



NOTICE OF HEARING

November 2, 2023

THS LLC
PO Box 63
West Linn, OR 97068

RE:: County of Clackamas v. THS LLC
File: V0014323

Hearing Date: November 28, 2023

Time: This item will not begin before 11:00am 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 Jennifer Kauppi, Code Compliance Specialist for Clackamas County at (503) 742-4759, 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 Zoom invite has been sent to PROPERTYMANAGER@TRUEHOLDINGLLC.com, 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 Jennifer Kauppi 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 Jennifer Kauppi at 503-742-4759 **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/89059845769?pwd=a0ZqOUpndnVBWWIGVEIOZDAzYkVjZz09>

Passcode: 275499

Or One tap mobile:

+12532158782,,89059845769# US (Tacoma)

+13462487799,,89059845769# US (Houston)

Or join by phone:

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

US: +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 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 or +1 386 347 5053 or +1 507 473 4847

Webinar ID: 890 5984 5769

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.

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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.

TH5 LLC,

Respondents.

File No: V0014323

COMPLAINT AND REQUEST FOR HEARING

I, Jennifer Kauppi, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: PO Box 63, West Linn, OR 97068.

2.

The address or location of the violation(s) of law alleged in this Complaint is:

28078 E Mountain View Dr., Welches, OR 97067 also known as T3S, R7E, Section 09DC, Tax Lot 01500, and is located in Clackamas County, Oregon.

3.

On or about the 12th day of September, 2023 the Respondent violated the following law, in the following way:

- a. Respondent violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by accumulating inoperable and/or non-currently licensed vehicles and non-putrescible waste. This violation is a Priority 2 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: Administrative Citation #2300143 in the amount of \$400.00 was mailed via first class mail on September 13, 2023. A copy of the notice document is attached to this Complaint as Exhibit 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 Respondent to immediately abate the violation 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 Solid Waste and Waste Management Code Priority 2 violation being \$500.00 to \$2,500.00 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 violation.

DATED THIS 1 day of November, 2023.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

TH5 LLC,

Respondent.

File No.: V0014323

STATEMENT OF PROOF

History of Events and Exhibits:

- May 7, 2023 Clackamas County received a complaint regarding solid waste, inoperable vehicles and an addition to a single family residence without permits.
- May 10, 2023 Correspondence was sent to the Respondent and the Registered Agent
Exhibit A regarding the alleged violation.
- May 10, 2023 I was notified by one of the complainants that the home had caught fire in the early hours of May 10, 2023.
- May 16, 2023 I conducted a site inspection of the subject property. There was caution
Exhibit B tape at the entrance of the property. I observed a substantial amount of solid waste including miscellaneous debris and fire debris.
- May 16, 2023 I was contacted by Jesse Remmer who is a representative for TH5 LLC. Jessie stated that the property was under investigation for arson and Oregon State Police had not released the property back to the owner because of the investigation.
- May 17, 2023 Correspondence was sent to the Respondent with a copy to the Registered
Exhibit C Agent with a deadline of July 18, 2023 to remove the solid waste including the fire debris from the subject property. The copy that was sent to the Registered Agent was returned to the County.
- August 1, 2023 I conducted a site visit and found that no removal of the solid waste had
Exhibit D occurred on the property. I also found household garbage on site during this inspection.
- August 3, 2023 I called Jesse to discuss the site inspection that had taken place. Jesse had stated the demolition and removal had started and asked that I give her until August 15, 2023 to complete the removal.

August 15, 2023 Exhibit E	I conducted a site inspection. The household garbage had been removed, however, there was still a lot of debris remaining on the property
August 17, 2023 Exhibit F	I sent an email to Jesse regarding the August 15 th inspection. I let her know that I would be doing another inspection on September 12 th to confirm the remaining waste has been removed from the property.
September 12, 2023 Exhibit G	I conducted a site inspection and found the debris remained on site.
September 13, 2023 Exhibit H	Citation 2300143 for \$400.00 for the Priority 2 Solid Waste and Waste Management Code violation was issued. The citation was sent to the owner and a copy was sent to the Registered Agent. The citation was not returned to the County and remains unpaid.
October 25, 2023 Exhibit I	I conducted a site inspection of the subject property. The property remained in violation.
November 1, 2023	I referred this matter to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Solid Waste and Waste Management Code, Chapter 10.03.060(A)(B) exists, the County may request a Final Order in this matter recommending the following:

- The imposition of civil penalties for the Solid Waste and Waste Management Code violation of up to \$2,500.00 for date cited September 12, 2023.
- Payment for Citation No. 2300143 issued on September 13, 2023 for \$400.00.
- The administrative compliance fee to be imposed from May, 2023 until the violation is abated. As of this report the total is \$375.00.
- The County requests the Hearings Officer to permanently prohibit the Respondent from violating this law in the future.
- 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.



May 10, 2023

Jessica O'Brien, TH5 LLC & Registered Agent - Sidney True
PO Box 63
West Linn, OR 97068

**Subject: Alleged Violation of the Building Code, Chapter 9.02.040 and the
Solid Waste Code, Title 10.030.060 of the Clackamas County Code**

Site Address: 28078 E Mountain View Dr Welches, OR 97067
Legal Description: T3S, R7E, Section 09DC, Tax Lot 01500

It has come to the attention of Clackamas County Code Enforcement that exterior decks have been built and other remodeling may have been done without the benefit of permits.

This may constitute a violation of the Building Code, Chapter 9.02.040 of the Clackamas County Code.

Additionally, there may be an accumulation of solid waste including inoperable vehicles, putrescible (household) and other miscellaneous waste on the above referenced property.

This may constitute a violation of the Solid Waste Code, Title 10.030.060 of the Clackamas County Code.

Please contact Jennifer Kauppi, Code Enforcement Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4759

**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.*

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환영합니다. Korean

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May 17, 2023

TH5 LLC
PO Box 63
West Linn, OR 97068

True Holdings LLC-Registered Agent
30515 E Blossom Trl
Government Camp, OR 97028

SUBJECT: Violation of Clackamas County Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B)

VIOLATION: V0014323

SITE ADDRESS: 28078 E Mountain View Drive, Welches, OR 97067

LEGAL DESCRIPTION: T3S, R7E, Section09DC , Tax Lot 01500

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

- Accumulation of solid waste
- Inoperable and/or non-currently licensed vehicles and boat

VIOLATIONS & HOW TO RESOLVE

I conducted a site inspection at the subject property on May 16, 2023. I found a dwelling that had been badly damaged from a house fire. The debris from the fire damaged home, other miscellaneous debris and an inoperable or non-currently licensed vehicle and boat.

Solid Waste

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). In order to abate the violations, you must complete the following **no later than July 18, 2023**:

- Remove all solid waste, including but not limited to fire debris, appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste that can be seen from the road or surrounding properties.

Inoperable and/or Non-Currently Licensed Vehicles

- Remove the inoperable and/or not currently licensed vehicles from the subject property.

CONTACT INFORMATION

If you have further questions, you may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday. Our offices are closed on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is JKauppi@Clackamas.us.

Jennifer Kauppi

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.

**CLACKAMAS COUNTY CODE ORDINANCE TITLE 10.03 SOLID WASTE AND
WASTE MANAGEMENT CODE (This is a portion of the code the remainder of the
code can be found on the Clackamas County Website)**

10.03.030 Definitions

(33). **INOPERABLE VEHICLE:** For the purpose of the Nuisance Abatement provisions of this chapter, shall mean a vehicle designed for use on a public highway which has been left on public or private property thirty (30) days or more and is not currently licensed, or not in operating condition, or which has been extensively damaged, vandalized or stripped, including, but not limited to, missing wheels, tires, motor or transmission. An inoperable vehicle shall not mean an unlicensed operable vehicle or vehicles, which are used on private property for the production, propagation or harvesting of agricultural products grown or raised on such lands.

(48). **PUTRESCIBLE MATERIAL** means solid waste or wastes, including: bones; meat and meat scraps; fat; grease; fish and fish scraps; food containers or products contaminated with food wastes, particles or residues; prepared vegetable and fruit food wastes or scraps; manure; feces; sewer sludge; dead animals or similar wastes which cause offensive odor to create a health hazard, or which are capable of attracting or providing food for potential disease carriers, such as birds, rodents, flies and other vectors.

(59). **SOLID WASTE OR WASTES** shall include all putrescible and non-putrescible waste, including but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land-clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable, mobile homes or trailer houses which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of solid waste, may from time to time, have value and thus be utilized shall not remove them from the definition. There is a series of items identified in this section that are not included in this definition such as fertilizer for agricultural purposes. Please see the code for additional items.

10.03.060 Solid Waste or Wastes Accumulation Prohibited

A. Except as provided in subsection D of this Section, no person shall store, collect, maintain, or display on private property, solid waste or wastes or recyclable material that is offensive or hazardous to the health and safety of the public, or which creates offensive odors, or a condition of unsightliness. Storage, collection, maintenance, or display of solid waste or wastes in violation of this section shall be considered to be a public nuisance, which may be abated as provided in 10.03.070 of this chapter.

B. In addition to the provisions of subsection A, the following conditions or actions are also specifically identified as creating a public nuisance under this chapter.

(1) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes for purposes of keeping it out of sight from the road or surrounding properties.

(2) Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes that is stored in a utility trailer, pickup truck, semitrailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.

(3) Constructing a tire fence for any purpose.

(4) Storing waste tires except as permitted pursuant to OAR Chapter 340.

(5) Storing putrescible waste, whether it is visible or not visible from the road or adjacent properties, that is not kept in a rodent proof container with a tight-fitting lid, and not removed from the property to an authorized disposal facilities within seven (7) days.

(6) Composting which causes offensive odors, or creates a health hazard, or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.

(7) Storing, collecting, maintaining, or displaying any licensed or unlicensed special vehicle or equipment that is immobile, inoperable, partially dismantled or dismantled, dilapidated, or fire damaged and is visible from the road or surrounding properties.

(8) Storing, collecting, maintaining, or displaying a mobile home or trailer house, which is dilapidated or partially dismantled, or fire damaged, and is visible from the road or surrounding properties.

(9) Storing, collecting, maintaining or displaying: residential, commercial and industrial appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded

material, or other similar non-putrescible solid waste or wastes, that is visible from the road or surrounding properties.

(10) Storing, collecting, maintaining or displaying any antique, classic, race care or collectible vehicle that is inoperable and is visible from the road or surrounding properties.

(11) Storing any inoperable vehicles unless said vehicle or vehicles are housed within a permitted structure or development, except up to two vehicles per premise may be stored behind a sight obscuring screen, in accordance with 10.03.060 C, and shall not be visible from the road or surrounding properties. For purposes of Subsection 11, two or more contiguous tax lots that are under common ownership shall be considered one premise.

(12) When commercial, industrial, multi-family or residential developments that use a compactor or compactors for on-site waste management, do not keep the areas around the compactor free of solid waste and debris, and washed down on a regular basis.

C. Any sigh obscuring screen used to abate a solid waste nuisance shall consist of one of the following options:

(1) Construct a wood fence unpainted or painted with neutral or earth tone colors of which the upright posts shall consist of a decay resistive material a minimum of four (4) inches in diameter and anchored a minimum of eight (8) feet. The railings shall be a minimum of 2 inch by 4 inch lumber with the 4 inch side attached vertically to the posts. The attached vertical or horizontal fence boards shall be set with a maximum separation $\frac{1}{4}$ inch.

(2) Construct a metal fence consisting of chain link or woven fabric with metal upright posts anchored a minimum of two (2) feet below ground level with metal railings and connectors. Water and insect resistive wood or plastic slats shall be inserted in the chain link or woven fabric, with a maximum separation of $\frac{3}{8}$ inch between slats.

(3) Construct a combination fence consisting of a metal sheeting attached to wood framing as defined in Section C-1 above, or durable metal framing, which is painted a neutral or earth tone color.

(4) Construct a wall consisting of solid material, built of concrete, masonry, brick, stone, or other similar materials or combination thereof.

(5) Construct an earthen berm consisting of dirt, soil, sand, clay or any combination thereof and shall be planted with grass and/or ornamental plantings and shall be maintained at all times.

(6) Plant a hedge consisting of evergreen plantings or other ornamental plantings a minimum of six (6) feet in height, planted not more than two (2) feet on center and which is maintained at all times.

In addition to the minimum fencing requirements, wood, metal, masonry fences or combination thereof greater than six (6) feet in height are subject to County review pursuant to the Oregon State Uniform Building Code, and all earthen berms are subject to County review pursuant to the County's Grading and Excavation Chapter.

For the purposes of this chapter, no sight obscuring screen shall be located, placed, constructed or installed contrary to the Clackamas County Zoning Development Ordinance



CLACKAMAS
COUNTY

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



US POSTAGE™ PITNEY BOWES



ZIP 97045 **\$ 000.60⁰**
02 1W
0001404531 MAY 17 2023

True Holdings LLC-Registered Agent
30515 E Blossom Trl
Government Camp. OR 97028

NIXIE 971 DE 1 0005/20/23

RETURN TO SENDER
NO MAIL RECEPTACLE
UNABLE TO FORWARD

BC: 97045400209 *0220-00377-17-45

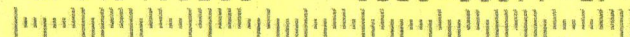


EXHIBIT C _ PAGE 6 OF 9

NMR

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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

May 17, 2023

TH5 LLC
PO Box 63
West Linn, OR 97068

True Holdings LLC-Registered Agent
30515 E Blossom Trl
Government Camp, OR 97028

SUBJECT: Violation of Clackamas County Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B)

VIOLATION: V0014323

SITE ADDRESS: 28078 E Mountain View Drive, Welches, OR 97067

LEGAL DESCRIPTION: T3S, R7E, Section09DC , Tax Lot 01500

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

- Accumulation of solid waste
- Inoperable and/or non-currently licensed vehicles and boat

VIOLATIONS & HOW TO RESOLVE

I conducted a site inspection at the subject property on May 16, 2023. I found a dwelling that had been badly damaged from a house fire. The debris from the fire damaged home, other miscellaneous debris and an inoperable or non-currently licensed vehicle and boat.

Solid Waste

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). In order to abate the violations, you must complete the following **no later than July 18, 2023**:

- Remove all solid waste, including but not limited to fire debris, appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste that can be seen from the road or surrounding properties.



After recording return to:
TH5 LLC
Post Office Box 63
West Linn, OR 97068

Until a change is requested all tax
statements shall be sent to the
following address:
TH5 LLC
Post Office Box 63
West Linn, OR 97068

File No.: 7000-3915263 (srm)
Date: March 29, 2022

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records **2022-037333**
Sherry Hall, County Clerk
06/28/2022 02:23:04 PM
D-D Cnt=1 Str=73 LESLIE
\$10.00 \$16.00 \$10.00 \$62.00 **\$98.00**

STATUTORY BARGAIN AND SALE DEED

True Holdings, LLC , Grantor, conveys to **TH5 LLC, An Oregon LLC** , Grantee, the following described real property:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

37E09DC01500 00980692

Lots 14 & 15 HOOD HIDEAWAYS NO 2, (Plat Book 49. Page 0021 and Map 1544) in the County of Clackamas and State of Oregon

The true consideration for this conveyance is **\$Vesting correction for financing** . . (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

First American: 3915263-LO













Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Thursday, August 17, 2023 1:19 PM
To: 'PROPERTYMANAGER@TRUEHOLDINGLLC.com'
Subject: 28078 E MOUNTAIN VIEW DR - SITE INSPECTION AUGUST 15
Attachments: 23-05-17 Violation Letter.pdf

Importance: High

Hello,

I conducted an inspection on August 1st and found no cleanup of the property had started. On August 3, Jesse and I spoke. She stated that the cleanup had started and asked that I give until the 15th of August to complete the debris removal which I agreed to. I conducted the site inspection on Tuesday August 15th. Although the household garbage was removed, there is still a lot of debris on site. Per the attached violation letter, the debris was to be removed by July 18.

The violation for the solid waste has not been abated. I will be doing another inspection on Tuesday September 12th. If the fire debris, remaining waste and the inoperable vehicles have not been removed I will continue with the next steps of enforcement which would be an administrative citation.

Please let me know if you have any questions.
Thank you,

Jennifer Kauppi – Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
150 Beavercreek Rd.
Primary Phone: 503-742-4759
www.clackamas.us
Hours: M-F from 7:30 a.m. until 4:00 p.m.
Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.

Were you happy with the service you received today?



CLICK A SMILEY









Citation No. 2300143

Case No. V0014323

ADMINISTRATIVE CITATION

Date Issued: September 13, 2023

Name and Address of Person(s) Cited:

Name: TH5 LLC
Mailing Address: PO Box 63
City, State, Zip: West Linn, OR 97068

Date Violation(s) Confirmed: On the 12th day of September, 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): 28078 E Mountain View Dr., Welches, OR 97067

Legal Description: T3S, R7E Section 09DC, Tax Lot(s) 01500

Law(s) Violated:

Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A), (B)

Description of the violation(s):

- 1) Accumulation of solid waste

Maximum Civil Penalty \$2,500.00 Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. 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: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: September 13, 2023
Department Initiating Enforcement Action: Code Enforcement



