



NOTICE OF HEARING

December 20, 2023

Paramont Development Properties LLC
2331 Dana Ct.
Carlsbad, CA 92008

RE:: County of Clackamas v. Paramont Development Properties LLC
File: V0000319

Hearing Date: January 11, 2024

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 Andrea Hall, Senior 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.

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.

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/82889913125?pwd=dit4N0k5bVdrdlZGN2ZUQmRsdEo5Zz09>

Passcode: 891787

Or One tap mobile:

+13462487799,,82889913125# US (Houston)

+14086380968,,82889913125# US (San Jose)

Or join by phone:

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

US: +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 +1 253 215 8782 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325

Webinar ID: 828 8991 3125

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to: www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

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

ДОБРО ПОЖАЛОВАТЬ! Russian

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

欢迎! Chinese (Mandarin)

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

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

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

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

PARAMONT DEVELOPMENT
PROPERTIES LLC,

Respondent.

File No: V0000319

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent Paramont Development Properties LLC mailing address is: 2331 Dana Ct., Carlsbad, CA 92008.

2.

The address or location of the violation(s) of law alleged in this Complaint is:
525 SW 4th Ave., Canby, OR 97013, also known as T4S, R1E, Section 4BA , Tax Lot 1900, and is located in Clackamas County, Oregon.

3.

On or about the 26th day of July, 2022 the Respondent violated the following laws, in the following ways:

- a. Chapter 9.02.040 of the Clackamas County Code Building Code for failing to obtain approved final inspections for the remodel of a multi-family dwelling. 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 #1900003. A copy of the notice document is attached to this Complaint as Exhibit E, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter. Petitioner seeks an Order from the Hearings Officer granting the following relief:

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

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Priority 1 violation being \$750.00 to \$1000.00 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 20th day of December, 2023.



Andrea Hall
Senior Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

PARAMONT DEVELOPMENT
PROPERTIES LLC,

Respondent.

File No.: V0000319

STATEMENT OF PROOF

History of Events and Exhibits:

- December 27, 2018 The County received a complaint alleging that a multi-family dwelling was being remodeled without the benefit of permits or inspections. A review of County records revealed that a building permit application for the remodel had been submitted to the County, B0645118, but had not been issued due to insufficient information.
- January 14, 2019
Exhibit A A violation notice was sent to previous owner Equity First Company Inc. with a deadline of March 1, 2019 to submit the required information so that plan review could be completed. Final inspections were to be obtained no later than 60 days from the date the permits were issued.
- March 27, 2019
Exhibit B A second violation notice was mailed to Equity First Company Inc., assuring them that they could move forward with providing the County the required information to complete the plan review of B0645118 while the Canby Historical Society was reviewing the project. A new deadline of April 30, 2019 was given to submit information to the County.
- December 2, 2020
Exhibit C A review of County records revealed that the property had been sold. A letter was sent to the new owner asking that they contact the County within ten (10) days to discuss the violations. This letter was sent to the Respondent, the Registered Agent and Manager.
- April 18, 2022
Exhibit D After a review of the County's permit system revealed that permits issued for the remodel project still did not have approved final inspections, a violation notice was mailed to the Respondent and Registered Agent with a deadline of May 20, 2022 to obtain approved final inspections.

July 28, 2022
Exhibit E

After a review of the County's permit system revealed that the permits for the project did not have approved final inspections, citation 1900003 was issued in the amount of \$500.00 for the building code violation. This citation was sent via first class mail and was not returned to the County, the citation remains unpaid.

December 20, 2023

A review of the County's permit system revealed that the permits for the remodel project have expired without the benefit of an approved final inspection. The County referred this matter to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of the Clackamas County Building Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent to renew the permits for the project within 15 days of the date of the Continuing Order and obtain approved final inspections on all permits no later than 60 days from the date the permits are reissued.

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 1900003 for \$500.00
 - The imposition of civil penalties of up to \$1000.00
 - The administrative compliance fee to be imposed from April 2022, to date is \$1425.00.
-
- If the violations are 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.



January 14, 2019

Equity First Company Inc.
Attn: Tyler Dodge
PO Box 2181
Vancouver, WA 98668

Subject: Violation of the Clackamas County Code

Site Address: 525 SW 4th Ave., Canby, OR 97013
Legal Description: T4S, R1E, Section 4BA, Tax Lot 1900

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that a remodel of the apartments on the above referenced property was started without benefit of permits or inspections. This constitutes a violation of Chapter 9.02.040 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

On December 3, 2018, building permit application B0645118 was submitted to the County for the remodel work. Unfortunately, the permit was not issued due to incomplete information. On December 31, 2018, Plans Examiner, Robert Morris, sent an email detailing the information he requires in order to complete the plan review process.

In order to abate the violation, please submit the necessary information to the Clackamas County Building Codes Division no later than March 1, 2019. The permit must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained not later than 60 days of the date of the permit being issued.

If you have any questions concerning these permit requirements, please contact the Building Codes Division at 503-742-4240. Or, you may stop by our offices at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Fridays 8:00 a.m. and 3 p.m.

Please feel free to contact me if you have any questions. My direct telephone number is 503-742-4467 or email andreaahal@clackamas.us .

Thank you for your prompt attention to this matter.

A handwritten signature in black ink, appearing to read 'Andrea Hall', is positioned above the typed name. The signature is fluid and cursive, with a large initial 'A'.

Andrea Hall
Clackamas County
Code Enforcement Coordinator

Required Notice of Fines and Penalties

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 or 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.

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties 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 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 in its discretion 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 which may result in additional penalties or other sanctions.

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



March 27, 2019

Equity First Company Inc.
Attn: Tyler Dodge
PO Box 2181
Vancouver, WA 98668

Subject: Violation of the Clackamas County Code

Site Address: 525 SW 4th Ave., Canby, OR 97013
Legal Description: T4S, R1E, Section 4BA, Tax Lot 1900

As you know, it has come to the attention of the Clackamas County Code Enforcement Section that a remodel of the apartments on the above referenced property was started without benefit of permits or inspections. This constitutes a violation of Chapter 9.02.040 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

On December 3, 2018, building permit application B0645118 was submitted to the County for the remodel work. Unfortunately, the permit was not issued due to incomplete information. On December 31, 2018, Plans Examiner, Robert Morris, sent an email detailing the information he requires in order to complete the plan review process.

In a telephone conversation with Tyler Dodge on March 19, 2019, he indicated that the Canby Historical Society was reviewing the proposed changes to the building and would be making a decision by April 30, 2019. Tyler indicated that after that date, he would be able to provide the County with the requested information to complete the plan review process.

After reviewing the situation with Plans Examiner Robert Morris, it appears that there are numerous items that need to be addressed that do not involve design changes that are currently under review.

Please submit the requested information that does not involve design changes such as an authorization notice and septic permit no later than **April 30, 2019**. A copy of the list of required item in enclosed for your convenience. Items related to the design will be addressed after the Historical Society has made a decision.

If you have any questions concerning these permit requirements, please contact the Building Codes Division at 503-742-4240. Or, you may stop by our offices at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Fridays 8:00 a.m. and 3 p.m.

Please feel free to contact me if you have any questions. My direct telephone number is 503-742-4467 or email andreaahal@clackamas.us .

Thank you for your prompt attention to this matter.

A handwritten signature in black ink, appearing to read 'Andrea Hall', is placed on a light gray rectangular background.

Andrea Hall
Clackamas County
Code Enforcement Coordinator

Enclosure

Required Notice of Fines and Penalties

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 or 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.

The Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties 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 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 in its discretion 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 which may result in additional penalties or other sanctions.

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



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

December 2, 2020

Paramount Development Properties LLC
2331 Dana Ct.
Carlsbad, CA 92008

Susan Louthan
3218 N Main St.
Newberg, OR 97132

Mark Pekarek
2331 Dana Ct.
Carlsbad, CA 92008

Subject: Violation of the Clackamas County Code

Site Address: 525 SW 4th Ave., Canby, OR 97013
Legal Description: T4S, R1E, Section 04BA, Tax Lot 1900

As you may know, it has come to the attention of the Clackamas County Code Enforcement Section that a building was being remodeled on the above referenced property without land use approval or building permits. This constituted a violation of Chapter 9.02.040 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

Since the violation file was opened, several building permits have been issued for the project, unfortunately, several of the permits have expired without an approved final inspection and an electrical permit application has never been submitted to the County. The property remains in violation of the Clackamas County Building Code

Please contact me within ten (10) days of the date of this letter to discuss this situation. My direct telephone number is 503-742-4467 or email andreaahal@clackamas.us.

Thank you for your prompt attention to this matter.

Andrea Hall
Clackamas County
Code Enforcement Section



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

April 18, 2022

Paramount Development Properties LLC
2331 Dana Ct.
Carlsbad, CA 92008

Susan Louthan
3218 N Main St.
Newberg, OR 97132

Subject: Violation of the Clackamas County Code V0000319

Site Address: 525 SW 4th Ave., Canby, OR 97013
Legal Description: T4S, R1E, Section 4BA, Tax Lot 1900

As you know, it was brought to the attention of the Clackamas County Code Enforcement Section that a building was being remodeled on the above referenced property without land use approval or building permits. This constitutes a violation of Chapter 9.02.040(A)(B)(C)(D) of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate this violation, please obtain approved final inspections for B0645118, P0249219, B0495019, B0541819 and E0628520 no later than **May 20, 2022**.

If you have any questions concerning these permit requirements, please contact the Building Codes Division at 503-742-4739. Or, you may stop by our offices at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Fridays 8:00 a.m. and 3 p.m.

Please feel free to contact me if you have any questions. My direct telephone number is 503-742-4467 or email andreahal@clackamas.us.

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink, appearing to read "Andrea Hall".

Andrea Hall
Clackamas County
Code Enforcement Section

Important Notices

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



Citation No. 1900003

Case No. V0000319

ADMINISTRATIVE CITATION

Date Issued: July 28, 2022

Name and Address of Person(s) Cited:

Name: Paramount Development

Name:

Mailing Address: 2331 Dana Ct.

City, State, Zip: Carlsbad, CA 92008

Date Violation(s) Confirmed: On the 26th day of July, 2022, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 525 SW 4th Ave., Canby, OR 97013

Legal Description: T4S, R1E Section 4BA, Tax Lot(s) 1900

Law(s) Violated:

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

Description of the violation(s):

- 1) Owner cited failed to obtain approved final inspections for the remodel of a multi-family dwelling.

Maximum Civil Penalty \$1000.00

Fine \$500.00

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

Date: July 28, 2022

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 Beaver Creek 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 or sent to codeenforcement@clackamas.us.

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

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- 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: _____

From: [Mark Pekarek](#)
To: [Hall, Andrea](#)
Cc: [McNall, Kelsi](#)
Subject: Re: V0000319
Date: Tuesday, December 26, 2023 1:03:43 PM

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

I will get that submitted this week.
Thank you,
Mark

Sent from my iPhone

On Dec 26, 2023, at 12:47 PM, Hall, Andrea <Andreahal@clackamas.us> wrote:

Please complete the attached extension request and email it to the Building Codes Division at bldservice@clackamas.us Because of the number of times the permits have been renewed, there may be a fee.

From: Mark Pekarek <mark@paramountdp.com>
Sent: Tuesday, December 26, 2023 12:18 PM
To: Hall, Andrea <Andreahal@clackamas.us>
Subject: Re: V0000319

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

Can you please reopen and extend my permits? All the rough in permits have been approved except my framing inspection. I should have that approved in a couple months and then I will be moving ahead with drywall.

Thanks,
Mark

Sent from my iPhone

On Dec 26, 2023, at 11:38 AM, Hall, Andrea

<Andreahal@clackamas.us> wrote:

Hi Mark,

The violation is for the unpermitted work done on the property. That work now has permits but no approved final inspections as required by the code. As I mentioned to you in an email dated May 6, 2022, when a permit is issued to resolve a violation, the County can establish timelines for compliance. Your company has not meet the deadlines and now the permits are expired again so the violation continues.

Thank you,

Andrea

From: Mark Pekarek <mark@paramountdp.com>

Sent: Tuesday, December 26, 2023 8:47 AM

To: Hall, Andrea <Andreahal@clackamas.us>

Subject: Re: V0000319

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

Andrea,

I don't want to waste time with a hearing. I extended the permits early this year and had a couple of framing inspections and plan revisions. The plan revisions took an incredibly long time due to the engineer's work schedule + coordination time with the county plan checkers. Even when I have extended the permits, the county has continued to issue code violations, which is not typical with any jurisdiction.

My objective is to finish this project and finalize inspections by mid 2024. I don't understand why there is even a code violation for a project like this. It's taken way longer than expected, but no one is living in this structure and the outside is mostly finished and painted. There are no health and safety issues associated with this project.

The very slow real estate market has extended my expected 2023 finish to sometime in 2024.

I'm doing my best to wrap this up but it's still going to take 6 months or so.

Thank you.

Mark.

On Tue, Dec 26, 2023 at 8:33 AM Hall, Andrea
<Andreahal@clackamas.us> wrote:

Good morning Mark,

The County has been working with your company for three years to bring this property into compliance without success. The next step in the process is to go before the Code Enforcement Hearings Officer to set a schedule for compliance. It will be helpful if you have a plan as to how you intend to resolve the issues to present to the Hearings Officer for his consideration.

Please let me know if you have any questions.

Thank you,

Andrea Hall
Clackamas County
Code Enforcement Section

From: Mark Pekarek <mark@paramountdp.com>

Sent: Tuesday, December 26, 2023 7:44 AM

To: Hall, Andrea <Andreahal@clackamas.us>

Subject: V0000319

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

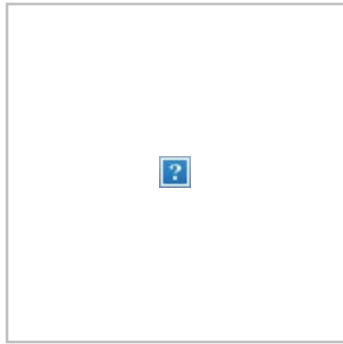
Hi Andrea,

I got a hearing notice about my property at 525 SW 4th Avenue in Canby. This project has not been finished, that is why the permits have not been finalized yet.

I will be extending the permits and plan to finish the project sometime next spring/early summer.
Can we cancel this hearing please?

Thank you.

--



MARK PEKAREK
OWNER
209-609-1564

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MARK PEKAREK
OWNER
209-609-1564

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<23-07-12 Permit Extension Request Form.pdf>