

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

In the Matter of the Appeal by)
Ms. Terry Santini of Hearings) FINAL ORDER
Officer's Order Affirming Denial) 88-185
of Adult Care Home License.)

WHEREAS, this matter came before the Board of County Commissioners on September 22, 1988 on an appeal brought by Ms. Terry Santini from the hearings officer's order affirming the denial of an adult care home license; and

WHEREAS, Multnomah County Ordinance 8.90.090(J) vests in the Board of County Commissioners the power and duty to review the record of the proceedings and written exceptions taken thereto; and

WHEREAS, written exceptions to the hearings officer's order were presented to the Board of County Commissioners in a timely manner by Garth S. Ledwidge, attorney for Ms. Terry Santini; and

WHEREAS, a written response to the exceptions was presented to the Board of County Commissioners by Stephen P. Balog, Manager of the Multnomah County Adult Housing Program; and

WHEREAS, notice was sent to both Mr. Ledwidge and Mr. Balog regarding the hearing date of September 22, 1988; and

WHEREAS, there was no one present at the meeting of the Board of County Commissioners on behalf of Ms. Santini on September 22, 1988; and

WHEREAS, within the authority granted the Board of County Commissioners by MCC 8.90.090(J), the Board of County Commssioners declined to hold a formal hearing once it became clear that no one was going to appear for Ms. Santini; and

WHEREAS, the Board of County Commissioners had fully reviewed the record of the proceedings and the written exceptions thereto,

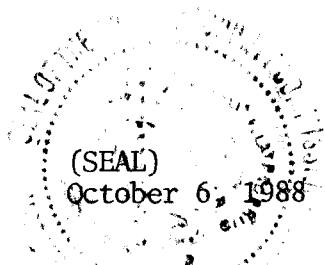
NOW, THEREFORE, the Board of County Commissioners
finds as follows:

1. On May 27, 1988 Ms. Terry Santini was denied a license to operate an adult care home in Multnomah County;
2. On July 21, 1988 a hearing was held by Hearings Officer Williams W. Shatzer on an appeal of the denial filed by Ms. Santini;
3. The hearings officer sustained the ruling denying the license.
4. Ms. Santini filed timely written exceptions with the Board of County Commissioners pursuant to MCC 8.90.090(J);
5. Administrative Rules for the licensure of adult care homes were adopted by the Board of County Commissioners effective September 28, 1987;
6. MCAR 890-050-220 states that:

Persons who have been convicted of one or more crimes within the past ten years which are substantially related to the qualifications, functions, or duties of. . .[a] household member in an adult care home shall be prohibited from. . .being in an adult care home on a regular basis.
7. Ms. Santini's husband, Mr. Mario Santini, was convicted of assault in the second degree on September 22, 1986;
8. Assault is listed in MCAR 890-050-030 as an example of a crime that is "substantially related to the qualifications, functions, or duties of. . .[a] household member."

NOW, THEREFORE, IT IS HEREBY ORDERED that the decision of the hearings officer be sustained.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



BY Gladys McCoy
Gladys McCoy
Multnomah County Chair

APPROVED AS TO FORM:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY OREGON

By Arminda J. Brown
Arminda J. Brown
Chief Assistant County Counsel

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