

Staff Summary Report



Hearing Officer Hearing Date: August 19, 2008

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items at the **GMAC MORTGAGE LLC PROPERTY (PL080265/ABT08017)** located at 1616 South Roosevelt Street.

DOCUMENT NAME: 20080819dsng02

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **GMAC MORTGAGE LLC PROPERTY (PL080265/ABT08017)** (GMAC Mortgage LLC, property owner) Complaint CE074231 located at 111 South Hardy Drive in the R-3, Multi-Family Residential Limited District.

PREPARED BY: Nick Graves, Planning Intern (480-350-8690)

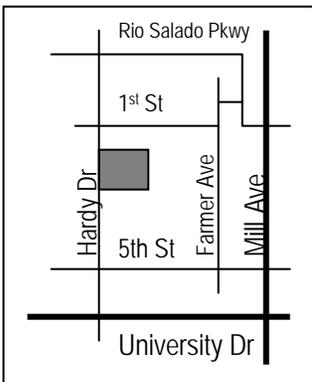
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval

ADDITIONAL INFO: The Neighborhood Enhancement Division is requesting approval to authorize the abatement of the **GMAC MORTGAGE LLC PROPERTY (PL080265/ABT08017)** (GMAC Mortgage LLC, property owner) Complaint CE074231 located at 111 South Hardy Drive in the R-3, Multi-Family Residential Limited District. The property is located southeast of the intersection of Hardy Drive and 1st Street. The details of this case represent several months of correspondence for compliance with the property owner. Staff recommends authorizing abatement of this property.



PAGES:

1. List of Attachments
2. Comments; History & Facts/Description

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-25. Neighborhood Enhancement Report
- 26-31. Neighborhood Enhancement Photos

COMMENTS:

The Neighborhood Enhancement Division is seeking approval of a request to authorize the abatement of the **GMAC MORTGAGE LLC PROPERTY (PL080265/ABT08017)** (GMAC Mortgage LLC, property owner) Complaint CE074231 located at 111 South Hardy Drive in the R-3, Multi-Family Residential Limited District. The property is located southeast of the intersection of Hardy Drive and 1st Street. The details of this case represent several months of correspondence for compliance with the property owner. Refer to the attached memo and photos from Julie Scofield, Neighborhood Enhancement Inspector, for the history and facts on the enforcement of the property.

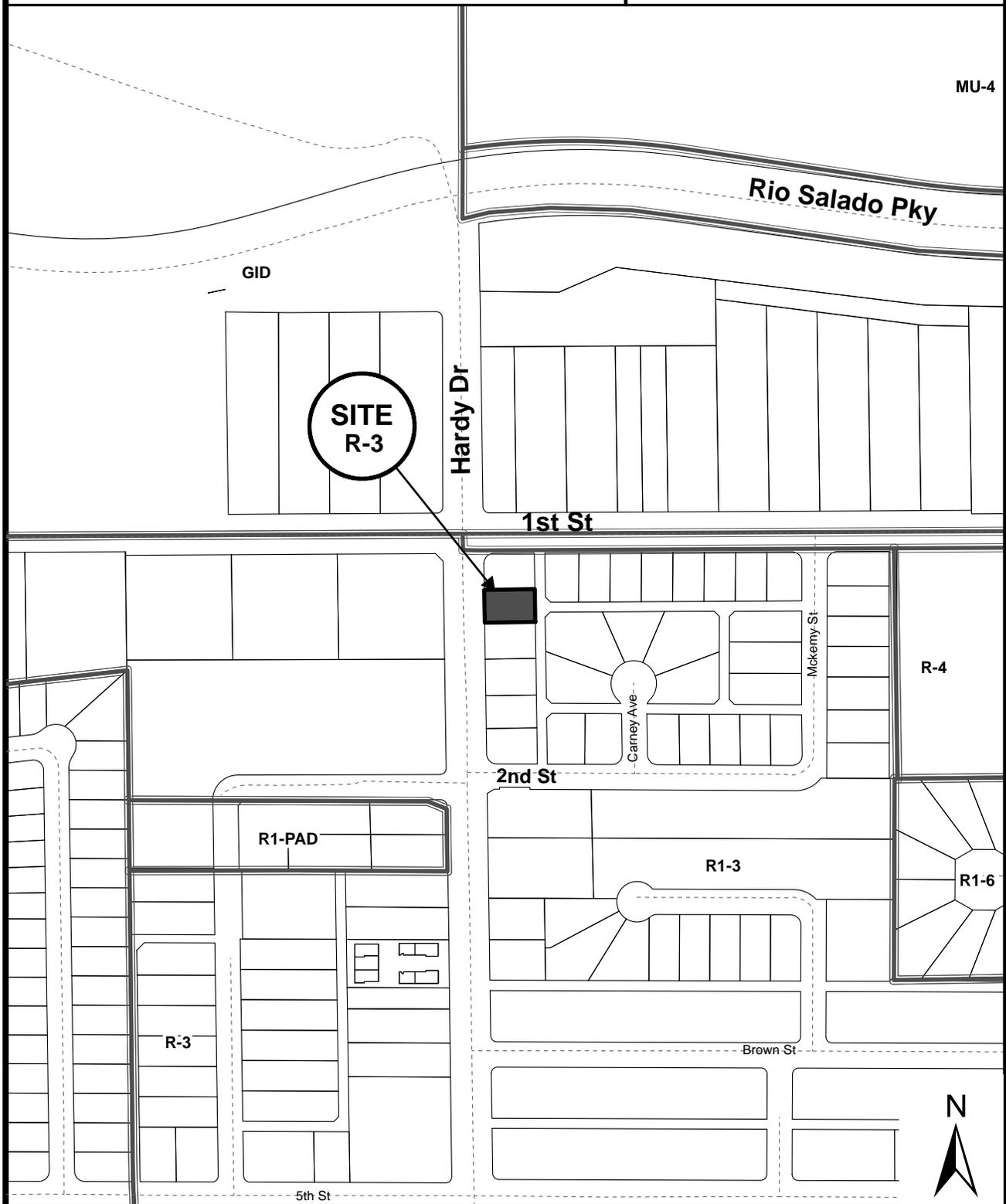
Staff recommends authorizing abatement of this property.

HISTORY & FACTS: See attached memo from the Neighborhood Enhancement Division.

DESCRIPTION: Owner – GMAC Mortgage LLC
Applicant – Julie Scofield, COT Neighborhood Enhancement
Existing zoning – R-3, Multi-Family Residential Limited District
Lot area – 6,503 s.f./15 acres
Building area – Approximately 2,226 s.f.
Year of structure – 1969

GMAC MORTGAGE LLC PROPERTY

PL080265



Location Map



GMAC MORTGAGE LLC PROPERTY (PL080265)



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-8372
(480) 858-2231 (fax)

Neighborhood Enhancement Department

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 7/21/08

TO:

GMAC MORTGAGE LLC
C/O BARRY BIER/RALPH HALL
1100 VIRGINIA DR.
FORT WASHINGTON, PA 19034

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

LEGAL: Book 124, Map 31 Parcel 103, as recorded with the Maricopa County Assessor.

LOCATION: 111 S. HARDY DR.
TEMPE, AZ 85281

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of 8/19/08. We are requesting Hearing Officer Authorization to abate this public nuisance codes in accordance with Section 21-53 of the Tempe City Code by removal and repair of: The cutting of over height grass and or weeds, the removal of an unregistered/inoperable vehicle, the removal of all items including household items, junk, trash and debris, and boarding up and painting the broken window. TCC 21-3-B-8 which prohibits landscaping that is dead, overheight, damaged, or presents a deteriorated or slum-like appearance .TCC 21-3-b-3 which prohibits any inoperable/unregistered vehicle to remain out in the open. TCC 21-3-b-1 which prohibits the storage and visibility of items outside of the property. TCC 21-35(G) which states windows shall be in sound condition.

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$1035.00. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City. If you have questions regarding this matter, please contact our office at (480) 350-8372.

Code Enforcement Officer: Julie Scofield

Phone Number 480-350-8951

DATE: 7/21/08
TO: Mike Spencer, Senior Code Inspector
FROM: Julie Scofield, Code Inspector II
SUBJECT: Request to Abate Nuisance Violations- Reference Complaint #CE074231

LOCATION: 111 S. Hardy Dr. Tempe, AZ 85281

LEGAL: Book 124, Map 31, Parcel 103, as recorded with the Maricopa County Assessor

OWNER: GMAC Mortgage LLC.
1100 VIRGINIA DR.
Fort Washington, PA 19034

FINDINGS:

- 10/29/07 The Neighborhood Enhancement Department received a complaint on the above property for an unsecured door and a broken window. The property was inspected finding the apartment vacant with the front door open and one bedroom window broken. A courtesy notice was sent to the listed property owner Steven Joyner.
- 11/16/07 Property was re-inspected with no change in its condition. Additional violation noted consisting of a large amount of items stored on the exterior of the unit. Second notice was mailed to the owner Steven Joyner which included the additional violation.
- 12/18/07 The Neighborhood Enhancement Department received another complaint on this property for a sewage leak. Property was inspected finding raw sewage coming out of a pipe on the outside of the property. Contacted the owner Steven Joyner and expressed all the violations of the property with him. Mr. Joyner assured me that all violations were going to be corrected. A final notice was sent to Steven Joyner for the raw sewage and junk and debris.
- 12/27/07 Re-inspected the property finding the window still broken, no change with the exterior storage or raw sewage on the ground. A citation was issued to the owner (Steven Joyner) citation #1380724. Pictures were taken.
- 1/23/08 Re-inspected the property finding the window has been boarded up and the door is secured. Some of the stored items have been removed and trash cleaned up. The raw sewage has been cleaned up. A check of court records shows Mr. Steven Joyner paid the first citation.

- 2/14/08 A check of recorded documents shows the property has been foreclosed on with a Notice of Trustee sale date of 02/14/2008. GMAC Mortgage is the trustee of the property.
- 4/14/08 Re-inspected the property finding no change with the stored items with additional items being added. Sent notice to GMAC Mortgage and Executive Trustee Services.
- 5/12/08 Re-inspected the property finding no change with the stored items. A new violation was noted of an unregistered Honda sedan up on jacks with a flat tire. Second notice was sent to GMAC Mortgage and Executive Trustee Services.
- 6/4/08 Re-inspected the property finding property once again has a broken window along with over height grass and weeds. No change with the stored items. The Honda sedan has been removed from the property. The owner shown in assessor page is the same on the notice of trustee's sale. A final notice was sent to correct all violations.
- 7/11/08 Re-inspected the property finding no change in the condition of the property. All violations still exist. There is now a blue Buick on the property that is unregistered and inoperable. An estimate was requested from Jack Harrington one of our contractors, to abate the property.
- 7/11/08 Received the estimate for the abatement of the property in the amount of \$1035.00
- 7/21/08 Submitted the application for the abatement of this property.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations be done at the property of 111 S. Hardy Dr. due to the amount of time that was given to both the old owner and the new owners to correct the violations. GMAC Mortgage LLC. has been given ample time to come into compliance and maintain the property. There has been no indication in GMAC Mortgage LLC. actions that they plan on coming into compliance. I am requesting the abatement to include the removal of junk and debris, cutting the over height grass, boarding and painting the broken window and the removal of an inoperable/unregistered vehicle.

Respectfully submitted,

Julie Scofield

ACTION TAKEN: submit for Abatement
NAME: 
DATE: 7-22-08

JACK HARRINGTON
6828 N. 25TH DR., #B
PHOENIX, AZ 85017
TEL: (602) 446-2630
FAX : (602) 347-5487

FAX COVER & PROPOSAL

FAXED TO THE FOLLOWING NUMBER(S) : 480-858-2278

THE FOLLOWING DOCUMENT IS FOR:

NAME: JULIE

FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS TRANSMISSION MEMORANDUM PLUS 0 PAGE(S)

DATE: 7-22-08

TIME: 2:20 A.M. P.M.

**PROPOSAL-REVISED
WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT #T08-092-02.**

ADDRESS: 111 S. HARDY- 4PLEX

1. BOARD-UP 1 WINDOW & PAINT TO MATCH	\$ 60.00
2. MOW AND REMOVE WEEDS AND DEBRIS FROM YARDS 20 MH @ 22./	440.00
3 REMOVE 1 VERCLES FROM PROPERTY	135.00
. TEMPE POLICE OFFICER : 8 HRS @ 50.00	400.00
TOTAL COST FOR ABOVE IDEMS	\$ 1035.00

THANK YOU

JACK HARRINGTON

ACCEPTANCE

Unofficial Document

SECURITY TITLE AGENCY

When Recorded Return to:

Executive Trustee Services, LLC
2255 North Ontario Street, Suite 400
Burbank, California 91504-3120

(818) 260-1600

0359488852 AZ-121881-C 14-58541

NOTICE OF TRUSTEE'S SALE

The following legally described trust property will be sold, pursuant to the power of Sale under that certain Deed of Trust dated 1/22/2007 and recorded on 1/30/2007 as Instrument # **2007-0120983**, Book Page in the office of the County Recorder of **Maricopa** County, Arizona, at public auction to the highest bidder at At the steps at the front entrance of the Superior Court Building, 201 West Jefferson, Phoenix, Arizona, on **2/14/2008** at **2:00 PM** of said day:

Lot 5, MONTEREY VILLAGE PLAT NO. 3, according to Book 102 of Maps, Page 41, records of Maricopa County, Arizona.

EXCEPT 1/16th of all oil, gases, and other hydrocarbon substances, coal, stoen, metals, minerals, fossils and fertilizers of every name and description and except all materials which may be essential to production of fissionable material as reserved in Arizona Revised Statutes.

ACCORDING TO THE DEED OF TRUST OR UPON INFORMATION SUPPLIED BY THE BENEFICIARY, THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO A.R.S. SECTION 33-808(C):

STREET ADDRESS OR IDENTIFIABLE LOCATION: **105 SOUTH HARDY DRIVE
TEMPE, AZ 85281**

TAX PARCEL NUMBER: **124-31- 103**ORIGINAL PRINCIPAL BALANCE: **\$288,000.00**

NAME AND ADDRESS OF ORIGINAL TRUSTOR:
(as shown on the Deed of Trust)

**Steven Joyner and Tameka Joyner, husband and wife, as community property with right of survivorship
123 BRADBURY DRIVE
SAN GABRIEL, CA 91775**

NAME AND ADDRESS OF BENEFICIARY:
(as of recording of Notice of Sale)

MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.
1100 VIRGINIA DRIVE
FORT WASHINGTON, PA 19034

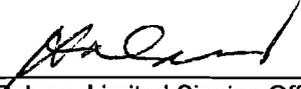
AZ-121881-C 0359488852 14-58541

NAME, ADDRESS & TELEPHONE NUMBER OF TRUSTEE:
(as of recording of Notice of Sale)

EXECUTIVE TRUSTEE SERVICES, LLC
2255 NORTH ONTARIO STREET, SUITE 400
BURBANK, CA 91504
Sale Line: 714-259-7850

DATED: 11/12/2007

EXECUTIVE TRUSTEE SERVICES, LLC

By: ^{Unofficial Document} 

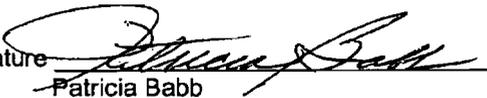
Rosalie Solano, Limited Signing Officer

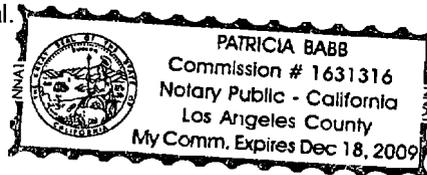
"Executive Trustee Services is a licensed escrow agent and therefore qualified to act as a Trustee pursuant ARS Section 33-803(A)(1). Trustee's Regulator: Arizona State Banking Department."

State of California} ss.
County of Los Angeles }

On 11/12/2007 before me, Patricia Babb Notary Public, personally appeared Rosalie Solano, personally known to me (or 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), and that by his/her/their signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed this instrument.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Signature  (Seal)
Patricia Babb



Unofficial Document

SECURITY TITLE AGENCY

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:
GMAC MORTGAGE, LLC FKA
GMAC MORTGAGE CORPORATION
1100 VIRGINIA DRIVE
FORT WASHINGTON, PA 19034

Forward Tax Statements to
the address given above

Exempt per 11-1134(B)(1)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TS #: AZ-121881-C
Loan #: 0359488852
Title Order #: 14-58541

TRUSTEE'S DEED UPON SALE

A.P.N.: 124-31-103

EXECUTIVE TRUSTEE SERVICES, LLC, as duly appointed Trustee under the Deed of Trust hereunder more particularly described does hereby GRANT and CONVEY to

GMAC MORTGAGE, LLC FKA GMAC MORTGAGE CORPORATION

herein called Grantee, the following described real property situated in Maricopa, State of Arizona, described as follows:

Lot 5, MONTEREY VILLAGE PLAT NO. 3, according to Book 102 of Maps, Page 41, records of Maricopa County, Arizona.

EXCEPT 1/16th of all oil, gases, and other hydrocarbon substances, coal, stone, metals, minerals, fossils and fertilizers of every name and description and except all materials which may be essential to production of fissionable material as reserved in Arizona Revised Statutes.

This conveyance is made pursuant to the powers, including the power of sale. Conferred upon Trustee by the Deed of Trust dated 1/22/2007 executed by Steven Joyner and Tameka Joyner, husband and wife, as community property with right of survivorship, as Trustor to Mortgage Electronic Registration Systems, Inc., as beneficiary, and recorded on 1/30/2007, in the office of the County Recorder of Maricopa County, Arizona in Instrument number 2007-0120983, book , page , and in compliance with the laws of the State of Arizona authorizing conveyance.

*** UNIT ONE**

TRUSTEE'S DEED UPON SALE

TS # AZ-121881-C
Loan #: 0359488852
Title Order #: 14-58541

Said property was sold by Trustee at public auction on 4/9/2008 at the place named in the Notice of Trustee's Sale. Grantee being the highest bidder at such sale, became the purchaser of said property for the amount bid, being \$313,923.08, which payment was made either entirely in cash or by the satisfaction, protanto, of the obligations then secured by said Deed of Trust.

In witness thereof, EXECUTIVE TRUSTEE SERVICES, LLC, as Trustee, has this day, caused its name to be hereunto affixed by its officer thereunto duly authorized by its corporation by-laws

Date: 4/9/2008

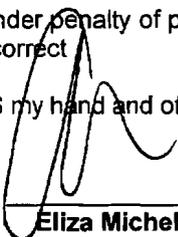
EXECUTIVE TRUSTEE SERVICES, LLC

By: 
Joyce A. Petty, Limited Signing Officer

On **4/19/2008**, before me, **Eliza Michelle Meza**, a Notary Public in personally appeared **Joyce A. Petty** who proved to me on the basis of satisfactory evidence to 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), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature: 
Eliza Michelle Meza



07/22/2008

Arizona Corporation Commission
State of Arizona Public Access System

9:07 AM

Jump To...

Scanned Documents Microfilm

Corporate Inquiry

File Number: R-1283891-4

Check Corporate Status

Corp. Name: GMAC MORTGAGE, LLC

Domestic Address

2338 W ROYAL PALM RD SUITE J
PHOENIX, AZ 85021

Foreign Address

100 WITMER ROAD
HORSHAM, PA 19044

Statutory Agent Information

Agent Name: CORPORATION SERVICE COMPANY

Agent Mailing/Physical Address:

2338 W ROYAL PALM RD SUITE J
PHOENIX, AZ 85021

Agent Status: APPOINTED 10/25/2006

Agent Last Updated: 10/30/2006

Additional Corporate Information

Corporation Type: FOREIGN L.L.C.

Business Type:

Incorporation Date: 10/25/2006

Corporate Life Period:

Domicile: DELAWARE

County: MARICOPA

Approval Date: 10/25/2006

Original Publish Date:

Member Information

BARRY J BIER
 MANAGER
 100 WITMER ROAD
 HORSHAM, PA 19044
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

RALPH J HALL
 MANAGER
 100 WITMER ROAD
 HORSHAM, PA 19044
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

JAMES R HILLSMAN
 MANAGER
 4 WALNUT GROVE DRIVE
 HORSHAM, PA 19044
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

DAVID C WALKER
 MANAGER
 200 RENAISSANCE CENTER
 DETROIT, MI 48265
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

DAVID M BRICKER
 MANAGER
 4 WALNUT GROVE DRIVE
 HORSHAM, PA 19044
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

DAVID M APPLGATE
 MANAGER
 4 WALNUT GROVE DRIVE
 HORSHAM, PA 19044
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

GMAC RESIDENTIAL HOLDING LLC
 MEMBER
 A NEVADA CORPORATION
 100 WITMER ROAD
 HORSHAM, PA 19044
Date of Taking Office: 10/25/2006
Last Updated: 10/30/2006

Scanned Documents

(Click on gray button to view document - will open in a new window)

Document Number	Description	Date Received
01760474	APPLICATION FOR REGISTRATION	10/25/2006

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Name Changes / Mergers

Description	Corporation Name	Date
MERGED FROM	GMAC MORTGAGE CORPORATION	10/25/2006

Microfilm

Location	Date Received	Description
11769012011	10/25/2006	MERGER

CASE #CE074231



**City of Tempe Code Compliance Division
Notice to Comply: Article II. Rental Housing Code**

Mailed on Date: 10/31/07

**STEVEN/TAMEKA JOYNER
123 BRADBURY DR.
SAN GABRIEL, CA 91775**

**MASON HARRIS
5719 S. RIMPAU
LOS ANGELES, CA 90043**

This notice to comply is to inform you that on 10/30/07, the property located at 111 S. HARDY DR. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article II, of the Tempe City Code. A re-inspection will be conducted on 11/14/07 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-35 (g)

Windows. Windows shall be maintained in sound condition. Exterior windows shall fit the window openings and shall be properly sealed or weatherstripped in a manner that prevents the entrance of the elements or vermin or excessive air escape or infiltration. The fit of exterior windows shall not otherwise diminish the thermal efficiency of the structure.

Violation of the Tempe City Code, Chapter 21-3-b-9

Any dangerous, deteriorated, abandoned, partially destroyed or unfinished building, addition, appendage or other structure, or any building in violation of the uniform building code as adopted by the city, and any vacated or abandoned building not securely closed at all times; any wood, metal or other material used for securing a vacated or abandoned building must be compatible with the color of the building.

Please take the following corrective action by: 11/14/07

Required Correction(s):

1. PLEASE REPLACE ANY MISSING OR BROKEN WINDOWS ON THE PROPERTY.
2. PLEASE SECURE ANY OPEN/BROKEN DOORS ON THE PROPERTY.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-25: \$1000 dollars per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs.
Section 21-38 subsections A-K and M-Q: 1st occurrence \$100 dollars per violation, 2nd occurrence \$200 dollars per violation, 3rd occurrence \$300 dollars per violation.

Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.

Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Code Inspector: JULIE SCOFIELD

**Phone Number: 480-350-8951
E-mail: JULIE_SCOFIELD@TEMPE.GOV**

CASE #CE074231



**City of Tempe Code Compliance Division
Revised Final Notice to Comply: Article II. Rental Housing Code**

Mailed on Date: 11/16/07

**STEVEN/TAMEKA JOYNER
123 BRADBURY DR.
SAN GABRIEL, CA 91775**

**DANIEL DIMAS
4402 N. 30TH DR.
PHOENIX, AZ 85017**

This notice to comply is to inform you that on 11/16/07, the property located at 111 S. HARDY DR. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article II, of the Tempe City Code. A re-inspection will be conducted on 12/6/07 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

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Violation of the Tempe City Code, Chapter 21-3-b-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Please take the following corrective action by: 12/6/07

Required Correction(s):

- 1. PLEASE REPLACE ANY MISSING OR BROKEN WINDOWS ON THE PROPERTY.**
- 2. PLEASE SECURE ANY OPEN/BROKEN DOORS ON THE PROPERTY.**
- 3. PLEASE REMOVE AND OR DISCARD ALL TRASH AND DEBRIS THROUGHOUT THE PROPERTY.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

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Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.

Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.

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Code Inspector: JULIE SCOFIELD

Phone Number: 480-350-8951

E-mail: JULIE_SCOFIELD@TEMPE.GOV

CASE #CE074231



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5719 S. RIMPAU
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1. PLEASE REPLACE ANY MISSING OR BROKEN WIDOWS ON THE PROPERTY.
2. PLEASE SECURE ANY OPEN/BROKEN DOORS ON THE PROPERTY.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-25: \$1000 dollars per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs.
Section 21-38 subsections A-K and M-Q: 1st occurrence \$100 dollars per violation, 2nd occurrence \$200 dollars per violation, 3rd occurrence \$300 dollars per violation.
Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.
Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.
The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.
The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Code Inspector: JULIE SCOFIELD

**Phone Number: 480-350-8951
E-mail: JULIE_SCOFIELD@TEMPE.GOV**

CASE #CE074231



**City of Tempe Code Compliance Division
Final Notice to Comply: Article II. Rental Housing Code**

Mailed on Date: 12/19/07

**STEVEN/TAMEKA JOYNER
123 BRADBURY DR.
SAN GABRIEL, CA 91775**

**MASON HARRIS
5719 S. RIMPAU
LOS ANGELES, CA 90043**

This notice to comply is to inform you that on 12/18/07, the property located at 111 S. HARDY DR. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article II, of the Tempe City Code. A re-inspection will be conducted on 12/24/07 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-3-b-1

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-3-b-10

Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human excreta, sewage or other offensive substances; provided, that nothing contained in this subsection shall prevent the temporary retention of waste in receptacles in the manner approved by the health officer of the county or this code or any other ordinance of the city.

Please take the following corrective action by: 12/24/07

Required Correction(s):

1. PLEASE REMOVE AND OR DISCARD ALL TRASH, DEBRIS, HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS FROM AROUND THE PROPERTY.
2. PLEASE FIX OR REPLACE THE SOURCE OF THE STANDING SEWAGE ON THE EAST SIDE OF THE PROPERTY. THE AREA WILL NEED TO BE CLEANED UP FROM TOILET PAPER AND TRASH.
3. PLEASE FIX OR REPLACE THE RUN-OFF FROM THE AIR CONDITIONER/HEATER. IT IS CAUSING A LARGE AMOUNT OF STANDING WATER OUTSIDE OF APARTMENT #1.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-25: \$1000 dollars per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs.
Section 21-38 subsections A-K and M-Q: 1st occurrence \$100 dollars per violation, 2nd occurrence \$200 dollars per violation, 3rd occurrence \$300 dollars per violation.
Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.
Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Code Inspector: JULIE SCOFIELD

Phone Number: 480-350-8951

E-mail: JULIE_SCOFIELD@TEMPE.GOV

CASE #CE074231



**City of Tempe Code Compliance Division
Notice to Comply: Article I. Nuisances**

Mailed on Date: 4/15/08

**MORTGAGE ELECTRONIC REGISTRATION SYSTEM INC.
1100 VIRGINIA DRIVE
FORT WASHINGTON, PA 19034**

**EXECUTIVE TRUSTEE SERVICES LLC
2255 NORTH ONTARIO ST. #400
BURBANK, CA 91504**

This notice to comply is to inform you that on 4/14/08, the property located at 111 S. HARDY DR. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article II, of the Tempe City Code. A re-inspection will be conducted on 4/29/08 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-3-b-1

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Please take the following corrective action by: 4/29/08

Required Correction(s):

1. PLEASE REMOVE AND OR DISCARD ALL TRASH, DEBRIS, HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS FROM AROUND THE PROPERTY.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-25: \$1000 dollars per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs.

Section 21-38 subsections A-K and M-Q: 1st occurrence \$100 dollars per violation, 2nd occurrence \$200 dollars per violation, 3rd occurrence \$300 dollars per violation.

Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.

Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Code Inspector: JULIE SCOFIELD

**Phone Number: 480-350-8951
E-mail: JULIE_SCOFIELD@TEMPE.GOV**

PLEASE CORRECT THE VIOLATION OR AN ABATEMENT MAY OCCUR WHICH WOULD PUT A LIEN ON THE PROPERTY.

CASE #CE074231



**City of Tempe Code Compliance Division
Notice to Comply: Article I. Nuisances**

Mailed on Date: 5/13/08

**MORTGAGE ELECTRONIC REGISTRATION SYSTEM INC.
1100 VIRGINIA DRIVE
FORT WASHINGTON, PA 19034**

**EXECUTIVE TRUSTEE SERVICES LLC
2255 NORTH ONTARIO ST. #400
BURBANK, CA 91504**

This notice to comply is to inform you that on 5/12/08, the property located at 111 S. HARDY DR. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article II, of the Tempe City Code. A re-inspection will be conducted on 5/28/08 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-3-b-3

Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the Zoning and Development Code; or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;

Violation of the Tempe City Code, Chapter 21-3-b-1

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city;

Please take the following corrective action by: 5/28/08

Required Correction(s):

1. PLEASE REMOVE AND OR DISCARD ALL TRASH, DEBRIS, HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS FROM AROUND THE PROPERTY.
2. ALL VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE HAVE THE OWNER OF THE BLACK HONDA REGISTER AND REMOVE THE VEHICLE FROM THE JACKS. IF THE OWNER IS NOT FOUND OR THE VEHICLE CANNOT BE REPAIRED AND OR REGISTERED, PLEASE REMOVE FROM THE PROPERTY.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-25: \$1000 dollars per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs.

Section 21-38 subsections A-K and M-Q: 1st occurrence \$100 dollars per violation, 2nd occurrence \$200 dollars per violation, 3rd occurrence \$300 dollars per violation.

Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.

Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Code Inspector: JULIE SCOFIELD

Phone Number: 480-350-8951

E-mail: JULIE_SCOFIELD@TEMPE.GOV

PLEASE CORRECT THE VIOLATION OR AN ABATEMENT MAY OCCUR WHICH WOULD PUT A LIEN ON THE PROPERTY.

CASE #CE074231



**City of Tempe Code Compliance Division
Notice to Comply: Article I and II. Nuisance and Rental Housing Code**

Mailed on Date: 6/5/08

**GMAC MORTGAGE LLC.
1100 VIRGINIA DR.
FORT WASHINGTON, PA 19034**

**GMAC MORTGAGE LLC.
C/O BARRY BIER/RALPH HALL
100 WITMER RD.
HORSHAM, PA 19044**

This notice to comply is to inform you that on 6/04/08, the property located at 111 S. HARDY DR. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article II, of the Tempe City Code. A re-inspection will be conducted on 7/2/08 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

Violation of the Tempe City Code, Chapter 21-3-b-1

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of the Tempe City Code, Chapter 21-35 (g)

Windows. Windows shall be maintained in sound condition. Exterior windows shall fit the window openings and shall be properly sealed or weatherstripped in a manner that prevents the entrance of the elements or vermin or excessive air escape or infiltration. The fit of exterior windows shall not otherwise diminish the thermal efficiency of the structure.

Violation of the Tempe City Code, Chapter 21-3-b-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Please take the following corrective action by: 7/2/08

Required Correction(s):

1. PLEASE REPLACE ANY MISSING OR BROKEN WINDOWS ON THE PROPERTY.
2. PLEASE CUT ALL OVERHEIGHT GRASS AND OR WEEDS ON THE PROPERTY.
3. PLEASE TRIM OR CUT OFF ANY DEAD LIMBS ON THE TREE ON THE NORTH SIDE OF THE PROPERTY.
4. PLEASE REMOVE AND OR DISCARD ALL TRASH AND DEBRIS, HOUSEHOLD ITEMS, CONTAINERS, BOXES, AUTO PARTS, BICYCLE PARTS AND ANY OTHER MISCELLANEOUS ITEMS THROUGHOUT THE PROPERTY.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1st occurrence \$150 dollars per violation, 2nd occurrence \$250 dollars per violation, 3rd occurrence \$350 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1st occurrence \$350 dollars per violation, 2nd occurrence \$650 dollars per violation, 3rd occurrence \$950 dollars per violation.

Section 21-4 (B), Habitual Offender: 1st occurrence \$500 dollars + sum of other fines, 2nd occurrence \$1000 dollars + sum of other fines, 3rd occurrence \$1,500 dollars + sum of other fines.

The city has authority to abate the violation should the owner neglect, fail, or refuse to correct the violation within (30) days and to assess a lien against the property for cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Civil and Criminal Penalties

Section 21-25: \$1000 dollars per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs.

Section 21-38 subsections A-K and M-Q: 1st occurrence \$100 dollars per violation, 2nd occurrence \$200 dollars per violation, 3rd occurrence \$300 dollars per violation.

Sections 21-31, 21-32, 21-33, 21-35 and, 21-36; 1st occurrence \$200 dollars per violation, 2nd occurrence \$400 dollars per violation, 3rd occurrence \$600 dollars per violation.

Sections 21-34, 21-37 and, 21-38 subsection L: 1st occurrence \$300 dollars per violation, 2nd occurrence \$600 dollars per violation, 3rd occurrence \$900 dollars per violation.

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The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

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Phone Number: 480-350-8951

E-mail: JULIE SCOFIELD@TEMPE.GOV

PLEASE CORRECT ALL VIOLATIONS TO AVOID A POSSIBLE ABATEMENT WHICH WOULD PUT FINANCIAL LIENS ON THE PROPERTY.











