



Las Vegas

Agenda Item No.: 83.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: AUGUST 18, 2010

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT: Public Hearing and possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 893 Balzar Avenue in the amount up to \$101,727.80. **PROPERTY OWNER:** BANK U S NATIONAL ASSN TRS - Ward 5 (Barlow)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Today's hearing is a request from Krista Nielson, Esq. for Bank U S National Assn Trs, owner to consider a request for a waiver and/or reduction of fees imposed on the parcel at the City Council meeting on November 19, 2008. The case was generated on February 2, 2008. There was one abatement conducted on this property on September 9, 2008. The liens were recorded at Clark County recorders office on December 8, 2008. Neighborhood Services received a Request for Waiver and/or Reduction of Civil Penalties Applications dated May 6, 2010 and June 3, 2010 on behalf of the owner, Bank U S National Assn Trs, requesting the civil penalties be waived.

RECOMMENDATION:

No Recommendation.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Request for Waiver and Reduction Applications
3. Location Maps
4. Spreadsheet of Charges Accrued
5. Notice of Public Hearing

Motion made by LOIS TARKANIAN to Approve an assessment of \$3,677.80 and civil penalties in the amount of \$9,805.00, payable within 30 days

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICKI Y. BARLOW)

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

LISA MORRIS HIBBLER, Deputy Director of Neighborhood Services, paraphrased the Purpose/Background Sections and summarized the total amount due is \$101,727.80. To date, no payments have been made. Staff recommended assessing \$3,677.80 in abatement fees and \$9,805.00 reflecting 10 percent of the daily civil penalties payable within 30 days. If payment is not made within 30 days, the original lien will remain in effect.

ATTORNEY JORY GARABEDIAN, MILES, KATLER, BERGSTROM and WINTERS, LLP, appeared on behalf of the property owner and showed photos of the property. He offered to pay the abatement fees only and asked that the daily civil penalties be waived. The violations occurred in 2008, and the property was acquired through a trustee sale on July 13, 2009. The new owner has suffered a substantial loss and would like to resolve this matter to take advantage of any opportunity for a potential buyer to renovate and call the property a home. The subject property is currently valued at approximately \$17,000.00. ATTORNEY GARABEDIAN verified for COUNCILMAN WOLFSON that the property was acquired through a trustee sale, but the new property owner was made aware of the lien upon pending sale of the property. The Councilman pointed out that a bank, not an individual, is this new property owner; unlike previous applications, it was interesting to him that the previous owner walks away and the bank was unaware of the lien. MS. HIBBLER explained that there is sometimes a lapse between the first Notice and Order to Comply and the point where the property is abated and a lien is assessed.

COUNCILMAN ROSS agreed with COUNCILMAN WOLFSON but recognized the fact that the bank/new property owners still have to bear some of the burden.

On behalf of COUNCILMAN BARLOW, COUNCILWOMAN TARKANIAN supported staffs recommendation as stated.

MAYOR GOODMAN declared the Public Hearing closed.