



Community Development & Neighborhood Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522-0580
970.416.2740
970.224.6134 - fax
fcgov.com/neighborhoods

Request for Hearing by Referee

DATE _____

PROPERTY OWNER OR TENANT _____

APPLICANT'S EMAIL ADDRESS _____

PROPERTY ADDRESS / ZIP _____ PHONE _____

CASE # _____ INVOICE # NS- _____

Your Request for Hearing by Referee must be filed **within 10 days** after service of the assessment invoice. Complete this form, sign it, and bring it to Community Development and Neighborhood Services, 281 N. College 2nd floor, along with the \$25 administrative fee.

_____ I request a hearing date be set. See back of page, and Request for Hearing Guidelines

Please understand the Referee is a neutral party and does not have access to any information about your case, including the notice, letters, invoice, etc. The Referee will only consider the evidence and information which you and the City Inspector submit during a hearing. The Referee's decision is final; see Code Section 19-42. You may not submit additional evidence after the Referee hears your case and renders a decision. See back of page.

The assessment amount ordered by the Referee is due at the close of the hearing.

I HAVE READ AND UNDERSTAND THE BOTH SIDES OF THIS PAGE

SIGNATURE

DATE

Evidence submitted during the hearing should address the violation alleged, the reasonableness of the assessment, and applicable City code citation. Copies of the code are available through the City of Fort Collins webpage <http://www.fcgov.com/cityclerk/codes.php> . The code section for your violation should be listed on the letter you received from the City regarding the assessment and/or abatement. See Assessment Abatement Policy and Procedures, Referee Hearing Guidelines.

If you chose a Hearing, the Referee will be guided by the Colorado Rules of Evidence as well as the Colorado Municipal Court Rules of Procedure, available on-line. Additionally, the Referee generally follows the Hearing Procedures for Municipal Court Referee Hearings available through the Referee's Clerk.

If you wish to offer photographs and/or videos into evidence at the hearing, they must be tendered to the Referee at that time in hard copy format, i.e. printed photographs. Such evidence will not be viewed or admitted if offered only on a cell phone, digital camera, laptop computer or other electronic device. The Referee does not have equipment to view VCR or DVD video/tapes; if you wish to use such devices, you must bring your own equipment and make arrangements with the Referee's Clerk 3 days prior to the hearing date. You will need to bring 3 copies, one for yourself, one for the City and one for the Referee who will keep a copy in the file after the hearing.

If you wish to offer documents as evidence at the hearing, you will need 3 copies, including the original. You must supply a copy to the City, one for the Referee to keep in the file after hearing, and one for yourself. The City will also provide you with a copy of any documentation they wish to introduce during the hearing.

If you wish to have an Attorney represent you, s/he must file an Entry of Appearance at least 3 business days prior the hearing date.

If you wish to request that your Hearing date be changed, you must submit a written request to the Referee through the Referee's Clerk at Community Development and Neighborhood Services Department, 281 N. College Ave., or have your attorney request a continuance 3 days prior to the scheduled date. This request must contain a statement that you contacted the Neighborhood Services Manager regarding your request; whether she opposes or consents to your request; the reason for the request; the number of requests previously made by either party; and each requesting party's cell phone number and email address. This motion must be signed by all parties requesting the continuance and contain a certification that it was faxed, mailed or hand-delivered to the Neighborhood Services Manager or her designee. If the Manager opposes your request, she or her designee will have five days, after receipt of your request, to respond. The Referee will rule upon the written submissions. Please note that filing a request for continuance which is opposed by the Manager less than a week before the original hearing date may result in a hearing on your motion, and the abatement, at the time originally set for the hearing on the citation. You must appear at the original time unless you are advised by the Clerk of the Referee that the matter is continued. Failure to appear may result in waiver of the ability to have a hearing on the assessment.