



Rental Property Owner's Guide to Davenport's Property Maintenance Code

Iowa state law requires the inspection of all rental housing on a regular basis. To meet the requirement of state law, Davenport adopted a modified property maintenance code and the Community Services Division to conserve quality rental housing and promote the health, safety and general welfare of the community.

The code enforcement process really begins with your commitment to provide adequate, safe and sanitary living conditions. It takes the joint efforts of investor-owners, tenants and the City to ensure a quality rental market in Davenport.

The rental property maintenance code and periodic inspection process also has many other benefits to owner/investors:

- It is less likely that properties will deteriorate to the point where the Owner must invest substantial money to repair the property.
- Property that does not meet health and safety standards is taken off the market, resulting in fairer competition for all property owners.
- The inspection program adds a degree of desirability to rent in Davenport versus cities that do not have an inspection program. Inspection provides confidence and trust in the quality of the rental market.

This booklet is only a guideline and as such has no legal enforcement. For complete information you should consult the Property Maintenance Code which can be found in Chapter 8.15 of the Davenport Municipal Code. The Code is available at the Davenport Public Library online at www.cityofdavenportiowa.com/publicworks.

If you have any questions related to housing inspections or this guide, please contact the Community Services Division at (563) 326-7746.

Rental Property Owner's Guide to Davenport Property Code Maintenance

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All rental property must be licensed by the City and must be periodically inspected to ensure safe, livable conditions exist. Property that is not compliant with City codes may be assessed fines, have the rental license revoked, and/or tagged and ordered vacated.

Definition of Rental Property

All property occupied by anyone other than the legal owner or first consanguinity of record, is required to be inspected regardless if any rent is collected, unless the unit is occupied by a family member(s) of the 1st degree consanguinity. Units occupied by family members of the 1st degree of consanguinity are exempt from the rental program.

Rental Property License

All rental property must be licensed with the City of Davenport. The license must be renewed annually. Owners of rental property will be notified of the expiration of their rental license(s). The annual rental license fee of \$25.00 will be charged for each single family unit. The license is transferable to a new owner. The license may be revoked for violations of the Property Maintenance Code or failure to abate a nuisance. [Apply for a new license.](#)

Rental License Applications

Rental license applications are to be filed electronically on the City's website. Property owners without computer access may access computers at all of Davenport's public libraries or may request an application be mailed to them. Complete the application in its entirety to avoid delays or denial of rental license. [Renew your Rental License.](#)

During the year a property is scheduled to be inspected, an additional per unit inspection fee is added to the rental license fee.

Failure to obtain a valid rental license for a rental unit may result in the following: a penalty of \$500, the vacating of the structure and/or a municipal infraction citation being issued.

Rental Property Inspections

Rental properties are required to meet minimum standards established by the Property Maintenance Code. To ensure compliance with minimum standards, all rental property in the city is inspected on a regular basis by the Community Services Division. An inspection fee is charged based on the number of single family units and the frequency of the inspection. During the year a property is scheduled for inspection. The property is subject to additional per unit inspection fees along with the annual rental license fee.

Frequency and Scheduling of Inspections

Property owners are notified of the scheduled inspection date 30 days in advance of the inspection. Property owners may re-schedule inspections when a scheduling conflict exists. Cancellation and reschedules must be requested five (5) working days prior to the scheduled inspection and are either approved or denied at the inspector's discretion. Cancellations made less than five (5) working days prior to the scheduled inspection may be assessed a fee of \$50 per unit scheduled for inspection.

The frequency of inspection is dependent on the history of compliance with the Property Maintenance Code and number of units per building. All single family and two family structures will be inspected on an annual, bi-annual or four year cycle dependent on history of compliance with established standards. All multi-family units, three (3) units or greater, are inspected at least bi-annually and may be placed on an annual inspection cycle should a history of non-compliance with established standards exist. Extended inspection cycles can be allowed based upon meeting certain criteria which is referenced later in this document.

Complaint inspections shall be made upon request and coordinated with the tenant making the complaint. Only after a tenant has exhausted efforts with the landlord will a complaint inspection occur. A letter will be sent to the property owner notifying them a complaint has been filed against the property.

Property Availability – The Inspection

The owner or a designated agent of the Owner who is eighteen (18) years or older must be present during the inspection. The tenant may be the agent for the owner. However, the owner has the ultimate responsibility to see that the inspection is completed.

Results of Inspection

At the completion of the inspection the Owners shall either be issued a Certificate of Compliance or a Notice and Order identifying the repairs that must be completed to meet compliance standards. When repairs are required to bring the property up to code, the owner is provided a timeframe to complete repairs and a re-inspection date is established to verify compliance. When repairs are completed properly, a Certificate of Compliance is then issued to the owner. The Certificate of Compliance is valid until the next inspection and is transferable to a new owner. However, the certificate may be revoked if new violations occur between inspection periods and are not corrected.

Failure to comply with a Notice and Order will result in the owner being charged substantial penalty fees, and could result in the rental unit or structure being vacated, and/or a municipal infraction citation being issued requiring an appearance in Scott County Court.

Rental Property License and Inspection Fee Schedule

Annual Rental License	\$25.00 per single family unit, paid annually. A 10% penalty will be assessed on all late payments.
Inspection Fee	A \$35.00 fee will be charged for each single family unit per building. For properties on an extended inspection cycle (not annually), the inspection fee is charged only in the year that the property is actually inspected.
Re-inspection Fee if Repairs are Completed On Time	No charge
Re-inspection Fee if Repairs are Not Completed On Time.	\$20 Per Violation, \$50 Trip Fee
Complaint Inspection	No charge
No Show Fee (Failure to have property available for inspection	\$50 per building
Late Cancellation Fee (Appointment cancelled less than 5 working days prior to scheduled inspection)	\$50 per building
Failure to register rental property	\$500 Fine & Citation & Annual Inspection Cycle
Rental License Re-instatement Fee	\$500 Fine + \$10 per day after revocation
Appeal Filing Fee	\$50 Non-refundable Fee
Occupying tagged building	\$250 Fine + \$10 per day per violation
Repair Action Plan Deviation, without approval	\$1000 Fine

Right to Appeal

Any person may appeal a Notice and Order issued as a result of an inspection. The appeal is sent to the Property Maintenance Code Board of Appeals and must indicate the inspector has incorrectly interpreted a requirement

of the code. The appeal must be completed on an appeal form. The appeal must be filed within 30 days of the postmark of the Notice and Order. A filing fee will be charged as determined by the fee schedule approved by the City Council. Appellant will be notified of the hearing date, time and location upon receipt of a compliant appeal application.

Other Rental Property Owner Requirements

- **Landlord Education Assistance Program.** All property owners who have rental property must complete [the Landlord Education Assistance Program \(Crime Free Multi-Housing Program\)](#). The program is \$25 per person and provides tools and techniques rental property owners and managers can use to keep drugs and illegal activities off rental property. Crime prevention protects the value of property and the safety of our community.
- **Lead-based Paint.** The State of Iowa requires that all rental property owners inform their tenants of lead based paint that exists in the unit being rented. For more information on this requirement please contact the Scott County Health Department at 563.326.8618.

City of Davenport, Rental Inspection Cycle Criteria

Inspection Cycle Criteria

The period of time between regularly scheduled inspections for the residential rental inspection program are set with consideration of the following factors:

- The condition of the property at the time of the most recent inspection(s).
- Indications of the likelihood that the property will remain in compliance through the designated period length.

The flexibility provided by the use of various inspection cycles has multiple functions. First, extending the inspection cycle for the better quality properties is expected to generate more availability for the staff to focus on the poorer quality properties. Second, extending the inspection cycle also functions as a financial incentive for self-initiated compliance. Demonstrating that a property is being properly maintained and that it complies with the Code will put it on a longer inspection cycle, thus reducing overall inspection fees.

Regular Inspection Cycles

All properties with eleven (11) units or less shall be on a two (2) year inspection cycle and may be eligible for a four (4) or six (6) year inspection cycle based on the above criteria. All properties with twelve (12) units or more shall be inspected on a two (2) year inspection cycle and may become eligible for a three (3) year cycle. All properties may be placed on a one (1) year inspection cycle based on inability to meet compliance standards.

Newly constructed buildings will automatically be assigned to either a four or three year cycle, depending on the number of units; eleven (11) or less units will be assigned a four year cycle, twelve (12) or more units will be assigned a three (3) year cycle.

Extended Inspection Cycles

Two (2) consecutive inspections must meet the criteria below for a property to become eligible for an extended inspection cycle.

Facilities with eleven (11) units or less

A four (4) year inspection cycle may be granted if:

- the maximum number of violations in any one (1) unit is less than six (6)
- the maximum ratio of violations per unit is less than six (6) per unit
- all violations (including tenant violations) are remedied by the first re-inspection
- all mandated (UFC) certified inspection documentation is presented for property
- the likelihood conditions are expected to remain in compliance for the duration of a four (4) year cycle

A six (6) year inspection cycle may be granted if:

- the maximum number of violations in any one (1) unit is less than six (6)
- the maximum ratio of violations per unit is less than four (4) per unit
- all violations (including tenant violations) are remedied by the first re-inspection
- all mandated (UFC) certified inspection documentation is presented for property
- the likelihood conditions are expected to remain in compliance for the duration of a four (4) year cycle

Facilities with twelve (12) units or more

A three (3) year inspection cycle may be granted if:

- the maximum number of violations in any one (1) unit is less than seven (7)
- the maximum ratio of violations per unit is less than seven (7) per unit
- all violations (including tenant violations) are remedied by the first re-inspection
- all mandated (UFC) certified inspection documentation is presented for property
- the likelihood conditions are expected to remain in compliance for the duration of a four (4) year cycle

Basis for Revocation of Extended Cycle

Properties with any of the following characteristics shall lose eligibility to remain on the extended cycle. Properties having been sold, or where the management has changed, may also be assigned to a shorter cycle.

- Property was not in compliance at the time of re-inspection or required an extension to come into compliance.
- Property has had founded complaint violations which were not corrected at the time of re-inspection.
- The number of violations exceeded the maximum allowed during the inspection cycle.
- Failure to provide access to required inspection areas.
- Failure to provide required information or the provision of false information.

Criteria for Assignment to a One (1) Year Inspection Cycle

Properties with any of the following characteristics may be placed on the one-year cycle.

- Property has nine (9) or more violations in any one unit; exceeds the permissible ratio of nine (9) violations per unit; or exceeds a total of seventy- five (75) violations regardless of number of units.
- Property was not in compliance at the time of second re-inspection, or required an extension to correct violations. (In addition, if violations are not corrected at the time of the second re-inspection, the rental license may be suspended for up to six months).
- Property has been tagged as substandard. (Exception: if the property has been damaged by fire or an act of nature it may be tagged if unfit for occupancy, but will not become subject to a shortened cycle).
- Property has been designated a nuisance, as defined in Chapter 8.12 of the City of Davenport Municipal Code, or has not had a prior nuisance designation removed.
- Landlord failed to provide required information or provided false documentation.
- Founded complaint violations during the one-year cycle which are not corrected at the time of re-inspection shall remain on the one-year cycle.

Criteria for Graduation from a One (1) Year Inspection Cycle

All criteria must be met:

- Property has met requirements for two consecutive cycles of regular inspections; and
- No founded complaints for two consecutive cycles were identified; and
- Property has remained free of nuisance designation for period of two consecutive cycles; and
- At the time of inspection a statement, as required under § 8. 15.620, for any fossil fuel-burning heating devises was provided; and
- Conditions of the property are such that the unit, as determined by the Code Enforcement Officer, will remain in compliance for the span of an extended cycle.

Questions? Call 563.326.7745.

Following is a list of basic requirements for all rental housing units. It is recommended that you review this list and conduct your own inspection prior to the code enforcement officer's visit.

	ACCESSORY STRUCTURES. Are garages and storage sheds maintained in good condition, including electrical wiring?
	ADEQUATE LIGHTING. Do the public hallways, stairways, and cellar areas contain adequate electrical lighting? Are all-habitable rooms provided with natural light, by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms with a minimum of ten square feet?
	BATHROOM VENTILATION. Do all bathrooms have an operable window or mechanical ventilation?
	CHIMNEY. Are there loose bricks? Is all the mortar in place and tight in the joints? Is the chimney free of obstructions?
	COMBUSTIBLES. Are all areas in structures containing gas-fired appliances free from combustible and flammable materials and liquids?
	DOORS. Are all doors operable and reasonably weather tight? Is the door glass free from breaks or cracks? Are hinges, knobs, locks, and closures working properly?
	EGRESS. Do all dwelling units/guest rooms below the 3rd story have their own private/protected means of egress? Do all dwelling units/guest rooms above the 2nd story have 2 means of egress remote from each other?
	ELECTRICAL. Is the electrical system properly fused and maintained in good operating condition? Is the electrical system properly grounded? Has the electrical system been properly installed? Does each habitable room contain at least 2 electrical outlets or 1 electrical outlet and 1 permanently installed light fixture with a wall switch? Does the bathroom have at least 1 electrical outlet? Is there an excessive use or abuse of extension cords? Do all outlets, switches, junction boxes, fuse boxes, and service panels have covers? Is the wiring to and within all accessory buildings properly installed?
	EXTERIOR PAINTING. Are any of the following in need of scraping and painting due to peeling paint exposing surface areas to the elements: exterior siding, building trim, roof overhang, windows, porches, decks, doors, stairways, and accessory buildings?
	EXTERIOR WALLS. Are the exterior wall members and siding in sound condition and able to prevent the elements from penetrating? Does the exterior of the building need scraping and painting due to peeling paint exposing wood to the elements?
	FIRE ALARM SYSTEMS. Is the fire alarm system (in buildings containing 16 or more units) installed and maintained in proper working condition in accordance with all state and local codes? Does an approved alarm system company annually inspect it? Is the equipment tagged showing the date of inspection?
	FIRE EXTINGUISHERS. Are structures containing three or more units provided with an approved type 2A serviceable fire extinguishers in common corridors at each floor level and the basement? Are the fire extinguishers no more than 75' on the same floor? Have they been serviced and date-tagged by a fire equipment service company in the last 12 months?
	FLOORS. Are all floors structurally sound? Are all floor and stair coverings free from tears and deterioration? Are they able to be maintained in a sanitary condition and being maintained in a sanitary condition?
	FOUNDATION. Is the foundation structurally sound? Are there any holes, cracks, crumbling or loose brick, stone or block? Is all mortar in place and tight in the joints? Does the exterior finish grade slope away from the building for proper drainage? Are there any areas allowing weather penetration into the foundation or dwelling?
	GRADING AND DRAINAGE. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.
	GUTTERS AND DOWNSPOUTS. Is there a complete gutter and downspout system and is it in good repair?

	<p>HEAT SUPPLY. All heating plants in excess of 5 years old (verifiable by a finalized mechanical permit) will need an approved service inspection report (from an approved mechanical company, licensed with the City of Davenport) within 2 years of the biennial Property Maintenance Inspection by the City Code Enforcement Officer. Exception: In lieu of providing proof of service inspection, an Underwriters Laboratory, Inc. approved carbon monoxide detector with an alarm, shall be installed in each dwelling unit, on each floor where sleeping rooms are located. Each carbon monoxide detector shall be labeled with the address and unit number with a permanent marker.</p>
	<p>INTERIOR PAINTING. Are walls, ceilings, windows, doors, and trim in need of scraping and painting?</p>
	<p>MECHANICAL. Do all gas-fired appliances have a gas shut-off valve located in the same room and within 3' of the appliance? Are all gas-fired appliances in good operating condition and properly vented? Is the heating apparatus capable of maintaining a constant temperature of 70 degrees during daytime hours? Do water heaters and boilers have a proper operating temperature relief valve? Is there a temperature pressure relief valve drip leg extending between 6" and 24" from the floor? Is there a gas line drip leg for each appliance?</p>
	<p>PLASTER. Is all interior wall and ceiling plaster intact, including above suspended ceilings?</p>
	<p>PLUMBING. Does the building have adequate water pressure? Do all waste lines drain properly? Is the entire plumbing system free of leaks? Does each dwelling unit have a 3-fixture bathroom? Are all plumbing fixtures properly trapped and vented? Are proper materials being used for potable water and waste lines? (PVC Material is not allowed to be used for supply lines.)</p>
	<p>PREMISES (BUILDING) IDENTIFICATION. Building shall have approved address numbers placed in a position easily observed on the front of the house. Premises (buildings) address numbers shall also be displayed on the rear of the house or on the garage whenever an alley serves the property. The rear address identification numbers should be easily observed and readable from the alleyway. All numbers shall be in Arabic numbers at least 3" high and 1/2" wide. In addition individual dwelling units or guest rooms within a building shall have unit identification numbers on all doors entering the unit.</p>
	<p>PRIVATE SIDEWALKS. Are the sidewalks and yard steps maintained in good repair? I.e: no excessive cracking, no changes in elevation of 1" or more between slabs, no excessive spalling (deterioration of the surface area).</p>
	<p>RODENTS AND INSECTS. Is there evidence of rodents, roaches, fleas, termites, vermin, or other insects?</p>
	<p>ROOF. Has the roof covering deteriorated? Does the roof leak? Are the roof sheathing, structural members and overhang in good repair?</p>
	<p>SANITATION. Is the unit free of excessive debris, clutter, and animal feces? Is the unit being maintained in a sanitary condition? I.e: Are floors kept clean, is the unit free of insect or rodent infestation, is there no accumulation of garbage or debris, etc?</p>
	<p>SCREENS. Are all screens free from holes and tears and are the frames free from deterioration?</p>
	<p>SMOKE DETECTORS. Do all dwelling units/guest rooms have approved operable smoke detectors for each floor level including basement? Do all common corridors have operable smoke detectors in approved locations?</p>
	<p>SPACE AND OCCUPANCY. Does every dwelling unit have at least one room which has a minimum floor area of 120 square feet with one wall at least 7' in length? Do other habitable rooms (kitchen and bathroom excluded) have a minimum floor area of 70 square feet? (Where more than two people occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each occupant over two.) Are all ceilings a minimum of 7'6" in height?</p>
	<p>STAIRWAYS, PORCHES, AND STEPS. Are the stairways, porches, and steps properly constructed and maintained in a safe and sound condition? Are the steps and stairways having more than 3 risers provided with properly constructed handrails? Do all stairways, porches, decks, and accessible roof areas above 30" from the ground have properly constructed guardrails?</p>
	<p>WINDOWS. Are the windows free from breaks or cracks in the glass? Are they reasonably weather tight? Do the windows operate properly to provide ventilation and emergency egress? Are there locks on all of the windows accessible from the ground, stairs, deck, porches & landings?</p>



Heating Appliance Inspection Report Rental Property Maintenance Code

Per the City's Property Maintenance Code, all heating plants older than five (5) years require an approved inspection report within two (2) years of the City's Property Maintenance Inspection. In lieu of a heating appliance inspection, property owner may select to install approved carbon monoxide detectors with alarm in each dwelling unit on each floor where sleeping rooms are located.

Heating Appliance Inspection Requirements

- Age of appliance(s) must be verified with a copy of finalized mechanical permit.
- Inspections of the appliance(s) must be conducted by a mechanical contractor licensed and bonded to do mechanical work in the City of Davenport.

Alternate Carbon Monoxide Detector Requirements

- Carbon monoxide detector must have an alarm and be UL (Underwriters Laboratory) certified.
- Shall be affixed in each dwelling unit on each floor where sleeping rooms are located.
- Each carbon monoxide detector shall be labeled with the address and unit number with a permanent marker.

A copy of the original work order on the licensed contractor's letterhead must be submitted with this completed inspection report to the Community Services Division located at 1200 E 46th Street, Davenport, IA 52807. Questions should be directed to 563.326.6198.

Unit Details

Address Inspected				Unit # if Applicable					
Date of Inspection		Inspected by		License #					
Company									
Mailing Address				City		State		Zip	
Contact Name			Phone			E-mail			
Property Owner Contracting the Work									

Inspection (To be Completed by Licensed, Bonded Contractor)

Component	Passed, Adjusted or Repaired	Failed	Component	Passed, Adjusted or Repaired	Failed
Burners			Safety Controls		
CO Test			Thermostat		
Gas Piping			Vent/Vent Piping		
Heat Exchanger			Wiring		
Pilot			This heating appliance is currently safe for use Yes/No		

Comments

Under penalty of perjury, by signing this document I certify that I _____ personally conducted an inspection of the heating appliance, described above, to the best of my knowledge the information stated on this report is true and correct.

Signature of Inspector

Date

For Office Use Only

Date Received		Compliant Y/N		Other Action if N	
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Property Maintenance Board of Appeals Application

Property owner's have the right to dispute certain actions of the City's Code Enforcement Office under Section 15.38 of City Code.

To request an appeal, complete and submit this form along with the required \$50 filing fee to the Community Services Division, Code Board of Appeals, 1200 E 46th Street, Davenport IA 52807. All requests for appeal must be received within the designated appeal period stated in the notice and order issued by the City or as it is stated within Section 15.38 of City code. Appeal applications received after the stated timeframe or without the filing fee will not be heard.

Appeals are heard by the Property Maintenance Code Board of Appeals, a group of citizens appointed by the Mayor, or by a hearing officer, who is a member of the group. You have the right to be represented by an attorney at the appeal hearing. The City may be represented by an attorney at the appeal hearing.

The Property Maintenance Code Board of Appeals or hearing officer may refund the filing fee, in whole or in part, if it is determined to be warranted.

Appellant will be notified of the hearing date and time upon receipt of a compliant Appeal Application. Questions regarding the status of your appeal should be directed to 563.326.7746.

Appeal Details

I am appealing an action of a Code Enforcement Officer

I am appealing the assessment of fees or fines associated with an inspection of the property identified below

Appellant							
Mailing Address		City		State		Zip	
Contact Name		Phone		E-mail			
Location of Action/Assessment Being Appealed							

Provide a brief statement, in ordinary and concise language, of the specific order or action being protested.

Provide a brief statement, in ordinary and concise language, of the relief sought, and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.

Provide supporting facts or documents. Attach a copy of any documents, such as a notice and order or an invoice rendered by the City that is specific to this appeal. Identify attachments here:

Under penalty of perjury, by signing this document I certify that all of the information submitted with this application is the truth as stated in this appeal.

Signature

Date

For Office Use Only

Date Appeal Received		Case Number Assigned		Hearing Date	
Results of Appeal				Date Closed	



Rental License Revocation Appeal

Property owner's have the right to dispute certain actions of the City's Code Enforcement Office under Section 8.15 of Davenport Municipal Code.

To appeal a rental license revocation, complete and submit this form along with the required \$50 filing fee to the Community Services Division, Code Board of Appeals, 1200 E 46th Street, Davenport IA 52807. All requests for appeal must be received within the designated appeal period stated in the notice and order issued by the City or as it is stated within Section 15.38 of City code. Appeal applications received after the stated timeframe or without the filing fee will not be heard.

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Under penalty of perjury, by signing this document I certify that all of the information submitted with this application is the truth as stated in this appeal.

Signature

Date

For Office Use Only

Date Appeal Received		Case Number Assigned		Hearing Date	
Results of Appeal				Date Closed	