

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**JUNE 7, 2018
3:00 P.M.**

3:00 P.M. ROLL CALL Deborah Simpson, Chairperson
Ademuyiwa "Ade" Adeyemi, Vice Chairperson
Vacant
Farideh Faraji
Marie Livingston
Vacant, Alternate

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR MAY 3, 2018

Recommended Action: Motion to approve the minutes.

STAFF REPORT

**B. CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS
ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS &
ABATEMENTS FOR THE MONTH OF APRIL 2018**

STAFF REPORT

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

CONSENT CALENDAR – Continued

- C. **BUSINESS LICENSE** – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTH OF MAY 2018

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

STAFF REPORT

2. REGULAR AGENDA

OATH for all intending to testify

- A. **ADMINISTRATIVE CITATION NO. 5366** – APPEAL FILED BY ERIC DEPPER FOR THE PROPERTY LOCATED AT 1216 SYCAMORE DRIVE, APT. 1, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE **"BUSINESS LICENSE REQUIRED"** [§3-1.103].

STAFF REPORT

PUBLIC COMMENTS—*Only unagendized issues will be discussed during this time*

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. Materials provided regarding the agenda items will be available at the following website: <http://www.ci.antioch.ca.us/CityGov/Agendas/default.asp> or at the City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, Monday through Friday, 8:00 a.m. to 5:00 p.m., for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

Notice of Opportunity to Address the Committee

The public has the opportunity to address the Board on each agenda item. To address the Board, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section on the agenda. No one may speak more than once on an agenda item or during "Public Comments".

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

CODE ENFORCEMENT

CITATIONS ABATEMENTS FOR BOARD OF APPEALS - JUNE 7, 2018 ATTACHMENT A

AR	Case	APN	Amount	Site Address	Owner last	Owner first	Mailing address	Paid
AR153037	PE1801-176	076-432-024	\$310.00	2303 BUCHANAN RD	DEVINCENZI	JOHN P TRE	2207 PACIFIC AVE, SAN FRANCISCO, CA	
AR153036	PE1802-077	076-350-039	\$750.00	2916 GARFIELD PL	GREEN	RICHARD O	2054 BONIFACIO ST #A, CONCORD, CA	
AR153040	CE1802-006	068-545-010	\$310.00	3216 ASHLEY WAY	MCDOWELL	SYLVIA	3216 ASHLEY WAY	
AR149647	PE1708-046	074-053-012	\$420.00	1701 VERNE ROBERTS CIR	NOKES	THOMAS J.	1817 AUTO CENTER DR ANTIOCH, CA	
AR149646	PE1708-043	074-053-014	\$420.00	VERN ROBERTS CIR	NOKES	THOMAS J.	1817 AUTO CENTER DR ANTIOCH, CA	
AR149645	PE1708-040	074-053-015	\$420.00	VERN ROBERTS CIR	NOKES	THOMAS J.	1817 AUTO CENTER DR ANTIOCH, CA	
AR149764	PE1709-047	067-333-081	\$200.00	2201 L STREET	OMARI	AMED	1160 COURT LANE, CONCORD, CA	
TOTAL			\$2,830.00					

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
149475	C217720	055-430-016-0	\$110.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
149578	C217720	055-430-016-0	\$220.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
150279	C217720	055-430-016-0	\$550.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
150510	C217720	055-430-016-0	\$783.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
149290	C217709	053-630-021-3	\$110.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
149427	C217709	053-630-021-3	\$210.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
149600	C217709	053-630-021-3	\$550.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
150516	C217709	053-630-021-3	\$783.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
148794	C217634	056-100-046-4	\$110.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
149422	C217634	056-100-046-4	\$210.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
149597	C217634	056-100-046-4	\$550.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
150515	C217634	056-100-046-4	\$783.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
149272	C217685	074-146-016-6	\$110.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
149416	C217685	074-146-016-6	\$210.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
149591	C217685	074-146-016-6	\$550.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
150514	C217685	074-146-016-6	\$783.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
149280	C217699	067-172-007-6	\$110.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518
149428	C217699	067-172-007-6	\$210.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518
149587	C217699	067-172-007-6	\$550.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
150526	C217699	067-172-007-6	\$783.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518
149688	C217861	067-202-011-2	\$110.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
149785	C217861	067-202-011-2	\$220.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
150256	C217861	067-202-011-2	\$550.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
150513	C217861	067-202-011-2	\$783.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
149693	C217866	074-341-052-4	\$110.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
149782	C217866	074-341-052-4	\$220.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
150253	C217866	074-341-052-4	\$550.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
150512	C217866	074-341-052-4	\$483.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
149112	C217662	052-172-015-1	\$110.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
149474	C217662	052-172-015-1	\$210.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
149604	C217662	052-172-015-1	\$550.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
150509	C217662	052-172-015-1	\$783.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
149286	C217705	074-241-061-6	\$110.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
149430	C217705	074-241-061-6	\$210.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
149602	C217705	074-241-061-6	\$550.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
150508	C217705	074-241-061-6	\$783.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
149635	C206764	066-221-024-4	\$110.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509
149723	C206764	066-221-024-4	\$220.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509
150043	C206764	066-221-024-4	\$550.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
150506	C206764	066-221-024-4	\$783.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509
149634	C217848	068-322-007-3	\$110.00	124 RAINER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
149722	C217848	068-322-007-3	\$220.00	124 RAINER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
150042	C217848	068-322-007-3	\$550.00	124 RAINER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
150505	C217848	068-322-007-3	\$483.00	124 RAINER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
149633	C212720	068-322-006-5	\$110.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
149721	C212720	068-322-006-5	\$220.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
150041	C212720	068-322-006-5	\$550.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
150504	C212720	068-322-006-5	\$483.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
149624	C216473	074-151-014-3	\$110.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
149715	C216473	074-151-014-3	\$220.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
150038	C216473	074-151-014-3	\$550.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
150503	C216473	074-151-014-3	\$783.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
149622	C217838	067-276-017-0	\$110.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
149713	C217838	067-276-017-0	\$220.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
150036	C217838	067-276-017-0	\$550.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
150502	C217838	067-276-017-0	\$783.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
149618	C217835	056-360-035-2	\$110.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058
149710	C217835	056-360-035-2	\$220.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
150034	C217835	056-360-035-2	\$550.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058
150501	C217835	056-360-035-2	\$783.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058
149610	C217828	051-242-011-8	\$110.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
149705	C217828	051-242-011-8	\$220.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
150030	C217828	051-242-011-8	\$550.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
150499	C217828	051-242-011-8	\$783.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
149783	C217865	065-293-016-5	\$220.00	1542 JACOBSEN ST	COGHE	RUDY AND BRENDA	1012 BEGONIA DR ALAMEDA, CA 94502
150254	C217865	065-293-016-5	\$550.00	1542 JACOBSEN ST	COGHE	RUDY AND BRENDA	1012 BEGONIA DR ALAMEDA, CA 94502
152733	C217865	065-293-016-5	\$783.00	1542 JACOBSEN ST	COGHE	RUDY AND BRENDA	1012 BEGONIA DR ALAMEDA, CA 94502
149631	C217846	055-570-052-5	\$110.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
149704	C217846	055-570-052-5	\$220.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
150029	C217846	055-570-052-5	\$550.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
150525	C217846	055-570-052-5	\$783.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
149485	C217733	068-282-015-4	\$110.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
149581	C217733	068-282-015-4	\$220.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
150523	C217733	068-282-015-4	\$783.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
151185	C217733	068-282-015-4	\$550.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
149489	C205938	052-361-009-5	\$110.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583
149580	C205938	052-361-009-5	\$220.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583
150574	C205938	052-361-009-5	\$783.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583
151187	C205938	052-361-009-5	\$550.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
149642	C217856	055-120-039-7	\$110.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
150482	C217856	055-120-039-7	\$220.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
150615	C217856	055-120-039-7	\$783.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
151188	C217856	055-120-039-7	\$550.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
TOTAL			\$33,853.00				

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Regular Meeting
3:00 P.M.**

**May 3, 2018
Council Chambers**

Chairperson Simpson called the meeting to order at 3:01 P.M. on Thursday, May 3, 2018 in the Council Chambers.

ROLL CALL:

Present: Board Members Adeyemi, Faraji, Livingston and Chairperson Simpson

Staff Present: Interim City Attorney, Anita Bamshad
Director of Finance, Dawn Merchant
Code Enforcement Manager, Curt Michael
Business License Representative, Vanessa Rosales
Business License Representative, Claudia Argenal
Code Enforcement Assistant, Denise Skaggs
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Chairperson Simpson led the board, staff and public in the Pledge of Allegiance.

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR APRIL 5, 2018

On motion by Board Member Adeyemi, seconded by Board Member Faraji, the Board of Administrative Appeals unanimously approved the Minutes for April 5, 2018.

B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTH OF MARCH 2018

On motion by Board Member Adeyemi, seconded by Board Member Faraji, the Board of Administrative Appeals unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board also directed that the same be recorded with the Contra Costa County Recorder's Office.

2. REGULAR AGENDA

Interim City Attorney Bamshad explained the manner in which the proceedings would be conducted.

OATH

Minutes Clerk Eiden administered the Oath for all persons present intending to testify.

A. CITATION NO. 26401 – APPEAL OF ADMINISTRATIVE CITATION ISSUED REGARDING “PROPERTY INADEQUATELY MAINTAINED - INOPERABLE EQUIPMENT” [§5-1.202(A)(1)(a)] TO SYLVIA MCDOWELL, 3216 ASHLEY WAY, ANTIOCH, CA.

Code Enforcement Manager Michael presented the staff report dated May 3, 2018 recommending the Board of Administrative Appeals uphold Citation No. 26401 in the amount of \$300.00, including a \$200.00 re-inspection fee.

Sylvia McDowell, Appellant, reported that no one had come to her door to inform her of the violations on her property and noted the citation was mailed to her. She clarified that all the vehicles in her driveway were operational and engine parts in her driveway were blocked from public view by vehicles. She reported her son had a serious accident and was laid up in bed for the week prior to March 26, 2018, so there would be no reason for anyone to call Code Enforcement regarding auto repairs occurring in her driveway. She stated it was her belief that a neighbor was using Code Enforcement to cause herself and her family hardship. She noted the property was well maintained and she could not afford \$300.00 as she was on Social Security. She submitted her receipt for her son's pain relief medication and a copy of her comments to the Board.

Sandy Williams stated that every time she had visited the property it was cleaned up, not a nuisance and not used to conduct major auto repairs. She noted that she believed this was a neighbor issue.

Maurice McDowell supported his mother Sylvia McDowell and asked for the City's definition of major auto repair. He stated he was told by Code Enforcement that if the car in the driveway was not registered to the house, it was major auto repair. He noted he tried hard to follow the City's code.

In response to Board Member Faraji, Code Enforcement Manager Michael clarified that a photo in the staff report depicting a transmission on the ground between two vehicles, was as it would be seen from the public right of way. He noted there was also a close up of the same photo which was provided. He explained that the citation was issued for § 5-1-202(A)(1)(a) of the municipal code which was for inoperable equipment stored in public view. He reported that during the initial inspection an engine lift and vehicle parts were on the property and three people were working on a vehicle in the driveway. He noted the officer made contact with a resident named "Chris" and advised him that he could not do any automotive repairs or store equipment in public view. He further noted a notice of violation was issued on February 6, 2018 for major automotive repairs and equipment stored, in public view. He stated several inspections occurred in about a four week period and due to the nature of the complaint, the case remained active even though reinspections found that there was no evidence of automotive repair or debris. He noted when the final inspection occurred at the end of March, a

citation was issued for the transmission being in public view. He commented that citations were issued in-house and sent out to the property owners with photographs of the violation. He noted the corrective action on the citation said to remove engine parts from public view and all other signs of auto repair. He further noted a citation was issued for \$100.00 and there was a \$200.00 reinspection fee. He clarified if the property was in compliance with all municipal codes, no citations would be issued.

In response to Board Member Adeyemi, Code Enforcement Manager Michael reiterated that citations were sent via U.S. Mail and notices of violations were hand delivered. He noted they provided a 10-day courtesy notice prior to any citations being issued.

Board Member Livingston stated it was clear that there were auto parts in public view.

On motion by Board Member Livingston, seconded by Board Member Adeyemi, the Board of Administrative Appeals unanimously upheld the citation and denied the appeal.

B. CITATION NO. 5176 – APPEAL OF ADMINISTRATIVE CITATION ISSUED REGARDING “THIRD CITATION – BUSINESS LICENSE REQUIRED” AMC §3-1.103 TO BARJINDRE TOOR, 1709 SPRINGWOOD WAY, ANTIOCH, CA.

Director of Finance Merchant presented the staff report dated April 24, 2018 recommending the Board of Administrative Appeals uphold the \$500.00 Administrative Citation No. 5176 issued on April 17, 2018 for violation of the Antioch Municipal Code Business License Required and Residential Landlord Business License Tax (Measure O).

Barjindre Toor, Appellant and property owner, reported he had been making consistent payments for his Business License as approved by the Finance Department. He noted he made his initial payment on December 20, 2017 and received a citation on December 22, 2017. He further noted that even though he had made monthly payments, he received citations adding to the total balance due. Subsequently, he reached out to the Finance Department and was told the citations were issued because the payments were not received. He noted his January payment was not received by the department and the check had not cleared the bank. He reported he had made several calls and sent emails to the Finance Department; however, he had not received a response. He noted he kept receiving bills and citations even though he made payments. He commented that he came into the City Clerk's office and explained the matter and was advised to appeal the citation. He noted the \$100.00 citation was issued two days after his first payment and the \$200.00 was received in March. He clarified that he sent payments to the City which were not received and he had carbon copies of those checks. He stated after that, he issued two checks to a third party and those checks were received. He noted payments were sent every month and requested that due to an economic hardship, the Board waive the \$500.00 citation.

In response to Board Member Faraji, Mr. Toor reiterated that after his first payment on December 20, 2017, he received a citation on December 22, 2017 and the balance remaining was \$683.00. He noted the three subsequent payments were not received by the Finance Department. He further noted he followed up with the Finance Department to inquire as to why

the payments had not cleared; however, he did not receive a response to his phone calls or emails. He noted he received a second citation in the amount of \$200.00 and a third citation in the amount of \$500.00. He noted after speaking with the City Clerk, he paid the total balance due and filed the appeal. He further noted he had a carbon copy of the checks he sent to the City.

In response to Chairperson Simpson, Mr. Toor confirmed that he received the first citation after he had made his first payment to the City. He explained that the missing checks were not returned back to him and they had not cleared his account. He noted he went to his bank to request a stop payment and he provided the Board with the stop payment paperwork. Additionally, he reported that his tenant had moved out in December and the property was vacant for two months and during that time the property was vandalized.

Chairperson Simpson stated the stop payment request was for a check in the amount of \$500.00 written on April 23, 2018 and it had not indicated that he had stopped payment on all of the previous checks the appellant indicted were sent to the City.

Mr. Toor responded that the bank had not provided documentation for the previous checks because he had cancelled them by phone. He again reiterated that he had made payments and they were not received by the City, which had resulted in the citations being issued.

In response to Board Member Livingston, Mr. Toor stated he had a third party managing the property and when he received the first email from the City, he became aware of the Business License requirement.

Anupama Sharma stated she managed the property as of September 17, 2017 and the first time she received any documentation was in December because the letters had been sent to Mr. Toor's address and he had been out of town for three years. She commented that she had notified Mr. Toor in December who emailed the City to inquire as to why he needed a business license. She further noted a check was issued in December after an agreement was reached with the City's business license representative that they would accept payments for the amount due. She reported the initial payment cleared on Dec 20, 2017; however, they received a citation on December 22, 2017. She reported a second check was issued for which she had a copy; however, the City had never received it. She further noted on April 5, 2018, they received a \$200.00 citation and she notified Mr. Toor who indicated he had sent the check. She stated they then called the Business License Department and informed them that they had made the payment to which they responded if the City did not receive payment, a \$500.00 and \$1000.00 citations would be issued. She noted Mr. Toor followed up with an email stated he would make the payments. She commented that she had a copy of the check issued for \$500.00 on April 9, 2018, which was not cashed from the City. She stated she made several calls to the Business License Department, which was finally returned on April 23, 2018 and she was told she had to pay the \$200.00 citation because the time to appeal it, had passed. She noted on April 23, 2018, she found out her check had not been cashed and she went to the bank to stop payment. She clarified after they made first payment, the City issued a citation, they received the second citation on the date it was due and she was attempting to contact the Business License Department who was not responding. She noted she was told

they could not make a payment on a credit card so they stated they would send a check and they sent a \$900.00 check on April 9, 2018.

Ms. Sharma presented the Board with her emails to the City.

In response to Board Member Adeyemi, Mr. Toor stated he did not recall receiving any letters from MuniServices. He verified his primary address was and noted the first time he became aware of the business license requirement was when he received the balance due.

In response to Board Member Faraji, Mr. Toor reported he had been on medication for three years and had not checked his mail or emails regularly. He noted Ms. Sharma was handling the matter for him.

Board Member Faraji stated it was the property owner's responsibility to manage their properties and pay their fees.

Mr. Toor stated this matter had not been handled professionally and when attempting to contact the Finance Department, his calls and emails were not responded to. He noted he understood his responsibilities and this issue should never occur again.

Chairperson Simpson stated mail should be read and responded to and it seemed as though the City agreed to accept payments. She noted the first payment was received; however, citations were issued when those payments lapsed. She noted it was incumbent upon the property owner to find out where his checks went. She expressed concern that no stop payment documentation had been provided for the checks written to the City except for one check written for \$500.00.

Mr. Toor stated the bank had not provided him with any documentation.

Chairperson Simpson responded that if the appellant had stopped payment on the checks, the banks would provide documentation.

Mr. Toor explained that he had provided proof that he had stopped payment on the \$500.00 check and questioned why he received citations when he made consistent payments.

Chairperson Simpson reiterated that the City had not received any payments after December. She stated if checks had been sent in the same way as the first payment, they would have been received, cashed and noted on the account. She noted there was a lack of evidence showing that the other checks were written and explained that the appellant had received the \$500.00 citation because he had not made the payments as promised.

Board Member Faraji stated that the appellant agreed to pay the fees that accumulated. She noted business owners needed to be responsible and further noted if the tenant had not paid rent, they would have been evicted. She suggested reducing the citation amount because she sympathized with the appellant.

A motion by Board member Faraji, seconded by Board Member Adeyemi, to waive \$250.00 in citations reducing the citation from \$500.00 to \$250.00 failed by the following vote:

Ayes: Faraji

Noes: Adeyemi, Livingston, Simpson

Board Member Adeyemi stated that a payment was not made until it was received.

On motion by Board Member Adeyemi, seconded by Board Member Livingston, the Board of Administrative Appeals denied the appeal and upheld the citation. The motion carried the following vote:

Ayes: Adeyemi, Livingston, Simpson

Abstain: Faraji

PUBLIC COMMENTS – None

WRITTEN/ORAL COMMUNICATIONS

In response to Chairperson Simpson, Code Enforcement Assistant Skaggs announced the State of the City would be held on May 11, 2018.

ADJOURNMENT

Chairperson Simpson adjourned the Administrative Board of Appeals meeting at 4:15 P.M. to the next regularly scheduled meeting on June 7, 2018.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING ON JUNE 7, 2018**

Prepared by: Curt Michael, Code Enforcement Manager *C.M.*
Date: May 16, 2018
Subject: Approval of the Levy of Special Assessments on Certain
Properties for Unpaid Administrative Citations & Abatements
for the Month of April, 2018

RECOMMENDATION

The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property (Attachment "A"). The Board shall also direct that the same be recorded with the Contra Costa County Records Office and thereafter the assessment shall constitute a special assessment and lien against the property.

FISCAL IMPACT

The action will enable the City of Antioch to collect outstanding receivables against properties for the month of April in the amount of **\$2,830.00**

BACKGROUND INFORMATION

Pursuant to Antioch Municipal Code §1-5.09 the City may collect any past due Administrative Citation fines, Abatements or late payment charges by use of special assessment liens and all action for recovery of money.

A Notice of Intent to Record Lien was sent to each property owner who is entitled to notice reflecting the property address directly connected to conditions or activities on the subject real property, assessors parcel number, the municipal code violation, administrative citation fine and copy of the administrative citations.

ATTACHMENT

A: List of assessments

CODE ENFORCEMENT


CITATIONS ABATEMENTS FOR BOARD OF APPEALS - JUNE 7, 2018 ATTACHMENT A

AR	Case	APN	Amount	Site Address	Owner last	Owner first	Mailing address	Paid
AR153037	PE1801-176	076-432-024	\$310.00	2303 BUCHANAN RD	DEVINCENZI	JOHN P TRE	2207 PACIFIC AVE, SAN FRANCISCO, CA	
AR153036	PE1802-077	076-350-039	\$750.00	2916 GARFIELD PL	GREEN	RICHARD O	2054 BONIFACIO ST #A, CONCORD, CA	
AR153040	CE1802-006	068-545-010	\$310.00	3216 ASHLEY WAY	MCDOWELL	SYLVIA	3216 ASHLEY WAY	
AR149647	PE1708-046	074-053-012	\$420.00	1701 VERNE ROBERTS CIR	NOKES	THOMAS J.	1817 AUTO CENTER DR ANTIOCH, CA	
AR149646	PE1708-043	074-053-014	\$420.00	VERN ROBERTS CIR	NOKES	THOMAS J.	1817 AUTO CENTER DR ANTIOCH, CA	
AR149645	PE1708-040	074-053-015	\$420.00	VERN ROBERTS CIR	NOKES	THOMAS J.	1817 AUTO CENTER DR ANTIOCH, CA	
AR149764	PE1709-047	067-333-081	\$200.00	2201 L STREET	OMARI	AMED	1160 COURT LANE, CONCORD, CA	
TOTAL			\$2,830.00					



**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS
FOR CONSIDERATION AT THE HEARING ON JUNE 7, 2018**

DATE: May 15, 2018

APPROVED BY: L. Saunders, Finance Services Supervisor 

SUBJECT: **BUSINESS LICENSE** – Approval of the Levy of Special Assessments on Certain Properties for Unpaid Business License Taxes and/or Administrative Citation(s) for the Month of May 2018

RECOMMENDATION

The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property (Attachment "A"). The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

FISCAL IMPACT

The action will enable the City of Antioch to collect outstanding receivables against properties for Unpaid Business License Taxes and/or Administrative Citation(s) for the month of May 2018 in the amount of **\$33,853.00.**

BACKGROUND INFORMATION

Pursuant to Antioch Municipal Code §1-5.09 the City may collect any past due Administrative Citation fines, Abatements or late payment charges by use of special assessment liens and all action for recovery of money.

A Notice of Intent to Record Lien (Attachment B) was sent to each property owner on May 16, 2018 who is entitled to notice reflecting the property address directly connected to conditions or activities on the subject real property, assessor's parcel number, the municipal code violation, administrative citation fine and copy of the administrative citations.

ATTACHMENTS

- A: List of Assessments
- B: Notice of Intent to Record Lien

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
149475	C217720	055-430-016-0	\$110.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
149578	C217720	055-430-016-0	\$220.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
150279	C217720	055-430-016-0	\$550.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
150510	C217720	055-430-016-0	\$783.00	5456 SOUTHWOOD WAY	BARDIN	STEWART AND MARIA	52 MATISSE CT PLEASANT HILL, CA 94523
149290	C217709	053-630-021-3	\$110.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
149427	C217709	053-630-021-3	\$210.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
149600	C217709	053-630-021-3	\$550.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
150516	C217709	053-630-021-3	\$783.00	3106 URSUS CT	BOTTA	MICHAEL AND KIMBERLEE	1404 ST KITTS LN FOSTER CITY, CA 94404
148794	C217634	056-100-046-4	\$110.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
149422	C217634	056-100-046-4	\$210.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
149597	C217634	056-100-046-4	\$550.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
150515	C217634	056-100-046-4	\$783.00	5116 BROOKCREST CT	5116 BROOKCREST CT TRE	5116 BROOKCREST CT TRE	PO BOX 2372 DANVILLE, CA 94526
149272	C217685	074-146-016-6	\$110.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
149416	C217685	074-146-016-6	\$210.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
149591	C217685	074-146-016-6	\$550.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
150514	C217685	074-146-016-6	\$783.00	4500 DELTA FAIR BLVD	ACOSTA	FRANCISCO AND UBALDA	2935 MYRTLE ST EMERYVILLE, CA 94608
149280	C217699	067-172-007-6	\$110.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518
149428	C217699	067-172-007-6	\$210.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518
149587	C217699	067-172-007-6	\$550.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
150526	C217699	067-172-007-6	\$783.00	616 W 15TH ST	BNW ASSOCIATES	BNW ASSOCIATES	1219 DAVIS AVE CONCORD, CA 94518
149688	C217861	067-202-011-2	\$110.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
149785	C217861	067-202-011-2	\$220.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
150256	C217861	067-202-011-2	\$550.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
150513	C217861	067-202-011-2	\$783.00	613 W 16TH ST	CLANCY	MARY	PO BOX 501 ALAMO, CA 94507
149693	C217866	074-341-052-4	\$110.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
149782	C217866	074-341-052-4	\$220.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
150253	C217866	074-341-052-4	\$550.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
150512	C217866	074-341-052-4	\$483.00	2120 LEMONTREE WAY #2	COLLINS III	HAINE	2548 BLUEROCK DR ANTIOCH, CA 94531
149112	C217662	052-172-015-1	\$110.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
149474	C217662	052-172-015-1	\$210.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
149604	C217662	052-172-015-1	\$550.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
150509	C217662	052-172-015-1	\$783.00	1501 PAUL CT	ANDERSON	AMORA	2644 MEADOW CREST CT SAN PABLO, CA 94806
149286	C217705	074-241-061-6	\$110.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
149430	C217705	074-241-061-6	\$210.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
149602	C217705	074-241-061-6	\$550.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
150508	C217705	074-241-061-6	\$783.00	2636 SHEPPARD WAY	AZZOPARDI	JASON	PO BOX 3091 ORANGEVALE, CA 95662
149635	C206764	066-221-024-4	\$110.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509
149723	C206764	066-221-024-4	\$220.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509
150043	C206764	066-221-024-4	\$550.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
150506	C206764	066-221-024-4	\$783.00	1112 W 8TH ST	BIAS	JAMES	1820 E 18TH ST ANTIOCH, CA 94509
149634	C217848	068-322-007-3	\$110.00	124 RAINIER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
149722	C217848	068-322-007-3	\$220.00	124 RAINIER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
150042	C217848	068-322-007-3	\$550.00	124 RAINIER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
150505	C217848	068-322-007-3	\$483.00	124 RAINIER LN	BINDAL	MITHU	16 SUGARLOAF TER ALAMO, CA 94507
149633	C212720	068-322-006-5	\$110.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
149721	C212720	068-322-006-5	\$220.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
150041	C212720	068-322-006-5	\$550.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
150504	C212720	068-322-006-5	\$483.00	120 RAINIER LN	BINDAL	BILL AND ANJU	16 SUGARLOAF TER ALAMO, CA 94507
149624	C216473	074-151-014-3	\$110.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
149715	C216473	074-151-014-3	\$220.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
150038	C216473	074-151-014-3	\$550.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
150503	C216473	074-151-014-3	\$783.00	2205 BELLE CT	CCW ASSETS LLC	CCW ASSETS LLC	5890 STONERIDGE DR, STE 109 PLEASANTON, CA 94588
149622	C217838	067-276-017-0	\$110.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
149713	C217838	067-276-017-0	\$220.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
150036	C217838	067-276-017-0	\$550.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
150502	C217838	067-276-017-0	\$783.00	227 W MADILL ST	CAVERO	PIERO	219 A ST REDWOOD CITY, CA 94063
149618	C217835	056-360-035-2	\$110.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058
149710	C217835	056-360-035-2	\$220.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
150034	C217835	056-360-035-2	\$550.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058
150501	C217835	056-360-035-2	\$783.00	5605 LEITRIM WY	CARTER	LOUISE JR AND LESLIE R	903 PALOMA CT OCEANSIDE, CA 92058
149610	C217828	051-242-011-8	\$110.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
149705	C217828	051-242-011-8	\$220.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
150030	C217828	051-242-011-8	\$550.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
150499	C217828	051-242-011-8	\$783.00	1438 HILL DR	ALVAREZ	RAMIRO AND MERCEDES	330 MADISON ST SAN FRANCISCO, CA 94134
149783	C217865	065-293-016-5	\$220.00	1542 JACOBSEN ST	COGHE	RUDY AND BRENDA	1012 BEGONIA DR ALAMEDA, CA 94502
150254	C217865	065-293-016-5	\$550.00	1542 JACOBSEN ST	COGHE	RUDY AND BRENDA	1012 BEGONIA DR ALAMEDA, CA 94502
152733	C217865	065-293-016-5	\$783.00	1542 JACOBSEN ST	COGHE	RUDY AND BRENDA	1012 BEGONIA DR ALAMEDA, CA 94502
149631	C217846	055-570-052-5	\$110.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
149704	C217846	055-570-052-5	\$220.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
150029	C217846	055-570-052-5	\$550.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
150525	C217846	055-570-052-5	\$783.00	2440 MONTECITO CT	BENNETT	ROBERT	3772 LONE MESA DR LAS VEGAS, NV 89147
149485	C217733	068-282-015-4	\$110.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
149581	C217733	068-282-015-4	\$220.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
150523	C217733	068-282-015-4	\$783.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
151185	C217733	068-282-015-4	\$550.00	2828 BONITA AVE	BOYLE	CRAIG THE SWEE HOR	1667 PARKHILLS AVE LOS ALTOS, CA 94024
149489	C205938	052-361-009-5	\$110.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583
149580	C205938	052-361-009-5	\$220.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583
150574	C205938	052-361-009-5	\$783.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583
151187	C205938	052-361-009-5	\$550.00	3317 HIDDEN HILLS CT	BESSER	ALAN AND DENISE	23 CREE CT SAN RAMON, CA 94583

6/7/2018							
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS							
ATTACHMENT A							
AR	Customer #	APN	Amount	Site Address	Owner last	Owner first	Mailing address
149642	C217856	055-120-039-7	\$110.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
150482	C217856	055-120-039-7	\$220.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
150615	C217856	055-120-039-7	\$783.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
151188	C217856	055-120-039-7	\$550.00	2413 HOOFTAIL WAY	CAO	NU NGOC	1440 FRANQUETTE AVE CONCORD, CA 94520
TOTAL			\$33,853.00				

FINANCE DEPARTMENT



PO Box 5007, Antioch, CA 94531-5007

NOTICE OF INTENT TO RECORD LIEN

DATE

Owner Name
Mailing Address
City, State, Zip

SUBJECT: UNPAID BUSINESS LICENSES TAXES & ADMINISTRATIVE CITATION(S) IN THE AMOUNT OF \$ XXXX.XX

Address: Property Subject Address
Parcel No: xxx-xxx-xx-x
Customer No: CXXXXXX/3

PLEASE BE ADVISED, the City of Antioch claims a special assessment pursuant to Cal. Gov't Code §38773.5 and Antioch Municipal Code §1-5.09 for unpaid Business License taxes, Administrative Citation(s) and penalties relating to the above referred to real property. Said taxes, fines and late penalties were not fully reimbursed to the City of Antioch within 30 days of the date of billing.

On Thursday, DATE at 3:00 P.M. the **ADMINISTRATIVE BOARD OF APPEALS** will receive the proposed assessment for hearing and confirmation. Should you object to the proposed assessment and choose to challenge the proposed assessment at the hearing, **you must** submit any and all objections in writing to the City Clerk at least three (3) days prior to the date of said hearing. Failure to submit written objections to the City Clerk at least three (3) days prior to the hearing date shall constitute a waiver of any such objections and the matter may be placed on the consent calendar of the agenda for the Board of Administrative Appeals.

BE FURTHER ADVISED that the amount of the assessment shall be recorded with the Contra Costa County Recorder's office on **DATE**. To avoid recordation, please make payment to the City of Antioch, on or before **DATE** failure to respond to this notice shall not affect the validity of the proceedings. Please be aware that if a lien is recorded on your property there will be additional cost to release said lien.

**CITY OF ANTIOCH
PO BOX 5007
ANTIOCH, CA 94531-5007**

It is my desire that you will comply with this final notice, thus relieving the City of any further action. If you have any questions in this matter, please call the Business License Department at (925) 779-7059. Thank you for your immediate cooperation.

Sincerely,

L. Saunders

Finance Services Supervisor
cc: City Attorney



**STAFF REPORT TO THE ADMINISTRATIVE REVIEW PANEL FOR
CONSIDERATION AT THE HEARING ON June 7, 2018**

DATE: May 24, 2018

PREPARED BY: Lisa Saunders, Finance Services Supervisor

APPROVED BY: Dawn Merchant, Finance Director

SUBJECT: ADMINISTRATIVE CITATION NO. 5366 – Appeal filed by Eric Depper for the property located at [REDACTED] SYCAMORE DR, APT [REDACTED], ANTIOCH, Regarding Antioch Municipal Code "BUSINESS LICENSE REQUIRED" [§3-1.103].

REQUEST:

Eric Depper requests to appeal the citation fee issued by the City of Antioch on 4/24/2018 in the amount of \$500. Eric Depper failed to comply with the Measure O ordinance after several attempts by MuniServices DBA Avenu and the City of Antioch were made.

BACKGROUND INFORMATION:

Measure O background information can be found in its entirety on the City of Antioch website at <http://www.ci.antioch.ca.us/CityGov/Finance/BusLic.htm> as Attachments A-F. The Council Meeting held on June 24, 2014, adopted Resolution No. 2014/61 to present to Voters a Measure to update the existing Business License Tax Ordinance to include a Residential Landlord Business License Tax (Attachment A). In September 2014, the "Frequently Asked Questions" document (Attachment B), was included and mailed out with water bills. The Contra Costa County Elections Division mailed the November 4, 2014 General Election Sample Ballot and Voter Informational Pamphlet (Attachment C) to all Registered Voters in the City of Antioch. The pamphlet contained the Local Measure Submitted to the Voters for the City of Antioch "Measure O – Business License Tax". This included the Full Text, Impartial Analysis, Argument For, and Argument Against the Measure. Also included in the November 4, 2014 General Election Sample Ballot and Voter Informational Pamphlet were the Candidates running for Antioch City Council.

- November 4, 2014 General Election

The City Council adopted Resolution No. 2014/97 at the December 9, 2014, Council Meeting confirming canvass by the County Clerk of Contra Costa of ballots cast at the November 4, 2014 General Municipal Election. Measure O – Residential Landlord

2A.WEB

6/7/2018

Business License Tax was approved by the Voters and Ordinance No. 2094-C-S was adopted by Council (Attachment D).

- MuniServices Contract approved by City Council

At the February 24, 2015 Council Meeting, City Council approved the contract with MuniServices after issuing a Request for Proposal (Attachment E-F) to help identify business owners in the City of Antioch.

Their primary functions are to identify owners of both commercial and residential businesses, collect the revenue, and submit the applications with payment to the City of Antioch at which time the Business License Representative enters them in to the City of Antioch's Business License System and collects any money through renewals going forward.

- Regarding Antioch Municipal Code:

§ 3-1.103 LICENSE REQUIRED.

(A) Except as provided in § 3-1.120, it shall be unlawful for any person to commence, conduct or purport to commence or conduct, either directly or indirectly, any business activity in the city without having an unrevoked license under this chapter so to do, valid and in effect at the time, and without paying the required taxes and fees therefore and complying with any and all regulations of such business provided in this chapter, unless such person is exempt under this chapter. Licensees shall promptly inform the city of any change in operation, ownership, location and/or name of licensed businesses. No person who is an employee, or who is the direct representative of a licensee, shall be required to pay a license tax for doing any part of the work of such licensee.

(B) No person may advertise or announce a business activity in the city until he or she has obtained a business license, and where required by this Code, a permit. Advertising or announcement includes, but is not limited to, disseminating pamphlets or handbills, publishing newspaper announcements, electronic advertisement on the internet or otherwise, and purchasing radio and television spots.

(Ord. 2082-C-S, passed 3-25-14)

§ 3-1.217 RESIDENTIAL LANDLORD.

(A) In lieu of any other business license tax and subject to division (B) below, all those in the business of renting living quarters, including but not limited to a rental dwelling unit as defined in § 5-20.201 of the Antioch Municipal Code, shall pay the annual license amount indicated in the table immediately below based on the total number of units they are renting or have available for rent within the city and the type of unit as defined in the Municipal Code:

Type of Unit	Annual Tax
Single family dwelling unit	\$250 per unit
Multi-family dwelling unit including duplexes, condominiums and apartments	\$150 per unit

(B) The following living quarters are excepted from this requirement to pay a business license tax based on dwelling units but still must pay the tax based on gross receipts:

(1) Those that fit within the definition of hospital, hotel, motel, and convalescent and extended care facility and residential care facility as defined in § [9-5.203](#) of the Antioch Municipal Code;

(2) Those that are exempt as a matter of law; and

(3) Those that the Director of Financial Services reasonably determines to be substantially similar in nature to one of the excepted living quarters listed above.

(C) The Director of Financial Services may promulgate policies and procedures to administer this tax.

(Ord. 2094-C-S, passed 12-9-14)

RENTAL DWELLING UNIT AS DEFINED IN OUR MUNICIPAL CODE:

“Any building or portion of a building in the city that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, which is hired, rented or leased by a person within the meaning of Cal. Civ. Code § 1940. A "rental dwelling unit" includes a single family dwelling, either attached or detached, or a unit in a multifamily or multipurpose dwelling, or a unit in a condominium or cooperative housing project, or any room or group of rooms located within a dwelling and forming a single unit with facilities that are used or intended to be used for living, sleeping, cooking or eating. The definition of “rental dwelling unit” applies to any dwelling space that is actually used or available for residential purposes whether or not the residential use is legally permitted.”

DISCUSSION

Eric Depper received the following notifications for the rental property located at [REDACTED] SYCAMORE DR, APT [REDACTED] requesting compliance with Measure O:

- 12/29/2015 MuniServices sent 1st letter along with a declaration of information and business license application to the county records address on file at this time. ([Attachment G](#)).

- 2/3/2016 MuniServices sent 2nd letter along with a declaration of information and business license application to the county records address on file at this time. (Attachment H).
- 3/15/2016 MuniServices sent 3rd letter along with a declaration of information and business license application to the county records address on file at this time. (Attachment I).
- 8/25/2017 MuniServices sent a follow up notice of violation to the county records address on file at this time. (Attachment J).

All letters mailed by MuniServices included an application with instructions to complete and return.

- Per Antioch Municipal Code:

§ 3-1.203 PENALTIES.

(A) Unless otherwise specified by the terms of a particular license, taxes are due and payable within 30 days following expiration date of the license.

(B) Any business license tax not paid when it becomes due and payable shall be delinquent and the following penalties added to it as follows:

- (1) Ten percent of the business license tax for a delinquency after 30 days from the expiration date;
- (2) Thirty percent of the business license tax for a delinquency of 60 days from the expiration date plus a new application fee as provided in § [3-1.120](#); and
- (3) Fifty percent of license tax for a delinquency of 90 days from the expiration date plus a new application fee as provided in § [3-1.120](#).

(C) Failure to pay the business license tax is a violation of the Antioch Municipal Code and a public nuisance. The city may seek any remedies available to it for such violation and public nuisance.

(D) Any business operating in violation of the Antioch Municipal Code or as a nuisance is subject to water service disconnection, subject to noticing requirements under the law.
(Ord. 2082-C-S, passed 3-25-14)

- Per State statute of limitation:

Section 6501(a) of the Internal Revenue Code (Tax Code) and section 301.6501(a)-1(a) of the Income Tax Regulations (Tax Regulations), the IRS is required to assess tax within 3 years after the tax return was filed with the IRS. Similarly, under 301.6501(a)-1(b) of the Tax Regulations no proceeding in court by the IRS without assessment for the collection of any tax can begin after the expiration of 3 years.

The final letter sent from MUNI Services on 8/25/2017 contained the following statement (fifth and sixth paragraphs) notifying that if compliance was not made, Eric Depper could be subject to citation from the City:

Required correction: Within 15 calendar days from the date of this notice, you must contact MuniServices, LLC by phone at 1-800-987-0999 or in person at 200 H Street, Antioch, CA and obtain a business license for the above property or file an appeal with the office of the City Clerk.

I hope you take this one-time opportunity to voluntarily abate the above violation(s) and public nuisance without the need for the City to issue Administrative Citations, which carry fines that range from \$100 to \$1,000 for every day the violation(s) are permitted to remain and/or take other action to compel your compliance.

The following actions were taken by the City when Eric Depper continued to fail to comply with the Measure O ordinance for [REDACTED] SYCAMORE DR, APT [REDACTED];

- 11/21/2017 - No application or payment was received from Eric Depper through MuniServices or the City of Antioch. Invoice No. 2786 for \$483 was issued from the Business License system for business license taxes and fees due per Ordinance. The invoice was due 12/1/2017. (Attachment K).
- 2/5/2018 - No application or payment was received from Eric Depper through MuniServices or the City of Antioch. A \$100 Administrative Citation No. 4233 was issued for non compliance with Measure O with a due date of 2/15/2018 (Attachment L).
- 3/20/2018 - Invoice AR152744 for \$483 and invoice AR152745 for \$110 was created in the City's Accounts Receivable system and sent. (Attachment M).
- 3/20/2018 - No application or payment as agreed was received from Eric Depper through MuniServices or the City of Antioch. A \$200 Administrative Citation No. 4783 was issued for non compliance with Measure O with a due date of 3/30/2018. (Attachment N).
- 4/19/2018 - Invoice AR152804 for \$220 was created in the City's Accounts Receivable system and sent. (Attachment O).
- 4/24/2018 - No application or payment was received from Eric Depper through MuniServices or the City of Antioch. A \$500 Administrative Citation No. 5366 was issued for non compliance with Measure O with a due date of 5/4/2018. (Attachment P).
- 5/4/2018 - Property owner Eric Depper came in to office and complied with Measure O ordinance and filed appeal for the \$500 Administrative Citation No. 5366 (Attachments Q & R).

RECOMMENDATION:

It is staff's recommendation to uphold the \$500 Administrative Citation No. 5366 issued on April 24, 2018 for violation of the Antioch Municipal Code Business License Required and Residential Landlord Business License Tax (Measure O).

ATTACHMENTS:

- A. Resolution No. 2014/61 adopted at the 6/24/14 Council Meeting
- B. "Frequently Asked Questions" mailed out with water bill in September 2014
- C. Contra Costa County Sample Ballot and Voter Information Pamphlet for Nov. 4, 2014 General Election
- D. Resolution 2014/97 and Ordinance No. 2094-C-S adopted at the 12/09/14 Council Meeting
- E. Proposal No. 946-1231-15F for Business License Discovery / Recovery
- F. Contract with MuniServices for Discovery / Recovery
- G. 12/29/2015 - 1st letter mailed from MuniServices
- H. 2/3/2016 - 2nd letter mailed from MuniServices
- I. 3/15/2016 - 3rd letter mailed from MuniServices
- J. 8/25/2017 - MuniServices Notice of Violation mailed
- K. 11/21/2017 - Business License Invoice No. 2786 mailed for \$483
- L. 2/5/2018 - Administrative Citation No. 4233 mailed for \$100
- M. 3/20/2018 - Accounts Receivable bill for \$483 and \$110 mailed
- N. 3/20/2018 - Administrative Citation No. 4783 mailed for \$200
- O. 4/19/2018 - Accounts Receivable bill for \$220 mailed
- P. 4/24/2018 - Administrative Citation No. 5366 mailed for \$500
- Q. 5/4/2018 - Property owner came in and complied with Measure O ordinance
- R. 5/4/2018 – Eric Depper Appeal filed for \$500 Administrative Citation No. 5366 ([REDACTED] SYCAMORE DR, APT [REDACTED]) issued 4/24/2018

ATTACHMENT

G



MUNISERVICES

PO Box 27947
Fresno, CA 93729-7947

180523-4418883

800 987-0999 (p)
559 275-0289 (f)

12/29/2015

DEPPER ERIC
[REDACTED] MANILA AVE
OAKLAND, CA 94609

Reference #: ANT151633076

Property Address: [REDACTED] SYCAMORE

Dear DEPPER ERIC:

MuniServices has been retained by the City of Antioch to conduct a business license compliance review. The primary purpose of this evaluation is to identify all businesses that may be operating in the City without a business license.

You have received this notice because our records indicate that you may be conducting business in the City of Antioch without a business license and have not paid a business tax.

The City of Antioch Municipal Code (Section 3-1.103) states that it shall be unlawful for any person to commence, conduct or purport to commence or conduct, either directly or indirectly, any business activity in the city without having an unrevoked license under this chapter to do so, valid and in effect at the time, and without paying the required taxes and fees therefore and complying with any and all regulations of such business provided in this chapter, unless such person is exempt under this chapter.

If you believe you are not liable to pay these taxes, we still require a reply from you to remove you from future mailings. In order to resolve your account, please assist us by completing one of the following items:

If you are conducting business in the City of Antioch and do not have a current business license, please complete and return the enclosed application in the envelope provided within **30 days** of the date of this letter. An invoice detailing the taxes owed will be mailed to you upon receipt of your application information.

If you already have a valid business license, please provide a copy of your business license and return it within **30 days** of the date of this letter in the enclosed envelope, or fax a copy of your license to (559) 275-0289.

If you believe you are not required to procure a City of Antioch business license, please provide a written statement describing your circumstances and explaining your position. Upon review you will be cleared from our system or contacted for additional information.

Thank you for your cooperation. If you need assistance completing the application, require information, or believe that this notice does not apply to you, please contact one of our Tax Specialists Monday through Friday between 8:00 a.m. and 5:00 p.m. Pacific Time at 800-987-0999.

Please refer to your account reference number **ANT151633076** when calling. Please mail your application directly to the **City of Antioch, C/O Business License Processing P.O. Box 27947, Fresno, CA 93729-7947** within **30 days** of the date of this letter. Information obtained during this compliance review will be held in strict confidence.

Sincerely,

Compliance Division
MuniServices, LLC



City of Antioch Declaration of Information

Please complete this form in its entirety as it applies to your business activity in the City of Antioch. If you need any assistance completing this application, please contact a MuniServices Representative, Monday through Friday, 8:00am to 5:00pm Pacific Time.

Section I Demographic Information

Start Date of Business Activity in the City of Antioch: _____

Description of Business: _____

Is Your Business Home Based? YES / NO

Section II Business License Information

Please complete the following information table for the applicable tax years. Once this section is complete, please sign the certification and fill out the applicable application(s) and return them to MuniServices in the envelope provided.

- Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.

Period	Gross Receipts ¹	Number of Rental Units ²
January to December 2018 Estimate		
January 1, 2017 – December 31, 2017		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		

¹ Professional Class Code -- as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

² This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

Signature of person authorized to sign for firm

Date

Phone Number

Title

FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx
- The Department of Rehabilitation at www.rehab.cahwnet.gov
- The California Commission on Disability Access at www.coda.ca.gov



CITY OF ANTIOCH BUSINESS LICENSE APPLICATION

REFERENCE# ANT151633076

BUSINESS#

CLASSCODE:

INSTRUCTIONS:

LLSFD - Landlord - Residential Single Family dwelling

LLMFD - Landlord - Residential Multi Family dwelling

THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #1 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY)	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
10. OWNER'S EMAIL ADDRESS		11. CONTACT'S EMAIL ADDRESS	
12a. PROPERTY ADDRESS (PLEASE USE ADDITIONAL SHEET IF NECESSARY)		12b. # OF UNITS	12c. AMOUNT
13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12c, 13, & 14)			
OFFICE USE ONLY		OFFICE USE ONLY	
DATE:	RECEIPT#:	PLANNING:	BLDG DEPT:
		ZONING:	
<i>The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.</i>			
<p style="text-align: center;">Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.</p> <div style="display: flex; justify-content: space-between;"><div>Sign Here _____ SIGNATURE (REQUIRED)</div><div>_____ DATE (REQUIRED)</div></div>			
City of Antioch • Finance Department • C/O Business License Processing Center P.O. Box 27947 • Fresno, CA 93729-7947 • (800) 987-0999 Fax (559) 275-0289 website: www.ci.antioch.ca.us email: Businesstax@Muniservices.com			

ATTACHMENT

H



PO Box 27947
Fresno, CA 93729-7947

180523-4418883

800 987-0999 (p)
559 275-0289 (f)

02/03/2016

SECOND NOTICE

DEPPER ERIC
[REDACTED] MANILA AVE
OAKLAND, CA 94609

Reference #: ANT151633076

Property Address: [REDACTED] SYCAMORE

Dear DEPPER ERIC:

MuniServices has been retained by the City of Antioch to conduct a business license compliance review. The primary purpose of this evaluation is to identify all businesses that may be operating in the City without a business license.

You have received this notice because our records indicate that you may be conducting business in the City of Antioch without a business license and have not paid a business tax.

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If you already have a valid business license, please provide a copy of your business license and return it within **30 days** of the date of this letter in the enclosed envelope, or fax a copy of your license to (559) 275-0289.

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Thank you for your cooperation. If you need assistance completing the application, require information, or believe that this notice does not apply to you, please contact one of our Tax Specialists Monday through Friday between 8:00 a.m. and 5:00 p.m. Pacific Time at 800-987-0999.

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Sincerely,

Compliance Division
MuniServices, LLC



City of Antioch Declaration of Information

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Description of Business: _____

Is Your Business Home Based? YES / NO

Section II Business License Information

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² This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

Signature of person authorized to sign for firm

Date

Phone Number

Title

FEIN or Social Security Number

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- The Division of the State Architect at www.dgs.ca.gov/dsa/home.aspx
- The Department of Rehabilitation at www.rehab.cahwnet.gov
- The California Commission on Disability Access at www.cdda.ca.gov

CITY OF ANTIOCH BUSINESS LICENSE APPLICATION



REFERENCE# ANT151633076

BUSINESS#:

CLASS CODE:

INSTRUCTIONS:

LLSFD - Landlord - Residential Single Family dwelling

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13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	

15. TOTAL AMOUNT DUE (combine boxes 12c, 13, & 14)

OFFICE USE ONLY

DATE:

RECEIPT#:

OFFICE USE ONLY

PLANNING:

BLDG DEPT:

ZONING:

The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.

Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.

**Sign
Here**

SIGNATURE (REQUIRED)

DATE (REQUIRED)

City of Antioch · Finance Department · C/O Business License Processing Center P.O. Box 27947 ·
Fresno, CA 93729-7947 · (800) 987-0999 Fax (559) 275-0289
website: www.ci.antioch.ca.us email: Businessstax@Muniservices.com

ATTACHMENT

I



MUNISERVICES

PO Box 27947
Fresno, CA 93729-7947

180523-4418883

800 987-0999 (p)
559 275-0289 (f)

03/15/2016

FINAL NOTICE

DEPPER ERIC
[REDACTED] MANILA AVE
OAKLAND, CA 94609

Reference #: ANT151633076

Property Address: [REDACTED] SYCAMORE

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Sincerely,

Compliance Division
MuniServices, LLC



City of Antioch Declaration of Information

Please complete this form in its entirety as it applies to your business activity in the City of Antioch. If you need any assistance completing this application, please contact a MuniServices Representative, Monday through Friday, 8:00am to 5:00pm Pacific Time.

Section I Demographic Information

Start Date of Business Activity in the City of Antioch: _____

Description of Business: _____

Is Your Business Home Based? YES / NO

Section II Business License Information

Please complete the following information table for the applicable tax years. Once this section is complete, please sign the certification and fill out the applicable application(s) and return them to MuniServices in the envelope provided.

- Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.

Period	Gross Receipts ¹	Number of Rental Units ²
January to December 2018 Estimate		
January 1, 2017 – December 31, 2017		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		

¹ Professional Class Code – as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

² This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

Signature of person authorized to sign for firm

Date

Phone Number

Title

FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at www.dgs.ca.gov/dsa/home.aspx
- The Department of Rehabilitation at www.rehab.ca.gov/net.gov
- The California Commission on Disability Access at www.cdda.ca.gov

CITY OF ANTIOCH BUSINESS LICENSE APPLICATION



REFERENCE# ANT151633076

BUSINESS#

CLASSCODE:

INSTRUCTIONS:

LLSFD - Landlord - Residential Single Family dwelling

LLMFD - Landlord - Residential Multi Family dwelling

THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #1 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY)	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
10. OWNER'S EMAIL ADDRESS		11. CONTACT'S EMAIL ADDRESS	
12a. PROPERTY ADDRESS (PLEASE USE ADDITIONAL SHEET IF NECESSARY)		12b. # OF UNITS	12c. AMOUNT
13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12c, 13, & 14)			

OFFICE USE ONLY		OFFICE USE ONLY	
DATE:	RECEIPT#:	PLANNING:	BLDG DEPT:
		ZONING:	

The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.

Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.

**Sign
Here**

SIGNATURE (REQUIRED)

DATE (REQUIRED)

City of Antioch • Finance Department • C/O Business License Processing Center P.O. Box 27947 •
Fresno, CA 93729-7947 • (800) 987-0999 Fax (559) 275-0289
website: www.ci.antioch.ca.us email: Businessstax@Muniservices.com

ATTACHMENT

J



DEPPER ERIC
[REDACTED] MANILA AVE
OAKLAND, CA 94609

Date: 08/25/2017

Reference Number: ANT151633076

Property Address: [REDACTED] SYCAMORE DR [REDACTED]

Several attempts have been made to contact you by MuniServices, LLC regarding the requirement of a business license for your residential rental property(s) located at [REDACTED] SYCAMORE DR [REDACTED] per Measure O, effective December 9, 2014.

The condition listed below is a violation of the Antioch Municipal Code. As a courtesy to you, the City is providing you with this opportunity to voluntarily abate this violation. In order to do so it will be necessary for you to take the following action:

Violation:

YOU ARE RENTING YOUR RESIDENTIAL PROPERTY(S) LOCATED AT [REDACTED] SYCAMORE DR [REDACTED] WITHOUT A VALID CITY OF ANTIOCH BUSINESS LICENSE.

AMC Section §3-1.103 BUSINESS LICENSE REQUIRED - It shall be unlawful for any person to be engaged in business in the city without having an un-revoked license from the city, valid and in effect at the time, and without complying with any and all regulations of such business provided in this chapter, unless such person is exempt under the provisions of this chapter.

Required Correction: Within 15 calendar days from the date of this notice, you must Contact MuniServices, LLC by phone at 1-800-987-0999 or in person at 200 H Street, Antioch, CA and obtain a business license for the above property or file an appeal with the office of the City Clerk.

I hope you take this one-time opportunity to voluntarily abate the above violation(s) and public nuisance without the need for the City to issue Administrative Citations, which carry fines that range from \$100 to \$1,000 for every day the violation(s) are permitted to remain and/or take other action to compel your compliance.

We will be following up at the end of the above compliance deadline to confirm your required compliance. Thank you in advance for your cooperation in abating these violation(s). If you have any questions, you may contact MuniServices, LLC at 1-800-987-0999.

Sincerely,

The City of Antioch



City of Antioch Declaration of Information

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Period	Gross Receipts ¹	Number of Rental Units ²
January to December 2017 Estimate		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		
January 1, 2013 – December 31, 2013		
January 1, 2012 – December 31, 2012		

¹ Professional Class Code – as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

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Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

Signature of person authorized to sign for firm

Date

Phone Number

Title

FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

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- The Department of Rehabilitation at www.rehab.ca.gov/net.gov
- The California Commission on Disability Access at www.ccdca.ca.gov

CITY OF ANTIOCH BUSINESS LICENSE APPLICATION



REFERENCE# ANT151633076

BUSINESS#:

CLASS CODE:

INSTRUCTIONS:

LLSFD - Landlord - Residential Single Family dwelling

LLMFD - Landlord - Residential Multi Family dwelling

THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
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12a. PROPERTY ADDRESS (PLEASE USE ADDITIONAL SHEET IF NECESSARY)		12b. # OF UNITS	12c. AMOUNT
13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12c, 13, & 14)			
OFFICE USE ONLY		OFFICE USE ONLY	
DATE:	RECEIPT#:	PLANNING:	BLOG DEPT:
		ZONING:	
<p>The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.</p> <p>Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.</p> <p>Sign Here _____</p> <p>SIGNATURE (REQUIRED) DATE (REQUIRED)</p>			
<p>City of Antioch • Finance Department • C/O Business License Processing Center P.O. Box 27947 • Fresno, CA 93729-7947 • (800) 987-0999 Fax (559) 275-0289 website: www.ci.antioch.ca.us email: Businessstax@Muniservices.com</p>			

ATTACHMENT

K



CITY OF ANTIOCH
BUSINESS LICENSE INVOICE

Invoice Number: 2786

Issued: 11/21/2017

Due Date: 12/01/2017

ERIC DEPPER
[REDACTED] WELDING WAY
CHICO, CA 95973-9612

RE: Account number: 3017272

Location: [REDACTED] SYCAMORE DR APT [REDACTED]

Charges:

CHARGE	YEAR	DESCRIPTION	AMOUNT
LLMFD	2017	Landlord Multi Family Dwelling	\$150.00
LLMFD	2016	Landlord Multi Family Dwelling	\$150.00
LLMFD	2015	Landlord Multi Family Dwelling	\$150.00
APP	2017	Application Fee	\$30.00
SB1186	2017	State Mandated Fee	\$1.00
SB1186	2016	State Mandated Fee	\$1.00
SB1186	2015	State Mandated Fee	\$1.00

Charges for this invoice **\$483.00**

TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON
OR BEFORE 12/01/2017

Issuing Officer: LS

CITY OF ANTIOCH FINANCE DEPARTMENT
P. O. BOX 5007
ANTIOCH, CA 94531-5007
925-779-7059

ERIC DEPPER

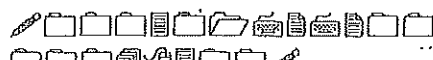
Account Number 3017272

Invoice Number 2,786

Due Date 12/1/2017

Due Amount Due \$ 483.00

Amount Enclosed _____



ATTACHMENT

L



**CITY OF ANTIOCH
ADMINISTRATIVE CITATION**

Invoice Number: 4233
Issued: 02/05/2018
Due Date: 2/15/2018

ERIC DEPPER
[REDACTED] WELDING WAY
CHICO, CA 95973-9612

RE: Account number: 3017272

Starting Balance \$483.00

Location: [REDACTED] SYCAMORE DR APT [REDACTED]

Charges:

CHARGE	YEAR	DESCRIPTION	AMOUNT
Admin Cit	2018	Business License Required 3-1-103	\$100.00

Charges for this Invoice \$100.00

Amount Due \$583.00

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON
OR BEFORE 02/14/2018**

Issuing Officer: CA

CITY OF ANTIOCH FINANCE DEPARTMENT
P. O. BOX 5007
ANTIOCH, CA 94531-5007
925-779-7059

ERIC DEPPER

Account Number 3017272
Invoice Number 4233
Due Date 2/15/2018
Due Amount Due \$ 583.00

Amount Enclosed _____



ATTACHMENT

M

CITY OF ANTIOCH
ATTN: A/R DEPT
P.O. BOX 5007
ANTIOCH, CA 94531-5007



Invoice Number: AR152744
Invoice Date: 03/20/2018
Customer ID: C217878

Bill To: DEPPER, ERIC
[REDACTED] WELDING WY
CHICO, CA 95973

Issuing Department
FINANCE DEPT
(925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
100125041131	RESIDENTIAL LANDLORD BUS LIC [REDACTED] SYCAMORE DR APT [REDACTED] APN 074-341-019-3	3.00	150.00	450.00
100125041150	APPLICATION FEE [REDACTED] SYCAMORE DR APT [REDACTED] APN 074-341-019-3	1.00	30.00	30.00
100000025003	STATE FEE [REDACTED] SYCAMORE DR APT [REDACTED] APN 074-341-019-3	3.00	1.00	3.00
Total Due:				483.00

MAY 04 2018

Invoices Are Due And Payable Upon Receipt.
For questions, please call the phone number above for the issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

make checks payable to:
OF ANTIOCH

T AMOUNT: _____

Customer ID: C217878
Invoice Number: AR152744
Invoice Date: 03/20/2018

CITY OF ANTIOCH
ATTN: A/R DEPT
P.O. BOX 5007
ANTIOCH, CA 94531-5007



Invoice Number: AR152745
Invoice Date: 03/20/2018
Customer ID: C217878

Bill To: DEPPER, ERIC
[REDACTED] WELDING WY
CHICO, CA 95973

Issuing Department
FINANCE DEPT
(925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
100125046020	ADMIN CITE 4233 [REDACTED] SYCAMORE DR APT [REDACTED] APN 074-341-019-3	1.00	100.00	100.00
100125041140	LATE FEE [REDACTED] SYCAMORE DR APT [REDACTED] APN 074-341-019-3	1.00	10.00	10.00

Total Due: 110.00

MAY 9 4 2018

Invoices Are Due And Payable Upon Receipt.
For questions, please call the phone number above for the Issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Please make checks payable to:
CITY OF ANTIOCH

PAYMENT AMOUNT: _____

Customer ID: C217878
Invoice Number: AR152745
Invoice Date: 03/20/2018

ATTACHMENT N



**CITY OF ANTIOCH
ADMINISTRATIVE CITATION**

Invoice Number: 4783
Issued: 03/20/2018
Due Date: 03/30/2018

ERIC DEPPER
[REDACTED] WELDING WAY
CHICO, CA 95973-9612

RE: Account number: 3017272

Starting Balance \$583.00

Location: [REDACTED] SYCAMORE DR APT [REDACTED]

Charges:

CHARGE	YEAR	DESCRIPTION	AMOUNT
Admin Cit	2018	Business License Required 3-1.103	\$200.00
Charges for this Invoice			\$200.00

Amount Due \$783.00

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON
OR BEFORE 03/30/2018**

Issuing Officer: CA

CITY OF ANTIOCH FINANCE DEPARTMENT
P. O. BOX 5007
ANTIOCH, CA 94531-5007
925-779-7059

ERIC DEPPER

Account Number 3017272
Invoice Number 4,783
Due Date 03/30/2018
Due Amount Due \$ 783.00

Amount Enclosed



ATTACHMENT

0

CITY OF ANTIOCH
ATTN: A/R DEPT
P.O. BOX 5007
ANTIOCH, CA 94531-5007



Invoice Number: AR152804
Invoice Date: 03/22/2018
Customer ID: C217878

Bill To: DEPPER, ERIC
WELDING WY
CHICO, CA 95973

Issuing Department
FINANCE DEPT
(925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
100125046020	ADMIN CITE 4783 SYCAMORE DR APT SYCAMORE DR APT APN 074-341-019-3 APN 074-341-019-3 ORIG INV BILLED 3/22/18 BILLED WRONG RATE THIS CORRECTS THAT	1.00	100.00	100.00
100125041140	LATE FEE SYCAMORE DR APT SYCAMORE DR APT APN 074-341-019-3 APN 074-341-019-3 ORIG INV BILLED 3/22/18 BILLED WRONG RATE THIS CORRECTS THAT	1.00	20.00	20.00
100125046020	ADMIN CITE 4783 SYCAMORE DR APT SYCAMORE DR APT APN 074-341-019-3 APN 074-341-019-3 ORIG INV BILLED 3/22/18 BILLED WRONG RATE THIS CORRECTS THAT	1.00	200.00	200.00
100125046020	REV BILLED WRONG RATE SYCAMORE DR APT SYCAMORE DR APT APN 074-341-019-3 APN 074-341-019-3 ORIG INV BILLED 3/22/18 BILLED WRONG RATE THIS CORRECTS THAT	1.00	-100.00	(100.00)

MAY 04 2018

Invoices Are Due And Payable Upon Receipt.
For questions, please call the phone number above for the Issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Please make checks payable to:
CITY OF ANTIOCH

PAYMENT AMOUNT: _____

Customer ID: C217878
Invoice Number: AR152804
Invoice Date: 04/19/2018

CITY OF ANTIOCH
FINANCE DEPT
P.O. BOX 5007
ANTIOCH, CA 94531-5007



Invoice Number: AR152804
Invoice Date: 04/19/2018
Customer ID: C217878

Bill To: DEPPER, ERIC
[REDACTED] WELDING WY
CHICO, CA 95973

Issuing Department
FINANCE DEPT
(925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
				Total Due: 220.00

MAY 04 2018

Invoices Are Due And Payable Upon Receipt.
For questions, please call the phone number above for the issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Please make checks payable to:
CITY OF ANTIOCH

PAYMENT AMOUNT: _____

Customer ID: C217878
Invoice Number: AR152804
Invoice Date: 04/19/2018

ATTACHMENT

P



**CITY OF ANTIOCH
ADMINISTRATIVE CITATION**

Invoice Number: 5366

Issued: 04/24/2018

Due Date: 05/04/2018

ERIC DEPPER
[REDACTED] WELDING WAY
CHICO, CA 95973-9612

RE: Account number: 3017272

Starting Balance \$783.00

Location: [REDACTED] SYCAMORE DR APT [REDACTED]

Charges:

CHARGE	YEAR	DESCRIPTION	AMOUNT
Admin Cit	2018	Business License Required 3-1.103	\$500.00
Charges for this invoice			\$500.00

Amount Due \$1,283.00

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON
OR BEFORE 05/04/2018**

Issuing Officer:

CITY OF ANTIOCH FINANCE DEPARTMENT
P. O. BOX 5007
ANTIOCH, CA 94531-5007
925-779-7059

ERIC DEPPER

Account Number 3017272
Invoice Number 5,366
Due Date 05/04/2018
Due Amount Due \$ 1,283.00

Amount Enclosed



ATTACHMENT

Q

CITY OF ANTIOCH BUSINESS LICENSE APPLICATION



BUSINESS #:

CLASS CODE:

INSTRUCTIONS:

LLSFD - Landlord - Residential Single Family dwelling per unit \$250.00

LLMFD - Landlord - Residential Multi Family dwelling per unit \$150.00

THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME ERIC DEPPEZ		2. OWNER'S MAILING ADDRESS WEEDING WAY CHICO, CA 95973	
3. TELEPHONE # [REDACTED]	4. FAX NUMBER [REDACTED]	5. EMAIL ADDRESS [REDACTED]	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #2 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY) M.L.	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
10. OWNER'S EMAIL ADDRESS		11. CONTACT'S EMAIL ADDRESS	
12a. PROPERTY ADDRESS (PLEASE USE ADDITIONAL SHEET IF NECESSARY)		12b. # OF UNITS	12c. AMOUNT
SYCAMORE DRAPT		1	450.00
13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE) \$4.00		14. APPLICATION FEE \$30.00	
15. TOTAL AMOUNT DUE (combine boxes 12a, 13, & 14) \$483			
OFFICE USE ONLY DATE: RECEIPT#:		OFFICE USE ONLY PLANNING: BLDG DEPT: ZONING:	
<p>The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.</p> <p>Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.</p>			
<p>Sign Here</p> <p>Eric Deppez</p> <p>SIGNATURE (REQUIRED)</p>		<p>MAY 4 2018</p> <p>DATE (REQUIRED)</p>	
<p>City of Antioch • Finance Department • 200 H Street • P.O. Box 5007 • Antioch, CA 94531-5007 • (925) 779-7059</p> <p>website: www.ci.antioch.ca.us email: financebuslic@ci.antioch.ca.us</p>			

CITY OF ANTIOCH
925-779-7055

REC#: 01121154 5/04/2018 11:42 AM
OPER: SC3 TERM: 003
REF#:

ACCT #: XXXX-XXXX-XXXX-4133
AUTH #: 30485G
TRAN #: 000001121154

TYPE: PURCHASE
APP NAME:
ENTRY MODE: CHIP
CVM: SIGN

AMOUNT USD\$ 1,363.00

ENV DETAILS:
AID: A0000000031010
ARC: 00
IAD: 06010A03600000
TSI: 6800
TVR: 8080008000

TRAN: 900.0000 TRUE MISC RECEIPTS
C217878/AR152744 DEPPER, E
[REDACTED] SYCAMORE DR APT [REDACTED]
AR - 12010 483.00CR

TRAN: 900.0000 TRUE MISC RECEIPTS
C217878/AR152745 & AR152804
DEPPER, E [REDACTED] SYCAMORE DR
AR - 12010 330.00CR

TRAN: 900.0000 TRUE MISC RECEIPTS
C217878/AR150311 DEPPER, E
[REDACTED] SYCAMORE DR APT [REDACTED]
AR - 12010 550.00CR

TENDERED: 1,363.00 CREDIT CARD
APPLIED: 1,363.00-

CHANGE: 0.00

110
220

500

50 appeal fee

ATTACHMENT

R



City of Antioch
Citation Appeal Application

RECEIVED

MAY 04 2018

CITY OF ANTIOCH
CITY CLERK

CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009

Date of Citation:

Citation #: 5366

4/24/2018

Name: ERIC DEPPER

Property Address:

[REDACTED] SYCAMORE APT [REDACTED]

Mailing Address:

[REDACTED] WELDING WAY, CHICO, 95923

Home Phone:

Work Phone:

REASON FOR APPEAL

- (1) MAIL HAS BEEN DELIVERED TO AN ADDRESS 3 YEARS OUT OF DATE
- (2) POST OFFICE FORMS WERE FILLED OUT AND FILED AWAY
- (3) AM ON A FIXED INCOME CONSISTING OF SOCIAL SECURITY
- (4) HAD I BEEN AWARE OF THE SUMMER LICENSE FEE, THEN THIS COULD HAVE BEEN SATISFIED IN A TIMELY FASHION
- (5) I FEEL THAT I HAVE DONE MY BEST TO SATISFY THE CITY OF ANTIOCH ^{AND} THE CITY IS THE ONLY GOVERNMENT OFFICE THAT DOES NOT HAVE MY CURRENT ADDRESS

Signature

Eric Depper

Date

5/4/2018

CITY OF ANTIOCH

CSR'S PAY SHEET

NAME: Eric DepperDATE: 05/04/18

TRAN	ACCOUNT CODE	DESCRIPTION	AMOUNT
118	100-1250-41130	BUSINESS LICENSES	
120	100-1250-41140	BUSINESS LIC PENALTY	
122	100-1250-41150	BUSINESS LICENSE APP FEE	
123	100-0000-25003	SB1186 \$1.00 STATE FEE	
900	100-1250-41130	LL OWNER, MEAS O PER UNIT BL TAX	
900	100-1250-46020	BL CITATION	
124	100-1250-41160	CONTRACTORS BUS LIC	
132	100-1250-46010	OTHER SERVICE CHGS/COPIES	
134	100-1250-46400	ADMINISTRATION FEE	
136	100-1250-47010	MISCELLANEOUS REVENUE	
NEW BUSINESS LIST		MONTH(S) _____	\$5.00 PER MOS
		ONE TIME ACTIVE/CURRENT LIST	\$50.00

EMAIL: _____

PAPER OR CD & MAILING ADDRESS: _____

137	100-1250-47010	RETURNED CHECK CHARGE	
130	100-1250-41205	TRANSIENT OCCUP TAX (70%)	
232	215-4320-41205	TRANSIENT OCCUP TAX (30%)	
602	611-1230-47010	WATER RECOVERY/CHARGE OFFS	
604	611-2310-46830	PROCESSING SVC CHARGE	
604	611-2310-46830	DISCONNECTION SVC CHARGE	
604	611-2310-46830	SAME DAY FEE	
610	611-2310-47010	OTHER WATER CHARGES	
171	100-5140-46020	CODE ENFORCEMENT CITATIONS	
176	214-3320-42020	ANIMAL CITATIONS	
177	100-3160-46025	POLICE DEPT CITATIONS	
900	100-3110-46315	ALARM PERMIT FEE (NO AR INVOICE)	
*900	100-1140-47010	ADMINISTRATIVE APPEAL FEE (\$50 per appeal)	\$50.00

TOTAL **\$50.00**PREPARED BY CGarcia

=====

NOT VALID UNLESS VALIDATED



May 7, 2018

Eric Depper
[REDACTED] Welding Way
Chico, CA 95973

RE: Board of Administrative Appeals Hearing
Property Address: [REDACTED] Sycamore Drive, Apt. [REDACTED] Antioch
Citation Date: 04/24/18
Citation No.: 5366

Dear Mr. Depper,

This is a follow up to your written appeal filed on May 4, 2018, regarding the above-referenced Administrative Citation received for Business Licensing.

Please be advised your appeal is scheduled for Thursday, June 7, 2018, at 3:00 p.m. in the Council Chambers, 200 H Street, Antioch, CA (across the breezeway from City Hall).

All people who wish to speak at the hearing, including you, will be required to take an Oath. This case will be heard and a decision rendered by the Board of Administrative Appeals. A General Information sheet is enclosed to answer any questions you may have regarding the appeals.

The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. To view the Agenda information, simply click on the following link and then double click 'Board of Administrative Appeals': <http://www.ci.antioch.ca.us/CityGov/agendas/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2nd Street, and the Antioch Community Center on Lone Tree Way.

Thank you.

Sincerely,

CHRISTINA GARCIA, CMC
Deputy City Clerk

cc: Business License

Enclosures

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
Phone: (925) 779-7009/Fax: (925) 779-7007



PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On May 7, 2018, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Eric Depper
[REDACTED] Welding Way
Chico, CA 95973

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on May 7, 2018, at Antioch, California.

Christina Garcia

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
Phone: (925) 779-7009/Fax: (925) 779-7007



CITY OF ANTIOCH ADMINISTRATIVE BOARD OF APPEALS

General Information for Persons Appealing Citations

The Administrative Board of Appeals is comprised of five Antioch residents, who are appointed by the Mayor and have volunteered their time to hear your appeal. The Board Members do not receive monetary compensation for their time and they are not employees of the City. They do not make or control the law. They are hearing officers who will review your appeal because you have requested the City do so. As the person making the appeal (the appellant) please keep in mind the below:

Schedule of Hearing:

- When an appeal is requested, it is typically scheduled for the first Thursday of every month.
- You will receive written notice of the date and time of the appeal hearing from the City Clerk's office 10 days after you file your appeal.
- The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date. To view the Agenda information, click on the following link and then double click 'Board of Administrative Appeals': <http://www.ci.antioch.ca.us/CityGov/agendas/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2nd Street, and the Antioch Community Center on Lone Tree Way.

When You Don't Show For Your Hearing:

- If you do not appear at the hearing time and date you have been notified of, and unless you have provided the City Clerk forty-eight (48) hour notice before the hearing that you are requesting a postponement, your appeal will be heard without you being there.

How You Will Act At Your Appeal Hearing:

- You and anyone else who is attending the appeal at your request will maintain a respectful attitude at all times,
- If you or anyone else does not maintain a respectful attitude, you may be asked to leave the hearing by the Board Chairperson.
- Your appeal is not an opportunity to debate or argue with City staff or Board members. Any questions should be directed to the Board Chairperson.
- When you speak, you should talk about the reasons why you feel the citation was wrongfully issued.

How The Appeal Hearing Will Go:

- The Board will read your item of appeal from its Agenda.
- The Board will then ask City staff to present an oral report with regard to your citation. The Board may ask questions of City staff after the oral report. This oral report will be for **five (5) minutes**.
- After staff has provided its report, and the Board is finished with its questions of staff, you will then be called to the podium to speak. Please come up and speak at the podium, not from the audience.
- You will have **five (5) minutes** to present the reasons why you are appealing the citation.
- Any other additional persons who may oppose or support your appeal can fill out speaker cards and speak for **three (3) minutes**.
- The Board may then ask City staff for a rebuttal to the statements you or others made in support or opposition of your appeal. This rebuttal is only for **three (3) minutes**.
- Then the hearing is completed and the Board will then issue its ruling on your appeal.

Your Burden:

- It is your appeal and therefore you bear the burden to prove that the citation was wrongfully issued.
- To win your appeal, you must have a majority of the Board uphold your appeal (3 of 5, or 2 of 3).
- If the Board determines there was in fact good reason to issue the citation, your appeal will be denied and the citation amount that you deposited to have your appeal will not be refunded.

How The Board Will Rule:

The Board can only rule one of two ways:

- To uphold your appeal and dismiss the citation.
- To deny your appeal and uphold the citation.

Written Findings and Order:

- The Board will render their findings and recommendations after the hearing is concluded or as soon as possible.
- You will be mailed the written decision of hearing within ten (10) days of the hearing.
- The decision of the Board is the final ruling on your appeal from the City.



May 25, 2018

Eric Depper
Welding Way
Chico, CA 95973

RE: Board of Administrative Appeals Hearing
Property Address: Sycamore Drive, Apt. Antioch
Citation Date: 04/24/18
Citation No.: 5366

Dear Mr. Depper,

This is a follow up to our letter dated May 7, 2018. Please be advised your appeal is scheduled for **Thursday, June 7, 2018, at 3:00 p.m.** in the Council Chambers, 200 H Street, Antioch, CA (across the breezeway from City Hall). A copy of the Board of Administrative Appeals Agenda is attached.

All people who wish to speak at the hearing, including you, will be required to take an Oath. This case will be heard and a decision rendered by the Board of Administrative Appeals.

The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. To view the Agenda information, simply click on the following link and then double click 'Board of Administrative Appeals': <http://www.ci.antioch.ca.us/CityGov/agendas/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2nd Street, and the Antioch Community Center on Lone Tree Way.

Thank you.

Sincerely,

CHRISTINA GARCIA, CMC
Deputy City Clerk

cc: Business License

Enclosures

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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On May 25, 2018, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Eric Depper
Welding Way
Chico, CA 95973

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on May 25, 2018, at Antioch, California.

Christina Garcia



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**JUNE 7, 2018
3:00 P.M.**

3:00 P.M. ROLL CALL Deborah Simpson, Chairperson
Ademuyiwa "Ade" Adeyemi, Vice Chairperson
Vacant
Farideh Faraji
Marie Livingston
Vacant, Alternate

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR MAY 3, 2018

Recommended Action: Motion to approve the minutes.

**B. CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS
ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS &
ABATEMENTS FOR THE MONTH OF APRIL 2018**

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

CONSENT CALENDAR – Continued

- C. **BUSINESS LICENSE** – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTH OF MAY 2018

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

2. REGULAR AGENDA

OATH for all intending to testify

- A. **ADMINISTRATIVE CITATION NO. 5366** – APPEAL FILED BY ERIC DEPPER FOR THE PROPERTY LOCATED AT [] SYCAMORE DRIVE, APT. [] ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE "BUSINESS LICENSE REQUIRED" [§3-1.103].

PUBLIC COMMENTS—*Only unagendized issues will be discussed during this time*

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. Materials provided regarding the agenda items will be available at the following website: <http://www.ci.antioch.ca.us/CityGov/Agendas/default.asp> or at the City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, Monday through Friday, 8:00 a.m. to 5:00 p.m., for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

Notice of Opportunity to Address the Committee

The public has the opportunity to address the Board on each agenda item. To address the Board, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section on the agenda. No one may speak more than once on an agenda item or during "Public Comments".

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.