

TUCSON CITY COURT

103 E. Alameda P.O. Box 27210 Tucson, AZ 85726-7210 (520) 791-4216

CITY OF TUCSON, Plaintiff
vs.
1025 E Benson LLC
Respondent

Docket No.: LC23009426
Complaint No.:
Violation:
Violation Date:

JUDGMENT/MINUTE ENTRY
ORDERS OF THE COURT
CIVIL INFRACTIONS

HEARING SCHEDULED FOR THE 5th DAY OF December 2023 AT 10:00 AM/PM.
NOTE: If Respondent intends to be represented by counsel, the Court must be notified in writing 10 days prior to hearing date.

JUDGMENT: Not Responsible Responsible Default/Failed to Appear

ABATEMENT DUE BY: _____
Pursuant to T.C. 8-6.1(a)(2), the abatement order remains in effect for one year until _____.

SANCTION _____ Default _____ JCEF: \$20.00 TOTAL _____ DUE BY: Suspended

INSTALLMENTS: _____ monthly beginning _____

OR COMMUNITY SERVICE: _____ hours, proof due by: _____

- Case closed pending total payment of above fine.
- All parties except those indicated in "Other" below are ordered to appear at the hearing scheduled for the date and time above.
- Respondent is ordered to abate the violation contained in the above captioned complaint pursuant to Tucson City Code by the due date indicated above. IF THE VIOLATION HAS NOT BEEN ABATED AS ORDERED, AN ADDITIONAL FINE OF FROM \$100.00 TO \$2,500.00 A DAY MAY BE IMPOSED FOR EVERY DAY FROM THE DATE OF THE JUDGMENT TO THE DATE OF THE COMPLIANCE HEARING OR FOR EVERY DAY THE RESPONDENT REMAINS IN NONCOMPLIANCE, DEFAULT OR WHILE THE VIOLATION REMAINS UNABATED (T.C. 8-6.1(B)). PURSUANT TO T.C. 11-122, FAILURE TO ABATE A VIOLATION AS ORDERED MAY RESULT IN A MINIMUM MANDATORY 24 HOURS IN JAIL TO A MAXIMUM 6 MONTHS IN JAIL, A MINIMUM MANDATORY FINE OF \$250.00 UP TO A MAXIMUM \$2,500.00 AND UP TO 3 YEARS OF PROBATION.

OTHER: Page 1; Inspector Tidwell for the City. Mr. Juan Cruz and Ms. Selene Milroy (GM) for Respondent.
See Page 2 →

CC:
I acknowledge receipt of this judgment, notice of appeal on reverse and possible sanctions.
RESPONDENT SIGNATURE _____ Date 10/9/23
Chadley Simon 09/26/23
~~LIMITED SPECIAL~~ MAGISTRATE Date
cc: 420 WHITE - File Canary - Department PINK - Respondent GOLDENROD - Prosecutor CLERK: Alto 9/26

TUCSON CITY COURT

103 E. Alameda Street • P.O. Box 27210 • Tucson, AZ 85726-7210 • Phone (520) 791-4216 • tucsonaz.gov/courts

State of Arizona vs.	1025 E BENSON LLC		
Docket Number(s):	LC23009426		
			<input type="checkbox"/> Bond Posted

ORDERS OF THE COURT

IT IS ORDERED THAT

<p>A Continuance requested by <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant extraordinary circumstances existing, Continuance <input type="checkbox"/> granted <input type="checkbox"/> denied Time is <input type="checkbox"/> excluded <input type="checkbox"/> included per Ariz. Rules Crim. Proc.</p> <p style="text-align: center;">Judge Semon</p> <p>Appear at the next hearing:</p> <p><input type="checkbox"/> Pretrial <input type="checkbox"/> Trial <input type="checkbox"/> COP <input type="checkbox"/> Prob. Revocation <input type="checkbox"/> Legal <input type="checkbox"/> Prob. Disposition <input type="checkbox"/> Evidentiary <input type="checkbox"/> ARRAIGNMENT <input checked="" type="checkbox"/> COMPLIANCE REVIEW HRG</p> <p>Date: DECEMBER 05, 2023 Time: 10:00 A.M.</p> <p><input type="checkbox"/> Defendant <input type="checkbox"/> Bond Poster FAILED TO APPEAR <input type="checkbox"/> Forfeit Bond/Deposit</p>	<p><input type="checkbox"/> Defendant <input type="checkbox"/> Bond Poster <input type="checkbox"/> Other On _____ at _____ is to appear and show cause why: <input type="checkbox"/> Arrest warrant should not issue <input type="checkbox"/> Default judgment should not issue <input type="checkbox"/> Bond should not forfeit <input type="checkbox"/> He/She should not be held in Contempt <input type="checkbox"/> _____ FOR <input type="checkbox"/> Failure to appear in court this date <input type="checkbox"/> Failure to pay fine, restitution, and/or fees <input type="checkbox"/> Failure to show proofs: _____ <input type="checkbox"/> Willful disobedience of Court Order, to wit: _____</p>	<p><input type="checkbox"/> Issue Warrant (NIC) <input type="checkbox"/> Order Default <input type="checkbox"/> Set Bond:</p> <p>Defendant not appearing at <input type="checkbox"/> Arraignment <input type="checkbox"/> Pretrial <input type="checkbox"/> Hearing <input type="checkbox"/> Trial <input type="checkbox"/> Sentencing <input type="checkbox"/> _____ <input type="checkbox"/> Release defendant from the custody of Sheriff <input type="checkbox"/> Detain in custody until full satisfaction <input type="checkbox"/> Transport Defendant</p>
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PAGE 2: Both Parties discuss the current status. The Court finds that there has not been significant progress up to this point by the Defendant, and that the property 1025 E. Benson Highway is not in compliance with Tucson City Codes. The Court further finds that there are potential health and safety hazards at the property and it is not currently appropriate for people to live there.

ORDERS:

- Defendant shall immediately cease and desist from operating as a hotel/apartment, and shall close the premises to all "guests"/"tenants". No one shall live at the property until it is decided by this Court that the property is compliant with all relevant laws/codes.
- All "guests"/"tenants" must vacate the premises within 10 days of today's date
- Defendant has resubmitted the necessary plans to Planning and Development as of 9/21/2023. Defendant shall diligently follow through with all parts of the permit process and renovation process.
- The City (Planning and Development) shall likewise diligently move the permit process forward to avoid delays, given the nature of the situation and the need for more housing in Tucson.
- Defendant shall secure the property (following the required permit/site plan process) to include a fence and, if needed, additional security.
- Compliance review hearing set as above. All parties ordered to appear.

<p>I have received a copy of this Minute Entry.</p> <p>_____ Defendant</p> <p>_____ Address</p> <p>_____ City</p> <p>_____ ZIP</p>	<p><input type="checkbox"/> Pull for review by undersigned</p> <p>_____ Date</p> <p style="text-align: center;"><i>Thaddeus Semon</i> 9/26/23 HON. THADDEUS SEMON _____ Date Magistrate</p>
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