

South Bend Animal Welfare Commission
Hearing Minutes

October 13, 2022
1800 Hours

County City Building
4th Floor
227 West Jefferson Blvd
South Bend, IN 46601

Hearing Case Number 2022-08 City of South Bend v. Carolina Balboa (Order Issued October 3, 2022)

Animal Control Commission Members Present: Rebecca Strand, Dr. Mariah Covey, and Barb Leavell

City Staff Present: Lindsey Cuellar -SBARC Shelter Manager, Tom Panowicz-Attorney for SBARC, and Kylie Connell and Ashley Snidecki- Attorneys for Commission, Marissa Frattini, and Pam Meyer-Chief Neighborhoods Officer

1. The hearing was called to order by the Hearing Officer at 1800 hours.
 - A. Hearing regarding Habitual Animal Offender residing at 250 North Wellington, South Bend.
 - B. Respondent is Carolina Balboa.
 - C. File opened in February 2019.
2. Service was made and accepted by Hearing Officer.
3. Tom Panowicz called SBARC Manager Lindsey Cuellar to give testimony regarding the this case.
 - A. Respondent file was opened in February 2019.
 - B. SBARC stated that Respondent has been in noncompliance with issues ranging from lack of food, water, and shelter, improper tethering, running at large, unaltered animal limit, fail to provide up to date vaccinations, and failure to license animals.
 - C. SBARC received a call regarding regarding an animal from this address running at large. Animal was seen running loose at this address in freezing temperatures. An Animal Weelfare Alert was issued to the owner at this time
 - D. SBARC was called out again in September of 2020 when another call regarding a malnourished dog was running loose. China. At that time when SBARC arrived they learned there was another dog named Indiana and three two month old puppies, which were China's. Respondent stated at that time they would make appointments with CARE to get both dogs spayed and neutered. This never happened nor was a breeder's license purchased.

- E. Through 2021 and 2022 SBARC continued to received calls and witnessed dogs being loose, improperly tethered and tangled in their tethers.
 - F. Respondent has been in noncompliance and due to continued lack of compliance SBARC is seeking they be deemed a Habitual Animal Offender and a lifetime ban be enacted.
- 4. Respondent did not show or send an attorney to speak for them.
 - 5. A motion was made by the Commission to label the Respondent a Habitual Animal Offender, with a lifetime ban, on owning any additional animals within South Bend proper.
 - A. SBARC will seize Respondent's dogs in the home.
 - B. Commission will not be giving Respondent a second chance, if there are animals at the residence they will be seized.
 - C. Motion regarding this case was made and carried by all on the Commission.

Adjourned at 1845 hours.