
**CITY OF SACRAMENTO
CODE COMPLIANCE APPEAL & HEARING PROCESS**

Frequently Asked Questions

- 1. How do I know if I have a hearing?** For cost recovery hearings, you will be notified by mail of the hearing date and time approximately 30 days after delinquency of an invoice. After you have submitted your protest or objection, a hearing coordinator will call, and confirm by mail, to set up a hearing date and time so that your case will be heard before the hearing officer and/or Housing Code Advisory and Appeals Board.
- 2. What can I do to prepare for my hearing?** You may request to see your case file via the *Public Document Request*. More information about public document requests, including the form, may be obtained by contacting 916-808-5002 or <http://www.cityofsacramento.org/Clerk/Services/Public-Records>
- 3. Why am I scheduled for more than one hearing?** There are three types of hearings, each with different requirements. Depending on the type of appeal you submitted, you may be heard before a hearing examiner, Housing Code Advisory and Appeals Board, or the delinquency lien hearing officer.
- 4. I bought the property after all of the violations occurred, why am I being charged for this?** Any fees and/or penalties assessed are associated with the property, so when purchasing the property you assumed all responsibility concerning the property, including any outstanding fees/penalties/violations. If you purchased title insurance the title report should have shown a cloud¹ on the title which would have indicated the action pending by the City.
- 5. The case is closed, why do I still owe fees?** Once a case is closed, there may still be applicable costs, penalties or fees which have not yet been invoiced to the property owner.
- 6. The officer told me that all violations are fixed, why am I being charged?** Standard case fees and other associated fees may be assessed due to lack of compliance on the date the letter was sent. Contact the Code Officer and/or Building Inspector who handled your case for clarification of your fees.
- 7. When will I know the outcome of the hearing?** For *Code Compliance appeals or delinquency lien hearing officer hearings*, the hearing examiner or delinquency lien hearing officer may give a decision at the hearing or may need to take the matter under submission; for *Housing Code Advisory and Appeals Board hearings*, the Board will vote on a ruling regarding the matter and a letter confirming the decision will be mailed within 30 days following the hearing.
- 8. Do I have to speak or can I have someone else speak on my behalf?** You may designate someone to speak or interpret on your behalf. A written statement from the property owner must be provided at the hearing indicating that individual is representing you.
- 9. Do I need an attorney?** You may hire or retain your own attorney if you feel it is necessary.
- 10. What information do I provide on the protest form?** *Notice and Order*: Provide information that would prove that the property was not in violation during the time period mentioned. *Imposition of Administrative Penalty*: Provide information that would prove you were compliant with the order to comply with City code and/or reasons why the amount of the penalty is not reflective of the non-compliance. *Cost Recovery*: Give the reasoning behind your protest or objection as to why the amounts owned should not be made a personal obligation or placed as a special assessment against the property.
- 11. I am selling the property; do I still need to appeal?** That is entirely up to you. Typically, the fees/penalties/violations are associated with the property. If you feel any were in error, and you are the owner of the property, it is up to you to determine if you should appeal.
- 12. How long do I have after the decision before it becomes a special assessment on my property?** Once the hearing is completed, it takes approximately six (6) weeks to record the special assessment.
- 13. What if I am still unhappy with the delinquency lien hearing officer and/or board's cost recovery decision?** You may obtain further information and forms at the Sacramento Superior Court's website under Judicial Review. (www.courts.ca.gov).
- 14. How do I obtain a copy of the proceedings?** An audio copy of the hearing may be obtained by contacting 916-808-5002 or <http://www.cityofsacramento.org/Clerk/Services/Public-Records>

¹ A cloud is a claim on the title of the property. The owner must present evidence to dispel the cloud if they want to transfer title with legal certainty.