTY will immediately refer the matter to the Code Enforcement Hearing Officer requesting a Default Order be entered for the full unpaid balance against the RESPONDENT. Interest as allowed by code and statute will accrue on any unpaid balance that is made part of a Default Order. If the debt remains unpaid, the matter may result in a lawsuit against RESPONDENT to collect all due and unpaid amounts, or may be referred to Professional Credit Services, for collections.

The COUNTY'S Compliance Hearing's Officer (CHO) has entered a Final Order on May 20, 2022 in case V0024017 finding RESPONDENT to be in violation of Clackamas County Building Code, Title 9.02, (A), (B), (C), (D), and (E) by constructing a single-family residence without permits. Specifically, the CHO found that an accessory structure was converted to a single-family residence without permits, the violation remains unabated; and the RESPONDENT violated the Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A) by having multiple dwellings on site without land use approval, the violation also remains unabated. The CHO's Final Order included fees, fines, and penalties in the total amount of \$10,750. Including interest this amount now totals \$10,856.03. RESPONDENT acknowledges the truth of the CHO's findings and amounts awarded in the May 20, 2022 Final Order.

The COUNTY'S Compliance Hearing's Officer (CHO) has entered a Final Order on May 20, 2022 in case V0020321 finding RESPONDENT to be in violation of Clackamas County Building Code, Title 9.02 by failing to obtain approved final inspections for an addition to a single-family residence, the violation was abated consistent with the requirements of the November 2, 2021 Continuing Order issued in this matter; and the RESPONDENT violated the Clackamas County Zoning and Development Ordinance, Title 12, by operating a commercial business without land use approval, the violation remains unabated. The CHO's Final Order included fees, fines, and penalties in the total amount of \$8,500. Including interest this amount not totals \$8,583.84. RESPONDENT acknowledges the truth of the CHO's findings and amounts awarded in the May 20, 2022 Final Order.

The COUNTY has issued Citation No. 2200266 to RESPONDENT in case V0026622 on October 25, 2022, for a violation of the Clackamas County Building Code, Section 9.02.040, (A) by constructing a commercial accessory structure without permits and inspections, the violation remains unabated; and the RESPONDENT violated the

Clackamas County Building Code Section 9.02.020 (E) by Construction/Remodel to existing accessory structure without permits, the violation remains unabated. RESPONDENT acknowledges the truth of these allegations and the amounts of fees, and fines due in the total amount of \$1,225 (\$1,000 citation + \$225 of Administrative Compliance Fees) as described in the October 25, 2022 Citation.

RESPONDENT shall within 180 days from the date he signs the agreement, secure the necessary permits needed to abate all violations of the Clackamas County Code as described above, and shall pass inspection(s) approving said permits.


Except as otherwise expressly provided herein, the rights and remedies expressly afforded under the provisions of this Agreement shall not be deemed exclusive, and shall be in addition to and cumulative with any and all rights and remedies otherwise available at law or in equity. The exercise by either Party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach, or for any other default or breach, by the other Party.

The parties declare that they fully understand the terms and provisions of this Agreement and voluntarily accept the terms and provisions for the purpose of making a compromise and settlement of all disputed claims between the parties. RESPONDENT have been advised to review this agreement with an attorney prior to signing.


This Agreement together contains the entire agreement between the parties hereto and the terms and provisions of this Agreement are contractual and not a mere recital.

This Agreement may be executed in several counterparts, each of which shall be an original, all of which shall constitute one and the same instrument.

THE UNDERSIGNED STATE THAT THEY HAVE READ THIS AGREEMENT IN ITS ENTIRETY AND NO PROMISE, INDUCEMENT, OR AGREEMENT NOT HEREIN EXPRESSED HAS BEEN MADE TO THEM, THAT THEY VOLUNTARILY AND KNOWINGLY ACCEPT ITS TERMS AND PROVISIONS.

_____	_____		<u>01/09/2023</u>
Rodrigo Quintanilla	date	Michelle Amend	date
		Code Enforcement Supervisor	

Approved to form:

_____	_____		<u>1/9/2023</u>
Rachel Kosmal McCart	date	Jeffrey D. Munns	date
Counsel for Respondent		Assistant County Counsel	

BEFORE THE COMPLIANCE HEARINGS OFFICER
CLACKAMAS COUNTY, OREGON

COUNTY OF CLACKAMAS,

Petitioner,

v.

RODRIGO QUINTANILLA and,
CYNTHIA QUINTANILLA,

Respondents.

File No(s): V0020321

FINAL ORDER

I. STATEMENT OF THE CASE

As Compliance Hearings Officer for Clackamas County, I held a hearing on October 26, 2021, at approximately 11:00 a.m. in the matter of Rodrigo Quintanilla and Cynthia Quintanilla (Respondents) at the County's Development Services Building located at 150 Beaver Creek Road in Oregon City, via the Zoom platform. The County provided written and/or oral explanation of the procedure for participating in the hearing via the Zoom platform and/or by telephone. The Compliance Hearing Officer has jurisdiction to hear the matter pursuant to Clackamas County Code, § 2.07.020. Diane Bautista, Code Enforcement Specialist, appeared and provided witness testimony on behalf of the County. Respondent Rodrigo Quintanilla appeared on his own behalf. The witnesses declared by oath or affirmation the truthfulness of their testimony. The Compliance Hearings Officer did not receive any written or oral ex parte communication on a fact in issue during the pendency of the proceedings.

The County presented evidence in support of its Complaint, including a Statement of Proof, Exhibits marked A through E, and witness testimony by Ms. Bautista. Respondent Rodrigo Quintanilla provided witness testimony on his own behalf. The Compliance Hearings Officer made an audio record of the hearing. There were no objections and I received the evidence offered, a record of which I incorporate in the decision in this matter. The record is on file with the County.

II. ISSUES

1. Whether the Respondents violated Clackamas County Building Code, Title 9.02 by failing to obtain approved final inspections for an addition to a single-family residence, a Priority 1 violation pursuant to the Clackamas County Violation Priorities.
2. Whether the Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, by operating a commercial business without land use approval, a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

III. FINDINGS OF FACT

1. The Respondents' mailing address is 15246 S Holcomb Blvd., Oregon City, OR 97045. Respondents reside and/or own property located at 15246 S Holcomb Blvd., Oregon City, OR 97045, also known as T2S, R2E, Section 27BC, Tax Lot 01290,

within Clackamas County (the “Property”). The Property consists of two separate tax lots split by the urban growth boundary, with Tax Lot 01200 zoned Future Urban 10 (FU-10) and Tax Lot 01290 zoned Rural Residential Farm Forest 5-Acre (RRFF-5). The Property is improved with a single-family residence and a couple of accessory structures, and is the location of the violations alleged by the County. On May 21, 2021, the County opened violation file V0020321 regarding a business operating on the Property without current land use approval, and an approximately 30 x 30 second story addition to the single-family residence that does not have approved final inspections. Diane Bautista, Code Enforcement Specialist, opened this violation file due to research she conducted for another violation file (V0024017) also for this same Property, consisting of one property with two tax lots: 01290 and 01200. (Exhibit A)

2. On June 7, 2021, Ms. Bautista sent a violation notice to the Respondents regarding the building and zoning violations. The notice informed the Respondents that they had allowed building permits for an addition to the single-family residence on the Property to expire without approved final inspections. The notice also informed the Respondents that the Level 3 Home Occupation permit Z0055-18-HO to operate a roofing business on the Property had expired, asserting that the Respondents were continuing to operate this business on their Property without current land use approval. The letter also included a description of the actions required to abate each violation, and included a notice of fines and penalties. (Exhibit B)
3. On July 7, 2021, the County issued Citation No. 2100203-1 to the Respondents in the amount of \$100 for “Failure to obtain final approved inspections for addition to single family residence” in violation of the Clackamas County Building Code, Section 9.02.040, (C), (D), and (E), and in the amount of \$75 for “Operating commercial roofing business without land use approval” in violation of Title 12 and 13 of the Clackamas County Zoning and Development Ordinance, Section 316.03. Ms. Bautista sent the citation via first class mail, and reported that the first class mail was not returned. This citation remains unpaid. (Exhibit C)
4. On August 4, 2021, Ms. Bautista conducted a site inspection of the Property and took several photographs, reporting that the commercial roofing business continues to operate without current land use approval. Ms. Bautista also reported that a record review found that the expired permits for the addition had not been re-issued and no inspections had occurred. (Exhibit D)
5. On August 17, 2021, the County issued Citation No. 2100203-2 to the Respondents in the amount of \$500 for “Failure to obtain final approved inspections for addition to single family residence” in violation of the Clackamas County Building Code, Section 9.02.040, (C), (D), and (E), and in the amount of \$400 for “Operating commercial roofing business without land use approval” in violation of Title 12 and 13 of the Clackamas County Zoning and Development Ordinance, Section 316.03.¹ Ms.

¹ This citation also included a \$100 fine for failure to obtain required inspections for an accessory structure being built on the Property. This portion of the citation was voided due to lack of notice concerning this violation prior to issuance of this fine.

Bautista sent the citation via first class mail, and reported that the first class mail was not returned. This citation remains unpaid. (Exhibit E)

6. The County referred this matter to the Clackamas County Code Compliance Hearings Officer, filing a complaint and request for hearing, sending the Respondents Notice of Hearing in this matter, together with Notice of Rights, copies of Exhibits submitted by the County, and information concerning the process for the Zoom meeting.
7. Ms. Bautista testified concerning the actions she has taken since the County assigned her the matter, and her efforts to obtain voluntary compliance, including the evidence the County submitted into the record. Respondent Rodrigo Quintanilla does not dispute these allegations. Rather, he stated that he has been occupied with his business, reporting also that he and the Respondent Cynthia Quintanilla obtained a divorce, and he forgot to renew the Home Occupation permit, and also forgot to complete the inspection process for the addition to his home. Mr. Quintanilla agreed to promptly address these issues by renewing the permits for his business and for the addition, and obtaining the required approved inspections for the addition. The County requested a Continuing Order requiring abatement of the violations.
8. At the close of the October 26, 2021 hearing, as Compliance Hearings Officer I found that the County met its burden to prove by a preponderance of the substantial evidence in the record that the violations existed and remained unabated, issuing a November 2, 2021 Continuing Order requiring the Respondents abate the violations on the Property as follows:

By no later than December 2, 2021, the Respondents shall abate the building code and zoning violations on the Property, by:

 - **Renewing building permits B0306500, E0559400, and P0231500**, and any other required permits for the addition to the single-family residence on the property. The permits must be picked up within ten days of being notified. Respondents shall schedule all inspections so that final approved inspections may be obtained not later than 45 days from the date the permits are issued.
 - Renew Level 3 Home Occupation Z0055-18-HO. If renewal is no longer an option as this permit has expired, then Respondents must **submit a land use application** to operate the business from the Property. If this land use application is denied, then the Respondents must cease operating the business at this location within 60 days of the land use decision.
9. The November 2, 2021 Continuing Order required the County to provide a post-hearing status report advising whether the violations were abated as required. Ms. Bautista provided a May 11, 2022 written post hearing status report reporting that:
 - A review of the Clackamas County Permit system confirms that permits related to the single family residence have received approved final inspections. The Building Code violations have been abated.”
 - A review of the Clackamas County Permit system confirms that a Land Use application for a Home Occupation has not been submitted. The Zoning Ordinance violation has not been abated.
10. The County requested issuance of a Final Order allowing the County to move the case forward to County Counsel for further enforcement action. The County

requested that the Final Order impose civil penalties consistent with the Continuing Order, also requiring payment of the outstanding citations and assess an administrative compliance fee of \$925 (\$75 monthly from July 2021).

IV. DISCUSSION

The Compliance Hearings Officer has jurisdiction and authority to enforce the Clackamas County Zoning and Development Ordinance, Clackamas County Building Code Ordinance, and various other matters.² The County has the burden of proving each alleged violation by a preponderance of the substantial evidence in the record.³ I reviewed and considered the evidence in this matter, including the witness testimony by Ms. Bautista, and Exhibits A-E submitted by the County, and the testimony by Mr. Quintanilla. I also considered the May 11, 2022 written post hearing status report submitted by Ms. Bautista. I find that the evidence presented is reliable, probative and substantial evidence upon which to base a determination in this matter. I noted that the Citations, correspondence, and notices issued to the Respondents in this matter were sent first class mail, with the first class mail not returned. I find that the citations were sent to the correct address and the Respondents received the citations, and received notice of this hearing.

A. Clackamas County Building Code

The County alleges that the Respondents violated Clackamas County Building Code, Title 9.02 by failing to obtain approved final inspections for an addition to a single-family residence, a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

Clackamas County Code Chapter 9.02.040 outlines the Clackamas County Building Code, and incorporates a number of Specialty Codes as adopted by the State of Oregon, as well as corresponding regulations. Clackamas County Code Chapter 9.02.330 states in relevant part:

“All persons shall comply with this chapter in the location, construction, maintenance, repair, alteration, or use of buildings, installations or sewage disposal systems or facilities within Clackamas County.

A violation of this chapter exists whenever a building, structure, installation, sewage disposal system or sewage disposal facility is, or is proposed to be, located, constructed, maintained, repaired, altered, or used contrary to the requirements of this chapter. Each day that a violation exists is considered to be a separate offense.

A violation of this chapter is a public nuisance, and continues to be a public nuisance until the offending building, structure, installation, system, facility or use is brought into compliance with this chapter.

The County may, in addition to the other remedies provided by law, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate, or remove violations of this chapter. The County may also enforce this chapter through the provisions of the Clackamas County Compliance

² See Clackamas County Code § 2.07.020.

³ See Clackamas County Compliance Hearings Officer Rules of Procedure § 11.2 (November 3, 2005)

Hearing Officer Ordinance.”

My review of the evidence concerning the approximately 30 x 30 second story addition to the single-family residential structure on the Respondents’ Property leads me to conclude that this structure required building permits and approved final inspections within the meaning of the Clackamas County Building Code. The Respondents obtained required permits and completed the addition, but allowed the permits to expire without obtaining the required approved final inspections. I believed Mr. Quintanilla’s statement that he would renew the permits and obtained the required approved final inspections. I conclude that the preponderance of the substantial evidence presented at the hearing shows that the Respondents violated the County’s ordinance by permitting the Property to be a public nuisance through violation of the County’s Building Code, as alleged by the County. Specifically, Respondents failed to obtain approved final inspections for an addition to the single-family residence on the Property.

The building code violation existed on July 7, 2021, the date for which the County issued citation number 2100203-1 in the amount of \$100.00, the building code violation existed on August 4, 2021, the date for which the County issued citation number 2100203-2 in the amount of \$500. The Respondents renewed the permits and obtained the required approved final inspections consistent with the requirements of the November 2, 2021 Continuing Order issued in this matter, and the discussion that took place at the October 26, 2021 hearing.

B. Clackamas County Zoning and Development Ordinance

The County alleges that the Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, by operating a commercial business without land use approval, a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

Clackamas County Zoning and Development Ordinance Section 316 sets forth the allowed uses for the RRFF5 zone, which is the zoning for the Respondents’ Property. Generally, commercial uses other than the described farm uses are not allowed unless in conjunction with a home occupation permit. In this case, Respondents obtained a home occupation permit, but allowed it to expire. Ms. Bautista provided evidence concerning the ongoing roofing business activity on the Property, and Mr. Quintanilla does not dispute that the business continues to operate from the Property. I believed Mr. Quintanilla statement that he forgot to renew the permit, but would do so.

I conclude based on the preponderance of the substantial evidence presented at the hearing that the Respondent violated the County’s ordinance by permitting the Property to become a public nuisance through operation of a business on the Property without a valid home occupation permit, and this is a continuing violation. This zoning violation existed on July 7, 2021, the date for which the County issued citation number 2100203-1 in the amount of \$75, the zoning violation existed on August 4, 2021, the date for which the County issued citation number 2100203-2 in the amount of \$400. I discussed the requirements for abating this zoning violation with Mr. Quintanilla at the hearing, including the need to either renew the expired home occupation permit or submit a new land use application. I also wrote this requirement in the November 2, 2021 Continuing Order in this

matter. However, Respondents have not renewed their home occupation permit and this zoning violation has continued unabated more than six months later.

C. Civil Penalties

Clackamas County Code § 2.07.120 provides for civil penalties within the range specified in Appendix B. I find the following aggravating and mitigating factors in this case: the Respondents complied with the portion of the November 2, 2022 Continuing Order requiring they renew the building permits associated with the addition to the single-family residence on their Property and obtain final approved inspections. However, Respondents failed to renew Level 3 Home Occupation Z0055-18-HO or otherwise obtain land use approval for the business they operate from their Property, as also required by the November 2, 2022 Continuing Order *issued more than six months ago*.

Similarly, Respondents have not taken any action to abate the Priority 2 violation of the Clackamas County Zoning and Development Ordinance by operating a commercial business on site without land use approval. As discussed above, the Respondents have several options available to them to abate this zoning violation, including renewing the expired permit, or submitting a new application if that permit cannot be renewed, or ceasing operating their commercial business from the Property. Nevertheless, more than six months after issuance of the November 2, 2022 Continuing Order they have taken no action to abate this Zoning Ordinance violation.

I find that ordering minimum civil penalties associated with the abated Building Code violations and ordering maximum civil penalties associated with the Zoning Ordinance violations is appropriate due to these considerations, together with payment of the outstanding citations. I find the administrative compliance fee requested by the County reasonable as Ms. Bautista reports this fee now totals \$925.00, calculated at the rate of \$75 per month starting July 2021 (the date the County provided notice of these violations together with notice of fines and penalties). I note that there is a second, companion case also involving the Respondents (Clackamas County v. Rodrigo Quintanilla and Cynthia Quintanilla, File No. V0024017) in which I reduced the administrative compliance fee due partly due to this matter. Based on this discussion, I find it assessment of an administrative compliance fee of \$925.00 appropriate.

V. CONCLUSION

The County met its burden of proving the violations by a preponderance of the substantial evidence in the whole record. Specifically, I conclude that:

- The Respondents violated Clackamas County Building Code, Title 9.02 by failing to obtain approved final inspections for an addition to a single-family residence, a Priority 1 violation that was abated consistent with the requirements of the November 2, 2021 Continuing Order issued in this matter; and
- The Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, by operating a commercial business without land use approval, a Priority 2 violation that remains unabated.

VI. FINAL ORDER

Clackamas County Code § 10.03.400 provides for a civil penalty for these violations within the range established by Clackamas County Code § 2.07.120. The following is ORDERED in this matter:

- 1. Within 30 days of the date of this Order, Respondents Rodrigo Quintanilla and Cynthia Quintanilla are ordered to pay each citation together with civil penalties pursuant to Clackamas County Code § 2.07.120 Appendix B and an Administrative Compliance fee⁴, pursuant to Clackamas County Code § 1.01.090, as follows:

Citation No. 2100203-1: (Building Code violation)	\$ 100.00
Civil Penalty for 7/07/2021 – Priority 1 Building Code violation	\$ 750.00
Citation No. 2100203-1: (Zoning Ordinance violation)	\$ 75.00
Civil Penalty for 7/07/2021 – Priority 2 Zoning Ordinance violation	\$ 2,500.00
Citation No. 2100203-2: (Building Code violation)	\$ 500.00
Civil Penalty for 8/04/2021 – Priority 1 Building Code violation	\$ 750.00
Citation No. 2100203-2: (Zoning Ordinance violation)	\$ 400.00
Civil Penalty for 8/04/2021 – Priority 2 Zoning Ordinance violation	\$ 2,500.00
Administrative Compliance Fee:	\$ 925.00
TOTAL:	\$ 8,500.00

- 2. Respondents Rodrigo Quintanilla and Cynthia Quintanilla are ordered to reimburse the County for any expense the County incurs in collection of these monies, per Clackamas County Code Chapter 2.07.090(6).
- 3. The Respondents Rodrigo Quintanilla and Cynthia Quintanilla are **strongly encouraged to voluntarily abate the violations on their Property** and are permanently enjoined from violating these laws in the future.
- 4. The County is authorized to proceed to Circuit Court for enforcement action.

Respectfully Submitted,

Dated: May 20, 2022



Carl D. Cox
Compliance Hearings Officer
14725 NE 20th St. #D-5
Bellevue, WA 98007
Tel: (503) 504-1770
Fax: (425) 615-7202

⁴ Clackamas County Code § 1.01.090 provides for assessment of an administrative fee of \$75 per month to reimburse the County for administrative fees incurred in conjunction with this enforcement action. This fee is ordered as an estimated amount of the cost of enforcement, not to exceed actual cost.

NOTICES

This FINAL ORDER is effective ten calendar days after the date the Compliance Hearings Officer signs it unless, within that time, the Compliance Hearings Officer receives a written objection to the order. Such an objection shall be conveyed to the Compliance Hearings Officer at the address listed above or shall be sent by facsimile transmission to the number listed above. Such an objection shall state what changes the objector requests that the Compliance Hearings Officer make to the order and why such changes should be made, based on the applicable law and substantial evidence in the records. Absent compelling circumstances described and substantiated in an objection, the Compliance Hearings Officer shall consider and decide such objections without a public hearing. The County and/or the Respondent may file a timely objection.

Fines and costs imposed herein are a debt owed to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines and costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Records. The County may also institute appropriate suit or legal action in any court of competent jurisdiction to enforce any provisions of any order of the Compliance Hearings Officer. See Clackamas County Code § 2.07.110.

Any aggrieved party may file a writ of review as provided in ORS 34.010-34.100 to seek judicial review of the final order of a Compliance Hearings Officer, unless the Compliance Hearings Officer makes a land use decision, in which case the decision may be reviewed by the Oregon Land Use Board of Appeals pursuant to ORS Chapter 197. See Clackamas County Code § 2.07.130.

CERTIFICATE OF SERVICE

I, Carl D. Cox, certify that on this day I sent a true and accurate copy of the foregoing FINAL ORDER by US Mail, first class postage pre-paid, in a properly addressed and sealed envelope, to the following person(s) at the address shown, the last known address in the County files:

Rodrigo & Cynthia Quintanilla
15246 S Holcomb Blvd
Oregon City, OR 97045

Diane Bautista
Code Enforcement Specialist
150 Beaver Creek Rd.
Oregon City, OR 97045

Dated: May 20, 2022.



Carl D. Cox, Attorney at Law

BEFORE THE COMPLIANCE HEARINGS OFFICER
CLACKAMAS COUNTY, OREGON

COUNTY OF CLACKAMAS,

Petitioner,

v.

RODRIGO QUINTANILLA and,
CYNTHIA QUINTANILLA,

Respondents.

File No(s): V0024017

FINAL ORDER

I. STATEMENT OF THE CASE

As Compliance Hearings Officer for Clackamas County, I held a hearing on October 26, 2021, at approximately 10:30 a.m. in the matter of Rodrigo Quintanilla and Cynthia Quintanilla (Respondents) at the County's Development Services Building located at 150 Beaver Creek Road in Oregon City, via the Zoom platform. The County provided written and/or oral explanation of the procedure for participating in the hearing via the Zoom platform and/or by telephone. The Compliance Hearing Officer has jurisdiction to hear the matter pursuant to Clackamas County Code, § 2.07.020. Diane Bautista, Code Enforcement Specialist, appeared and provided witness testimony on behalf of the County. Respondent Rodrigo Quintanilla appeared on his own behalf. The witnesses declared by oath or affirmation the truthfulness of their testimony. The Compliance Hearings Officer did not receive any written or oral ex parte communication on a fact in issue during the pendency of the proceedings.

The County presented evidence in support of its Complaint, including a Statement of Proof, Exhibits marked A through E, and witness testimony by Ms. Bautista. Respondent Rodrigo Quintanilla provided witness testimony on his own behalf. The Compliance Hearings Officer made an audio record of the hearing. There were no objections and I received the evidence offered, a record of which I incorporate in the decision in this matter. The record is on file with the County.

II. ISSUES

1. Whether the Respondents violated Clackamas County Building Code, Title 9.02, (A), (B), (C), (D), and (E) by constructing a single-family residence without permits. Specifically, the County alleges that an accessory structure was converted to a single-family residence without permits, a Priority 1 violation pursuant to the Clackamas County Violation Priorities.
2. Whether the Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A) by having multiple dwellings on site without land use approval, a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

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III. FINDINGS OF FACT

1. The Respondents' mailing address is 15246 S Holcomb Blvd., Oregon City, OR 97045. Respondents reside and/or own property located at 15246 S Holcomb Blvd., Oregon City, OR 97045, also known as T2S, R2E, Section 27BC, Tax Lot 01290, within Clackamas County (the "Property"). The Property consists of two separate tax lots split by the urban growth boundary, with Tax Lot 01200 zoned Future Urban 10 (FU-10) and Tax Lot 01290 zoned Rural Residential Farm Forest 5-Acre (RRFF-5). The Property is improved with a single-family residence and a couple of accessory structures, and is the location of the violations alleged by the County.¹ (Exhibit A)
2. On April 10, 2017, the County received a complaint regarding an addition to an occupied structure and a commercial business operating on this site. On April 12, 2017, County Building Inspector Matt VanLoon conducted a site inspection and took photographs, reporting confirming that construction was being done to an accessory structure on the premises. The photos are of a large accessory structure on Respondents' Property (Tax Lot 01200) that Respondent Rodrigo Quintanilla refers to as a barn. (Exhibit A)
3. On April 21, 2017 the County sent correspondence to the Respondents regarding the building and zoning violations. The notice informed the Respondents that the County had received a complaint alleging that the accessory structure on the Property (the barn) was occupied, and alleging that new construction was being done to the accessory structure (barn) on the Property without permits. The letter also included a description of the actions required to abate each violation, and included a notice of fines and penalties. (Exhibit B)
4. On June 13, 2017, the County sent additional correspondence to the Respondents with a deadline of June 30, 2017 to submit appropriate land use and building applications. The letter also included a description of the actions required to abate each violation, and included a notice of fines and penalties. On December 2, 2020, County Code Enforcement Specialist Diane Bautista conducted a site inspection of the Property and met with Respondent Rodrigo Quintanilla. During the inspection, Ms. Bautista confirming the existing accessory structure on the Property (the barn) appeared to be an unoccupied single-family residence. Ms. Bautista also confirmed with County records that there are no agricultural exempt, building, plumbing, electrical, or other permits for this structure. Ms. Bautista took several photographs of this accessory structure (the barn). (Exhibits C, D)
5. The photographs Ms. Bautista took during her December 2, 2020 site inspection show a structure that appears from the front like a home, with residential-style windows with blinds, and covered front patio. From the back, however, the structure appears more like a pole barn or large workshop, with a large amount of construction materials stacked adjacent to it. Photographs of the interior show a large recreation

¹ On May 21, 2021, the County opened violation file V0020321 regarding a business operating on the Property without current land use approval, and an approximately 30 x 30 second story addition to the single-family residence that does not have approved final inspections. Those issues were separately addressed.

room area with a Ping-Pong table, exercise equipment, complete kitchen, television, miscellaneous tables, chairs, a large work area with counters set up like desk or work spaces, and significant amounts of stored items. The photographs also show stairs leading to a finished upstairs area that contains finished rooms with windows and doors, electricity, and completed trim work. Mr. Quintanilla reports that the accessory structure (barn) includes at least one bathroom with a shower, but asserts that no one lives in it and that he uses it to house his business. (Exhibit D)

6. On December 16, 2020, Ms. Bautista sent correspondence to the Respondents providing notice of the building and zoning violations she confirmed during her December 2, 2020 site visit. Specifically, the notice referred to the building of the accessory structure (barn) without permits, and also referenced a violation of the Conditions of Approval for Home Occupation permit Z0055-18-HO. Ms. Bautista referenced the outside storage of materials, tools, or waste associated with the home occupation. (Exhibit E)
7. On March 2, 2021, Ms. Bautista researched County Tax and Assessors information for the Respondents' parcel (Tax Lot 01200 of the Property) finding that the records show 15252 S. Holcomb Blvd., tax lot 01200 with no legal structures. These records show that a 1963 outbuilding was converted from a shed to a single-family residence. Mr. Quintanilla reported that this older structure was located behind the existing large accessory structure (barn) and has been demolished. The records provided by Ms. Bautista include an aerial photograph that shows the area behind the existing large accessory structure (barn), and an area is visible where it appears a building was demolished. (Exhibit F)
8. On March 3, 2021, Ms. Bautista sent correspondence to the Respondents regarding building and zoning violations on the Property, with a deadline of April 3, 2021 to take action to abate them. Specifically, the notice referred to having multiple dwellings on the Property without land use approval, and the building of the large accessory structure (barn) without permits. This building is referenced as a single-family residence. The correspondence included required notice of fines and penalties. (Exhibit G)
9. On April 14, 2021, Ms. Bautista returned to the site and noted that the unpermitted single-family residence (the large accessory structure/barn) was still on site, taking several photographs of it. On April 19, 2021, Ms. Bautista issued Citation No. 1700240-1 to the Respondents in the amount of \$100 for "Failure to obtain final approved inspections for addition to single family residence" in violation of the Clackamas County Building Code, Section 9.02.040, (C), (D), and (E), and in the amount of \$75 for "Operating commercial roofing business without land use approval" in violation of Title 12 and 13 of the Clackamas County Zoning and Development Ordinance, Section 316.03. Ms. Bautista sent the citation via first class mail, and reported that the first class mail was not returned. This citation remains unpaid. (Exhibits H, I)
10. On May 24, 2021, Ms. Bautista issued Citation No. 1700240-2 to the Respondents in the amount of \$500 for "Failure to obtain final approved inspections for addition to

single family residence” in violation of the Clackamas County Building Code, Section 9.02.040, (C), (D), and (E), and in the amount of \$400 for “Operating commercial roofing business without land use approval” in violation of Title 12 and 13 of the Clackamas County Zoning and Development Ordinance, Section 316.03. Ms. Bautista sent the citation via first class mail, and reported that the first class mail was not returned. This citation remains unpaid. (Exhibit J)

11. The County referred this matter to the Clackamas County Code Compliance Hearings Officer, filing a complaint and request for hearing, sending the Respondents Notice of Hearing in this matter, together with Notice of Rights, copies of Exhibits submitted by the County, and information concerning the process for the Zoom meeting.
12. Ms. Bautista testified concerning the actions she has taken since the County assigned her the matter, and her efforts to obtain voluntary compliance, including the evidence the County submitted into the record. Respondent Rodrigo Quintanilla does not dispute that the large accessory structure (barn) was constructed without permits; rather, he contends that he just did not know that this structure required permits and didn't understand that this was the structure Ms. Bautista was referring to. Mr. Quintanilla does not dispute that he has further altered the large accessory structure/barn, but asserts that he has not converted the large accessory structure/barn into a residence and asserts that no one lives there. Rather, Mr. Quintanilla states that he uses this barn structure only for his business and currently only uses it for storage. The County requested a Continuing Order requiring abatement of the violations.
13. At the close of the October 26, 2021 hearing, as Compliance Hearings Officer I found that the County met its burden to prove by a preponderance of the substantial evidence in the record that the violations existed and remained unabated, issuing a November 2, 2021 Continuing Order requiring the Respondents abate the violations on the Property as follows:

“By no later than December 2, 2021, the Respondents shall abate the building code and zoning violations on the Property by submitting applications with technically complete plans and associated fees for obtaining all required building, electrical, and plumbing permits for the accessory structure (barn) on the Property, and for an authorized use of this structure. The permits must be picked up within ten days of being notified. Respondents shall schedule all inspections so that final approved inspections may be obtained not later than 45 days from the date the permits are issued. Respondents shall notify Ms. Bautista/the County concerning progress towards obtaining the permits, and towards finding an authorized use of this structure.”

14. The November 2, 2021 Continuing Order required the County to provide a post-hearing status report advising whether the violations were abated as required. Ms. Bautista provided a May 11, 2022 written post hearing status report reporting that: “A review of the Clackamas County Permit system confirms that no permits have been issued. The Building Code and Zoning Ordinance violations have not been abated.” The County requested issuance of a Final Order allowing the County to move the case forward to County Counsel for further enforcement action. The County requested that the Final Order impose civil penalties consistent with the Continuing

Order, also requiring payment of the outstanding citations and assess an administrative compliance fee of \$4,475 (\$75 monthly from June 2017).

IV. DISCUSSION

The Compliance Hearings Officer has jurisdiction and authority to enforce the Clackamas County Zoning and Development Ordinance, Clackamas County Building Code Ordinance, and various other matters.² The County has the burden of proving each alleged violation by a preponderance of the substantial evidence in the record.³ I reviewed and considered the evidence in this matter, including the witness testimony by Ms. Bautista, and Exhibits A-J submitted by the County, and the testimony by Mr. Quintanilla, and the May 11, 2022 written post hearing status report submitted by Ms. Bautista. I find that the evidence presented is reliable, probative and substantial evidence upon which to base a determination in this matter. I noted that the Citations, correspondence, and notices issued to the Respondents in this matter were sent first class mail, with the first class mail not returned. I find that the citations were sent to the correct address and the Respondents received the citations, and received notice of this hearing.

A. Clackamas County Building Code

The County alleges that the Respondents violated Clackamas County Building Code, Title 9.02, (A), (B), (C), (D), and (E) by constructing a single-family residence without permits. Specifically, the County alleges that an accessory structure was converted to a single-family residence without permits, a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

Clackamas County Code Chapter 9.02.040 outlines the Clackamas County Building Code, and incorporates a number of Specialty Codes as adopted by the State of Oregon, as well as corresponding regulations. Clackamas County Code Chapter 9.02.330 states in relevant part:

“All persons shall comply with this chapter in the location, construction, maintenance, repair, alteration, or use of buildings, installations or sewage disposal systems or facilities within Clackamas County.

A violation of this chapter exists whenever a building, structure, installation, sewage disposal system or sewage disposal facility is, or is proposed to be, located, constructed, maintained, repaired, altered, or used contrary to the requirements of this chapter. Each day that a violation exists is considered to be a separate offense.

A violation of this chapter is a public nuisance, and continues to be a public nuisance until the offending building, structure, installation, system, facility or use is brought into compliance with this chapter.

The County may, in addition to the other remedies provided by law, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or

² See Clackamas County Code § 2.07.020.

³ See Clackamas County Compliance Hearings Officer Rules of Procedure § 11.2 (November 3, 2005)

permanently enjoin, abate, or remove violations of this chapter. The County may also enforce this chapter through the provisions of the Clackamas County Compliance Hearing Officer Ordinance.”

My review of the evidence concerning the large accessory structure (barn) on the Respondents’ Property required building permits and approved final inspections within the meaning of the Clackamas County Building Code. Specifically, the structure is several hundred square feet, and includes electricity, plumbing, mechanical, and structural components requiring permits and approved final inspections. The Respondents may not have originally constructed the building, but are responsible for obtaining the required permits and approved final inspections for this structure. I believed Mr. Quintanilla’s statement that no one actually resides in the building; however, the alterations and modifications to this barn have converted it into habitable space.

I conclude that the preponderance of the substantial evidence presented at the hearing shows that the Respondents violated the County’s ordinance by permitting the Property to be a public nuisance through violation of the County’s Building Code, as alleged by the County. Specifically, Respondents violated Clackamas County Building Code, Title 9.02, (A), (B), (C), (D), and (E) by converting a large accessory structure (barn) into a single-family residence without permits. Regardless whether the structure is actually being used as a residence, the building code requires permits and approved final inspection for the work that has been performed in constructing and altering/modifying this structure.

The building code violation existed on April 14, 2021, the date for which the County issued citation number 1700240-1 in the amount of \$100.00, the building code violation existed on May 24, 2021, the date for which the County issued citation number 1700240-2 in the amount of \$500, and this building code violation has continued unabated.

B. Clackamas County Zoning and Development Ordinance

The County alleges that the Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A) by having multiple dwellings on site without land use approval, a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

Clackamas County Zoning and Development Ordinance Section 316 sets forth the allowed uses for the RRFF-5 zone, which is the zoning for the Respondents’ Property.⁴ Table 316-1 allows for one single-family residence on the Property, and allows certain other accessory residential uses requiring a permit, such as a single guest house (accessory dwelling unit). In general, other additional residential uses of the Property are either prohibited or require land use approval. In this case, Respondents have a large accessory structure (barn) constructed without permits, and altered/modified to create habitable space, essentially converting it into a residential-type structure. Ms. Bautista provided evidence concerning the habitable space created within the structure, and Mr. Quintanilla does not dispute that the accessory structure itself was built, and altered/modified without

⁴ The entire Property has split zoning: the portion with the Respondents single-family residence is zoned RRFF-5. That zoning applies to this issue until such time as the parcel is partitioned.

permits. I believed Mr. Quintanilla statement that no one resides in the structure; however, the structure requires a legal purpose. Mr. Quintanilla may be able to obtain land use approval of this accessory structure for housing his business, but he will need to work with the County and Ms. Bautista to find an allowable use and may have to remove certain improvements that make this structure habitable space. Alternatively, Respondents may be able to partition their Property in such a way that the accessory structure may legally be converted into a residence.

I conclude based on the preponderance of the substantial evidence presented at the hearing that the Respondent violated the County's ordinance by permitting the Property to become a public nuisance through having multiple dwellings on site without land use approval, and this is a continuing violation. This zoning violation existed on April 14, 2021, the date for which the County issued citation number 1700240-1 in the amount of \$75, the zoning violation existed on May 24, 2021, the date for which the County issued citation number 1700240-2 in the amount of \$400, and this zoning violation has continued unabated.

C. Civil Penalties

Clackamas County Code § 2.07.120 provides for civil penalties within the range specified in Appendix B. I find the following aggravating and mitigating factors in this case: the Respondents have failed to comply with any part of the November 2, 2022 Continuing Order issued more than six months ago, failing to make any effort to abate the Building Code and Zoning and Development Ordinance violations on the Property. The Priority 1 Building Code violation on the Property is due to the intentional actions of Respondents in building and/or altering and modifying the structure, converting it into habitable space that is essentially a single-family residence built without the benefit of permits or approved final inspections.

Similarly, Respondents have not taken any action to abate the Priority 2 violation of the Clackamas County Zoning and Development Ordinance by having multiple dwellings on site without land use approval. As discussed above, the Respondents have several options available to them to abate this zoning violation, but more than six months after issuance of the November 2, 2022 Continuing Order have taken no action and have allowed the Property to remain a public nuisance in violation of the County's Building Code and Zoning Ordinance.

I find that ordering maximum civil penalties associated with the unabated Building Code and Zoning Ordinance violations is appropriate due to these considerations, together with payment of the outstanding citations. I find the administrative compliance fee requested by the County excessive as Ms. Bautista reports this fee now totals \$4,475.00, calculated at the rate of \$75 per month starting June 2017 (the date the County provided notice of violation together with notice of fines and penalties); however, I note in the record of the hearing that there is an approximately two-year period of inactivity before the matter was assigned to Ms. Bautista. I also note that there is a second, companion case also involving the Respondents (Clackamas County v. Rodrigo Quintanilla and Cynthia Quintanilla, File No. V0020321) in which the County is requesting assessment of an administrative compliance fee of \$925.00). Therefore, I find it appropriate to reduce the requested

administrative compliance fee by \$1,800.00 and find assessment of an administrative compliance fee of \$2,675.00 appropriate.

V. CONCLUSION

The County met its burden of proving the violations by a preponderance of the substantial evidence in the whole record. Specifically, I conclude that:

- The Respondents violated Clackamas County Building Code, Title 9.02, (A), (B), (C), (D), and (E) by constructing a single-family residence without permits. Specifically, the County alleges that an accessory structure was converted to a single-family residence without permits, a Priority 1 violation pursuant to the Clackamas County Violation Priorities that remains unabated; and
- The Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A) by having multiple dwellings on site without land use approval, a Priority 2 violation pursuant to the Clackamas County Violation Priorities that also remains unabated.

VI. FINAL ORDER

Clackamas County Code § 10.03.400 provides for a civil penalty for these violations within the range established by Clackamas County Code § 2.07.120. The following is ORDERED in this matter:

1. Within 30 days of the date of this Order, Respondents Rodrigo Quintanilla and Cynthia Quintanilla are ordered to pay each citation together with civil penalties pursuant to Clackamas County Code § 2.07.120 Appendix B and an Administrative Compliance fee⁵, pursuant to Clackamas County Code § 1.01.090, as follows:

Citation No. 1700240-1: (Building Code violation)	\$ 100.00
Civil Penalty for 4/14/2021 – Priority 1 Building Code violation	\$ 1,000.00
Citation No. 1700240-1: (Zoning Ordinance violation)	\$ 75.00
Civil Penalty for 4/14/2021– Priority 2 Zoning Ordinance violation	\$ 2,500.00
Citation No. 1700240-2: (Building Code violation)	\$ 500.00
Civil Penalty for 5/24/2021 – Priority 1 Building Code violation	\$ 1,000.00
Citation No. 1700240-2: (Zoning Ordinance violation)	\$ 400.00
Civil Penalty for 5/24/2021 – Priority 2 Zoning Ordinance violation	\$ 2,500.00
Administrative Compliance Fee:	\$ 2,675.00
TOTAL:	\$ 10,750.00

2. Respondents Rodrigo Quintanilla and Cynthia Quintanilla are ordered to reimburse the County for any expense the County incurs in collection of these monies, per Clackamas County Code Chapter 2.07.090(6).

⁵ Clackamas County Code § 1.01.090 provides for assessment of an administrative fee of \$75 per month to reimburse the County for administrative fees incurred in conjunction with this enforcement action. This fee is ordered as an estimated amount of the cost of enforcement, not to exceed actual cost.

3. The Respondents Rodrigo Quintanilla and Cynthia Quintanilla are **strongly encouraged to voluntarily abate the violations on their Property** and are permanently enjoined from violating these laws in the future.
4. The County is authorized to proceed to Circuit Court for enforcement action.

Respectfully Submitted,

Dated: May 20, 2022



Carl D. Cox
Compliance Hearings Officer
14725 NE 20th St. #D-5
Bellevue, WA 98007
Tel: (503) 504-1770
Fax: (425) 615-7202

NOTICES

This FINAL ORDER is effective ten calendar days after the date the Compliance Hearings Officer signs it unless, within that time, the Compliance Hearings Officer receives a written objection to the order. Such an objection shall be conveyed to the Compliance Hearings Officer at the address listed above or shall be sent by facsimile transmission to the number listed above. Such an objection shall state what changes the objector requests that the Compliance Hearings Officer make to the order and why such changes should be made, based on the applicable law and substantial evidence in the records. Absent compelling circumstances described and substantiated in an objection, the Compliance Hearings Officer shall consider and decide such objections without a public hearing. The County and/or the Respondent may file a timely objection.

Fines and costs imposed herein are a debt owed to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines and costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Records. The County may also institute appropriate suit or legal action in any court of competent jurisdiction to enforce any provisions of any order of the Compliance Hearings Officer. See Clackamas County Code § 2.07.110.

Any aggrieved party may file a writ of review as provided in ORS 34.010-34.100 to seek judicial review of the final order of a Compliance Hearings Officer, unless the Compliance Hearings Officer makes a land use decision, in which case the decision may be reviewed by the Oregon Land Use Board of Appeals pursuant to ORS Chapter 197. See Clackamas County Code § 2.07.130.

CERTIFICATE OF SERVICE

I, Carl D. Cox, certify that on this day I sent a true and accurate copy of the foregoing FINAL ORDER by US Mail, first class postage pre-paid, in a properly addressed and sealed envelope, to the following person(s) at the address shown, the last known address in the County files:

Rodrigo & Cynthia Quintanilla
15246 S Holcomb Blvd
Oregon City, OR 97045

Diane Bautista
Code Enforcement Specialist
150 Beaver Creek Rd.
Oregon City, OR 97045

Dated: May 20, 2022.



Carl D. Cox, Attorney at Law

Bautista, Diane

From: Rachel McCart <rachel@preservelegalsolutions.com>
Sent: Thursday, May 25, 2023 11:57 AM
To: Munns, Jeffrey
Cc: Amend, Michelle; Bautista, Diane
Subject: Notice of Substitution

Warning: External email. Be cautious opening attachments and links.

Good afternoon. Please be advised that I am no longer representing Rodrigo Quintanilla in matters regarding his property at 15246 S Holcomb Rd in Oregon City. Accordingly, please direct any further correspondence to Mr. Quintanilla directly as follows:

Rodrigo Quintanilla
15246 S Holcomb Rd
Oregon City, OR 97045
Info@nailitroofing.com
(503) 708-1109

Sincerely,

Rachel Kosmal McCart
[Preserve Legal Solutions, PC](#)
(844) 468-2388

From: Munns, Jeffrey <JMunns@clackamas.us>
Date: Tuesday, January 10, 2023 at 10:53 AM
To: Rachel K M <rachel@equinelegalsolutions.com>
Cc: Amend, Michelle <MAmend@clackamas.us>, Bautista, Diane <DianeBau@clackamas.us>
Subject: RE: File Nos. V0020321 and V0024017

Ms. Kosmal McCart,

The fully signed agreement is attached. Due to DocuSign not working well with some of our systems here, I have combined the copy you and Mr. Quintanilla signed with a copy that Ms. Amend and I signed.

Thanks,

Jeffrey D. Munns
Assistant County Counsel
Clackamas County
2051 Kaen Rd.
Oregon City, OR 97045







