

Minutes: Code Enforcement Board
May 14, 2014

in recording fees. On February 4, 2014 Staff received a request for a reduction of fines. Margaret Arraiz met with Mr. Doverspike and Mr. Paulsen prior to the hearing. It was determined that the owners had problems collecting from the insurance for damages to a window. Staff and owners are in agreement to accept \$1,050.00 which covers the administrative costs. The payment is payable in 60 days.

Ivan Doverspike and Curtis Paulsen were sworn in for testimony. Chairwoman Minton asked the owners to explain further about the problems with the car driving into the window and the insurance company. They explained that it took almost a year for each party to agree to terms and the repairs finally were made. Mr. Paulsen stated that he had stayed in touch with the Code Officer Shaun Coss during the entire time.

There being no questions from the City or the Board, Chairwoman Minton asked for a motion.

Again, reading into the minutes the 3 criteria for Rule 16 of the Rules of Procedure, Mike Monti made a motion and Terry Wolters seconded to reduce the fines to \$1,050.00 and be given 60 days to pay the amount in full. If not paid within this time the fines would revert back to the original amount and a lien recorded. There being no further discussion roll was called. Board members Bernetti, Wallers, Wolters, Monti and Chairwoman Minton were in favor. None opposed. Motion carried.

The next item on the agenda was Lien Reduction Requests.

Item 6.B-13 is case # 09-2385; property address is **1923 Eucalyptus Avenue**, Ft. Pierce, Florida. The property was owned by Delano Delaplaine, 1521 Alton Road, #434, Miami Beach, Florida 33139 and is currently owned by Ocwen Loan Servicing, P.O. Box 105460, Atlanta, Georgia 30348. The code section(s) in violation was 5-368 (1) property maintenance.

Margaret Arraiz read the Facts of the Case. The case was initiated on August 20, 2009 and came before the Code Board on February 10, 2010. The Code Board gave the property owner 30 days to comply or be fined \$250.00 per day. An inspection was made on March 16, 2010; the property was not in compliance and the fine began. On April 28, 2010 the lien was recorded. On October 18, 2010 an inspection was made. The property was now in compliance and the fines stopped. The total amount of the lien is \$54,030.00 which includes \$30.00 recording fees. On April 25, 2014 Staff received a lien reduction request from Ocwen Loan Servicing, LLC. There was no authorized representative present. The property is in foreclosure; therefore, Staff is recommending reducing the fines to \$1,500.00 to cover administrative costs.

Chairwoman Minton asked what the actual violations were and Margaret Arraiz explained the ceiling of a carport was dropping down and the violation was complied long before the bank took ownership but there is a lien recorded on the property.

Chairwoman Minton asked if the Board had any questions of the City. Board Member Bernetti asked if the property was for sale and Margaret Arraiz stated that it was. There being no further questions Chairwoman Minton asked for a motion.

Motion by Mike Monti and seconded by Terry Wolters based on Rule 17 that the lien of \$54,030.00 be reduced to \$1,500.00 payable in 60 days. If not paid in that 60 days the lien will revert back to the original amount.

Chairwoman Minton asked if there was any discussion and there being none, a vote was taken. Board Members Bernetti, Wallers, Wolters, Monti and Chairwoman Minton were in favor of the motion. There were none opposed; the motion carried.

The next item on the agenda is New Violation Cases.

Item 5A-8 is Case #14-0641. Officer Janey Singer was sworn in for testimony and read in the case. The location address is 2009 ½ Avenue E, Ft. Pierce, Florida. The current owner(s) are Sunshine State Acquisitions, Inc., P. O. Box 243842, Boynton Beach, FL 33424. The code section(s) in violation are 5-368 (1) (4) property maintenance, 5-73 house numbers. The case was initiated March 21, 2014. This case is complied, however, Mr. Little asked to be heard and he has a court reporter recording this meeting. Photos were submitted and marked as Exhibit 1.

Robert Little did not agree that the property was in compliance, therefore, he was sworn in for testimony. He was asked if he had any questions of the City. He questioned about how many notices the City has sent to him.

Margaret Arraiz explained that the different notices were for different violations. The case we are here today for is in compliance.

Mr. Little stated that he wanted everything resolved now and does not want to have to come back again.