



## NOTICE OF HEARING

July 26, 2023

Nikolay & Tatyana Tkachuk  
15010 SE 329<sup>th</sup> Ave.  
Boring, OR 97009

**RE::** County of Clackamas v. Nikolay & Tatyana Tkachuk  
**File:** V0010421

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



You must have access to the internet or to a telephone line to use the Zoom platform. A Zoom invite has been sent to [cstonecustom@gmail.com](mailto:cstonecustom@gmail.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/81034465100?pwd=NTIMS3dyVFR1M0ZtdElmYkM4Y05lQT09>

Passcode: 457028

Or One tap mobile:

+17193594580,,81034465100# US

+12532050468,,81034465100# US

Or join by phone:

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

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

Webinar ID: 810 3446 5100

## Department of Transportation and Development

### **Nondiscrimination Policy:**

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

[www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) or call (503) 742-4452.

### **¡LE DAMOS LA BIENVENIDA!** Spanish

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

### **ДОБРО ПОЖАЛОВАТЬ!** Russian

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

### **欢迎!** Chinese (Mandarin)

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

### **CHÀO MỪNG!** Vietnamese

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

[www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) hoặc gọi điện thoại theo số 503-742-4452.

### **환영합니다.** Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us), 또는 전화 503-742-4452번으로 연락 주십시오.

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

NIKOLAY AND TATYANA TKACHUK,

Respondents.

File No: V0010421

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 15101 SE 329<sup>TH</sup> Ave., Boring, OR 97009

2.

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

15101 SE 329<sup>th</sup> Ave., Boring, OR 97009 also known as T2S, R4E, Section 09, Tax Lot 03400, and is located in Clackamas County, Oregon.

3.

On or about the 6th day of May, 2021 the Respondents violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspections for an addition to an accessory structure. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

On or about the 9<sup>th</sup> day of December, 2021 the Respondents violated the following laws in the following ways:

- b. Respondents violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspections for an addition to an accessory structure. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

On or about the 20<sup>TH</sup> day of June, 2023 the Respondents violated the following laws in the following ways:

- a. Respondents violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspections for a new accessory structure, bath fans and a kitchen vent. This violation is a Priority 4 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: Administrative Citation #2100104-1 in the amount of \$100.00 was mailed via first class mail on May 10, 2021. A copy of the notice document is attached to this Complaint as Exhibit C, and incorporated by this reference.

Notice of the violation was given to Respondents in the following manner:

Administrative Citation #2100104-2 in the amount of \$500.00 was mailed via first class mail on December 9, 2021. A copy of the notice document is attached to this Complaint as Exhibit D, and incorporated by this reference.

Notice of the violations was given to Respondents in the following manner:

Administrative Citation #2100104-1A in the amount of \$400.00 was mailed via first class mail on June 20, 2023. A copy of the notice document is attached to this Complaint as Exhibit J, 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 Building Code Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code. Said range for a Building Code Priority 4 violation being \$100.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code.
3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents 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 Respondents to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

and

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

DATED THIS 25 day of July, 2023.

*Jennifer Kauppi*

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Jennifer Kauppi  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY



COUNTY OF CLACKAMAS,

Petitioner,

NIKOLAY AND TATYANA TKACHUK

Respondents.

File No.: V0010421

STATEMENT OF PROOF

History of Events and Exhibits:

- March 29, 2021  
Exhibit A
- Clackamas County received a complaint regarding an addition to an accessory structure without permits. Building Inspector Robert Fix conducted a site inspection and confirmed the violation existed.
- March 29, 2021  
Exhibit B
- Violation Letter was sent first class mail to the Respondents with a deadline of April 29, 2021 to abate the Building Code violation. The first class mail was not returned.
- May 10, 2021  
Exhibit C
- A review on County records found no permits had been submitted for the addition to the accessory structure. Citation 2100104-1 for \$100.00 for the Priority 1 Building Code violation was sent first class mail. The first class mail was not returned. The citation remains unpaid.
- December 9, 2021  
Exhibit D
- A review on County records found no permits had been submitted for the addition to the accessory structure. Citation 2100104-1 for \$500.00 for the Priority 1 Building Code violation was sent first class mail. The first class mail was not returned. The citation remains unpaid.
- December 14, 2021  
Exhibit E
- Permit B0729121 was submitted for the addition to the accessory structure.
- May 2, 2022  
Exhibit F
- Permit B0729121 was issued and received a partial approval for the exterior shear wall inspection on July 29, 2022.
- April 20, 2023  
Exhibit G
- I reviewed County records and found permit B0729121 had expired on January 29, 2023 without receiving all of the required inspections. Correspondence was sent to the Respondent with a deadline of May 1, 2023 to renew permit B0729121 and receive all required inspections by June 5, 2023.

May 2, 2023  
Exhibit H

I conducted a site inspection in order to obtain current photos of the accessory structure. It was during this inspection that I found a new accessory structure that had been built behind the existing accessory structure on site. This structure is approximately 4,280 square feet in size. While reviewing the aerial images, I found that new solar panels had been installed on the single family residence. I reviewed County records and found no permits had been submitted for the new accessory structure. Permit B0688322 was submitted to the County for the installation of solar panels on the single family residence on November 9, 2022 and was set to expire on June 12, 2023.

May 8, 2023  
Exhibit I

Correspondence was sent to the Respondents with a deadline of June 13, 2023 to abate the violation for the new accessory structure and for the expired mechanical permit for the bath fans and kitchen fan venting. I let the Respondents know that the solar permit was going to expire on June 12, 2023.

June 20, 2023  
Exhibit J

Building Inspector Robert Fix confirmed during a site inspection that the new accessory structure remained on the subject property. Citation 2100104-1A was issued for \$200.00 for the Priority 4 Building Code violation for the accessory structure and \$200.00 for the Priority 4 Building Code violation for the bath fans and kitchen venting that did not receive approved final inspections.

June 20, 2023  
Exhibit K

Correspondence was sent to the Respondents with a deadline of July 7, 2023 to renew the solar permit and obtain the electrical permit for the solar installation.

July 25, 2023

A review of County records found that the solar permit B0688322 remained in expired status and no electrical permits had been applied for.

July 25, 2023

This matter was referred to the Hearings Officer.

August 1, 2023  
Exhibit L

I received a phone call from Serge who stated that the newly built accessory structure had been removed. I conducted a site inspection and confirmed that the structure had been removed from the property.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 exists, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Building Code within 15 days of the date of the Order by renewing the following permits. B0129114 for the bathroom fans and kitchen venting, B0729121 for the addition to the accessory structure and B0688322 for the rooftop solar. Receive all required inspections including approved final inspections within 45 days of the permits being renewed.
- Code Enforcement to confirm compliance of the above item and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Building Code violation of up to \$1,000.00 for date cited May 6, 2021. The imposition of civil penalties of the Building Code violation of up to \$1,000.00 for date cited December 9, 2021. The imposition of civil penalties for the Building Code violation of up to \$2,000.00 for date cited June 20, 2023 for a total amount due of \$4,000.00.
- Payment for Citation No. 2100104-1 issued on May 10, 2021 for \$100.00.
- Payment for Citation No. 2100104-2 issued on December 9, 2021 for \$500.00
- Payment for Citation No. 2100104-1A issued on June 20, 2023 for \$400.00
- The administrative compliance fee to be imposed from March, 2021 until the violation is abated. As of this report the total is \$2,025.00
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail 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.

# Clackamas County

150 Beaver Creek Rd  
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

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**Location:**

15101 SE 329TH AVE BORING OR 97009

**Inspection Date:**

Mon, 29 Mar 2021

**Record Type:**

Code Enforcement - Violation

**Record ID:**

V0010421

**Inspection Type:**

270 Miscellaneous/Consultation

**Inspector:**

Robert Fix

**Inspector Phone:**

503-519-1661

**Inspector Email:**

rfix@clackamas.us

**Result:**

In Violation

**Submit Time:**

Mon, 29 Mar 2021 11:00:AM

**Comments:**

Repair on existing building and GLB beam install with out permits will need engineering on GLB

See picture sent to Jennifer K







March 29, 2021

File # V0010421

Nikolay & Tatyana Tkachuk  
15101 SE 329TH AVE  
BORING, OR 97009

**Subject: Violations of the Clackamas County Building Code 9.02.040 (A & E)**

Site Address: 15101 SE 329th Ave., Boring, OR 97009  
Legal Description: T2S, R4E, Section 09, Tax Lot 03400

In response to a complaint alleging building without permits, an inspector from the Building Codes Division recently conducted an inspection of the subject property. During this inspection, it was confirmed there has been building without permits in violation of Chapter 9.02.040 of the Clackamas County Code.

In order to abate the building code violations, please utilize one of the following options **not later than April 29, 2021:**

- Submit the building permit application(s), electrical permit, plumbing permit, technically complete plans and pay appropriate fee(s)
  - 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 45 days of the date of the permit being issued. **Or:**
- Obtain a demolition permit for the structure(s).
  - Remove all associated debris from the demolition not later than 45 days of the date of the permit.

Building/Permits- [scasscrosby@clackamas.us](mailto:scasscrosby@clackamas.us) or [blbservice@clackamas.us](mailto:blbservice@clackamas.us)  
503-742-4240.

Code Enforcement- (503) 742-4759. MBarnes@clackamas.us

Michael Barnes  
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](mailto: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.



**AFTER RECORDING MAIL TO:**  
Nikolay A. Tkachuk & Tatyana Tkachuk  
15101 Southeast 329th Avenue  
Boring, OR 97009

Clackamas County Official Records **2019-020512**  
Sherry Hall, County Clerk  
04/18/2019 03:25:00 PM  
D-D Cnt=1 Stn=9 COUNTER1  
\$10.00 \$16.00 \$10.00 \$62.00 **\$98.00**

**UNTIL A CHANGE IS REQUESTED  
ALL TAX STATEMENTS SHALL BE SENT  
TO THE FOLLOWING ADDRESS:**  
Nikolay A. Tkachuk & Tatyana Tkachuk  
15101 Southeast 329th Avenue  
Boring, OR 97009

Filed for Record at Request of: PNWE  
PNW Number: 18117718

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**Parcel /Account No(s): 00651798**  
**Property Address: 15101 Southeast 329th Avenue, Boring, OR 97009**

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### Special Warranty Deed

**THE GRANTOR, Reverse Mortgage Solutions, Inc.,** whose address is 14405 Walters Road, Suite 200, Houston, TX 77014

for and in the true consideration of **\$455,000.00** (required by ORS 93.030) in hand paid, bargains, sells, and conveys to

**Nikolay A. Tkachuk and Tatyana Tkachuk,**  
**GRANTEE,** whose address is 15101 Southeast 329th Avenue, Boring, OR 97009

the following described real estate free of encumbrances created or suffered by Grantor except as specifically set forth herein:

**Legal Description: 24E09 03400 00651798**

THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF THE  
SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION  
9, TOWNSHIP 2 SOUTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE  
COUNTY OF CLACKAMAS AND STATE OF OREGON.

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 195.336 195.301 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.

**MN**

TICOR TITLE

See 20190101861

Parcel /Account No(s): 00651798

Property Address: 15101 Southeast 329th Avenue, Boring, OR 97009

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 195.301 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.

Reverse Mortgage Solutions, Inc.

BY: Tawana Maxwell

Dated: 3-26-19

**CERTIFICATE OF ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

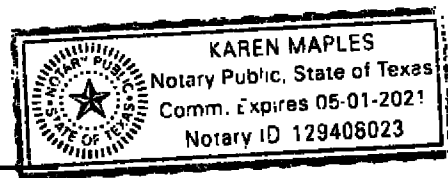
STATE OF TX  
COUNTY OF Harris ss.

On 3-26-19, before me, Karen Maples, Notary Public, personally appeared Tawana Maxwell, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) on behalf of **Reverse Mortgage Solutions, Inc., Grantor**, and that by his/her/their signature(s) in the instrument **Reverse Mortgage Solutions, Inc.**, executed the instrument.

I certify under **PENALTY OF PERJURY** under the laws of the State set forth above that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Karen Maples  
Signature of Notary Public  
Notary Public in and for the State of TX  
Residing at: \_\_\_\_\_  
My appointment expires: \_\_\_\_\_





Citation No. 2100104-1

Case No. V0010421

# ADMINISTRATIVE CITATION

Date Issued: May 10, 2021

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

Name: Nikolay & Tatyana Tkachuk  
Mailing Address: 15101 SE 329TH AVE  
City, State, Zip: BORING, OR 97009

Date Violation(s) Confirmed: On the 6<sup>th</sup> day of May, 2021, 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): 15101 SE 329th Ave., Boring, OR 97009

Legal Description: T2S, R4E, Section 09, Tax Lot 03400

**Law(s) Violated**

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

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

- 1) Building without permits

Maximum Civil Penalty \$1,000.00                      Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Michael Barnes  
Telephone No.: 503-742-4759

Date: May 10, 2021  
Department Initiating Enforcement Action: Code Enforcement

A handwritten signature in black ink, appearing to read "Michael Barnes".

**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](mailto: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: \_\_\_\_\_



Citation No. 2100104-2

Case No. V0010421

# ADMINISTRATIVE CITATION

Date Issued: December 9, 2021

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

Name: Nikolay & Tatyana Tkachuk  
Mailing Address: 15101 SE 329<sup>th</sup> Ave  
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 6th day of May, 2021 and continues to exist on the 9th day of December 2021, 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): 15101 SE 329<sup>th</sup> Ave, Boring OR 97009

Legal Description: T2S, R4E Section 09, Tax Lot(s) 03400

**Law(s) Violated:**

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

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

- 1) Failure to obtain building permit and required inspections

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: Jennifer Kauppi

Date: December 9, 2021

Telephone No.: 503-742-4459

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  
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- 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](mailto:codeenforcement@clackamas.us)

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

- a. Your name and address
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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.

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- 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: \_\_\_\_\_

Project Info

<b>Project name:</b>	B0729121
<b>Description:</b>	Building - Residential Accessory Structure - 24E09 03400 - 15101 SE 329TH BORING - Nikolay Tkachuk
<b>Location:</b>	
<b>Contact:</b>	Nikolay Tkachuk
<b>Contact's Email:</b>	cstonecustom@gmail.com
<b>Phone:</b>	
<b>Cell Phone:</b>	
<b>Pager:</b>	
<b>Project Owner:</b>	DTD Building
<b>Owner's Email:</b>	dtdbuilding@co.clackamas.or.us
<b>Status:</b>	Approved
<b>Status info:</b>	
<b>Project Start/End:</b>	Start: 12/14/2021 End: 6/14/2022

**Clackamas County**  
**Inspection History for Record #B0729121**

**Applicant Name:** Nikolay Tkachuk

**Work Description:** V0010421 - EXISTING SHOP UPDATE - Current structure is fragile & old with lots of dry rot.

**Address:** 15101 SE 329TH AVE, BORING, OR 97009

<b>Inspection Date</b>	<b>Inspection Type</b>	<b>Inspector</b>	<b>Status</b>	<b>Comments</b>
7/29/2022 10:52:54 AM	230 Exterior Shear Walls	Robert Fix	Partial Approval	Date: 7/29/2022 Interior shear wall still need to inspected Hold down still no in an special inspection is required



POST THIS CARD IN A CONSPICUOUS, ACCESSIBLE LOCATION

# CLACKAMAS COUNTY

DTD – Building Codes Division  
150 Beaver Creek Road, Oregon City, OR 97045

Date \_\_\_\_\_ Permit No. \_\_\_\_\_

Location \_\_\_\_\_

Owner \_\_\_\_\_

Builder \_\_\_\_\_

Chris Long - clong@clackamas.us

Building Codes Division – 503-742-4240

## INSPECTIONS

Inspections are **required** and must be requested at least one working day before the day an inspection is needed. Permit number must be provided with the inspection request. When requesting an inspection by phone, **DO NOT** hang up until you have received a confirmation number.

**FOR INSPECTIONS, CALL THE 24-HOUR INSPECTION NUMBER  
503-742-4720 or online at <https://accela.clackamas.us/citizenaccess>**

## REQUIRED INSPECTIONS

Inspection code numbers provided in brackets below.

- [200] FOOTINGS [205] FOUNDATIONS. After excavation & forms completed, & reinforcing steel is in place but before placing concrete.
  - [210] CONCRETE SLABS, FLATWORK. After in-slab or underslab service accessories (if any) & vapor barrier in place, but before placing concrete.
  - [230] SHEAR WALL.
  - [220] MASONRY FIREPLACES. During construction, but not later than first course of flue liner. Fireplace & chimney must be in place at time of frame cover inspection.
  - [220] OTHER MASONRY. During construction.
  - [225] FRAME COVER. After all framing, fire blocking, bracing, roof & wall sheathing in place, chimneys, vents & concealed ducts installed, rough mechanical, rough plumbing and wiring approved.
  - [235] INSULATION & VAPOR BARRIERS. After insulation & vapor barriers in place but before covering.
  - [240] GYPSUM BOARD/LATH. After gypsum board in place before taping & finishing; after lath in place, before plastering. Fire rated assemblies and wallboard shear walls only.
  - [245] MECHANICAL. HVAC, gas piping, gas fireplaces.
  - [270] OTHER/MISC. (Suspended Ceilings, Consult Inspection, etc.):
- 
- [299] FINAL INSPECTION. After finishing grading & building is completed, and ready for occupancy.

SEE OTHER SIDE FOR ADDITIONAL INFORMATION

**EXHIBIT F \_ PAGE 2 OF 2**



Permit #: B0729121 Applied: 12/14/2021  
 Type: Accessory Structure / Residential Approved:  
 Status: Expired Final:  
 Valuation: \$48,756.00 Expiration: 01/29/2023  
 Address: 15101 SE 329TH AVE BORING, OR 97009

Applicant: (971) 221-9052  
 Owner: TKACHUK NIKOLAY A  
 Contractor: CORNERSTONE CUSTOM HOMES LLC (971) 221-9052

Certificate of Occupancy Required:

Parcel: 24E09 03400 Class: 434-Residential addition/remodel  
 Entered By: Occupancy: Private Garages Wood Units: Frame  
 Insp Area: 4-RF Bldgs:  
 Printed: 07/25/2023 Violation:  
 Description: V0010421 - EXISTING SHOP UPDATE - Current structure is fragile & old with lots of dry rot.  
 Conditions:

NOTICE: In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

NOTICE: The County in its review and approval of this application is not authorizing any activity that may result in a violation of the federal Endangered Species Act (EAS). You are specifically put on notice that it is your responsibility to determine whether activities undertaken pursuant to an approval result in conflict with the provisions of the ESA. It is further your responsibility to ensure that all activities taken pursuant to an approval are designed, constructed and maintained in a manner that does not violate the ESA or any other applicable federal, state or local law.

\*\*Any Transportation or Park System Development Charge decision made by the Department may be appealed to the County TSDC Hearings Officer by filing a written request with the Department within 14 days of the final decision. The fee is \$500.00.\*\*

SFR/Dup 1st Unit(sqft):	Additional Unit(sqft):	
Investigation Fee (Hours)	2	\$170.00
Planning Surcharge - Addition to Structure (SFR, MH, new or addition to Accessory)	1	\$85.00



BUILDING CODES DIVISION

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

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Residential Plan Review	1	\$270.71
Residential Structural Permit	1	\$416.48
State Surcharge	1	\$70.38
Plot Plan check - Remodel Bldg. Permit	1	\$85.00
Total Fees:		\$1,097.57
Total Payments:		\$1,097.57
<b>Balance Due:</b>		<b>\$0.00</b>

*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](mailto:dtdcustomerinfo@clackamas.us) or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>*



UPDATED VIOLATION NOTICE

April 20, 2023

Nikolay and Tatyana Tkachuk  
15101 SE 329<sup>TH</sup> Ave  
Boring, OR 97009

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

**VIOLATION:** V0010421

**SITE ADDRESS:** 15101 SE 329<sup>th</sup> Ave., Boring, OR 97009

**LEGAL DESCRIPTION:** T2S, R4E, Section 09, Tax Lot 03400

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

- Failure to obtain required inspections including an approved final inspection for permit B0729121.

**VIOLATIONS & HOW TO RESOLVE**

On March 29, 2021 Clackamas County Code Enforcement Building Inspector Robert Fix conducted a site inspection and confirmed that the repair that was taking place on the accessory structure on site required permits. A Notice of Violation was mailed to you on March 29, 2021 providing you a deadline date of April 29, 2021 to abate the violation. Citation 2100104-1 for \$100.00 and Citation 2100104-2 for \$500.00 were issued to you in 2021. On December 14, 2021 you submitted building permit B0729121 which was issued in May 2022. On July 29, 2022 you received a partial approval for the inspection on the Exterior Shear Walls. This was the last inspection that was called out for permit B0729121 and the permit is now in an expired status.

In order to abate the violation(s) and avoid a Code Enforcement Hearing to be scheduled, you must complete the following **no later than June 5, 2023**:

### **Building Permit B079121**

- Please contact the Building Department to renew permit B0729121 **no later than May 1, 2023. Renewal fees may apply.**
- Obtain an approval on all required inspections including an approved final inspection **no later than June 5, 2023.**

**\*\*\*PLEASE SEE THE ATTACHED PERMIT CARD FOR A LIST OF REQUIRED INSPECTIONS\*\*\***

### **CONTACT INFORMATION**

***Building*** – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at [bldservice@clackamas.us](mailto:bldservice@clackamas.us).

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is [jkauppi@clackamas.us](mailto:jkauppi@clackamas.us).

*Jennifer Kauppi*

Code Enforcement Permit 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 Beavercreek Rd., Oregon City, OR 97045, or at [codeenforcement@clackamas.us](mailto: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.







Click a starting point.

Area  
Area: 4280.9 Square Feet  
Perimeter: 264.1 Feet



of 31 > 01/31/2023





22 < image 8 of 12 > 02/13/2022





023 > < image 1 of 13 > 01/31/2023





**VIOLATION NOTICE**

May 8, 2023

Nikolay & Tatyana Tkachuk  
15101 SE 329<sup>th</sup> Ave  
Boring, OR 97009

**SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040  
(B)(D)(E)(M)**

**VIOLATION:** V0010421

**SITE ADDRESS:** 15101 SE 329<sup>th</sup> Ave., Boring, OR 97009

**LEGAL DESCRIPTION:** T2S, R4E, Section 09, Tax Lot 03400

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

Accessory structure over 400 square feet built without approved permits.  
Three bathroom fans and one kitchen fan installed without approved final inspections.

**VIOLATIONS & HOW TO RESOLVE**

On May 2, 2023 I conducted a site inspection at the above reference property for an ongoing code violation regarding modifications done to an accessory structure without approved permits or approved final inspection. During that inspection I found a new accessory structure had been built behind the existing accessory structure. I reviewed aerial photos of the property and that new structure was built between 2022 and 2023 and is approximately 62 x 76 feet in size. Any accessory structure on your property over 400 square feet in size requires a permit. In addition, a review of County records found a mechanical permit for three bath fans and the venting of the kitchen fan from 2014 is expired without approved final inspections. I also found a solar permit B0688322 that has not received any inspections and is set to expire on June 12, 2023 and no electrical permit has been issued for this installation. The construction of the accessory structure and installation of the mechanical without approved permits and approved final inspections constitutes a violation of Clackamas County Code Title 9.02.040 (B)(D)(E)(M). In order to abate the violation(s), you must complete the following **no later than June 13, 2023:**

### **Accessory Structure without permits.**

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s). **\*\*You will be required to hire an Architect or Engineer\*\***
  - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
  - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
  - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

**OR**

You can abate the violation by removing the structure.

- Please submit a completed demolition permit application.
  - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
  - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
  - Please schedule an inspection with me within 45 days of the date the permit is issued to confirm the structure has been removed.

### **Expired Mechanical Permit for Bath Fans and Kitchen Fan Venting**

Please contact the Building Department to determine if the expired permit B0129114 can be renewed and completed or if a new permit will need to be issued. **\*\*Please note an electrical permit may be required for this installation\*\***

- Based on the conversation with permit staff, either renew the expired permit B0129114 or submit a new mechanical permit application for the three bath fans and the venting of the kitchen fan.
- All requests for additional information in order to complete the application must be responded to within 10 days of being notified.
- The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
- Please schedule as inspection with me within 45 days of the date the permit is issued to confirm the structure has been removed.

### **Roof Mounted Solar Permit B0688322 and required electrical permit**

**\*\*\* Please be advised\*\*\*** – By the June 13, 2023 deadline date provided on this letter, the solar permit that has been issued will have expired on June 12, 2023.. If the solar permit does not receive a final approved inspection and the required electrical permit is not issued and does not receive a final approved inspection, you would be in violation for this work done without permits or approved final inspections and further enforcement could proceed. Please contact our Building Department to obtain information on how to apply for an electrical permit for the solar installation.

## **CONTACT INFORMATION**

**Building**– If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at [bldservice@clackamas.us](mailto:bldservice@clackamas.us).

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, Tuesday and Thursday. The lobby is closed to the public on Wednesday and Friday, however, staff are available by phone or email between 8:00 a.m. to 3:00 p.m.

If you have any questions my direct telephone number is 503-742-4759 and my email is [jkauppi@clackamas.us](mailto: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](mailto:codeenforcement@clackamas.us).
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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

150 Beaver Creek Rd  
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

---

**Location:**

15101 SE 329TH AVE BORING OR 97009

**Inspection Date:**

Tue, 20 Jun 2023

**Record Type:**

Code Enforcement - Violation

**Record ID:**

V0010421

**Inspection Type:**

270 Miscellaneous/Consultation

**Inspector:**

Robert Fix

**Inspector Phone:**

503-519-1661

**Inspector Email:**

rfix@clackamas.us

**Result:**

In Violation

**Submit Time:**

Tue, 20 Jun 2023 12:26:PM

**Comments:**





Citation No. 2100104-1A

Case No. V0010421

# ADMINISTRATIVE CITATION

Date Issued: June 20, 2023

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

Name: Nikolay & Tatyana Tkachuk  
Mailing Address: 15101 SE 329<sup>th</sup> Ave  
City, State, Zip: Boring, OR 97009

Date Violation(s) Confirmed: On the 20th day of June, 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): 15101 SE 329<sup>th</sup> Ave., Boring, OR 97009

Legal Description: T2S, R4E Section 09, Tax Lot(s) 03400

**Law(s) Violated:**

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

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

- 1) Accessory structure built without approved permits or approved final inspections.

Maximum Civil Penalty \$1,000.00                      Fine \$200.00

- 2) Failure to receive approved final inspections for bath fans and kitchen fan venting.

Maximum Civil Penalty \$1,000.00                      Fine \$200.00

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: June 20, 2023  
Department Initiating Enforcement Action: Code Enforcement

**PLEASE READ CAREFULLY!**

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 Clackamas County Code Enforcement Section  
 150 Beaver Creek Rd.  
 Oregon City, OR 97045
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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: \_\_\_\_\_



June 20, 2023

Nikolay & Tatyana Tkachuk  
15101 SE 329<sup>th</sup> Ave  
Boring, OR

**SUBJECT:** Violation of the Clackamas County Building Code, Title 9.02.040 (D) (M)

**VIOLATION:** V0010421

**SITE ADDRESS:** 15101 SE 329<sup>th</sup> Ave., Boring, OR 97009

**LEGAL DESCRIPTION:** T2S, R4E, Section 09, Tax Lot 03400

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

- Failure to obtain approved final inspection for the installation of roof top solar panels
- Failure to obtain approved electrical permits and approved final inspections for the installation of the solar panels

### **VIOLATIONS & HOW TO RESOLVE**

Correspondence was sent to you on May 8, 2023 advising you that the solar permit B0688322 was set to expire on June 12, 2023 and no electrical permits had been issued for that installation. On June 20, 2023 I reviewed County permitting records. B0688322 expired on June 12, 2023 and no electrical permit has been submitted. The installation of the solar permits and electrical without approved permits and approved final inspections constitutes a violation of Clackamas County Code Title 9.02.040 (D)(M). In order to abate the violation(s), you must complete the following **no later than July 7, 2023**

### **Roof mounted solar permit B0688322 and required electrical permit**

- Please contact the building department to renew B0688322.
- Please submit, or have your professional submit, the electrical permit application for the solar installation and appropriate fee(s).
  - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
  - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
  - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

## **CONTACT INFORMATION**

**Building** – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at [bldservice@clackamas.us](mailto:bldservice@clackamas.us).

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday. Our office is closed to the public on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is [jkauppi@clackamas.us](mailto:jkauppi@clackamas.us).

*Jennifer Kauppi*

Code Enforcement Permit 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](mailto: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.

