



CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	January 29, 2016		
Property address:	1112 S 7 th Street, Fort Pierce, FL 34950		
Owner(s) of record:	Secretary of Housing and Urban Development ("HUD")		
Mailing address:	c/o Paul H. Minoff, Esq., GrayRobinson, P.A., 401 E Las Olas Boulevard, Suite 1000, Fort Lauderdale, FL 33301		
Property tax ID #:	2415-601-0370-010-2		
Original purchase date:	*see note	Original purchase price:	Property was foreclosed
Other Information:	<input type="checkbox"/> Inherited Property	<input type="checkbox"/> Purchased at Tax Sale	<input type="checkbox"/> Adjoining Property Owner
Property is used for:	<input type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Paul H. Minoff, Esq.	Relationship to owner(s):	Counsel for JPMorgan Chase Bank, N.A.
Telephone #:	954-713-7829	Mobile phone #:	954-899-1474
E-mail:	paul.minoff@gray-robinson.com	Preferred contact method:	e-mail
What are owner(s) intentions for property:	Property is being reconveyed to JPMorgan Chase Bank, N.A.		
Amount of Fine:	\$35,030.00	Date Fine Initiated:	12/29/2014
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)
Is a lien filed against the property?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is the lien amount? \$35,030.00
Is property listed for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is listing price?
Is property under contract for sale?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	If yes, what is the sale price?

AMOUNT OF FINE / LIEN \$35,030.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$33,030.00

DOLLAR AMOUNT I AGREE TO PAY \$2,000.00

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

(Signature of Owner or Representative)

Paul H. Minoff, Esq.
(Printed Name)



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*This property was obtained through foreclosure by JPMorgan Chase Bank, N.A. ("Chase") because the loan was insured by HUD, the property was transferred through Special Warranty Deed dated December 19, 2013 recorded in Official Records Book 3754, Page 1223, of the Public Records of Saint Lucie County, Florida, however the transfer has been rejected by HUD and is being reconveyed to Chase.



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REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 1112 S 7th Street, Fort Pierce, FL 34950

Secretary of Housing and Urban Development ("HUD") by Special Warranty Deed dated December 19, 2013, recorded in Official Records Book 3754, Page 1223, of the Public Records of Saint Lucie County, Florida. Property ownership was originally obtained through foreclosure by JPMorgan Chase Bank, N.A. ("Chase"), as authorized servicing agent for Bank of America, N.A. ("BofA"); because the loan was insured by HUD, the property was transferred from Chase to HUD.

Property Owner:

Mailing Address: c/o Paul H. Minoff, Esq., GrayRobinson, P.A., 401 E Las Olas Boulevard, Suite 1000, Fort Lauderdale, FL 33301

Telephone #: 954-713-7829

Cell Phone #: 954-899-1474

E-Mail Address: paul.minoff@gray-robinson.com

Is the property in compliance? yes f no, please explain _____



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I, Paul H. Minoff, Esq., as counsel for Chase on behalf of HUD and BOA, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

On January 22, 2013, Chase (as the successor mortgagee to the original mortgagee, First Atlantic Mortgage Corporation) obtained legal title to the Property as the result of a mortgage foreclosure action it instituted on behalf of the actual underlying owner of the subject mortgage loan, BofA--a copy of the applicable mortgage (the "Mortgage") and assignment thereof are attached).

As demonstrated by the enclosed documents, the Mortgage was recorded in the public records on April 14, 2008, with the assignment having been recorded on May 29, 2008. On January 24, 2010, BofA recorded its *lis pendens* against the Property, in connection with the mortgage foreclosure action instituted on its behalf by Chase against, among others, the prior owner of the Property, Quentin M. Jean. On or about October 19, 2012, a final judgment of foreclosure was entered in favor of BOA, with such final judgment being recorded in the public records on October 30, 2012. Thereafter, on January 22, 2013, the Property went to sale, and a certificate of title was issued to BOA on January 22, 2013. Because Chase was servicing the Mortgage on behalf of BofA and was required to transfer the Property to HUD on behalf of BofA, an amended certificate of title was sought by Chase and issued by the Clerk of the Court on June 11, 2013; it was thereafter recorded in the public records on October 25, 2013.

Thereafter, on or about December 19, 2013, Chase conveyed the property to HUD as part of HUD's mortgage guaranty in favor of BofA. For some reason, however, HUD did not record the deed from Chase until June 5, 2015, during which time the property was not in Chase's inventory even though Ownership of record remained with Chase.

Unbeknownst to Chase, there were ongoing issues relating to the Property with the City of Fort Pierce (the "City"), which apparently went unresolved. As a result, the City recorded a violation lien against the Property on December 10, 2014 (the "City Lien").

Chase did not receive the notice of the hearing prior to the hearing date and only received the Order



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Determining Violation (the "Order") on December 30, 2014. As soon as Chase received the Order, bids were requested to have all vines and weeds removed from the house and fence. However because the Property had been transferred to HUD, all bids had to be sent to HUD for approval. HUD denied all bids and refused to acknowledge the prior conveyance.

As a result of the denials by HUD, Chase was required to follow an alternative approval process that delayed being able to get the Property into compliance. Ultimately, approval for the needed work was obtained on April 25, 2015, and the work was completed on May 1, 2015. However, a follow-up inspection by the City did not occur until May 18, 2015, at which time the Property was deemed to be in compliance.

Although Chase did not cause the underlying violations and had transferred ownership of the Property well before the Order was entered, Chase undertook to cure the violations at its own cost while attempting to follow procedures established in connection with HUD-insured mortgage loans.

Based upon the foregoing, Chase respectfully requests that the City execute and record a formal lien release regarding the City Lien and close out the underlying case in exchange for a total payment in the amount not to exceed \$2,000.00 (unless administrative costs exceed such amount, in which case additional settlement authorization will be provided), including all administrative fees, recording fees, etc.

Thank you very much in advance for your consideration and assistance.

Date: January 29, 2016

Signed: _____

Print Name: Paul H. Minoff



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STATE OF FLORIDA
COUNTY OF BROWARD

PERSONALLY APPEARED before me, the undersigned authority Paul H. Minoff who
acknowledged before me that the information contained herein is true and correct. He is not personally
known to me .

SWORN TO AND SUBSCRIBED before me this 29th day of January, 2016.

Notary Public, State of Florida

