



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA ▪ SUITE 2340 ▪ OAKLAND, CALIFORNIA 94612-2031

Planning and Building Department

(510) 238-6402

Bureau of Building

FAX: (510) 238-2959

Code Enforcement Services

TDD: (510) 238-3254

[www.oaklandnet.com](http://www.oaklandnet.com)

## VIOLATION APPEAL FORM

### Instructions

If you have received a **Notice of Violation related to Code Enforcement or Zoning violations**, you have the right to appeal. Please read the description of the appeal below and complete this form and mail it (along with supporting documentation to the Bureau of Building, at 250 Frank Ogawa Plaza, 2<sup>nd</sup> Floor, Oakland, CA 94612. Appeals forms must be received within **thirty (30) days** of the date of mailing of the initial Notice of Violation.

Submittal Date:

Property Address:

Complaint No.

APN

Owner Name  
(Appellant)

Mailing Address:

Contact Number:

Email Address:

Name of Representative/Attorney (if any):

Representative's Mailing Address:  
Email/Phone Number

*AGENT MUST PROVIDE NOTARIZED AUTHORIZATION*

### Appeal

It is the responsibility of the property owner to maintain their property in accordance with the Oakland Municipal Code (OMC 8.24, 15.08 and Title 17). Once an inspection and verification of violations has occurred fees may be assessed, a lien recorded and if no payment is received all fees may be transferred to the property tax.

Below is a description of the Violation Appeal. Please submit a written explanation of why you are appealing.

### Violation Appeals

You should contact the inspector, as indicated in the Notice of Violation, if you have corrected the violation or to make arrangements to correct the violations.

If you feel the City erred and either : a. Mailed the notice to the incorrect owner or; b. Noticed you but you have no blighted conditions or code enforcement violations on your property you **must** submit this form along with the reason you feel the City erred within **30 days** from the date of the Notice of Violation. **You must pay a filing fee in the amount of \$110.00 at the time of submittal.**

## Violation Appeal Owner Responsibilities:

1. If you are appealing the Notice of Violation you must explain why you believe the City has erred in issuing the violation.
2. If you are filing an appeal after the **30 day** deadline explain why your appeal is past the deadline and why it should still be considered. Failure to adequately explain timely filing may result in the appeal being summarily dismissed without a hearing.

Your appeal will be reviewed by an independent Hearing Officer who may make a decision based on your appeal without you appearing at the hearing. You will either be scheduled for a hearing or receive a written decision within **60 days** from the date you submit your appeal.

If your appeal is denied you will pay Administrative costs as described below:

**Processing Fee: \$931.00\***  
**Conduct Appeals Hearing: \$150.00 an hour (Actual Cost)**  
**Reschedule Hearing: \$329.00\***

*\*Fee includes 9.5% Records Management Fee and 5.25% Technology Enhancement Fee*

You may use this form to write your explanation.

\_\_\_\_\_  
Owner Name /Representative (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Name/Representative (Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

### Office Use Only

Receive Date: \_\_\_\_\_ Administrative Reviewer: \_\_\_\_\_

Administrative Determination:  Approved Refund required:  Yes  No If yes, \$\_\_\_\_\_

Administrative Determination:  Denied Hearing to be scheduled within 60 days

Hearing Officer Decision:  Approved  Partial Approval – Refund required:  Yes  No If yes, \$\_\_\_\_\_

Hearing Officer Decision:  Denied Date of Final Decision: \_\_\_\_\_

Inspector \_\_\_\_\_