



Legislation Text

File #: 130358., Version: 1

Release of Lien Affecting 1024 SE 18th Terrace, Tax Parcel #16116-087-000 (B)

This item requests that the City Commission release the above-referenced property from the lien arising from costs incurred by the City of Gainesville to abate a violation in the amount of \$242.

This item supports City Commission Strategic Initiative 6.2 - Ensure the quality and broad distribution of affordable housing throughout the City.

The City of Gainesville received a request on behalf of Alachua Habitat for Humanity (Habitat) requesting the city release a lien on a property Habitat holds title to located at 1024 SE 18th Terrace. Habitat's title originated from a Tax Deed issued by the Alachua County Clerk of Court on September 25, 2009. The property owner donated the property to Habitat via deed dated December 5, 2011. Since acquiring the property, Habitat constructed a new home at Santa Fe College and moved it to the property located at 1024 SE 18th Terrace earlier this year. In order to transfer title to the new owner Habitat is attempting to quiet title under the 2009 Tax Deed.

The City of Gainesville has a Claim of Lien against the property due to the city's administrative abatement of a city ordinance violation against the prior owner. In this case, the city abated a hazardous land violation by clearing the property and correcting the violation. The owner was billed the cost of the abatement that went unpaid and resulted in a \$242 lien which is the cost incurred by the city to correct the violation. This lien differs from a lien resulting from Code Enforcement Board levied fines in that it is an attempt to recover actual costs for the abatement of a violation by the city.

Generally the release of administrative liens is not recommended for approval by staff as they are real costs incurred by the city to abate a hazardous condition on private property. However, in some cases the release may be appropriate due to the benefit gained through the release such as with this request which will provide affordable housing and add value to a property that has been vacant.

No additional costs other than staff time. If the request for release of lien is approved staff will prepare the required paperwork and facilitate the release of lien.

The City Commission: 1) approve the request from Alachua Habit for Humanity for the release of lien on 1024 SE 18th Terrace, tax parcel #16116-087-000; and 2) authorize staff to prepare and execute the required paperwork to facilitate the release of lien, subject to approval by the City Attorney as to form and legality.

Alternate Recommendation A: Take no action and allow lien to remain in place.