



Community Development & Neighborhood Services
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Assessment and Abatement Review Policies and Procedures

The property owner has two options when contesting an assessment resulting from abatement by the City. The first is an administrative review by City staff. The second is a hearing in front of the Civil Infractions Referee (the "Referee").

If a property owner believes there is an administrative error related to their assessment, s/he may request that the Community Development and Neighborhood Services Department review that matter administratively and consider waiving or reducing the fees. There is no review fee. A property owner may contact Community Development & Neighborhood Services at 970-416-2350 to discuss this option and receive further information on how to proceed. A Request for Administrative Review form can be found at <http://www.fcgov.com/neighborhoodservices/code-compliance.php>

Please note that such a request does not affect the timing required for filing a Request for Hearing by the Referee; these are separate procedures. Failing to timely file a Request for Hearing by the Referee will result in losing the opportunity to have the Referee review the assessment.

The deadline to make a Request for Hearing by the Referee is ten (10) days after service of the assessment invoice. The hearing fee is \$25, non-refundable, paid at the time a Request for Referee's Hearing form is filed. See the Request for a Referee Hearing form at <http://www.fcgov.com/neighborhoodservices/code-compliance.php>.

Administrative Review Guidelines:

1. **Administrative Written Review:** The form allows for a brief explanation of the reason for the review request, i.e.: the reasonableness of the assessment amount, the work performed, the Notice requirements, the ordinance which applies, etc. Refer to the form located at <http://www.fcgov.com/neighborhoodservices/code-compliance.php> for further information.

Referee Hearing Guidelines

1. **Timing:** Untimely Requests for Hearing by the Referee will be rejected by the Referee's Clerk.

2. **Cost:** The Request for Hearing by the Referee must be accompanied by the mandatory \$25.00 administrative fee; failure to include this cost will result in rejection of the request.

3. **Hearing Format:** The Request for Hearing by the Referee shall be on the Request for Referee Hearing form available on the City webpage, <http://www.fcgov.com/neighborhoodservices/code-compliance.php>; scroll to the bottom and look for Solutions Procedures (Abatement Action)". All requests should clearly state:
 - address of the property,
 - the owner of the property with their correct address,
 - date of the Notice at issue,
 - date of the abatement (when the work was performed),
 - amount of the abatement (the amount on the invoice, including the City's fees),
 - case number

4. **Procedure:** The hearing will be before the Referee. The Referee will follow the procedures outlined in the Hearing Procedures for Municipal Court Referee Hearings. Submission of evidence will occur during the hearing if properly introduced and accepted. The Referee has no access to the city files or documents except as submitted during the hearing. Following the submission of evidence, the Referee will make a decision based on the information provided by the property owner and the City in accordance with the City Code. That determination is final.

Please review the City of Fort Collins Code section that is applicable to your case. These sections guide the Referee in the determination of whether a violation occurred and the abatement was reasonable and appropriate. The link to the Code is on the City webpage under www.fcgov.com/cityclerk/codes.php, City Directory, public records, Municipal Code and Charter.

NOTE: If the Referee has a conflict of interest in your case, the case will be reviewed by the Neighborhood Services Manager.