City of Portland, Oregon
Portland Permitting & Development
Tree Permitting

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ENFORCEMENT WAIVER APPLICATION

PORTLAND PERMITTING AND DEVELOPMENT TREE PERMITTING DIVISION

This form is to be used for the following:

1. **Financial Enforcement Waivers:** A property owner with lower income or their authorized representative may apply to have certain enforcement remedies and penalties waived.
2. **Enforcement Penalty Lien Reduction:** A property owner or their authorized representative may apply to have enforcement penalty liens reduced under certain circumstances once all violation and enforcement cases on the property are closed.

A waiver may be available in cases where a property owner has documentation of living with a low income or other hardship. Additional information about the waivers and qualifying criteria can be found on page 3 of this document.

A property owner or authorized representative must submit a completed waiver application in order for the application to be processed and waiver eligibility determined. A complete application shall include a statement of eligibility and any additional information or supporting documentation. Once reviewed, the property owner or authorized representative will be notified of the eligibility determination.

Instructions:

Complete and submit the application in **one** of the following ways:

Mail to Portland Permitting and Development Tree Permitting Division, 1900 SW 4th Ave. Suite 5000, Portland, OR 97201

1. Email to trees@portlandoregon.gov
2. In-person at the Development Services Center (DSC), 1900 SW 4th Ave. 1st Floor, Portland, OR 97201
    - Note: Visit www.portland.gov/trees for the Tree Permitting Division's schedule and availability at the DSC.

      *There may be a wait time at the DSC.

***Supporting documents and/or additional information must be included with this application or the application may be deemed incomplete and will not be processed for review.

Need help? Email trees@portlandoregon.gov, or call 503-823-TREE (8733)

PORTLAND PERMITTING AND DEVELOPMENT TREE PERMITTING DIVISION

Check one: ☐ **FINANCIAL ENFORCEMENT WAIVER** ☐ **ENFORCEMENT PENALTY LIEN REDUCTION**

Today's Date:	Date of Decision or Notice:
Case Number:	
Property Address:	
Use the space provided for a concise statement of waiver eligibility **(required):**	

Attached additional information and supporting documentation.

1. 4.
2. 5.
3. 6.

APPLICANT INFORMATION

Name	
Mailing Address	
City, State, Zip	
Phone	
Email	
Relationship to the property where trees are located	

What is the best way to contact you? ☐ Email ☐ Phone

Name:_____ Signature:_____ Date: _____

STAFF USE ONLY

Intake date: _____

IVR #: _____

Financial Enforcement Waivers:

A property owner will be eligible for a financial enforcement waiver if they are able to certify all of the following:

1. The property is the property owner's primary residence, and
2. The property owner has agreed to meet all enforcement actions that are not waiver eligible as defined below, and
3. The property owner does not have previously documented violations of Title 11 within the last three years, and
4. The property owner is receiving Tier 1 Discounts from the Sewer, Stormwater, and Water Bill Discount Program administered by the Portland Water Bureau (PWB).
    - Property owners not currently enrolled may apply to become enrolled in the PWB program to qualify under this section

Cases will be reviewed on a case-by-case basis and may not be eligible for financial enforcement waivers.

Only waiver eligible enforcement remedies and penalties may be reduced though a financial enforcement waiver. Waiver eligible enforcement remedies and penalties are all remedies and penalties in excess of the standard permitting requirements had the code been followed appropriately. At no time will an illegal tree removal result in mitigation of less than one tree.

Applying for a Financial Enforcement Waiver does not limit the ability of the property owner to submit for an Administrative Review as per Chapter 11.70 of the Tree Code.

Enforcement Penalty Lien Reduction:

If all Tree Code violation cases on the property are closed and the violations corrected, the total enforcement fee lien assessment may be reduced if certain conditions are met. To qualify, the applicant must demonstrate and provide documentation which of the following criteria are met:

- Documented medical/financial hardship prevented property owner from reaching compliance in a timely manner.
- Property owner qualifies for Financial Enforcement Waivers.
- Consistent payments have been made for at least 2 years to satisfy lien.
- There are multiple assessments and/or cases for the same or similar types of violation.
- City contact with the property owner lapsed for more than 1 year while the case was open.
- An error was made in the violation notification.
- Delays in the violation review process or other delays due to City staff beyond the applicant's control.

Cases will be reviewed on a case-by-case basis and may not be eligible for financial enforcement waivers.