



NOTICE OF HEARING

January 13, 2025

Jaime & Kaye Preciado
12911 S Criteser Rd.
Oregon City, OR 97045

RE:: County of Clackamas v. Jaime & Kaye Preciado
File: V0035722

Hearing Date: February 13, 2025

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 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 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. Once you have joined the meeting, please allow the moderator to promote you to a panelist.

If you would like to present evidence at the Hearing please email or mail your evidence to Andrea Hall at 150 Beaver Creek 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 Andrea Hall at 503-742-4467 **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. **When joining the webinar please accept the request to join as a panelist.**

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 PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/86274690655?pwd=3mabBtmgPgclKJaSXbcszJhaNNdKCe.1>

Passcode:652551 Webinar ID: 862 7469 0655

Phone one-tap:

+12532158782,,86274690655# US (Tacoma)

+13462487799,,86274690655# US (Houston)

Join via audio:

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

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
COUNTY OF CLACKAMAS

COUNTY OF CLACKAMAS,

Petitioner,

v.

JAMIE & KAYE PRECIADO,

Respondents.

File No: V0037522

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondents Jamie & Kaye Preciado mailing address is: 12911 S Criteser Rd., Oregon City, OR 97045.

2.

The address or location of the violation(s) of law alleged in this Complaint is: 12911 SE Criteser Rd., Oregon City, OR 97045, also known as T3S, R2E, Section 18 , Tax Lot 2302, and is located in Clackamas County, Oregon. The property is zoned Exclusive Farm Use (EFU) and is the location of violation(s) asserted by the County.

3.

On or about the 23rd day of September, 2022 and May 30, 2023 the Respondents violated the following laws, in the following ways:

- a. Chapter 9.01 of the Clackamas County Code as it pertains to the Code for the Abatement of Dangerous Buildings and Structures.

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 Respondents in the following manner: Notice and Order of Dangerous Building and Notice to Vacate and Citation and Complaint #220375. A copy of the notice documents are attached to this Complaint as Exhibits E & H, 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 Respondents to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a 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 Respondents 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 Respondents 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 6th day of January, 2025.



Andrea Hall
Senior Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

JAMIE & KAYE PRECIADO,

Respondents.

File No.: V0037522

STATEMENT OF PROOF

History of Events and Exhibits:

- September 13, 2022
Exhibit A
- In response to a complaint regarding alleged dangerous buildings, a site visit was performed by Jennifer Kauppi, Michelle Amend and former Building Official Matt Rozzell. That visit revealed two of the three manufactured homes had been placed without permits and all three homes have deteriorated to a point where they were structurally unsound.
- Exhibit B
- Additionally, accessory buildings on the property were found to have unpermitted hazardous plumbing and electrical installations.
- Exhibit C
- A detached garage on the property had been converted to habitable space without permits.
- Exhibit D
- Unpermitted greenhouses were also found on the property with unpermitted electrical installations which create a hazard.
- September 23, 2022
Exhibit E
- A Notice and Order of Dangerous Building and Notice to Vacate was posted at the subject property and mailed to all interested parties via certified and first class mail. The Notice required the occupants to vacate the property and obtain all required permits within thirty (30) days from the date of the notice and obtain approved final inspections within thirty (30) days of the date the permits were issued. The certified receipt was returned to the County but it was unsigned, the letters were not returned to the County.
- November 2, 2022
Exhibit F
- Electrical permit number E0702922 was issued to disconnect the electrical to one of the manufactured homes, this permit was final on February 16, 2023.
- February 13, 2023
Exhibit G
- Building permit number B0610222 was issued for the demolition of one of the manufactured homes and the three accessory buildings. There have been no inspections and the permit has expired.

May 30, 2023
Exhibit H

After a review of County records revealed that all required permits had not been issued and had not received approved final inspections, citation number 220375 in the amount of \$500.00 was issued to the Respondents. This citation was mailed first class mail and was not returned to the County, the citation remains unpaid.

December 27, 2024

After a review of County records revealed that all required permits and inspections had not been obtained, the matter was referred to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of Clackamas County Dangerous Building Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondents to:

1. Obtain all required permits to remove/demolish all manufactured homes on the property except for the 24x48 home which was legally placed under permit MH315-81 within thirty (30) days of the Continuing Order. Obtain approved final inspections no later than thirty (30) days after the date the permits are issued.
2. Complete demo permit B0610222 obtaining all required trade permits to decommission the utilities serving the structures and. Demolish the buildings, permit/exempt the 5400 square foot accessory building not pictured on the site plan within thirty (30) days of the date of the Continuing Order. Obtain approved final inspections no later than thirty (30) days after the permits are issued.
3. The detached garage appears to be one of the buildings identified as one to be demolished under B0610222, this building should be demolished with the other structures.
4. Agriculturally exempt or remove the greenhouses and obtain all required trade permits within thirty (30) days of the date of the Continuing Order. Obtain approved final inspections no later than thirty (30) days after the exemptions are issued.

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:

- Payment of Citation 200375 in the amount of \$500.00.
- The imposition of civil penalties of up to \$3500.00
- The administrative compliance fee to be imposed from September 2022 totals \$2025.00, however, the County is requesting a reduced amount of \$525.00 as a reasonable estimate of the cost of this enforcement matter.
- 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.









Exhibit A 4 of 7







Exhibit A 7 of 7



EXhibit B 1 of 4









Exhibit C 1 of 4







Exhibit C 4 of 4









NOTICE AND ORDER OF DANGEROUS BUILDING

AND NOTICE TO VACATE

DO NOT ENTER THIS BUILDING

UNSAFE TO OCCUPY

IT IS A MISDEMEANOR CRIME TO OCCUPY, ENTER, OR

REMAIN IN THIS BUILDING

VIOLATORS ARE SUBJECT TO ARREST

DO NOT REMOVE OR DEFACE THIS NOTICE

Pursuant to ORS 162.305

Issued by Matt Rozzell, Building Official of Clackamas County

TO: Jamie L Preciado, Kaye L Preciado and All Occupants

SITE ADDRESS: 12911 S Criteser Rd., Oregon City, OR 97045
Legal Description: T3S, R2E, Section 18, Tax Lot 2302

AUTHORITY: Clackamas County Code Ch. 9.01 & ORS 164.215 to 164.225

DATE: September 23, 2022

Pursuant to Chapter 9.01 of the Clackamas County Code the Building Official for Clackamas County has inspected or caused to be inspected the three manufactured homes, four accessory buildings, a detached garage and one greenhouse at the above referenced location and have determined that such buildings are dangerous buildings and are an immediate danger to life, limb, and safety of its occupants and the public for the following reasons:

- Manufactured homes – 9.01.100(A) Whenever a building or structure is determined to be structurally unsound or defective such that building collapse or other structural failure may occur or where such a structural condition exists that may be injurious to life, limb, or property. Two of the three manufactured homes

on the property have been placed without the benefit of permits or inspections. The three structures have deteriorated to a point where they are structurally unsound.

- Accessory buildings – 9.01.100(D)(G) Whenever a building or structure is effected by one or more health hazards including but not limited to inadequate plumbing and/or sanitation, inadequate light and/or ventilation, chemical hazard, toxins, or is otherwise determined to be unfit for human habitation or use. Whenever any building system (electrical, plumbing, heating, ventilation, air conditioning or other permanently installed system) is determined to be unsafe or otherwise in violation of any applicable code or ordinance. The accessory buildings on the property have unpermitted, hazardous plumbing and electrical installations.
- Detached garage – 9.01.100(A)(C) Whenever a building or structure is determined to be structurally unsound or defective such that building collapse or other structural failure may occur or where such a structural condition exists that may be injurious to life, limb, or property. Whenever a building or structure is being used or occupied contrary to the manner in which it was approved provided that such use creates a life or fire safety hazard, health hazard, or environmental hazard to the building occupants or adjacent property owners. This structure has been converted into habitable space without the benefit of permits or inspections. There are no smoke detectors or proper egress.
- Greenhouse – 9.01.100(D)(G) Whenever a building or structure is effected by one or more health hazards including but not limited to inadequate plumbing and/or sanitation, inadequate light and/or ventilation, chemical hazard, toxins, or is otherwise determined to be unfit for human habitation or use. Whenever any building system (electrical, plumbing, heating, ventilation, air conditioning or other permanently installed system) is determined to be unsafe or otherwise in violation of any applicable code or ordinance. This structure has unpermitted electrical installations which create a hazard.

As a result of this notice and order you must take the following action(s) as required by the Building Official:

- You must vacate the property no later than September 26, 2022 at 11:59pm and you are prohibited from re-occupying the property until such a time when building permits for the repair of the structures have been issue, inspected and have approved final inspections.
- You are required to secure all required permits to no later than thirty (30) days of the date of this notice and to obtain approved final inspections on all required permits no later than thirty (30) days from the date the permits are issued.

If the action(s) described above are not commenced within the timeframes provided, the Building Official may proceed to cause the work to be done and charge the costs thereof against the property and its owners.

Any person having any record title or legal interest in the building may appeal from this notice and order and any action of the building official to the board of appeals, **provided the appeal is made in writing as provided in this chapter and filed with the building official within 30 days from the date of service of this notice and order.** See §9.01.150. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

This notice and order is being served upon the owner of record and posted on each known exit of the subject building. In addition, this notice and order is being served on other potential legal interest holders including but not limited to mortgage, deed of trust, or lien holders, and known tenants or occupants. Mailings shall be accomplished by certified mailing, return receipt requested, to the person or entity entitled to service of the notice and order as required by §9.01.110(C).

Matt Rozzell

Matt Rozzell, Building Official
Clackamas County, Oregon

9/21/22

Date

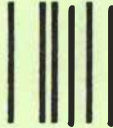


09/23/2022 09:57

USPS TRACKING #



9590 9402 5540 9249 1784 84



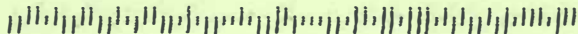
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Clackamas County
Code Enforcement Division
150 Beaver Creek Rd
Oregon City, OR 97045

AH
V0037532
ecsl00n



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jamie L. Preciado
 Kaye L Preciado
 All Occupants
 12911 S Criteser Rd.
 Oregon City, OR 97045



9590 9402 5540 9249 1784 84

2. Article Number (Transfer from service label):

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



Citation No. 2200375

Case No. V0037522

ADMINISTRATIVE CITATION

Date Issued: May 30, 2023

Name and Address of Person(s) Cited:

Name: Jamie & Kaye Preciado
Name:
Mailing Address: 12911 S Criteser Rd.
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 26th day of May, 2023, 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): 12911 S Criteser Rd., Oregon City, OR 97045

Legal Description: T3S, R2E Section 18, Tax Lot(s) 2302

Law(s) Violated:

Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section 9.01.100(A)(C)(D)(G)

Description of the violation(s):

- 1) Persons cited failed to obtain permits and final inspections to repair or remove a manufactured home, accessory building, detached garage and greenhouse.

Maximum Civil Penalty \$3500.00 Fine \$500.00

- 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 \$500.00. 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 30, 2023
Department Initiating Enforcement Action: Code Enforcement



BUILDING CODES DIVISION

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

Permit #: B0610222 Applied: 09/29/2022
Type: NA / Demolition Approved:
Status: Issued Final:
Valuation: \$0.00 Expiration:
Address: 12911 S CRITESER RD OREGON CITY, OR 97045

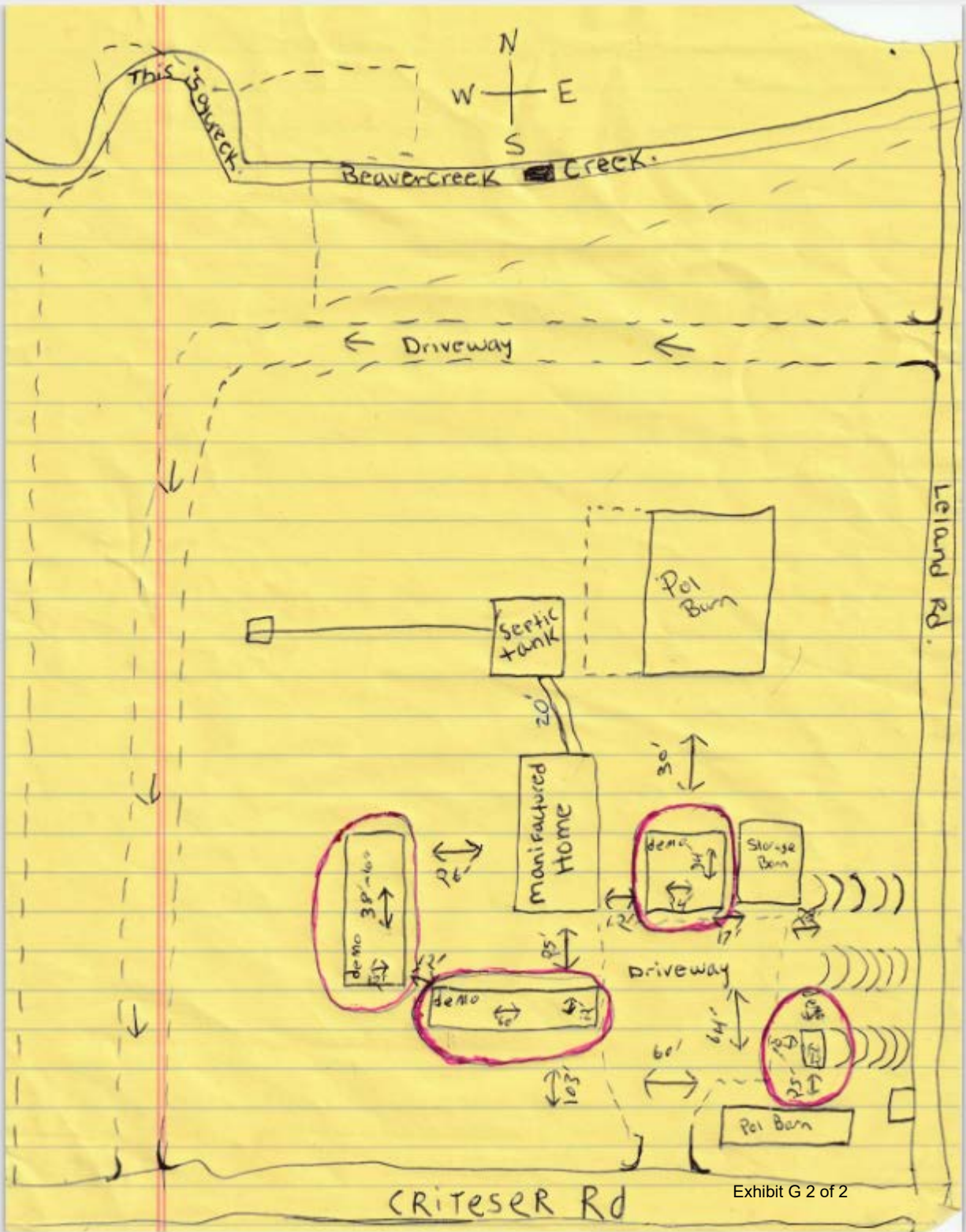
Applicant: Benjamin Preciado (503) 732-6638
Owner: PRECIADO JAIME L
Contractor: PROPERTY OWNER DOING WORK

Certificate of Occupancy Required:

Parcel: 32E18 02302 Class: 645-Demo SFR
Entered By: Occupancy:
Insp Area: Units: Bldgs:
Printed: 02/13/2023 Violation:
Description: V0037522 Demo permit for a manufactured home and three additional out buildings
Conditions: FEES DO NOT APPLY - PER ANDREA, FEES DO NOT APPLY

SFR/Dup 1st Unit(sqft):	Additional Unit(sqft):	
Investigation Fee (Hours)	2	\$170.00
State Surcharge	1	\$20.40
Residential Structural Permit	1	\$85.00
Total Fees:		\$275.40
Total Payments:		\$275.40
Balance Due:		\$0.00

Our goal is to provide you with excellent service. If you would like to discuss your experience with us, contact one of our Customer Service Specialists at 503-742-4400, dtccustomerinfo@clackamas.us or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>





Permit #: E0702922	Applied: 11/02/2022
Type: Electrical / Electrical	Approved: 11/02/2022
Status: Final	Final: 02/16/2023
Valuation: \$0.00	Expiration: 08/16/2023
Address: 12911 S CRITESER RD OREGON CITY, OR 97045	

Applicant: Debbie Cates
 Owner: PRECIADO JAIME L
 Contractor: ATLAS ELECTRIC CONTRACTORS INC 503-659-2212

Certificate of Occupancy Required:

Taxlot: 32E18 02302	Class:	
Entered By:	Occupancy:	
Insp Area:	Units:	Bldgs:
Printed: 12/26/2024	Violation:	
Description: DISCONNECTION 125A ELECTRICAL FEED TO MOBILE HOME.		
Conditions:		

SFR/Dup 1st Unit(sqft): 0	Additional Unit(sqft):	0
Permanent Service/Feeder - <200 Amps	1	\$161.00
Electrical State Surcharge	1	\$19.32
Total Fees:		\$180.32
Total Payments:		\$180.32
Balance Due:		\$0.00

Our goal is to provide you with excellent service. If you would like to discuss your experience with us, contact one of our Customer Service Specialists at 503-742-4400, dtdcustomerinfo@clackamas.us or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>