



## NOTICE OF HEARING

August 24, 2022

Daniel Bogdan  
12444 SE Stark St  
Portland, OR 97233

**RE::** County of Clackamas v. Daniel Bogdan  
**File:** V0000219

**Hearing Date:** September 27, 2022

**Time:** This item will not begin before 12:30 pm 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 Andrea Hall, Code Compliance Specialist for Clackamas County at (503) 742-4467, 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 Officers 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 20<sup>th</sup> 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.



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to allpro\_nidia@repairman.com. Please contact Andrea Hall if you are unable to find the email.

If you would like to present evidence at the Hearing please email or mail your evidence to Andreahal@clackamas.us or 150 Beaver Creek Rd, Oregon City, Oregon 97045, no later than 4 work 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 Andrea Hall at 503-742-4467 **within 3 calendar days of receipt of the notice of hearing packet.**

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 503-348-4692 for assistance.**

*\*Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.*

## 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](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), отправьте письмо на адрес эл. почты [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto: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/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto: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.

DANIEL BOGDAN,

Respondent.

File No: V0000219

COMPLAINT AND REQUEST FOR HEARING

I, Andrea Hall, Senior Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent Daniel Bogdan's mailing address is: 12444 SE Stark St., Portland, OR 97233.

2.

The address or location of the violation(s) of law alleged in this Complaint is: 19991 SE Foster Rd., Damascus, OR 97089, also known as T1S, R3E, Section 32C , Tax Lot 1703, and is located in Clackamas County, Oregon.

On or about the 5th day of May, 2022 the Respondent violated the following laws, in the following ways:

- a. Chapter 9.02.040 of the Clackamas County as it pertains to the Application and Enforcement of the Clackamas County Building Code for failure to obtain an approved final inspection for a Major Repair permit for the septic system on site. 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 violation was given to Respondent in the following manner: Citation and Complaint number 1900002-2. A copy of the notice document is attached to this Complaint as Exhibit C, and incorporated by this reference.

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 the Priority 1 violation being \$750.00 to \$3500.00 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; and

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:

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

DATED THIS 5th day of August, 2022.

*Andrea Hall*

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Andrea Hall  
Senior Code Enforcement Specialist  
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

DANIEL BOGDAN,

Respondent.

File No.: V0000219

STATEMENT OF PROOF

History of Events and Exhibits:

January 3, 2019 Exhibit A	Information was forwarded to Code Enforcement from the County's Septic and Onsite Wastewater staff when the Respondent failed to comply with a violation notice regarding the septic system on the subject property.
January 3, 2019 Exhibit B	Citation 1900002 was issued in the amount of \$100.00 for failing to obtain an approved final inspection for a Major Repair permit for the septic system. The citation was sent first class mail and certified mail, neither mailing was returned to the County.
February 13, 2019	I spoke with the Respondent who indicated that he never received the 2018 violation notice from the County so I sent him a copy.
May 5, 2022 Exhibit C	After a review of the County's permit system revealed that a new permit for the septic system had not been submitted, citation 1900002-2 was issued in the amount of \$100.00. This citation was sent first class mail and was paid on May 23, 2022. Citation 1900002 dated January 2, 2019 was voided as the wrong code section was cited.
May 20, 2022 Exhibit D	An email was sent to the Code Enforcement mailbox and forwarded to me. The message was from Nidia Herrera Bogdan outlining challenges they are facing that are preventing them from abating the violation.
May 23, 2022 Exhibit E	I replied to Nidia with information I had received from Senior Soils Scientist Aaron Dennis indicating that there may be a way to work around the easement issue and the first step would be a site evaluation.
August 5, 2022	After a review of the County's permit system revealed that neither a new permit nor a site evaluation application had been submitted for the septic system had not been submitted, the matter was referred to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position by a preponderance of the evidence, the County would request a Continuing Order be issued requiring the Respondent submit an application for a new septic permit within 30 days of the date of the Order. The septic permit application should also include maintenance records for the last five years.

The County will submit a timely Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent. The report may include the following recommendations:

- The imposition of civil penalties of up to \$3500.00 for date cited May 5, 2022.
- The administrative compliance fee to be imposed from February 2019 until the violation is abated, that amount is currently \$3225.00.
- If the violation is not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.

THIS FILE MAY CONTAIN CONFIDENTIAL INFORMATION  
PURSUANT TO ORS 192.502(4)

IF COPIES ARE REQUESTED  
THEY WILL NEED TO BE OBTAINED FROM  
THE CLACKAMAS COUNTY CODE ENFORCEMENT DEPARTMENT

PLEASE FORWARD ALL REQUESTS TO  
503-742-4467 OR 503-742-4452 FOR ASSISTANCE

Address of Problem:

19991 SE Foster Rd

T 1 S, R 3 E(W), SEC 32C, Tax Lot 1703

Violation of:

9.01.100

Description (Please provide as much detail as possible):

Expired Septic Permit ST0087116  
(Major Repair)

Flood Plain: ☐ Yes ☒ No

CE District: AH3 CPO: Happy Valley

UGB: ☒ In ☐ Out

Acreage 1 Zoning: RRF-5

ASSIGNMENT (staff only)

Violation # \_\_\_\_\_

Vio Type	Sub Type	Priority Level	Enforcement Level	Description
<u>SS</u>	<u>EP</u>	<u>1</u>	<u>1</u>	<u>V0000219</u>

Prior Violations: V0022315



# CLACKAMAS COUNTY

## Property Account Summary

As Of 1/3/2019 Status: Active

Account No.: 00140797 Alternate Property Number: 13E32C 01703  
Account Type: Real Property  
TCA: 302-021  
Situs Address: 19991 SE FOSTER RD  
DAMASCUS OR 97089  
Legal: Section 32 Township 1S Range 3E Quarter C TAX LOT 01703

### Parties:

Role	Name & Address
Owner	BOGDAN DANIEL F 12444 SE STARK ST PORTLAND OR 97233
Taxpayer	BOGDAN DANIEL F 12444 SE STARK ST PORTLAND OR 97233

### Property Values:

Value Name	2018	2017	2016	2015	2014
AVR Total	\$656,352	\$637,235	\$618,675	\$600,655	\$583,160
TVR Total	\$656,352	\$637,235	\$618,675	\$600,655	\$583,160
Real Mkt Land	\$245,623	\$161,093	\$143,625	\$128,098	\$116,452
Real Mkt Bldg	\$784,860	\$729,890	\$660,290	\$589,010	\$539,560
Real Mkt Total	\$1,030,483	\$890,983	\$803,915	\$717,108	\$656,012

### Property Characteristics:

Tax Year	Characteristic	Value
2018	Neighborhood	11081: Happy Valley 100, 101
	Land Class Category	101: Residential land improved
	Building Class Category	15: Single family res, class 5
	Year Built	2004
	Acreage	0.91
	Change property ratio	1XX

### Exemptions:

(End of Report)

## Bautista, Diane

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**From:** Amend, Michelle  
**Sent:** Thursday, January 03, 2019 7:01 AM  
**To:** Dennis, Aaron  
**Cc:** Bautista, Diane  
**Subject:** RE: Second septic violation at 19991 SE Foster Rd

Hi Aaron,

Thank you for the information. I will pass it on to Diane to get a new case opened.

Thank you,

Michelle Amend  
Code Enforcement Supervisor | Clackamas Building Codes Division  
150 Beavercreek Rd | Oregon City OR 97045  
503-742-4785 (Office) | [mamend@Clackamas.us](mailto:mamend@Clackamas.us)

My regular work schedule is M-F from 7:30 am until 4:00 pm.

The Clackamas County Building Codes Division operates Monday through Friday, 7:30 a.m. to 4:30 p.m.

**Lobby hours** are from 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Friday.

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**From:** Dennis, Aaron  
**Sent:** Wednesday, January 2, 2019 3:40 PM  
**To:** Amend, Michelle <MAmend@co.clackamas.or.us>  
**Subject:** Second septic violation at 19991 SE Foster Rd

Michelle,

We went through a long violation with Daniel Bogdan back in 2014 and 2015 that eventually landed with Code Enforcement before he applied for and was issued a permit under ST008716. That permit was never given final approval and the property owner never followed through with the required documents needed to give it final approval. In October I opened a new violation and wrote Mr. Bogdan requesting he pay for a new permit and submit the required documents and photos to get septic approval for his property at 19991 SE Foster Rd. He has once again chosen to not respond to our letters just as he did back in 2014 and 2015. So I am forwarding the file that includes both the current violation (SV0002918) and the past violation (SV0001114) in hopes that he can be encouraged to comply.

Sincerely,  
Aaron



LINDSEY NESBITT, MANAGER  
SEPTIC AND ONSITE WASTEWATER SYSTEMS PROGRAM

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

October 8, 2018

SV0002918

Daniel Bogdan  
12444 SE Stark St  
Portland, OR 97233

IMPORTANT DOCUMENT – PLEASE READ CAREFULLY

SUBJECT: Onsite Wastewater Violation

SITE: Township 1S Range 3E Section 32C Tax Lot 1703  
19991 SE Foster Rd

To whom it may concern:

Clackamas County Septic Onsite Wastewater staff have confirmed the sewage treatment system serving the above site is currently in violation of Oregon State Rule and Clackamas County Code.

Your septic permit ST008716 expired on March 30, 2017. Photos or Video of the ATT installation were not received as per Edgar Diaz's requirement on April 6, 2016. A copy of a recorded easement to the drainfield area and an inspection request to verify that drainfield was never received. In addition, we did not receive the required annual maintenance report for the year of 2017 as required for your Alternative Treatment Technology (ATT) system.

***Insufficiently treated wastewater is a threat to public health. Improper wastewater management is a violation of Oregon Administrative Rule 340-071-130 and Clackamas County Code 9.01.100 (L)***

**340-071-0130**

***General Standards, Prohibitions and Requirements***

***(17) Annual permit fees and reports:***

***(a) Owners of pressurized distribution, sand filter, recirculating gravel filter, and alternative treatment technology systems and those systems described in section (16)(d) of this rule not under WPCF permits must submit annual fees and reports as follows:***

***(A) Owners must pay the annual report evaluation fee in OAR 340-071-0140(3) by the date specified by DEQ for each year the system is in operation. A system is placed in operation when it first receives wastewater and remains in operation until DEQ receives notice the system has been decommissioned;***

***(B) Owners must submit written certification prepared by a maintenance provider on a DEQ-approved form that:***

***(i) The system has been maintained in accordance with the requirements of the rules in this division during the reporting year and is operating in accordance with the agent-approved design specifications***

**340-071-0175**

***Certificate of Satisfactory Completion***

***(6) A person may not connect to or use any system completed after January 1, 1974, unless a Certificate of Satisfactory Completion has been issued for the installation or deemed issued by operation of law in accordance with this rule.***

For compliance, the following corrective actions are required:

A new Major Repair septic permit will be required as the ST008716 permit has been expired for over a year and cannot be renewed. Submittal of photos or video of the ATT unit installation, a copy of the recorded easement, a maintenance agreement and inspection report, and all final paperwork such as an As-Built and Installed Material List will then be required for final approval of the system. The new permit must be applied for by October 23<sup>rd</sup>, 2018 and all required paperwork, photos, and inspections completed by November 12<sup>th</sup>, 2018 to prevent this being escalated to code enforcement.

Please call me at 503-742-4614 or Email at [adennis@clackamas.us](mailto:adennis@clackamas.us) if you have questions or concerns. Health and safety is our highest priority.

Sincerely,

A handwritten signature in black ink, appearing to be 'AD' with a stylized flourish.

Aaron Dennis, WWS  
Soil Scientist, Senior  
Enclosures:

CC: E & A Systems, Inc.

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one of more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer for legal.

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties of up to \$3500 for *each day* of noncompliance. Fine amounts and civil penalties are assessed for each cited violation and may be assessed separately against each named party. In addition, the Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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 waive all or part of the \$75 per month administrative fee.

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.

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 and may result in additional penalties or other sanctions.

Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.





Citation No. 1900002

Case No. V0000219

# ADMINISTRATIVE CITATION

Date Issued: January 3, 2019

**Name and Address of Person(s) Cited:**

Name: Daniel Bogdan  
Name:  
Mailing Address: 12444 SE Stark St.  
City, State, Zip: Portland, OR 97233

Date Violation(s) Confirmed: On the 3rd day of January, 2019, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 19991 SE Foster Rd., Damascus, OR 97089

Legal Description: T1S, R3E Section 32C, Tax Lot(s) 1703

**Law(s) Violated:**

☒ Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section 9.01.100(L)

**Description of the violation(s):**

- 1) Person cited failed to obtain an approved final inspection for a Major Repair permit for the septic system on the subject property.

Maximum Civil Penalty \$3500.00                      Fine \$100.00

2)

Maximum Civil Penalty \$ .00                      Fine \$ .00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. 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: Andrea Hall      Date: January 3, 2019  
Telephone No.: 503-742-4467      Department Initiating Enforcement Action: Code Enforcement

## **PLEASE READ CAREFULLY!**

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

### Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:  
Clackamas County Code Enforcement Section  
150 Beavercreek Rd.  
Oregon City, OR 97045
2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above.

A request for hearing must contain all of the following information:

- a. Your name and address
- b. A copy of the citation
- c. The description of the relief you are requesting

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

### STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip

Contact Number: \_\_\_\_\_ Email: \_\_\_\_\_

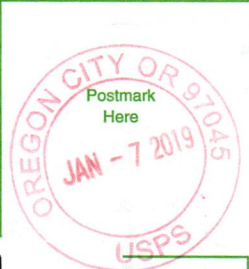
7013 1710 0000 9914 4487

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>TM</sup> RECEIPT**  
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**OFFICIAL USE**

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$



Sent To	Dan Bogdan
Street, Apt. No., or PO Box No.	12444 SE Stark St.
City, State, ZIP+4	Portland, OR 97233

## Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail<sup>®</sup> or Priority Mail<sup>®</sup>.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS<sup>®</sup> postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047



Citation No. 1900002-2

Case No. V0000219

# ADMINISTRATIVE CITATION

Date Issued: May 5, 2022

**Name and Address of Person(s) Cited:**

Name: Daniel Bogdan  
Name:  
Mailing Address: 12444 SE Stark St.  
City, State, Zip: Portland, OR 97233

Date Violation(s) Confirmed: On the 3rd day of January, 2019 and continues to exist on the 5th day of May 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 19991 SE Foster Rd., Damascus, OR 97089

Legal Description: T1S, R3E Section 32C, Tax Lot(s) 1703

**Law(s) Violated:**

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

**Description of the violation(s):**

- 1) Person cited failed to obtain an approved final inspection for a Major Repair permit for the septic system on the subject property.

Maximum Civil Penalty \$3500.00

Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. 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: Andrea Hall  
Telephone No.: 503-742-4467

Date: May 5, 2022  
Department Initiating Enforcement Action: Code Enforcement



**RECEIPT**

Clackamas County  
DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK RD.  
OREGON CITY, OR 97045

**Application:** V0000219

**Application Type:** CodeEnforcement/Violation/NA/NA

**Address:** 19991 SE FOSTER RD  
DAMASCUS, OR 97089

---

**Receipt No.** 1359412

<b>Payment Method</b>	<b>Ref Number</b>	<b>Amount Paid</b>	<b>Payment Date</b>	<b>Cashier ID</b>	<b>Comments</b>	<b>Payor</b>
Check	7257	\$100.00	5/23/2022	JENNIFERK	DANIEL BOGDAN	DANIEL BOGDAN
		<u>\$100.00</u>				

**Owner Info.:** BOGDAN DANIEL F  
12444 SE STARK ST  
PORTLAND , OR 97233

**Work Description:** EXPIRED SEPTIC PERMIT ST008716 FOR MAJOR REPAIR



Citation No. 1900002-2

Case No. V0000219

# ADMINISTRATIVE CITATION

Date Issued: May 5, 2022

**Name and Address of Person(s) Cited:**

Name: Daniel Bogdan  
Name:  
Mailing Address: 12444 SE Stark St.  
City, State, Zip: Portland, OR 97233

05-~~14~~-2022

Date Violation(s) Confirmed: On the 3rd day of January, 2019 and continues to exist on the 5th day of May 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

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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: Andrea Hall  
Telephone No.: 503-742-4467

Date: May 5, 2022  
Department Initiating Enforcement Action: Code Enforcement



**From:** [Kauppi, Jennifer](#) on behalf of [DTD-CodeEnforcement](#)  
**To:** [Hall, Andrea](#)  
**Subject:** FW: Citation 1900002-2 Case#V0000219  
**Date:** Friday, May 20, 2022 6:06:51 AM  
**Attachments:** [Citation.pdf](#)  
[Estimator Nidia Herrera.vcf](#)

---

Andrea,

This is your file.

J

---

**From:** Nidia Herrera <allpro\_nidia@repairman.com>  
**Sent:** Thursday, May 19, 2022 5:15 PM  
**To:** DTD-CodeEnforcement <CodeEnforcement@clackamas.us>  
**Subject:** Citation 1900002-2 Case#V0000219

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

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Dear Code Enforcement:

In response to the Citation#1900002-2 Case#V0000219, we are post office mailing you a check#7257 for the fine \$100.00.

At this moment we cannot apply for the permit since we exhausted all they ways of doing the major repairs for the violation.

After the 2019 Notice, our attorney assisted us in communicating with the neighbors at first.

Approched them in writting saying an easement is needed to access the line and when the house was purchase the seller neglected to assess the easement.

Now, we asked the neighbor kindly to sign an easement for us, since we do provide her a water easement again based on the status her/ours 2 divided properties purchased. Her response was it will costs \$50,000.00. We felt it is too much for just the easement. We declined kindly and we are glad they seemed doing great.

Now lately she has been nicer and let us in, to do clean ups and so on.We haven't bother them again asking for the easement.

I would like to know if you could assists and get us an easement and then we can surely apply for the permit. Because without an easement we feel the permit is worthless.

It will it be a moral thing to provide an easement that is not an exagerated costs for it.

I hope this changes soon. As for now we cannot apply.

Contact us if you could assist with some ideas on how to resolve this matter or how to integrate an easement to the permit.

Sincerely,

Nidia Herrera Bogdan  
12444 SE Stark St, Portland Oregon 97233  
Phone: (503) 771-3232 Opt #1 or Ext#200 Fax: (503) 771-2669

**From:** [Nidia Herrera](#)  
**To:** [Hall, Andrea](#)  
**Subject:** Re: 19991 SE Foster Rd.  
**Date:** Monday, May 23, 2022 12:21:17 PM  
**Attachments:** [ATT00001.jpg](#)  
[Estimator Nidia Herrera.vcf](#)

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

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Thank you I am forwarding this to Dan for him to decide.

Nidia

Office Administrator/Accounting Manager/Estimator  
ALLPRO Autobody Inc  
12444 SE Stark St, Portland Oregon 97233  
Phone: (503) 771-3232 Opt #1 or Ext#200 Fax: (503) 771-2669

**Sent:** Monday, May 23, 2022 at 9:45 AM  
**From:** "Hall, Andrea" <Andreaahal@clackamas.us>  
**To:** "allpro\_nidia@repairman.com" <allpro\_nidia@repairman.com>  
**Subject:** 19991 SE Foster Rd.

Hi Nidia,

I checked with Senior Soils Scientist, Aaron Dennis, and he indicated that if the area previously denied has not seen any further grading and filling since 2003, it may be suitable under a "reasonable repair" for use. In order to determine if this area is usable, you will need to submit an application for a site evaluation to determine the suitability of the soil and area available for a property sized drain field.

This is the link to the County's website and application forms, you would be submitting an application for a Site Evaluation.

<https://www.clackamas.us/how-to-apply-for-a-permit>

Please let me know if you have any questions.

Thank you,

Andrea Hall

Senior Code Enforcement Specialist

Clackamas County – Transportation & Development

Code Enforcement Section

[andreaahal@clackamas.us](mailto:andreaahal@clackamas.us)

503-742-4467

150 Beaver Creek Rd.

Oregon City, OR 97045



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