

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

CITY OF PORTLAND, a municipal corporation,

Plaintiff,

v.

LOUIS VUITTON USA INC., an Oregon foreign business corporation,

Defendant.

Case No.

COMPLAINT  
(to enforce requirements of municipal and county ordinances)

CLAIM SUBJECT TO MANDATORY ARBITRATION  
Claim for \$42,268.03  
(Filing fee set by ORS 21.160(1)(b))  
(Fees deferred at filing pursuant to ORS 20.140)

COMES NOW Plaintiff City of Portland and alleges these claims for relief against Defendant as follows:

1.

At all times material hereto, Plaintiff City of Portland (the “City”) was and is a municipal corporation, duly organized and existing under the laws of the State of Oregon.

2.

Portland City Code (“PCC”) Chapter 7.02 has been in full force and effect at all times material hereto. PCC Chapter 7.02 is also known as the Portland City “Business License Law.”

3.

Multnomah County Code (“MCC”) Chapter 12 has been in full force and effect at all times material hereto. MCC Chapter 12 is also known as the Multnomah County “Business Income Tax Law.” Prior to August 2004 the “Business Income Tax Law” was found in MCC Chapter 11.500.

4.

Pursuant to an intergovernmental agreement and MCC §12.200, the City’s Revenue Division (the “Division”) is authorized by Multnomah County (the “County”) to collect County business income taxes, associated interest and penalties.

1 5.

2 PCC 7.02.100(A) defines “business” as: “an enterprise, activity, profession or  
3 undertaking of any nature, whether related or unrelated, by a person in the pursuit of profit, gain,  
4 or the production of income, including services performed by an individual for remuneration, but  
5 does not include wages earned as an employee.” MCC 12.100 defines business in an identical  
6 manner.

7 6.

8 PCC 7.02.100(H) defines “doing business”, in part, as engaging “in any activity in  
9 pursuit of profit or gain, including but not limited to, any transaction involving the holding, sale,  
10 rental or lease of property.” MCC 12.100 defines doing business in an identical manner.

11 7.

12 During the tax years 2020, Defendant Louis Vuitton USA Inc. (“Defendant”) did  
13 business, as that term is defined in PCC 7.02.100(A) and MCC 12.100, in Portland, Multnomah  
14 County, State of Oregon. Accordingly, at all times relevant hereto Defendant was subject to both  
15 the Portland Business License Law and Multnomah County Business Income Tax Law.

16 8.

17 Defendant’s account number with the Division is File No. BZT-1837230080. Despite the  
18 Division having informed Defendant of Defendant’s delinquent County and City obligations,  
19 Defendant has failed to pay Defendant’s Multnomah County business income taxes, associated  
20 interest, and penalties and its City of Portland business license fees, associated interest, and  
21 penalties for the tax years ending 2020.

22 **First Claim for Relief**

23 (Violations of MCC §§ 12.500-550, 12.710, and 12.700(A), (C))

24 9.

25 The City realleges paragraphs 1 through 8 above.

1 10.

2 Based on reported and/or presumed income, Defendant is obligated to the City for  
3 business income taxes, late penalties, underpayment penalties and interest in the sum of  
4 \$17,942.61 as of August 26, 2022. (See Exhibit A attached hereto.)

5 **Second Claim for Relief**

6 (Violations of PCC §§ 7.02.500-550, 7.02.710, and 7.02.700(A), (C))

7 11.

8 The City realleges paragraphs 1 - 10 above.

9 12.

10 Based on reported and/or presumed income, Defendant is obligated to the City for  
11 business license fees, late penalties, underpayment penalties, and interest in the sum of  
12 \$23,325.42 as of August 26, 2022. (See Exhibit A attached hereto.)

13 **Third Claim for Relief**

14 (Imposition of County Civil Penalties: MCC § 12.700(D))

15 13.

16 The City realleges paragraphs 1 - 12 above.

17 14.

18 The City is authorized by MCC § 12.700(D) to assess a civil penalty of up to \$500 for  
19 every violation where a business fails to file a tax return within 90 days of the City's original  
20 written notice to file or fails to pay any tax liability within 90 days of the City's notice for  
21 payment. The City provided notice to the Defendant of Defendant's tax obligations, it demanded  
22 payment, and it informed Defendant of the potential for a \$500 civil penalty for each of the  
23 violations. Defendant failed to file reports and/or failed to fully pay tax liability within 90 days  
24 of the City's notices despite the City's demands. Pursuant to MCC § 12.700(D), Defendant is  
25 liable to the City for civil penalties in the sum of \$500.00. (See Exhibit A attached hereto.)

1 **Fourth Claim for Relief**

2 (Imposition of City Civil Penalties: PCC § 7.02.700(D))

3 15.

4 The City realleges paragraphs 1 - 14 above.

5 16.

6 The City is authorized by PCC § 7.02.700(D) to assess a civil penalty of up to \$500 for  
7 every violation where a business fails to file a tax return within 90 days of the City’s original  
8 written notice to file or fails to pay any license fee liability within 90 days of the City’s notice for  
9 payment. The City provided notice to the Defendant of Defendant’s license fee obligations, it  
10 demanded payment, and it informed Defendant of the potential for a \$500 civil penalty for each  
11 of the violations. Defendant failed to file reports and/or failed to fully pay license fee liability  
12 within 90 days of the City’s notices despite the City’s demands. Pursuant to PCC § 7.02.700(D),  
13 Defendant is liable to the City for civil penalties in the sum of \$500.00. (See Exhibit A attached  
14 hereto.)

15 WHEREFORE, Plaintiff City of Portland prays for relief as follows:

16 (a) Granting Plaintiff a judgment against Defendant for delinquent County business  
17 income taxes, late penalties, underpayment penalties, and interest in the sum of  
18 \$17,942.61;

19 (b) Granting Plaintiff a judgment against Defendant for delinquent City business  
20 license fees, late penalties, underpayment penalties and interest in the sum of \$23,325.42;

21 (c) Granting Plaintiff a judgment against Defendant for civil penalties pursuant to  
22 MCC 12.700(D) of \$500.00;

23 (d) Granting Plaintiff a judgment against Defendant for civil penalties pursuant to  
24 PCC 7.02.700(D) of \$500.00;

25 (e) Granting Plaintiff a judgment against Defendant for Plaintiff’s costs and  
26 disbursements incurred herein;

1 (f) Granting Plaintiff a judgment against Defendant for interest at the rate of 10% per  
2 annum in accordance with PCC 7.02.710 and MCC 12.710;

3 (g) Granting Plaintiff a judgment against Defendant for post judgment interest at the  
4 rate of 9% per annum in accordance with ORS 82.010; and

5 (h) Granting Plaintiff such further relief as the Court deems just and equitable.

6 DATED: August 26, 2022.

7  
8  
9 /s/ Mallory R. Beebe

Mallory R. Beebe, OSB No. 115138

Deputy City Attorney

Email: [mallory.beebe@portlandoregon.gov](mailto:mallory.beebe@portlandoregon.gov)

Attorney for Plaintiff

10  
11  
12 Trial Attorney: Mallory R. Beebe



CITY OF  
**PORTLAND, OREGON**  
OFFICE OF THE CITY ATTORNEY

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Account ID: BZT-1837230080

*ACCOUNT SUMMARY*

**City of Portland Outstanding Balance**

City of Portland total taxes and fees past due.

<b>Year</b>	<b>Tax</b>	<b>Penalty</b>	<b>Interest</b>	<b>Subtotal</b>	<b>Civil Penalty</b>	<b>Total</b>
2020	\$21,367.53	\$0.00	\$1,957.89	\$23,325.42	\$500.00	\$23,825.42
				<b>\$23,325.42</b>	<b>\$500.00</b>	<b>\$23,825.42</b>

**Multnomah County Business Tax Outstanding Balance**

Multnomah County Business total taxes and fees past due.

<b>Year</b>	<b>Tax</b>	<b>Penalty</b>	<b>Interest</b>	<b>Subtotal</b>	<b>Civil Penalty</b>	<b>Total</b>
2020	\$16,436.49	\$0.00	\$1,506.12	\$17,942.61	\$500.00	\$18,442.61
				<b>\$17,942.61</b>	<b>\$500.00</b>	<b>\$18,442.61</b>

**Grand Total**

**\$42,268.03**