

**Office Of The
AUDITOR/RECORDER
Of Woodbury County**

PATRICK F. GILL
Auditor/Recorder



Court House – Rooms 103
620 Douglas
Sioux City, Iowa 51101

Phone (712) 279-6702
Fax (712) 279-6629

January 24, 2020

Via Certified Mail

Maria Rundquist
3131 Norman Drive
Sioux City, IA 51104

Jeremy J. Taylor
5202 Christy Road
Sioux City, IA 51106

Re: *Voter Registration Challenge*

Dear Ms. Rundquist and Mr. Taylor:

This matter comes before me as the duly appointed Commissioner of Registration under Iowa Code Chapter 48A.

Procedural History

On or about December 30, 2019, Maria E. Rundquist, Registration Address is 3131 Norman Drive in Sioux City, Iowa, submitted a Voter Registration Challenge (*see* Exhibit 2) against Jeremy J. Taylor, whose Registration Address is 3215 Grandview Boulevard, Sioux City, Iowa. Ms. Rundquist alleges that Mr. Taylor is not a resident at the address where he is registered to vote. See Iowa Code § 48A.14(1)(c).

As Commissioner of Registration, my first responsibility is to determine whether the Challenge is valid. Iowa Code § 48A.15(1). “A challenge is valid if it meets the criteria in section 48A.14, subsections 1, 2, and 3.” In reviewing the Challenge submitted by Ms. Rundquist, I confirmed that it was in writing, it alleged that Mr. Taylor is not a resident at the address where he is registered to vote, it did not contain allegations against more than one registered voter, it was signed by Ms. Rundquist, and it was proper in form. I therefore determined that the Challenge was valid, as defined by Chapter 48A.

Iowa Code § 48A.15(3) provides:

Upon receipt of a valid challenge, the commissioner shall, within five working days, notify the challenged registrant and the challenger of the date, time, and place of a hearing on the matter of the challenge, to be held not less than twenty nor more than

thirty days from the commissioner's receipt of the challenge. The notice of a hearing shall include a copy of the challenge, and shall advise the challenged registrant that the registrant may personally appear at the hearing, or may submit to the commissioner before the hearing evidence, documentation, or statements refuting the challenge.

On January 2, 2020, I notified the challenged registrant and the challenger that there would be a hearing on the matter of the challenged on January 23, 2020, at 10:00 a.m. in the Board Room at the Woodbury County Courthouse. The Notice, (*see* Exhibits 3 and 4), included a copy of the Challenge and advised the parties that they may appear personally at the hearing, or submit evidence before the hearing. Notice was served by first class forwardable mail addressed to the parties at their respective most recent mailing addresses, according to the registration records. See Iowa Code § 48A.15(4).

Applicable Law

The issue before me today is whether a preponderance of the evidence indicates that Mr. Taylor *is not* a resident at the address where he is registered to vote.

The residence of a person is in the precinct where the person's home or dwelling is located. Iowa Code § 48A.5A(1). A person's residence, for voting purposes only, is the place which the person declares is the person's home with the intent to remain there permanently or for a definite, or indefinite or indeterminable length of time. Iowa Code § 48A.5(2)(b). A person's declaration of residency for voter registration and voting purposes is presumed to be valid unless a preponderance of evidence indicates that another location should be considered the person's voting residence under the provisions of this chapter. Iowa Code § 48A.5A(8).

Analysis of the Evidence

Jeremy Taylor has declared that his residency for voter registration and voting purposes is 3215 Grandview Boulevard, Sioux City, Iowa. (Sworn testimony of Jeremy Taylor. *See also*, Exhibit 1). Mr. Taylor's testimony established that he intends to remain at this address for voting purposes for an indeterminable length of time.

However, the Challenger, and those who testified on her behalf, offered evidence which indicates that this may not actually be the case. Exhibit 9, a Parcel Report for property located at 5202 Christy Road in Sioux City, Iowa, indicates that the residential property at that location was purchased on May 8, 2019, by Jeremy James Taylor and his spouse. Paragraph 6 of Exhibit 10, a Purchase Money Mortgage signed by Mr. Taylor and his spouse in connection with the purchase of the Christy Road residence, contains the following provision:

6. Occupancy. Borrower shall occupy, establish, and use the Property as Borrower's principal residence within 60 days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control.

(Exhibit 10, p. 8).

While the testimony indicates that on March 3, 2018, Mr. Taylor registered with the Commissioner of Elections and represented that his residence was located at 3215 Grandview Boulevard, on May 17, 2019, Mr. Taylor represented to his lender that his residence was located at 5202 Christy Road.

Ms. Rundquist offered Exhibit 5, copies of records maintained by the City of Sioux City which document the water consumption history at 3215 Grandview Boulevard and 5202 Christy Road, the two residences at issue in this matter. Dan Greenwell offered explanatory testimony with respect to Exhibit 5, pointing out the dramatic decrease in water consumption starting in June of 2019, the month after Mr. Taylor purchased the Christy Road property. This evidence is inconsistent with the testimony of Mr. Taylor, which indicated he spends more than half of his nights at the Grandview Boulevard address.¹

Mr. Taylor testified as well. He offered copies of his Iowa driver's license, the property tax statement for the Grandview Boulevard address, his vehicle registration, a blank check, a Woodbury County pay stub, his NRA membership card, a medical bill, a military State of Legal Residence Certificate, his MidAmerican Energy bill, a Sioux City Police Department Incident Report, information related to his income tax return, home and auto insurance documentation, and statements from a number of individuals residing near his Grandview property expressing the belief that Mr. Taylor resides at the Grandview property.

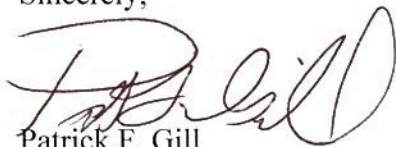
While these documents indicate the address various entities and organizations have on file for Mr. Taylor, they say nothing about where he was actually living. As it relates to the statements of various neighbors, those statements were contradicted by the testimony of Mr. Wissing.

Conclusion

Based upon the foregoing, I conclude that the preponderance of the evidence establishes that Jeremy Taylor's voting residence as defined by Iowa Code Chapter 48A is 5202 Christy Road, Sioux City, Iowa.

The current voter registration of Jeremy Taylor is hereby **CANCELLED**.

Sincerely,



Patrick F. Gill

Woodbury County Commissioner of Registration

¹ While the un rebutted evidence in the record established that Mr. Taylor was deployed in May and June of 2019 and living with his children at the Christy Road residence while his spouse was out of the country in July and August, this does not explain the near lack of water usage during the period from September, 2019, through January, 2020.