

LEGISTAR # 200509  
Attachment F

April 5, 2021

Request For Proposal No. CRAX-210034-GD  
Probate Legal Services for Heirs Property Program

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RFP COVER PAGE



Procurement Division  
200 E University Avenue, Rm 339  
Gainesville, FL 32601  
(352) 393-8789  
Bid Posted Date: 03/23/21

REQUEST FOR PROPOSAL: CRAX-210034-GD  
Probate Legal Services for Heirs Property Program

PRE-PROPOSAL MEETING: ☒ Non-Mandatory ☐ Mandatory ☐ N/A ☐ Includes Site Visit  
DATE: Wednesday, March 31, 2021 TIME: 2:00pm Eastern Time  
LOCATION: ZOOM – all Zoom access information is located in Exhibit F

QUESTION SUBMITTAL DUE DATE Wednesday, April 7, 2021, 3:00pm Eastern Time

DUE DATE FOR UPLOADING PROPOSAL: Friday, April 23, 2021, 3:00pm Eastern Time

**SUMMARY OF SCOPE OF WORK:**

The City of Gainesville (hereafter "City") is requesting proposals from qualified providers of probate legal services to assist neighbors gain title of heirs property through a forthcoming Heirs Property Assistance Program. The selected vendor will be an extension of the Gainesville Community Reinvestment Area (GCRA) team. It is the goal of the GCRA to award the top responsible and responsive bidder a contract for one year with the possibility of two one-year extensions. However, the City reserves the right to award to more than one firm if it is deemed necessary for the success of the Heirs Property Assistance Program.

For questions relating to this solicitation, contact: Gayle Dykeman, [dykemangb@cityofgainesville.org](mailto:dykemangb@cityofgainesville.org)

Bidder is not in arrears to City upon any debt, fee, tax or contract: ☒ Bidder is NOT in arrears ☐ Bidder IS in arrears  
Bidder is not a defaulter, as surety or otherwise, upon any obligation to City: ☐ Bidder is NOT in default ☐ Bidder IS in default.

Bidders who receive this bid from sources other than City of Gainesville Procurement Division or DemandStar.com MUST contact the Procurement Division prior to the due date to ensure any addenda are received in order to submit a responsible and responsive offer. Uploading an incomplete document may deem the offer non-responsive, causing rejection.

**ADDENDA ACKNOWLEDGMENT:** Prior to submitting my offer, I have verified that all addenda issued to date are considered as part of my offer: Addenda received (list all) # 1

Legal Name of Bidder MATTHEW D. WEIDNER, PA  
DBA: WEIDNERLAW  
Authorized Representative Name/Title: MATTHEW D. WEIDNER  
E-mail Address: WEIDNER@MATTWEIDNERLAW.COM FEIN: 61-1414076  
Street Address: 250 MIRROR LAKE DRIVE ST PETE FL 33701  
Mailing Address (if different): \_\_\_\_\_  
Telephone: (727) 954-8752 Fax: (727) 231-8008

By signing this form, I acknowledge I have read and understand, and my business complies with all General Conditions and requirements set forth herein; and,

☒ Proposal is in full compliance with the Specifications.  
☐ Proposal is in full compliance with the Specifications except as specifically stated and attached hereto.

SIGNATURE OF AUTHORIZED REPRESENTATIVE: \_\_\_\_\_

SIGNER'S PRINTED NAME: MATTHEW D. WEIDNER PA DATE: 4/5/21

This page must be completed and uploaded to DemandStar.com with your Submittal.

### PART 3 – PRICE PROPOSAL

Proposer Company Name: MATTHEW D. WEIDNER, PA

If billing will be hourly fees, provide rate/hour: \$ 350.00

If billing will be a flat fee to clear a title, provide that fee here: \$ \_\_\_\_\_

There are a range of fees that are specifically identified in Florida Statute, Chapter 733.6171 as reasonable in estate cases. In virtually every case, the compensation paid for title clearing would be determined by petition to the judge exercising jurisdiction over the case for straight estate and title cases. But there is a critical opportunity to provide these services in a manner that does not actually cost the city any money, but rather generates a significant amount of revenue when these services are provided as part of a larger effort to clear title to properties as part of a larger economic development effort. There will be a variety of legal processes which must be deployed to clear title, such as foreclosure, quiet title and the straight estate work contemplated in this solicitation. Your undersigned would contemplate performing this work on a contingency basis.

**NOTE:** When cost estimating air travel, the City allows for Coach fare only. In addition, long distance phone calls, printing, and other administrative costs may be billed at cost only – no mark-up. Evidence of these expenditures will be submitted when invoicing the City.

Submitted by:

Matthew D. Weidner

Name (printed)

Signature

4/5/21

Attorney

Date

Title

## EXHIBIT A DRUG-FREE WORKPLACE FORM

The undersigned bidder in accordance with Florida Statute 287.087 hereby certifies that


Matthew D. Weidner, PA

does:

\_\_\_\_\_  
(Name of Bidder)

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for the drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this bidder complies fully with the above requirements.

  
\_\_\_\_\_  
Bidder's Signature

4/5/21

\_\_\_\_\_  
Date

In the event of a tie bid, bidders with a Drug Free Workplace Program will be given preference. To be considered for the preference, this document must be completed and uploaded to DemandStar.com with your Submittal.

## EXHIBIT B

### BIDDER VERIFICATION FORM

**1. Local Preference (Check one)**

Local Preference requested: ☐ YES ☒ NO

A copy of the following documents must be included in your submission if you are requesting Local Preference:

a) Business Tax Receipt

b) Zoning Compliance Permit

**2. Qualified Small Business and/or Service Disabled Veteran Business Status (Check one)**

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Small Business? ☐ YES ☒ NO

Is your business qualified, in accordance with the City of Gainesville's Small Business Procurement Program, as a local Service-Disabled Veteran Business? ☐ YES ☒ NO

**3. Living Wage Compliance**

See Living Wage Decision Tree: (Check one)

☐ Living Wage Ordinance does not apply (check all that apply)

☐ Not a covered service

☐ Contract does not exceed \$100,000

☐ Not a for-profit individual, business entity, corporation, partnership, limited liability company, joint venture, or similar business, who or which employees 50 or more persons, but not including employees of any subsidiaries, affiliates or parent businesses.

☐ Located within the City of Gainesville enterprise zone.

☐ Living Wage Ordinance applies and the completed Certification of Compliance with Living Wage is included with this bid.

NOTE: If Contractor has stated Living Wage Ordinance does not apply and it is later determined Living Wage Ordinance does apply, Contractor will be required to comply with the provision of the City of Gainesville's living wage requirements, as applicable, without any adjustment to the bid price.

**4. Registered to do business in the State of Florida**

Is Bidder registered with Florida Department of State's, Division of Corporations, to do business in the State of Florida?

☒ YES ☐ NO (refer to Part 1, 1.6, last paragraph)

If the answer is "YES", provide a copy of SunBiz registration or SunBiz Document Number (#P02000043561)

If the answer is "NO", please state reason why:

**5. Diversity and Inclusion (Applies to solicitations above \$50,000)**

Does your company have a policy on diversity and inclusion? ☐ YES ☒ NO

If yes, please attach a copy of the policy to your submittal.

Note: Possessing a diversity and inclusion policy will have no effect on the City's consideration of your submittal, but is simply requested for information gathering purposes.

Matthew D. Weidner, PA

Bidder's Company Name

Matthew Weidner

Printed Name/Title of Authorized Representative

Signature of Authorized Representative

4/5/21

Date

*This page must be completed and uploaded to DemandStar.com with your Submittal.*

## EXHIBIT C REFERENCES FORM

Matthew D. Weidner, PA

**Company Name of Bidder:** \_\_\_\_\_

Provide current contact information for three references of similar scope performed within the past three years.

1	Dates services were provided	1/1/2016- Present
	Company Name	City of St. Petersburg
	Address	175 5th St N
	City/State/Zip	St. Pete FL 33701
	Contact Name	James Corbett
	Phone Number	727/892-5390
	Email Address	James.Corbett@stpete.org
2	Dates services were provided	1/1/2019- Present
	Company Name	City of Largo
	Address	201 Highland Ave
	City/State/Zip	Largo FL 33770
	Contact Name	Tracey Scholfield
	Phone Number	727/587-6799
	Email Address	tschofie@largo.com
3	Dates services were provided	1/1/2019- Present
	Company Name	City of Clearwater
	Address	100 S. Myrtle Avenue
	City/State/Zip	Clearwater FL 33756
	Contact Name	Ken Pieslak
	Phone Number	727/562-4723
	Email Address	kenneth.pieslak@myclearwater.com

*This page must be completed and uploaded to DemandStar.com with your Submittal.*

Form **W-9**  
(Rev. November 2017)  
Department of the Treasury  
Internal Revenue Service**Request for Taxpayer  
Identification Number and Certification****Give Form to the  
requester. Do not  
send to the IRS.**▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.Print or type.  
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Matthew D. Weidner, P.A.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC☐ C Corporation☒ S Corporation☐ Partnership☐ Trust/estate☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

250 Mirror Lake Dr. N.

Requester's name and address (optional)

6 City, state, and ZIP code

St. Petersburg, FL 33701

7 List account number(s) here (optional)

**Part I Taxpayer Identification Number (TIN)**Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

- - - - -

or

Employer identification number

6 1 - 1 4 1 4 9 7 6

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign  
HereSignature of  
U.S. person ▶

Date ▶

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)

- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)

- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)

- Form 1099-S (proceeds from real estate transactions)

- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

- Form 1099-C (canceled debt)

- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What Is backup withholding, later.

# MEMBER PROFILE

## Matthew Decell Weidner

Member in Good Standing

Eligible to Practice Law in Florida



**Bar Number:**

185957

**Mail Address:**

Matthew D. Weidner, PA  
250 Mirror Lake Dr N  
St Petersburg, FL 33701-3200

Office: **727-954-8752**

Cell: **727-954-8752** - No Text Messages

**Email:**

[service@mattweidnerlaw.com](mailto:service@mattweidnerlaw.com)

**Personal Bar URL:**

<https://www.floridabar.org/mybarprofile/185957>

**vCard:**



**County:**

Pinellas

**Circuit:**

06

**Admitted:**

10/13/1999

**10-Year Discipline History:**

None

**Law School:**

Florida State University College of Law, 1999

**Practice Areas:**

Civil Litigation

Real Estate

Wills, Trusts and Estates

**Federal Courts:**

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court, Middle District of Florida

U.S. District Court, Northern District of Florida

**State Courts:**

Florida

**Firm:**

Matthew D. Weidner, PA

**Firm Size:**

1

**Firm Position:**

Private Law Practice



City of Gainesville  
Budget and Finance Department  
Purchasing Division

**ADDENDUM PUBLISH DATE:** April 1, 2021  
**RFP NUMBER:** CRAX-210034-GD  
**PRE-BID MEETING DATE:** March 31, 2021, 2:00pm et  
**QUESTIONS DUE:** April 7, 2021, 3:00pm et  
**PROPOSAL DEADLINE:** April 23, 2021, 3:00pm et

**ADDENDUM NO. 1**  
**Probate Legal Services for Heirs Property Program**

The original Specifications remain in full force and effect except as revised by the following changes which shall take precedence over anything to the contrary.

1. Any questions regarding this solicitation shall be submitted in writing to the City of Gainesville (CoG) Procurement Division by 3:00pm, (local time), April 7, 2021, 2021, 3:00pm Eastern Time. Submit questions to: [dykemangb@cityofgainesville.org](mailto:dykemangb@cityofgainesville.org)
2. Please find attached:
  - a. A copy of the Cone of Silence period information (Financial Procedures Manual Section 41-424 Prohibition of lobbying in procurement matters) that was discussed.
  - b. A copy of the Pre-Bid Discussion/Information Checklist
3. Following is a review of the Pre-Bid Meeting that was held via Zoom Conference on March 31, 2021, 2:00pm Eastern Time:
  - a. City of Gainesville Staff represented by Gayle Dykeman, City of Gainesville Procurement Specialist III and Chelsea Bakaitis, Project Manager.
  - b. Gayle Dykeman started the meeting by reviewing important Procurement areas of the solicitation, including the solicitation schedule and submittal due date.
    1. Questions are due by April 7, 2021, 3:00pm
    2. All communication must go through Gayle Dykeman throughout the duration of the solicitation.
    3. Review of solicitation schedule, description of Bid Opening
    4. All submittals must be entered in DemandStar.com by the due date and time – DemandStar is programmed to reject any bids that are entered after that time. DemandStar is a free tool for vendors to submit bids. DemandStar will automatically close the solicitation at the specified date and time, and the City will not accept any late proposals, regardless of the format presented.
    5. Spoke about the rules guiding the Cone of Silence.
    6. Required forms – detailed in Meeting Checklist form attached
  - c. Chelsea Bakaitis provided an overview of the intent of the solicitation. Forthcoming program initiated by the City Commission. Pertains solely to GCRA neighborhoods. Reviewed the Project Specifications.



City of Gainesville  
Budget and Finance Department  
Purchasing Division

4. Following are questions and answers that were discussed in the meeting:

a. Question:

It looks like it will be possible that multiple attorneys may be awarded the contract?

Answer:

Yes, there will be a Primary and Secondary attorney. The Primary attorney will be assigned all cases until such time as the Primary is not able to handle the work load. The City will then begin to assign cases to the Secondary attorney.

b. Question:

How many cases do you anticipate need to be handled?

Answer:

There are currently 217 known cases in the district that need to be handled. In order to qualify, applicants need to have 120% of median income. The Contract term is for one year with 2 one-year extensions

c. Question:

How will cases be acquired? Is the attorney required to recruit cases or the City?

Answer:

It will be a mixture of both – the City is responsible for marketing, outreach, vetting and managing the applicants, but if the attorneys identify a potential program candidate, they would refer that candidate to the City to conduct the program engagement process.

d. Question:

Will the invoicing be per client? Per case? Monthly billing for hourly invoices?

Answer:

If invoicing is per client, then the invoice will be presented at the time the case is complete. If the billing is per hour, the invoice will be presented monthly, for all hours dedicated to the Program during the month. Q Bill hourly is monthly invoice

e. Question:

What kind of speed is expected? How many hours a week do you expect the vendor to dedicate to the program.

Answer:

The forthcoming heirs' property program is the first of its type for the City and so it is difficult to estimate the total number of applicants. The GCRA has proposed a \$250,000 budget toward the program in FY22, and an additional \$250,000 in proposed budget for FY23, for a total of \$500,000 over the next two fiscal years, (City fiscal years commence on October 1).



City of Gainesville  
Budget and Finance Department  
Purchasing Division

f. Question:

Has the City talked with Alachua County Probate judges for opportunities to expedite cases? There are also programs that may reduce the cost of a Probate case that are offered to income qualified individuals. Suggest looking into those programs and see how they might work with this Program.

Answer:

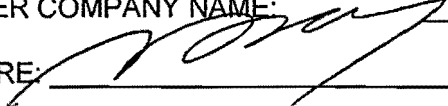
The City was not aware of these programs, but will definitely look into them as a way of enhancing the Program. For the purpose of the solicitation, consider it 'business as usual'.

ACKNOWLEDGMENT: Each Proposer shall acknowledge receipt of this Addendum No. 1 by his or her signature below, **and a copy of this Addendum to be returned with proposal.**

CERTIFICATION BY PROPOSER

The undersigned acknowledges receipt of this Addendum No. 1 and the Proposal submitted is in accordance with information, instructions, and stipulations set forth herein.

PROPOSER COMPANY NAME: Matthew D. Weidner, PA

SIGNATURE: 

LEGIBLY PRINT NAME: Matthew D. Weidner

DATE: 4/5/21

## **Heirs Property Program With The City of Gainesville Technical Proposal**

Matthew D. Weidner and WeidnerLaw have been providing services very similar to the proposed concept of this Heirs Property Program for cities in Florida since 2016. Matthew D. Weidner and the attorneys that work within the firm are members in good standing with the Florida Bar, fulfilling the Minimum Qualifications requirement. The principal attorney has more than 20 year's worth of experience in probate and estate-related work and has cleared title to hundreds of properties for municipalities, as will be described in greater detail below.

While this Request for Services contemplates using primarily established probate procedures, explicit within any request for legal services is the understanding that the selected lawyer and law firms will utilize the full range of legal tools available to attorneys in order to fulfill those goals as established by the proposal.

From the solicitation addendum it is clear that the City of Gainesville has identified no fewer than 217 properties within the jurisdiction in which it appears some form of estate proceedings should occur in order to clear the title and get the property into a state where they are contributing to the community. Matthew D. Weidner first began working with the City of St. Petersburg in 2016 to address very similar circumstances. What we discovered very quickly is that identifying those heirs that would participate in the kind of heir and probate process described in this solicitation will be the biggest challenge to the program as proposed. The solution to ensuring that each of the 217 properties identified can be brought into the process and that additional properties can be addressed is working within existing city departments such as the city's code enforcement department to provide information and perhaps most importantly the legal standing to be able to compel that the title to the property be cleared.

The bottom line is that while the City of Gainesville has identified this universe of properties and community members that will be positively served through this program, the reality is that even if you have identified both the properties and some of the impacted heir owners, the key to success is making sure that there is a way that we can compel all the necessary parties to come to the table and participate in the ultimate successful resolution. Through years of experience and successful trial and error, WeidnerLaw has refined the process of clearing title primarily using the process that Weidner has established and termed "Active Code Enforcement".

Matt Weidner's work to clear title to properties began in the City of St. Petersburg, and this work has extended to other cities in the state for which Weidner continues to serve as a designated attorney: City of Largo, City of Clearwater, City of Bradenton, City of Madeira Beach, City of Fruitland Park, City of Yankeetown. Weidner has given numerous presentations on this subject matter, including the Florida Association of Code Enforcement Annual Conference in 2019, 2020 and scheduled for 2021.

Please see the attached list of references along with relevant articles, and links to professional presentations which are published on Youtube.



## ACTIVE CODE ENFORCEMENT CURRENT REFERENCES

City of St. Petersburg  
James Corbett, Director of Code Enforcement  
727-892-5390  
James.Corbett@stpete.org

City of Largo  
Tracey Schofield, Community Standards Manager  
727/647-0175  
tschofie@largo.com

City of Clearwater  
Ken Pieslak, Code Enforcement Manager  
727/562-4723  
Kenneth.Pieslak@myclearwater.com

City of Bradenton  
Voelker Reiss, Code Compliance Manager  
941/932-9402  
volker.reiss@cityofbradenton.com

Town of Yankeetown  
Sherri MacDonald  
352/447-2511  
yankeetownadm@bellsouth.net

City of Maderia Beach  
Holden Pinkard  
727.391.9951 ext. 298  
hpinkard@madeirabeachfl.gov

## RELEVANT NEWS PRESS

<https://www.governing.com/archive/gov-blight-neighborhood-st-petersburg.html>

<https://www.bradenton.com/news/local/article239994918.html>

[https://www.tbnweekly.com/largo\\_leader/article\\_f0d6421c-19ad-11e9-936a-63eda1ca346a.html](https://www.tbnweekly.com/largo_leader/article_f0d6421c-19ad-11e9-936a-63eda1ca346a.html)

<https://www.tampabay.com/pinellas/largo-steps-up-its-battle-against-blight-20190730/>

[https://www.tampabay.com/news/localgovernment/Crackdown-Clearwater-plan-would-foreclose-on-problem-properties\\_164125232/](https://www.tampabay.com/news/localgovernment/Crackdown-Clearwater-plan-would-foreclose-on-problem-properties_164125232/)

## YOUTUBE PRESENTATIONS

<https://youtu.be/klxNRt6qIEs>

[https://youtu.be/rOdV7-6\\_d1E](https://youtu.be/rOdV7-6_d1E)

<https://youtu.be/klxNRt6qIEs>

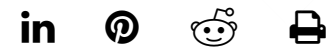


LOCAL

# Tired of empty, overgrown lots, Bradenton code enforcement will use new tool — foreclosure

BY RYAN CALLIHAN

FEBRUARY 06, 2020 05:00 AM, UPDATED FEBRUARY 06, 2020 08:49 AM



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This may be your last look at the historic 1911 Covington House, built by Charlie Covington's own hands. The home is scheduled for demolition. BY MARK YOUNG



Listen to this article now

02:59

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According to code enforcement staff, there are about a dozen properties that have been hit with liens, but the owners refuse to bring their property into compliance. The solution could be for the city to take possession and auction off the properties, according to Matt Weidner, an attorney who [specializes in code enforcement cases](#).

“The bottom line is this: throughout the community, you’ve got vacant areas. Well, code enforcement slaps a lien against it, and until you do something about it, the property is going to sit and you have to look at it forever,” Weidner said. “There is a tool you can use.”

By using a lien foreclosure program, Bradenton could start putting these neglected parcels of land into the hands of buyers who are willing to maintain the property. Bradenton City Council previously discussed a [need to begin foreclosing on properties](#) with hundreds of thousands of dollars in fines at a meeting in August.

“We hope we can take care of the worst of the worst and remove the people who own them now,” said Volker Reiss, the city’s code enforcement manager. “We want to give it to someone who will be responsible for owning the property.”

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### CLAIM OFFER

“What we’re presenting does not change or revolutionize code enforcement. It fills a gap that we have at the very end of our process,” he added.

When code violations pile up, the city moves to [place a lien on the property](#), which prevents the homeowner from selling or transferring the property to someone else

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**ACCEPT  
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refuse to maintain their land. As a result, the city pays workers to cut the grass on these properties, draining time, resources and money.

But the new program won't cost taxpayers any money, according to Weidner. It costs \$2,000 for the city to begin the legal process of foreclosing on property with a lien on it, but that fee, along with any other legal fees, would be paid by the buyer at the auction. Weidner's law office would represent the city throughout the entire process, receiving a cut of the payment after the property is sold.

At Wednesday morning's workshop meeting, staff assured the Bradenton City Council that the new program wouldn't pursue foreclosure for homes that are still occupied, only vacant lots and empty buildings.

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"You're not going to get calls from constituents saying that we're picking on people that are living in that house," Weidner said.

Councilman Patrick Roff said he supported the new program, especially considering how it would put forgotten property back on the city's tax roll.

"It's hurting. It's hurting economically," Roff said of the city's current approach. "Now we get to turn these neighborhoods around and get the added value in taxes."

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The city of Bradenton is ready to change its approach when it comes to properties stuck with liens because they haven't come into compliance with code enforcement violations. A new lien foreclosure program will allow the city to file cases that result in the property being auctioned off, at no cost to taxpayers. An abandoned home in the Village of the Arts is pictured in this Bradenton Herald file photo.

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**RYAN CALLIHAN**



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Ryan Callihan is the Bradenton Herald's County Reporter, covering local government and politics. On the weekends, he also covers breaking news. Ryan is a graduate of USF St. Petersburg.

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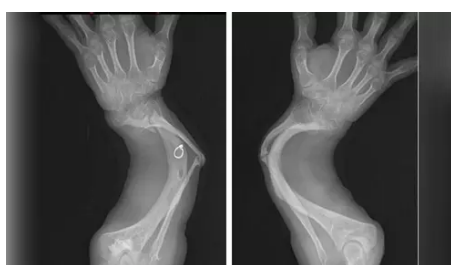
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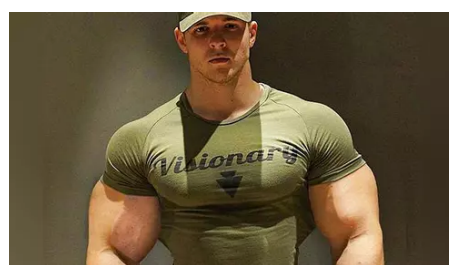
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BY JESSICA DE LEON AND RYAN CALLIHAN

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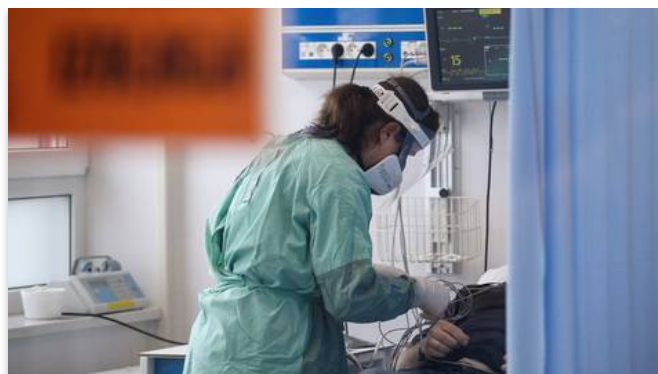
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NEWS

## Crackdown: Clearwater plan would foreclose on problem properties



This home at 1334 Fairmont St. in Clearwater has racked up \$915,000 in code enforcement liens, including violations for using a residence as outdoor storage for dismantled and discarded equipment. The city is developing a policy that would allow it to foreclose on properties with large, outstanding liens. [TRACEY MCMANUS | Times]

By Tracey McManus

Published Jan. 2, 2018

**CLEARWATER** —Soon there will be no mercy shown to owners of dilapidated homes, notoriously unkempt lots and properties that chronically violate city codes.

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The city of Clearwater for the first time is developing a policy to foreclose on properties with unpaid liens that are contributing to neighborhood blight. More than 140 properties have racked up a combined \$18.6 million in liens, some as old as 11 years, city officials say.

Some owners owe just a couple thousand dollars for overgrown yards or strewn debris. But nearly half of the offenders face six-figure fines for everything from abandoned homes to unsafe structures. And sending notices of violation hasn't exactly done the trick.

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"Compliance is what we seek, and that's all we ask for," said Code Compliance Manager Terry Teunis. "There's been years and years of blight and very little response from either the bank or property owner. It creates nuisances. You have

response from either the bank or property owner. It creates nuisances. You have vermin from overgrowth, or you have transients coming in and breaking in places. You have graffiti. It's our obligation really."

Teunis said he expects the policy to come up for a February vote by City Council, a required step before the city can take foreclosure action on properties. The city is modeling its program after the one launched in St. Petersburg in 2015 that so far has taken on 243 cases — 120 of which have resulted in properties being sold at auction, according to St. Petersburg Director of Codes Compliance Assistance Rob Gerdes.

St. Petersburg has collected \$1.6 million through foreclosures or by violators paying up mid-process, Gerdes said. The money has gone into the city's general fund, minus \$520,000 paid to the Weidner law firm hired to handle the program.

Gerdes said the program got started due to an increasing number of vacant lots being abandoned across St. Petersburg. The city resorted to mowing grass on its own, demolishing structures and assessing fines that often eclipsed the value of properties.

"Once we foreclosed on our liens and the property got sold and the new owner had a clear title, the new owner would be motivated to maintain the property," he said. "We've definitely seen less code cases after the foreclosure auction (started), so it's working."

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Along with the 120 foreclosure sales, 45 violators have paid liens prior to getting foreclosed upon, 21 have reached special agreements like committing to construct homes on the vacant lots, and about 50 are still in the legal process, Gerdes said.

While almost all of St. Petersburg's foreclosure cases have involved vacant lots, most of Clearwater's code liens are on homes and structures.

Teunis said Clearwater's policy will apply to properties with low or no mortgages and will likely not target homes occupied by residents.

The largest single outstanding fine is \$915,000, accumulated since 2007 at 1334 Fairmont St. The single-story, blue paneled home has chairs, plastic containers, rusty appliances and other junk strewn across the yard, breaking the code against

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Owner Mona Wyllie could not be reached for comment.

The structure at 309 S Pegasus Ave. has \$622,000 in liens racked up, with an overgrown yard and mismatched blue paint partially splattered over gray walls.

Clearwater will face a web of legal issues when foreclosing, including how to handle homes and properties once under city ownership. But like St. Petersburg, the city is expected to hire an outside firm to oversee the process.

"We just feel like we need something else because we're not being effective through our liens," Teunis said.

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Contact Tracey McManus at [tmcmanus@tampabay.com](mailto:tmcmanus@tampabay.com) or (727) 445-4151. Follow @TroMcManus.

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# To Fight Blight, One City Turned to Courts

BY: [J. Brian Charles](#) | December 21, 2018

The battle against blight has been waged by city officials around the nation for the last several decades. Vacant homes and decrepit properties can be magnets for crime, and they can devalue the neighborhoods around them.

St. Petersburg, Fla., may have come up with an innovative way to address blight, one that merges the power of the courts with the private sector.

In 2014, the city became the first in Florida to use the judicial system to wrestle neglected properties away from their owners. Because the properties, which numbered nearly 800 across the city, owed a combined \$4 million in liens and unpaid assessments, the city had legal standing to file lawsuits against the owners and move the properties into foreclosure. In most cases, the properties had essentially been abandoned by absentee owners, what are commonly called "zombie properties."

Here's how the process works: Through foreclosure, the city will take ownership of a property and either sell them to nonprofit affordable housing developers for \$4,000 or move them to auction. Most of the homes are then rehabbed instead of being torn down, which is one of the city's goals. The vacant land is developed as affordable housing.

"It's really hard for a developer to build affordable housing because of the cost of the land," St. Petersburg Mayor Rick Kriseman says. "But our program makes the land cheap enough for a developer to be able to build affordable housing." (The city doesn't require developers to make the housing affordable.)

The city has cut the number of boarded and vacant homes by more than three-quarters since the program was launched less than four years ago.

St. Petersburg was hit especially hard by the housing market collapse in 2008, leaving many of the homes abandoned. But vacant properties are a common problem in cities, especially in the Rust Belt and Midwest. According to a report from the Lincoln Institute of Land Policy, more than 50 percent of the census tracts in Gary, Ind.; Flint, Mich.; and Detroit have [at least 10 percent home vacancy rates](#), a condition known as hypervacancy. In Baltimore, Cleveland and St. Louis, more than 30 percent of the census tracts were hypervacant. All those empty homes cost cities money to police and clean -- not to mention the revenue lost to unpaid property taxes.

Cleveland and Detroit have adopted aggressive demolition policies, using money from the federal government's Hardest Hit Fund to reduce vacant homes to rubble and turn them into green spaces and community gardens.

Baltimore, where the population has dropped by more than a third in the past 60 years, has spent decades trying to fill vacant homes. Earlier efforts, in which the city acted as a buyer and seller of real estate, didn't see much success. But Baltimore's more recent [Vacants to Value program](#), in which buyers have to prove they can afford to fix up their new home, has shown promise.

What's unique about St. Petersburg's effort is that it specifically targets abandoned homes and vacant lots owned by absentee landlords and is focused on turning those properties into affordable homes for lower-income residents. The initiative has cost the city \$750,000 while generating \$2.1 million in revenue in liens and assessments collected at auction.

Worried about real estate speculators acquiring properties just to sit on them -- and becoming absentee landlords themselves -- the city has also begun buying some of the homes directly. "We started to acquire properties at auction ourselves," Kriseman says. "It gives us the opportunity to make sure those properties remain affordable." The city currently owns 11 properties acquired this way, which it leases to nonprofits to construct new, affordable homes.

Kriseman, an active cyclist, spends his weekends biking the city's neighborhoods and network of trails. It's those rides that initially made him aware of just how bad St. Petersburg's blight problem had become. Now, four years later, those same routes take him through neighborhoods that are noticeably improving.

"You can visually see it," Kriseman says about the slow transformation. "When one neighbor starts to fix up their house, it starts to spread."

This article was printed from: <https://www.governing.com/archive/gov-blight-neighborhood-st-petersburg.html>



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## Largo opens door to foreclosures in effort to crack down on problem properties

City moves to hire lawyer to target roughly 500 properties racking up over \$10M in fines

By CHRIS GEORGE, Tampa Bay Newspapers

Jan 16, 2019



A derelict house at 528 First Ave. NE was vacant for about five years before the city bought and demolished it in March. Now, in an effort to target hundreds of properties racking up fines, city leaders are moving forward with a new strategy: foreclosures.

TBN file photo

LARGO — When it comes to the roughly 100 derelict homes scattered around the city, Community Standards Manager Tracey Schofield told commissioners Jan. 15 that code enforcement just wasn't cutting it.

Therefore, in a bid to crack down on the nearly 500 properties racking up well over \$10 million in fines, city leaders decided it was time to open the door to foreclosures and move forward with an agreement with a lawyer who specializes in the cases.

Schofield, who heads the department that was formerly known as the Code Enforcement Division, said the city has had a number of blighted and derelict properties that reached its peak with the recession in 2008.



“We have a lot of properties that are still in very poor condition, still have fines running and, from a Community Standards point, we’re pretty much at our end,” he said. “There’s not a lot we can do to address those. We have fines running every day, we have officers out there every day reinspecting them, but they’re not being brought into compliance. Really the last step that we have is a foreclosure process on some of these properties.”

If commissioners sign off on the agreement Jan. 22, it would join St. Petersburg and Clearwater in hiring the St. Petersburg-based Matthew Weidner law firm to target both commercial and residential properties in hopes of pressuring owners to clean them up.

“It (the foreclosure process) is reenergizing the property owners to do the right thing sometimes — sell the property, bring the property into compliance, coordinate things with these cities to help with housing and things of those natures,” Schofield said.

He noted that the process does not target homesteaded properties, and city has no intention of displacing anyone.

For Commissioner Curtis Holmes, this has been a long time coming.



"I've been in favor of going after these properties a long time ago, so when I first read this thing, this was a 'thank you Jesus' moment," he said.

What made the deal even better, he said, was that it wouldn't cost the city anything, because, as Schofield explained, Weidner would only be making money from settlements or the sale of foreclosed homes.

He added that blighted and derelict properties are not the only ones that could be targeted. Ultimately, it could be any property that has unpaid fines and liens after 90 days.

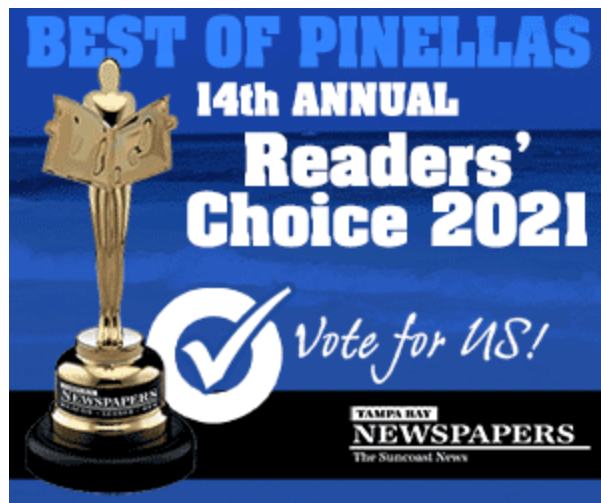
He said either Code Enforcement Board action or a staff decision could trigger the process on a property, but, if approved, staff would sit down with Widener and he would likely identify the best cases to move forward on.

The City Attorney's Office, however, would still have oversight over decisions on cases that, according to Widener, typically take about four months each.

Despite the potential financial benefits, Schofield emphasized that the purpose of the measure was to improve properties that, in some cases, could be racking up fines for over a decade.

"The ultimate goal is to bring these properties into compliance, make them a viable part of our

city, bring new businesses, bring new residents into the city and bring the city back,” Schofield said. “Obviously, we’ll try to recoup some of those lost costs. The city has a lot of money invested in these properties. You can imagine over years the inspections and staff costs that goes along to keep these cases open, not counting the city attorney’s cost involved.”



## By the numbers

### **100:**

Derelict properties in the city.

### **500-plus:**

Properties that currently have some type of fine, fee or lien against them right now.

### **\$10 million:**

Total money in fines currently being racked up by hundreds of properties in Largo.

## PINELLAS



## Steps up its battle against blight



This home on Belcher Road is one of several targeted by the city of Largo's Nuisance Abatement Program. The home, which was a target of suspected arson after becoming vacant, has been fenced off as city officials consider legal options. Officials are also now enlisting the community's help in identifying properties that are in violation of codes. [CHRIS GEORGE | Special to the Times]

Published Jul. 26, 2019

**LARGO** — The city's Community Standards division has only four code officers who patrol neighborhoods in search of violations, such as high grass, downed fences, dirty pools, abandoned vehicles or homes in disrepair.

A new initiative intends to increase the number of people on the lookout from four to about 80,000 or so — the population of Largo.

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Community Standards Manager Tracey Schofield said a staffing shortage and surge in the number of calls led to the campaign, which is a continuation of the division's Nuisance Abatement Program.

"Part of Community Standards is the word community," he said. "So we're trying to attack this from the community. We work for them. ... It's a partnership, and if they don't like what they're seeing next door, they are ultimately going to call us."

Schofield said the form will also allow the city to tackle some of the properties that are being cared for by neighbors with good intentions.

"What we've been finding is that homeowners associations or the neighbors that get tired of looking at the high grass are mowing some of these yards at vacant lots," he said. "So, when my officers drive down the street, they are not seeing the whole picture. They see a freshly mowed yard, and they think somebody is there or at least somebody is taking care of the property. But in reality, if you looked in the backyard, the grass is 4 feet high, the pool is black, the birdcage has collapsed into the pool. But from the curb appeal, it looks like everything is fine."

Another phase targets repeat offenders, and Schofield said it's off to a good start.

In an effort to crack down on some of the roughly 500 derelict properties racking up well over \$10 million in fines, the city in May began taking action to foreclose on five properties.

# Tampa Bay Times



Schofield said Weidner signed off on five thus far and has been given another four to consider. It's a long process, though. Depending on how many owners there are and how accessible they are, it can take six months to a year or even longer.

In the next month or so, Schofield said the city also will be sending a mailer to homeowners racking up fines in an effort to open the lines of communication.

"We have hundreds of people, if not thousands of people, that owe the city money on past fines," he said, adding that a homesteaded property could have fines or liens for 20 years before they drop off.

Many of these people want to sell the property, he said, but liens are too big an obstacle.

"Once you get a lien put on your property, you can't sell it," he said. "And it attaches onto every other piece of property you own."

Therefore, he wants to inform some of those homeowners about the city's fine reduction program, and hopefully they can clean their title and sell the home.

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"If the property is in compliance, they can apply for a reduction hearing and take it before the magistrate or the code board, and 99 percent of the time, they are going to reduce that fine dramatically from what is really owed," he said.



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