



Legislation Details (With Text)

File #: 200647. **Version:** 2 **Name:** Special Magistrate Orders Release of Liens. Neighborhood Enhancement needs the consent of the City Commission and signature of the Mayor to release the lien on each property that was previously levied by the City due to a Code Enforcement violation.

Type: Discussion Item **Status:** Passed

File created: 12/22/2020 **In control:** City Commission

On agenda: 2/4/2021 **Final action:** 2/4/2021

Title: Special Magistrate Requests Release of Liens (B)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 200647_Summary of Reductions_20210107.pdf, 2. 200647A_Hoye_506 NW 3rd Street_20210121.pdf, 3. 200647B_Santos_2130 SE Hawthorne Road_20210121.pdf, 4. 200647C_Kaja Holdings LLC, 115 SE 14th Street_20210121.pdf, 5. 200647D_David C & Linda K Stewart, 3119 SW 26th Terrace_20210121.pdf, 6. 200647E_John L. Rowe, 1237 SE 3rd Avenue_20210121.pdf, 7. 200647F_Jose Luis Fornis, 3707 SW 28th Terrace_20210121.pdf, 8. 200647G_Braswell Law PLLC_Contract_20210204, 9. 200647H_Code of Ordinances Special Magistrate_20210204, 10. 200647I_Magistrate Bid Solicitation_20210204, 11. 200647J_Magistrate RFP J. Braswell Bid Submittal_20210204, 12. 200647K_MeetingAgenda04-Feb-2021_20210204, 13. 200647L_Memo-To Commission Lien Foreclosures_20210204

Date	Ver.	Action By	Action	Result
2/4/2021	2	City Commission	Approved, as shown above	
1/21/2021	1	City Commission	Approved, as shown above	Pass

Special Magistrate Requests Release of Liens (B)

This item is a request for the City Commission to approve, approve with modification or deny the Code Enforcement Special Magistrate’s recommendations regarding requests for lien reductions or rescissions for six properties. These properties were previously found in violation of a City ordinance and were assessed fines resulting in the placement of liens on the properties. Persons of interest have come before the Special Magistrate to request a reduction or rescission for the fines. In determining the amount of the fine, if any, the Magistrate and City Commission shall consider the following factors listed in Section 162.09(2)(b), Florida Statutes:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed by the violator.

The Special Magistrate recommends in these cases to either deny, rescind or reduce the fines with or without conditions. A summary of the Magistrate’s recommendations is included in the backup along with the associated case files.

The City Commission approve, approve with modification or deny the Code Enforcement Special Magistrate's

recommendations and authorize the Mayor and/or the City Manager to sign any required documents as outlined:

1. **David C. Hoye, 506 NW 3rd Street:** Magistrate recommends that the lien in the amount of \$195,223.02 be released.
2. **Ina H Santos, 2130 SE Hawthorne Road:** Magistrate recommends that the lien in the amount of \$25,500 be reduced to \$1,000.
3. **Kaja Holdings LLC, 115 SE 14th Street:** Magistrate recommends that the lien in the amount of \$1,400,000 be released.
4. **David C/Linda K Stewart, 3119 SW 26th Terrace:** Magistrate recommends that the lien in the amount of \$131,300 be released with the following conditions: The respondent has 60 days from the signing of the order to sell the property or the fines will revert to \$131,300.
5. **John L. Rowe, 1237 SE 3rd Avenue:** Magistrate recommends that the lien release request be denied.
6. **Jose Luis Fornis, 3707 SW 28th Terrace:** Magistrate recommends that the lien in the amount of \$67,531.11 be reduced to \$5,000.