

MINUTES HEARING OFFICER January 19, 2021

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Tempe City Council Chambers located at 31 E 5th Street, Tempe, Arizona 85281 at 5:00pm.

REGULAR SESSION 5:00 PM

Present:

Vanessa MacDonald, Hearing Officer
Shelbie Meyer, Administrative Assistant

There was one (1) interested citizen present.

Meeting convened at 5:00 PM and was called to order by Vanessa MacDonald. Hearing Officer MacDonald stated anyone wishing to appeal a decision will need to file a written appeal within fourteen (14) calendar days, by February 2, 2021 at 3:00 PM, to the Community Development Department.

1. The following was noted: -----

- **Agenda Item No. 1**

January 5, 2021 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the January 5, 2021 Hearing Officer Minutes had been reviewed and were approved. -----

2. Request abatement of public nuisance items at the **NGIN PHENG PROPERTY** located at 1371 W. 15th Street. The applicant is the City of Tempe (**CE203393**).

Andres Lara-Reyes, Code Inspector, gave the following overview of this case:

- Inspector Lara-Reyes requested a 180-day open abatement to address junk/trash/debris in the front, back, and side yards.
- The case originated in May 19, 2020 by an anonymous, public complainant.
- On May 27, 2020, junk/trash/debris violations remained, and notices were sent to both property owner and tenant.
- On July 28, 2020, Inspector Lara-Reyes spoke with the owner and reviewed the violations on the property. Inspector asked the owner to work with the tenant, owner understood and provided tenant contact information.
- On September 11, 2020, Inspector Lara-Reyes met with the owner and the property and indicated what is or is not in violation.
- Inspector Lara-Reyes made owner and tenant aware of the City of Tempe's Bulk Pickup Schedule to utilize for the bulk trash in the front/back yards.

- On August 11, 2020, the first citation was issued, and the fine was paid by the owner.
- On October 14, 2020, the second citation was issued, and the fine was paid by the owner.
- Inspector Lara-Reyes requested a 180-day open abatement to remedy the junk/trash/debris accumulated in the front, back, and side yards.

Carlos Rodriguez, tenant, gave the following overview of this case:

- Mr. Rodriguez stated due to COVID-19, he has been unable to tend to the junk/debris/trash in the front/back/side yards.
- He stated he has made some minor improvements and was going to build storage in the backyard to house all the junk/debris. The owner asked for the tenants to leave due to a family member moving in instead.
- The tenant asked for time to move out and owner granted Mr. Rodriguez until the end of February 2021 to move out and clean the entire property.
- Hearing Officer MacDonald made the tenant aware of the abatement process, that the City would clean up all the junk/debris/trash and would help Mr. Rodriguez's looming deadline to move out—at a cost.
- Mr. Rodriguez stated he planned on selling the junk/debris for cash and it will be taken care of now since he must move out.
- Hearing Officer MacDonald indicated that Mr. Rodriguez has two (2) weeks to either clean up the property or to file for an appeal prior to abatement.

Hearing Officer MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Shelbie Meyer announced that the next meeting will take place on February 2, 2021 at the Council Chambers and online.

With no further business, the public hearing adjourned at 5:23 PM.

Prepared by: Shelbie Meyer
Reviewed by: Drew Yocom

Drew Yocom, Planning and Research Analyst
For Vanessa MacDonald, Hearing Officer

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