

## SPECIAL MAGISTRATE

### BOARD AGENDA

Special Magistrate Hearing - Wednesday, March 15, 2017 - 9:00 a.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ADMINISTRATIVE BUSINESS**

A. **ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES**

B. **IDENTIFICATION OF CASES IN COMPLIANCE OR RESCHEDULED**

4. **PUBLIC HEARINGS - VIOLATION CASES**

a.	17-0219	127 N 2nd Street	Cascio, Nick	Heather Debevec / Vince Alesi
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b.	16-2858	1103 S Ocean Dr.	Joseph, Stephanie Moise, Berthold	Isaac Saucedo
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c.	16-2844	1811 Plover Ave	Wilk (TR), Stephen & Sandra	Isaac Saucedo
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5. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

a.	15-1197	1303 Florida Avenue	Garcia, Jose A & Maria E.	Shaun Coss
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b.	16-0566	702 Dundas Court	Bridges, Andrew	Isaac Saucedo
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c.	16-0174	131 N 15th Street	Teneyck, Jane A	Peggy Arraiz
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d.	16-0175	131 N 15th Street	Teneyck, Jane A	Peggy Arraiz
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6. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

a.	14-0402	1609 Citrus Avenue	Massoni, Thomas (Est)	Peggy Arraiz
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7. **OTHER CASES**

8. **NEW BUSINESS**

9. **OLD BUSINESS**

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Code Enforcement Office at (772) 467-3149, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

**Special Magistrate Ross Hearing****4.a.****Meeting Date:** 03/15/2017**Re:** Case # 17-0219 - 127 N 2nd St**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

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**Information****SUBJECT:**

17-0219	127 N 2nd Street	Cascio, Nick	Heather Debevec / Vince Alesi
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**CASE INFORMATION:**

Case Initiated:	February 7, 2017	Type of Presentation:	Parking Citation
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**OWNER:**

OWNER: Nick Cascio 1401 SW Devera Avenue Pt. St. Lucie, FL 34953	OCCUPIED BY:
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**VIOLATIONS:**

Section(s) 10-23 Parking Regulations

**CORRECTIVE ACTIONS:**

N/A

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violation exists, the violator be assessed the fine as indicated on the citation plus the administration charges of \$18.00.

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**Form Review**

Form Started By: Heather Debevec

Started On: 02/21/2017 04:42 PM

Final Approval Date: 03/10/2017

**Special Magistrate Ross Hearing**

**4.b.**

**Meeting Date:** 03/15/2017

**Re:** Case # 16-2858 - 1103 S Ocean

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

16-2858	1103 S Ocean Dr.	Joseph, Stephanie Moise, Berthold	Isaac Saucedo
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**CASE INFORMATION:**

Case Initiated:	December 29, 2016	Type of Presentation:	Regular
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**OWNER:**

OWNER: Stephanne Joseph Berthold Moise 12858 SW 49th Ct Miramar, FL 33027	OCCUPIED BY: Thomas Knowles 221 S Ocean Drive Ft. Pierce, FL 34949
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**VIOLATIONS:**

Section(s): 22-22. (C) - Allowed uses.  
Section(s): 9-27 (B) – Doing Business without a Tax

**CORRECTIVE ACTIONS:**

Renting of dwellings for less than six months is not permissible in this district without a conditional use approved by the Fort Pierce City Commission. Please cease all short term rentals immediately.

Short term or vacation rentals require a Business Tax Receipt. Please review the procedure for short term rentals on the City of Fort Pierce website at <http://www.cityoffortpierce.com/478/Short-Term-Vacation-Rentals>.

In the event you are found in violation of Section 9-27(b) for doing business without a business tax, all utility services to the business premises will be suspended while the violation continues.

**RECOMMENDATION:**

The city requests that if the Special Magistrate finds the violator has conducted short term rentals and if he continues to do so the rentals that have already commenced are considered irreversible and irrevocable in nature, that a fine equal to one month's rental be assessed. The City also requests an immediate cease and desist order be imposed and all future rentals be terminated immediately. Failure to do so will result in the utilities at the location being terminated while the violation continues.

## Form Review

Form Started By: Isaac Saucedo  
Final Approval Date: 03/10/2017

Started On: 02/23/2017 10:37 AM

**Special Magistrate Ross Hearing**

**4.c.**

**Meeting Date:** 03/15/2017

**Re:** Case # 16-2844 - 1811 Plover Ave

**Submitted For:** Peggy Arraiz, Code Compliance Manager, Code Enforcement

**Information**

**SUBJECT:**

16-2844	1811 Plover Ave	Wilk (TR), Stephen & Sandra	Isaac Saucedo
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**CASE INFORMATION:**

Case Initiated:	December 29, 2016	Type of Presentation:	Regular - <b>R&amp;D</b>
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**OWNER:**

OWNER: Stephen J Wilk(TR) Sandra J Wilk(TR) 55 Sandalwood Cir Tewksbury, MA 01876	Thomas Knowles 221 S Ocean Drive Ft. Pierce, FL 34949
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**VIOLATIONS:**

Section 22-22. (C) - Allowed uses.  
Section 9-27 (B) – Doing Business without a Tax

**CORRECTIVE ACTIONS:**

Renting of dwellings for less than six months is not permissible in this district without a conditional use approved by the Fort Pierce City Commission. Please cease all short term rentals immediately.

Short term or vacation rentals require a Business Tax Receipt. Please review the procedure for short term rentals on the City of Fort Pierce website at <http://www.cityoffortpierce.com/478/Short-Term-Vacation-Rentals>.

**RECOMMENDATION:**

The City requests that if the Special Magistrate finds the violator has conducted short term rentals and if he continues to do so the rentals that have already commenced are considered irreversible and irrevocable in nature, that a fine equal to one month’s rental be assessed. The City also requests an immediate cease and desist order be imposed and all future rentals be terminated immediately.

**Form Review**

Form Started By: Isaac Saucedo  
Final Approval Date: 02/16/2017

Started On: 01/03/2017 10:43 AM

**Special Magistrate Ross Hearing**

5.a.

Meeting Date: 03/15/2017

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**Information****SUBJECT:**

15-1197	1303 Florida Avenue	Garcia, Jose A & Maria E.	Shaun Coss
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**CASE INFORMATION:**

Case Initiated:	July 27, 2015	Type of Presentation:	Massey
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**OWNER:**

OWNER: Jose A. & Maria E. Garcia 1807 Hudson Drive Rockledge, FL 32955	OCCUPIED BY:
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**VIOLATIONS:****Section(s): 5-1.105.1 Permit Required****FINDINGS/ORDER:**

February 3, 2016 the Special Magistrate found Jose A Garcia responsible for the violation listed above and gave him 90 days to obtain a permit and comply to all conditions of the permit or a fine of \$100.00 per day would be assessed.

**ACTION DATES:**

1. March 13, 2016 permit was issued. There has been no inspections.
2. September 8, 2016 due to no inspections the permit expired.
3. September 8, 2016 the violations were not in compliance and the fines began.
4. October 18, 2016 the permit was renewed but no inspections to date.
5. January 31, 2017 received letter from Mr. Garcia requesting more time to comply and that the City not file a lien on the property.
6. Fines are \$18,120.00 (\$20.00 recording fees) as of this date 3/08/17. Fines are continuing to accrue at \$100.00 per day until the final inspection.

**RECOMMENDATION:**

To be determined.

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**Attachments**

Request  
Tax Card  
3 Criteria  
Order

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## Form Review

Form Started By: Collen Greer  
Final Approval Date: 02/22/2017

Started On: 01/31/2017 03:15 PM

Jose A Garcia  
1807 Hudson Dr  
Rockledge FL 32955  
321-652-2853  
321-458-2128

RECEIVED  
JAN 31 2017  
CODE ENFORCEMENT  
CITY OF FT. PIERCE

January 25, 2017

To whom this may concern

My name is Jose A Garcia, I am the owner of 1303 Florida Ave in Fort Pierce. I have received a notice through the mail form Fort Pierce Code enforcement department case #15-1197, and I am writing this letter as a response.

I want to inform that I have hired a General Contractor to repair the problem since March of 2016, I have been having problems with the contractor, he has not been responsible with what he had promised me to get the problem done. He has renewed the permit in October of 2016 as I was told, he has said to get the job done as soon as possible. If I don't hear back from him in the next couple days, I will have to rehire another contractor and I will inform the contractor and code enforcement through certified mail.

I ask for more time to get this issue taken care of, I am working on resolving it, I ask that the fine that are due on the property do not get entered as a lien on the property, I would like to request a hearing with Special Magistrate.

Thank you for your help.

Sincerely

  
Jose A Garcia

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

### Property Identification

Site Address: 1303 FLORIDA AVE Map ID: 24/09S	Parcel ID: 2409-821-0003- 000-3 Zoning: R3	Account #: 22840  Use Type: 0100	Sec/Town/Range: 09/35S/40E Jurisdiction: Fort Pierce
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### Ownership

Jose A Garcia  
Maria E Garcia  
1807 Hudson DR  
Rockledge, FL 32955

### Legal Description

CHASE'S S/D LOT 3 (OR 754-2032)

### Current Values

Just/Market: \$27,500	Assessed: \$25,520
Exemptions: \$0	Taxable: \$25,520

### Historical Values 3-year

Year	Just/Market	Assessed	Exemptions	Taxable
2016	\$27,500	\$25,520	\$0	\$25,520
2015	\$23,200	\$23,200	\$0	\$23,200
2014	\$22,600	\$22,600	\$0	\$22,600

### Sale History

Date	Book/Page	Sale Code	Deed	Grantor	Price
09-06-1991	0754 / 2032	XX00	WD		\$27,000

### Primary Building Information

Finished Area of this building: 1,064 SF  
Gross Area of this building: 1,184 SF

#### Exterior Data

View:	Roof Cover: Fibrglss Shg	Roof Structure: Gable	Building Type: HD
Year Built: 1905	Frame:	Grade: D	Effective Year: 1970
Primary Wall: Wood no Sh	Story Height: 1 Story	No. Units: 1	Secondary Wall:

#### Interior Data

Bedrooms: 3	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 1	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: N/A%	Heat Fuel:	Primary Floors: Double Pine



### Total Areas

Finished/Under Air (SF):	1,064
Gross Area (SF):	1,184
Land Size (acres):	0.16
Land Size (SF):	7,000
Total Building Count:	1

### Special Features and Yard Items

Type	Qty	Units	Year Blt
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This information is believed to be correct at this time but it is subject to change and is not warranted.  
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**MASSEY HEARING  
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 15-1197

Address: 1303 Florida Avenue

Date: March 15, 2017

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: **MODERATE**
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? **STILL IN VIOLTION. OWNER HIRED A CONTRACTOR TO PULL THE PERMIT. THE PERMIT EXPIRED WITHOUT REQUIRED INSPECTIONS. THE PERMIT HAS SINCE BEEN RENEWED BUT AS OF 2/1/2017 HAS NOT HAD INSPECTIONS AND IS STILL IN VIOLATION.**
  
3. THE NUMBER OF TIMES THE VIOLATOR WAS PREVIOUSLY FOUND IN VIOLATION BY EITHER THE CODE ENFORCEMENT BOARD, SPECIAL MAGISTRATE, OR OTHER QUASI-JUDICIAL OR JUDICIAL PROCESS, OR OTHERWISE ADMITTED GUILT IN ANY SUCH PROCEEDING? **NONE**

**SPECIAL MAGISTRATE  
CITY OF FORT PIERCE, FLORIDA**

SM CASE # 15-1197

RE: Violation of Section(s): 5-1.105.1 Permit Required

Violator: JOSE A GARCIA  
1807 HUDSON DR  
ROCKLEDGE, FL 32955

Property Address: 1303 FLORIDA AVE      Tax ID #: 2409-821-0003-000/3  
Legal Description: CHASE`S S/D LOT 3 (OR 754-2032)

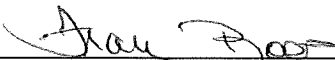
ORDER DETERMINING VIOLATION

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on February 03, 2016, upon request of the Code Enforcement Officer. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that JOSE A GARCIA failed to obtain proper permits for new siding and framing prior to installation in violation of the Code of Ordinances as specified above, on property located at the above described location. In the event the violation is not remedied 90 days hereinafter, there shall be imposed a fine pursuant to Florida Statutes 162.09 at a daily, cumulative rate of \$100.00.

This Order may be recorded in the Public Records of the County and shall constitute notice to any subsequent purchasers, successors in interest or assigns wherein the violation concerns real property, and subsequent purchasers, successors in interest or assigns. If this Order is not complied with timely, then there shall be issued an Order pursuant to Florida Statutes 162.09 imposing the fine provided for herein.

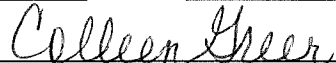
**The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3149 when the violation is corrected. The violator has 30 days in which to file an appeal of the Special Magistrate's decision in the Circuit Court of St. Lucie County.**

DONE AND ORDERED this 4th day of February, 2016.

  
\_\_\_\_\_  
Fran Ross, Special Magistrate

I CERTIFY THAT THE ABOVE ORDER WAS  
MAILED TO THE RESPONDENT ON THIS

4th DAY OF February, 2016.

  
\_\_\_\_\_  
Colleen Greer, Secretary to the Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4157400 02/05/2016 at 10:59 AM  
OR BOOK 3834 PAGE 886 - 886 Doc Type: ORD  
RECORDING: \$10.00

**Special Magistrate Ross Hearing**

**5.b.**

**Meeting Date:** 03/15/2017

**Information**

**SUBJECT:**

16-0566	702 Dundas Court	Bridges, Andrew	Isaac Saucedo
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**CASE INFORMATION:**

Case Initiated:	February 29, 2016	Type of Presentation:	Massey
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**OWNER:**

<b>OWNER:</b> Andrew Bridges, Wanda Bridges, & Sarah Johnson 1111 Avenue G Ft. Pierce, FL 34950	<b>OCCUPIED BY:</b> Tenant 702 Dundas Court Ft. Pierce, FL 34950
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**VIOLATIONS:**

**Section(s): 16-46, 16-47, 16-48 (10) (D) Non-Operable Vehicles**

**FINDINGS/ORDER:**

August 3, 2016 the Special Magistrate found Sarah Johnson responsible for the violation referenced above and gave her 10 days to comply or a fine of \$25.00 per day would be assessed.

**ACTION DATES:**

1. August 16, 2016 an inspection was made, the property was not in compliance and the fines began.
2. February 1, 2017 Mr. Andrew Bridges came in asking for more time; however, since the fines were started had to go for a Massey hearing.
3. The fines are currently \$4,570.00 (\$20.00 recording fees) accruing at \$25.00 daily.

**RECOMMENDATION:**

To be determined.

**Attachments**

Request  
order  
tax card  
3

**Form Review**

Final Approval Date: 02/24/2017

Feb-01-2017

To Whom It May Concern  
I Andrew Bridges, IB In  
The Process Of Getting  
The Register Non-Operable  
Vehicle Up To Codes  
Ordinances Up To Date  
By Providing The Correct  
Compliance With The  
Corrected Register  
Documentation With  
Approval From The City  
Of Fort Pierce.

Thank You  
Andrew Bridges  
Thanks!!!

**SPECIAL MAGISTRATE  
CITY OF FORT PIERCE, FLORIDA**

SM CASE # 16-0566

RE: Violation of Section(s): 16-46, 16-47, 16-48 (10) (D) Non-Operable Vehicles

Violator: SARAH JOHNSON  
1111 AVENUE G  
FT PIERCE, FL 34950

Property Address: 702 DUNDAS CT                      Tax ID #: 2403-711-0022-000/6  
Legal Description: J E W MCCULLER'S S/D LOT 20 (OR 2965-1575)

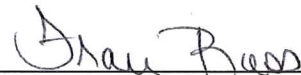
ORDER DETERMINING VIOLATION

**THIS CAUSE** came before the Special Magistrate pursuant to Florida Statutes 162.07 on August 03, 2016, upon request of the Code Enforcement Officer. Having heard testimony and having considered any exhibits while being otherwise advised in the premises, it is accordingly, found and determined that SARAH JOHNSON failed to remove, register, or otherwise make operable all non-operable vehicles and if you wish to keep a non-operable vehicle it must be stored in an enclosed area in violation of the Code of Ordinances as specified above, on property located at the above described location. In the event the violation is not remedied 10 days hereinafter, there shall be imposed a fine pursuant to Florida Statutes 162.09 at a daily, cumulative rate of \$25.00.

This Order may be recorded in the Public Records of the County and shall constitute notice to any subsequent purchasers, successors in interest or assigns wherein the violation concerns real property, and subsequent purchasers, successors in interest or assigns. If this Order is not complied with timely, then there shall be issued an Order pursuant to Florida Statutes 162.09 imposing the fine provided for herein.

**The violator is responsible for notifying the Code Enforcement Department promptly at (772) 467-3149 when the violation is corrected. The violator has 30 days in which to file an appeal of the Special Magistrate's decision in the Circuit Court of St. Lucie County.**

DONE AND ORDERED this 5th day of August, 2016, Nunc pro tunc August 3, 2016.



Fran Ross, Special Magistrate

I CERTIFY THAT THE ABOVE ORDER WAS  
MAILED TO THE RESPONDENT ON THIS

5th DAY OF August, 2016.

Colleen Greer  
Colleen Greer, Secretary to the Special Magistrate

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
SAINT LUCIE COUNTY  
FILE # 4217943 08/08/2016 11:27:09 AM  
OR BOOK 3899 PAGE 68 - 68 Doc Type: ORD  
RECORDING: \$10.00

**THE ABOVE VIOLATOR FAILED TO APPEAR AND IS DEEMED TO HAVE ADMITTED GUILT TO THE VIOLATION.**

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

**Property Identification**

Site Address: 702 DUNDAS      Parcel ID: 2403-711-0022-      Account #: 16137      Sec/Town/Range:  
 CT      000-6      Use Type: 0100      03/35S/40E  
 Map ID: 24/03S      Zoning: R4      Jurisdiction: Fort Pierce

**Ownership**

Andrew Bridges  
 Wanda Bridges  
 Richard Bridges  
 1111 Avenue G  
 Fort Pierce, FL 34950

**Legal Description**

J E W MCCULLER'S S/D LOT 20 (OR 2965-1575: 3705-983)

**Current Values**

Just/Market: \$7,600      Assessed: \$7,600  
 Exemptions: \$0      Taxable: \$7,600

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2016	\$7,600	\$7,600	\$0	\$7,600
2015	\$7,700	\$6,490	\$0	\$6,490
2014	\$5,900	\$5,900	\$0	\$5,900

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
01-06-2015	3705 / 0983	0111	QC	Johnson Sarah	\$100
04-24-2008	2965 / 1575	XX01	QC	Davis, Catherine	\$100
01-01-1900					\$0

**Primary Building Information**

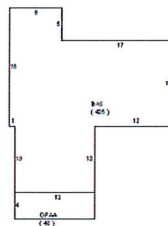
Finished Area of this building: 485 SF  
 Gross Area of this building: 533 SF

**Exterior Data**

View:	Roof Cover: Roll Comp	Roof Structure: Flat/Shed	Building Type: HD-
Year Built: 1943	Frame:	Grade: D-	Effective Year: 1960
Primary Wall: Wood/Sheath	Story Height: 1 Story	No. Units: 1	Secondary Wall:

**Interior Data**

Bedrooms: 1	A/C %: 0%	Electric: AVERAGE	Primary Int Wall:
Full Baths: 1	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: 0%	Heat Fuel:	Primary Floors: Double Pine



**Total Areas**

Finished/Under Air (SF):	485
Gross Area (SF):	533
Land Size (acres):	0.11
Land Size (SF):	5,000
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
SITE DEV S-F	1	1	2001

This information is believed to be correct at this time but it is subject to change and is not warranted.  
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**MASSEY HEARING  
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 16-0566

Address: 702 Dundas Court

Date: March 15, 2017

1. THE GRAVITY OR SERIOUSNESS OF THE VIOLATION: MINOR
  
2. ANY AND ALL ACTIONS TAKEN BY THE VIOLATOR TO CORRECT THE VIOLATIONS(S); OR IF THE VIOLATION(S) WERE NOT CORRECTED BY THE ORIGINAL VIOLATOR, WHAT ACTION WAS TAKEN BY ANY OTHER OWNER OR PARTY IN THE INTEREST TO BRING THE VIOLATION INTO COMPLIANCE? PROPERTY IS NOT IN COMPLIANCE.
  
3. THE NUMBER OF TIMES THE VIOLATOR WAS PREVIOUSLY FOUND IN VIOLATION BY EITHER THE CODE ENFORCEMENT BOARD, SPECIAL MAGISTRATE, OR OTHER QUASI-JUDICIAL OR JUDICIAL PROCESS, OR OTHERWISE ADMITTED GUILT IN ANY SUCH PROCEEDING? NONE

**Special Magistrate Ross Hearing**

5.c.

Meeting Date: 03/15/2017

**Information****SUBJECT:**

16-0174	131 N 15th Street	Teneyck, Jane A	Peggy Arraiz
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**CASE INFORMATION:**

Case Initiated:	January 20, 2016	Type of Presentation:	Massey (rescheduled)
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**OWNER:**

OWNER: Jane Ann Ten Eyck Bazan 5380 NW Dell Court St. Lucie West, FL 34986	OCCUPIED BY:
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**VIOLATIONS:**

Section(s): 5-369 Vacant Buildings

Section(s): 16-46, 16-47, 16-48 (1) (5) (7)(15) Nuisance as a Condition

**FINDINGS/ORDER:**

Matter was not heard by the Special Magistrate and no order was issued. Nuisance abatement case processed through the administrative procedures outlined in Sec. 16-49.

**ACTION DATES:**

1. January 20, 2016 - Notice of Violations was sent via certified mail. Notice provides owner 10 days to come into compliance or to request a hearing.
2. January 22, 2015 - Green card was signed by C. Bazan and returned to the Code Enforcement office.
3. April 7, 2016 - Inspection was made, property was not in compliance.
4. April 8, 2016 - Staff posted the property as required by Sec. 16-49.
5. June 20, 2016 - The City's contractor, Gone Fishing Landscaping & More LLC, corrected the violations.
6. August 22, 2016 - Invoice mailed to property owner. Invoice provides an additional opportunity to contest the charges prior to a lien being filed.
7. September 6, 2016 - Ms. Jane A Bazan sent notice to the City contesting the charges.
8. February 15, 2017 - Ms. Bazan attended the Special Magistrate hearing and explained that she was in the process of filing for bankruptcy. Attorney Mosley stated that she would communicate with Ms. Bazan's attorney and recommended the case be continued to the next hearing. Ms. Bazan was advised that if she had health issues, she did not need to attend the hearing.

**RECOMMENDATION:**

Total amount of Nuisance Abatement lien is \$1,225.00. (\$1125.00 for charge, \$100.00 admin. fees)

Recommendation to be determined.

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### **Attachments**

Tax Card  
Green Card  
Posting  
Invoice  
Letter  
Inv 2

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### **Form Review**

Form Started By: Collen Greer  
Final Approval Date: 02/16/2017

Started On: 10/26/2016 10:08 AM

**Property Identification**

Site Address: 131 N 15th ST Parcel ID: 2409-510-0011- Account #: 21500 Sec/Town/Range:  
 000-7 09/35S/40E  
 Map ID: 24/09N Zoning: R3 Use Type: 0100 Jurisdiction: Fort Pierce

**Ownership**

Jane A Teneyck  
 Wayne A Teneyck Jr (EST)  
 5380 NW Dell CT  
 Port St Lucie, FL 34986

**Legal Description**

KILLER'S S/D BLK A LOT 11 (OR 208-744: 1568-1493)

**Current Values**

Just/Market: \$24,100 Assessed: \$22,440  
 Exemptions: \$0 Taxable: \$22,440

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2016	\$24,100	\$22,440	\$0	\$22,440
2015	\$20,400	\$20,400	\$0	\$20,400
2014	\$20,300	\$20,300	\$0	\$20,300

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
08-16-2002	1568 / 1493	XX01	QC	Teneyck, Wayne A	\$10,000
01-01-1900					\$0

**Primary Building Information**

Finished Area of this building: 1,022 SF  
 Gross Area of this building: 1,242 SF

**Exterior Data**

View:	Roof Cover: Metal	Roof Structure: Gable	Building Type: HD
Year Built: 1924	Frame:	Grade: D	Effective Year: 1960
Primary Wall: Wood no Sh	Story Height: 1 Story	No. Units: 1	Secondary Wall:

**Interior Data**

Bedrooms: 3	A/C %: 100%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 1	Heated %: 100%	Heat Type: FrcdHotAir	Avg Hgt/Floor: 0
Half Baths: 0	Sprinkled %: N/A%	Heat Fuel: ELEC	Primary Floors: Double Pine



**Total Areas**

Finished/Under Air (SF):	1,022
Gross Area (SF):	1,242
Land Size (acres):	0.18
Land Size (SF):	7,750
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
CHAINLINK 4'	1	220	1995

This information is believed to be correct at this time but it is subject to change and is not warranted.  
 © Copyright 2016 Saint Lucie County Property Appraiser. All rights reserved.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. **JANE A TENEYCK  
WAYNE A TENEYCK JR (EST)  
5380 NW DELL CT  
PORT ST LUCIE, FL. 34986**

**RE: CASE # 16-174  
MGM**



**9590 9403 0956 5223 2657 38**

2. Article Number (Transfer from service label)

**015 1520 0002 8772 8465**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Charles J. Bayan*

- Agent
- Addressee

B. Received by (Printed Name)

**C. BAZAN**

C. Date of Delivery

**1-22-16**

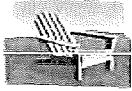
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**131 N. 15 ST**

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted





**131 N. 15th Street**  
 Dana L Neville to: Colleen Greer

09/16/2016 09:49 AM

MR450I03      CITY OF FORT PIERCE FINANCE DEPARTMENT      9/16/16  
 Invoice Inquiry      09:42:50

Invoice #/Date : 31676    8/22/16    Cust: 5134    Status: A ACTIVE  
 Last statement :        9/11/16    Name: 131 N 15TH ST TENEYCK  
 Last invoice . :        8/22/16    Addr: 240951000110007 TENEYCK  
 Current balance:        200.00    PORT ST LUCIE, FL 34986  
 Pending . . . :        .00

Type options, press Enter.  
 5=Display

Opt	Trans	Date	Code	Description		Amount
		8/22/16	LOTAD	LOT CLEARING ADMIN FEE	9/11/16	100.00
		8/22/16	LOT2	LC	9/11/16	100.00

MR450I03      CITY OF FORT PIERCE FINANCE DEPARTMENT      9/16/16  
 Invoice Inquiry      09:43:39

Invoice #/Date : 31677    8/22/16    Cust: 5134    Status: A ACTIVE  
 Last statement :        9/11/16    Name: 131 N 15TH ST TENEYCK  
 Last invoice . :        8/22/16    Addr: 240951000110007 TENEYCK  
 Current balance:        1,225.00    PORT ST LUCIE, FL 34986  
 Pending . . . :        .00

Type options, press Enter.  
 5=Display

Opt	Trans	Date	Code	Description		Amount
		8/22/16	EMEAD	ADMIN EMER REPAIR	9/11/16	100.00
		8/22/16	EMERP	EMERGENCY REPAIR LIENS	9/11/16	1125.00

Thank you & have a great day!

**Dana Neville | Senior Accounting Clerk | City of Fort Pierce**

Finance Department  
 Phone: 772.467.3074 • Fax: 772.489.2594 • 100 North U.S. 1 Fort Pierce

[Website](#) | [Facebook](#) | [Survey](#)



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

*Mrs. Jane Ann Ten Eyck Bazan*

*5380 NW Dell Court*

*St. Lucie West, FL 34986*

Wednesday September 06, 2016,

Code Enforcement office

City Of Fort Pierce

P.O. Box 1480

Fort Pierce, FL 34954-1480

RE: Invoice #31676 and Invoice#31677

131 N 15th St. 200.00  
emerg rep lien 1225.00

To whom it may concern:

I received notice on April 8<sup>th</sup> 2016, that my father's house was in violation as a vacant building and that its condition was a nuisance. My father moved out of that home in the fall of 2007 and at that time the house was in good condition. My husband has been taking care of mowing the lawn and trimming trees and locking the front gate as well as securing the back fence that had become separated at one time. The local police know that no one should be cutting that lock to gain entrance or hopping the fence, the police know it is trespassing and they have the correct contact numbers to call. There is no electricity, no water and no gas available to the house. Code enforcement would have known this had they returned my phone calls.

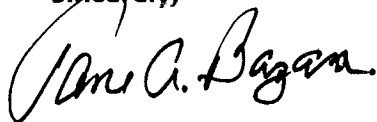
Since receiving that notice I have called 772-467-3000 numerous times. My call was always transferred to someone named Mike Morabito ext.3154, he returned my call once when I was unable to answer, I called him right back and I was stuck with his voice mail again. When I would call the main number I would ask if there was anyone else who could talk with me or help me I was told abruptly no and transferred to ext. 3154 again.

What I was trying to get across to Mike is that both my husband and I are disabled, there are quite a lot of things that take a long time to do and they cannot be done in the extreme heat

that we have been experiencing. I also tried to tell you countless times that we could not afford to have the work done for us. We live on a fixed income and cannot afford a bill \$1,425.00, nor can we afford the payments on such a bill.

I am the owner of that property and I did not give anyone permission to step foot on it. What if one of the workers had been seriously hurt, are you going to try to charge me for that to? They were TRESSPASSING and if anyone entered my home that is BURGLARY!!! If anything this is attempted FRAUD because you performed unauthorized work and then you try to make the homeowner pay for it. How many other times have you harassed or discriminated against the disabled? It is your code enforcement department that has caused me more mental anguish by worrying about this entire incident, I think you should pay me the \$1425.00.

Sincerely,

A handwritten signature in black ink that reads "Jane A. Bazan". The signature is written in a cursive, flowing style.

Jane A Bazan

INVOICE

TO: JANE A TENEYCK  
WAYNE A TENEYCK JR (EST)  
5380 NW DELL CT  
PORT ST LUCIE, FL 34986

INVOICE NO: 31677  
DATE: 8/22/16

CUSTOMER NO: 5134/6625

TYPE: EM - 001 0000 115 14 00 EMER R

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	ADMIN EMER REPAIR	100.00	100.00
1.00	EMERGENCY REPAIR LIENS	1,125.00	1,125.00

\*\*\* \*\*

DATE OF SERVICE: 06/20/2016 CITED BY: M MORABITO  
 ADDRESS: 131 N 15TH ST  
 TAX ID #: 2409-510-0011-000/7  
 PERFORMED BY: GONE FISHING LANDSCAPING & MORE LLC  
 \*\*\* \*\*

"IF YOU WOULD LIKE TO CONTEST THIS FINE OR DISAGREE WITH THE WORK PERFORMED, THEN YOU MUST RESPOND IN WRITING, STATING A DETAILED REASON AS TO WHY YOU DISAGREE. THIS STATEMENT MUST BE RECEIVED BY OUR OFFICE WITHIN TWENTY DAYS FROM THE DATE OF THIS INVOICE. IF WE DO NOT HEAR FROM YOU WITHIN TWENTY DAYS OR RECEIVE PAYMENT BY THE DUE DATE, A LIEN WILL BE FILED AGAINST THE PROPERTY; INTEREST WILL BE CHARGED AT THE RATE OF 6% PER YEAR FROM THE ORIGINAL INVOICE DATE."

TOTAL DUE: \$1,225.00

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 8/22/16 DUE DATE: 8/22/16 NAME: TENEYCK, JANE A  
 CUSTOMER NO: 5134/6625 TYPE: EM - 001 0000 115 14 00 EMER R

REMIT AND MAKE CHECK PAYABLE TO:  
 CITY OF FT PIERCE  
 P O BOX 1480  
 34954

34954-1480 (772) 467-3000

INVOICE NO: 31677 AMOUNT: \$1,225.00  
 TERMS: NET 0 DAYS

TO: Finance  
FROM: Code Enforcement Division  
RE: Request for Payment

*new*  
*5134*

DATE: July 15, 2016 DATE OF REPAIR: 06/20/2016

P.O. # 16-1304 Account # 001-2903-524.34-50

Request payment to be made to: Gone Fishing Landscaping & More LLC  
3509 Avenue T  
Fort Pierce, FL 34947

In the amount of \$ 1125.00 for nuisance abatement services.

Parcel #: 2409-510-0011-000/7

Case #: 16-00000175

Cited By: Mike Morabito

Legal Description: KILLER'S S/D BLK A LOT 11 (OR 208-744: 1568-1493)

Current Owner: JANE A TENEYCK  
5231 NW N LOVOY CIR  
PORT ST LUCIE, FL 34986

**Address: 131 N 15TH ST**

Comments: The above listed address has been determined to be a nuisance or have conditions that are contributing to the blighted area in which this property is located. Due to failure of the owner to remedy the identified problems, the above named contractor was hired to remedy the conditions that have contributed to the deterioration of this area.

Inspected by: *[Signature]* Date: 7/16/16  
Mike Morabito, Code Enforcement Officer

And found to be in compliance.

Approved for payment by: *[Signature]* Date: 7/19/16  
Margaret M. Arraiz, Code Compliance Manager

And request that the owner be billed for the actual cost of remediation, plus the appropriate administrative charge.

Contractor's statement attached.

Invoice #: 150984

Tax ID #: 2409-510-0011-000/7

Case #: 16-00000175

Legal Description: KILLER'S S/D BLK A LOT 11 (OR 208-744: 1568-1493)

Cited By Mike Morabito

RE: 131 N 15TH ST

Owner: JANE A TENEYCK  
5231 NW N LOVOY CIR  
PORT ST LUCIE FL 34986

Sections in violation: 16-46, 16-47, 16-48(1)(7)(9)(10)(18)

Comments: ALL WINDOWS AND DOORS MUST BE COVERED WITH EXTERIOR GRADE PLYWOOD. WOOD IS TO BE PAINTED EITHER WHITE OR TO MATCH THE BUILDING.

Property Size	L	W	Acre	Square Feet
(LxW or Acreage)				
				LxW
				Acre
				Total
				0
				0
				0
<b>Non-Movable Area</b>	<b>L</b>	<b>W</b>	<b>Sq. Ft</b>	
(structures, pavement, etc.)				
				LxW
				Sq. Ft
				Total
				0
				0
				0
				<b>Total Billable Square Feet</b>
				<b>0</b>
<b>Special Notes:</b>	13 Windows & 2 doors.			



06-20-20

6:06:48 AM

06-20-2016 11:2 AM

**Special Magistrate Ross Hearing****5.d.****Meeting Date:** 03/15/2017

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**Information****SUBJECT:**

16-0175	131 N 15th Street	Teneyck, Jane A	Peggy Arraiz
---------	-------------------	-----------------	--------------

**CASE INFORMATION:**

Case Initiated:	January 20, 2016	Type of Presentation:	Massey (rescheduled)
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**OWNER:**

OWNER: Jane Ann Ten Eyck Bazan 5380 NW Dell Court St. Lucie West, FL 34986	OCCUPIED BY:
---	--------------

**VIOLATIONS:**

Section(s): 16-46, 16-47, 16-48 (1) (7) (9) (10) (18) Nuisance as a Condition

**FINDINGS/ORDER:**

Matter was not heard by the Special Magistrate and no order was issued. Nuisance abatement case processed through the administrative procedures outlines in Sec. 16.49.

**ACTION DATES:**

1. January 20, 2016 - Notice of Violation was sent via certified mail. Notice provides owner 10 days to come into compliance or to request a hearing
2. January 22, 2015 - Green card was signed by C. Bazan and returned to the Code Enforcement office.
3. April 7, 2016 - Inspection was made, property was not in compliance.
4. April 8, 2016 - Staff posted the property as required by Sec. 16-49.
5. June 20, 2016 - The City's contractor, Gone Fishing Landscaping & More LLC, corrected the violations.
6. August 22, 2016 - Invoice mailed to property owner. Invoice provides an additional opportunity to contest the charges prior to a lien being filed.
7. September 6, 2016 - Ms. Jane A Bazan sent notice to the City contesting the charges.
8. February 15, 2017 - Ms. Bazan attended the Special Magistrate hearing and explained that she was in the process of filing for bankruptcy. Attorney Mosley stated that she would communicate with Ms. Bazan's attorney and recommended the case be continued to the next hearing. Ms. Bazan was advised that if she had health issues, she did not need to attend the hearing.

**RECOMMENDATION:**

Total amount to date is \$200.00 (\$100.00 costs \$100.00 admin fees)  
To be determined.

---

## Attachments

Green Card  
Posting  
Letter  
Inv 1

---

## Form Review

Form Started By: Collen Greer  
Final Approval Date: 02/16/2017

Started On: 10/26/2016 10:09 AM

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. **JANE A TENEYCK  
WAYNE A TENEYCK JR (EST)  
5380 NW DELL CT  
PORT ST LUCIE, FL. 34986**

**RE: CASE # 16-174  
MGM**



**9590 9403 0956 5223 2657 38**

2. Article Number (Transfer from service label)

**015 1520 0002 8772 8465**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 *Charles J. Bayan*  Agent  
 Addressee

B. Received by (Printed Name) **C. BAZAN** C. Date of Delivery **1-22-16**

D. Is delivery address different from item 1?  Yes  
 No  
 If YES, enter delivery address below:

**131 N. 15 ST**

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted



*Mrs. Jane Ann Ten Eyck Bazan*

*5380 NW Dell Court*

*St. Lucie West, FL 34986*

Wednesday September 06, 2016,

Code Enforcement office

City Of Fort Pierce

P.O. Box 1480

Fort Pierce, FL 34954-1480

RE: Invoice #31676 and Invoice#31677

131 N 15th St. 200.00  
emerg rep lien 1225.00

To whom it may concern:

I received notice on April 8<sup>th</sup> 2016, that my father's house was in violation as a vacant building and that its condition was a nuisance. My father moved out of that home in the fall of 2007 and at that time the house was in good condition. My husband has been taking care of mowing the lawn and trimming trees and locking the front gate as well as securing the back fence that had become separated at one time. The local police know that no one should be cutting that lock to gain entrance or hopping the fence, the police know it is trespassing and they have the correct contact numbers to call. There is no electricity, no water and no gas available to the house. Code enforcement would have known this had they returned my phone calls.

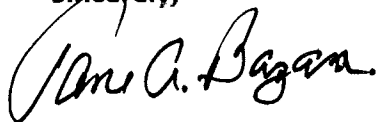
Since receiving that notice I have called 772-467-3000 numerous times. My call was always transferred to someone named Mike Morabito ext.3154, he returned my call once when I was unable to answer, I called him right back and I was stuck with his voice mail again. When I would call the main number I would ask if there was anyone else who could talk with me or help me I was told abruptly no and transferred to ext. 3154 again.

What I was trying to get across to Mike is that both my husband and I are disabled, there are quite a lot of things that take a long time to do and they cannot be done in the extreme heat

that we have been experiencing. I also tried to tell you countless times that we could not afford to have the work done for us. We live on a fixed income and cannot afford a bill \$1,425.00, nor can we afford the payments on such a bill.

I am the owner of that property and I did not give anyone permission to step foot on it. What if one of the workers had been seriously hurt, are you going to try to charge me for that to? They were TRESSPASSING and if anyone entered my home that is BURGLARY!!! If anything this is attempted FRAUD because you performed unauthorized work and then you try to make the homeowner pay for it. How many other times have you harassed or discriminated against the disabled? It is your code enforcement department that has caused me more mental anguish by worrying about this entire incident, I think you should pay me the \$1425.00.

Sincerely,

A handwritten signature in black ink that reads "Jane A. Bazan". The signature is written in a cursive, flowing style.

Jane A Bazan

INVOICE

TO: JANE A TENEYCK  
WAYNE A TENEYCK JR (EST)  
5380 NW DELL CT  
PORT ST LUCIE, FL 34986

INVOICE NO: 31676  
DATE: 8/22/16

CUSTOMER NO: 5134/5134

TYPE: LL - 001 0000 115 02 00 LC

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	LOT CLEARING ADMIN FEE	100.00	100.00
1.00	LC	100.00	100.00

DATE MOWED: 06/23/16  
 INSPECTED BY: M MORABITO  
 CASE #: 16-0174  
 PROPERTY ADDRESS: 131 N 15TH ST  
 PARCEL TAX ID: 2409-510-0011-000/7  
 \*\*\* \*\*

"IF YOU WOULD LIKE TO CONTEST THIS FINE OR DISAGREE WITH THE WORK PERFORMED, THEN YOU MUST RESPOND IN WRITING, STATING A DETAILED REASON AS TO WHY YOU DISAGREE. THIS STATEMENT MUST BE RECEIVED BY OUR OFFICE WITHIN TWENTY DAYS FROM THE DATE OF THIS INVOICE. IF WE DO NOT HEAR FROM YOU WITHIN TWENTY DAYS OR RECEIVE PAYMENT BY THE DUE DATE, A LIEN WILL BE FILED AGAINST THE PROPERTY; INTEREST WILL BE CHARGED AT THE RATE OF 6% PER YEAR FROM THE ORIGINAL INVOICE DATE."

TOTAL DUE: \$200.00

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 8/22/16 DUE DATE: 8/22/16 NAME: TENEYCK, JANE A  
 CUSTOMER NO: 5134/5134 TYPE: LL - 001 0000 115 02 00 LC

REMIT AND MAKE CHECK PAYABLE TO:  
 CITY OF FORT PIERCE  
 P O BOX 1480  
 FORT PIERCE FL 34954-1480 (772) 467-3000

INVOICE NO: 31676  
 TERMS: NET 0 DAYS AMOUNT: \$200.00

5134

TO: Finance

FROM: Code Enforcement Division *new*

RE: Request for Payment

DATE: July 15, 2016

DATE MOWED: 06/23/2016

P.O. # 16-1304

Account # 001-2903-524.34-50

Request payment to be made to: Gone Fishing Landscaping & More, LLC  
3509 Avenue T  
Fort Pierce, FL 34947

In the amount of \$ 100.00 for clearing property

Parcel #: 2409-510-0011-000/7

Case #: 16-00000174

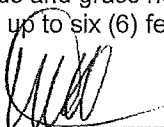
Cited By: Mike Morabito

Legal Description: KILLER'S S/D BLK A LOT 11 (OR 208-744: 1568-1493)

Current Owner: JANE A TENYCK  
WAYNE A TENYCK JR (EST) 5380 NW DELL CT  
PORT ST LUCIE, FL 34986

**Address: 131 N 15TH ST**

Comments: Weeds and grass need to be cut. Remove all trash and debris. Also, please trim the trees up to six (6) feet above the ground.

Inspected by:   
Mike Morabito, Code Enforcement Officer

Date: 7/16/16

And found to be in compliance.

Approved for payment by:   
Margaret M. Arraiz, Code Compliance Manager

Date: 7/19/16

And request that the owner be billed for the actual cost of clearing, plus the appropriate administrative charge.

Contractor's statement attached.

Invoice #: 150984

Tax ID #: 2409-510-0011-000/7

Case #: 16-00000174

Legal Description: KILLER`S S/D BLK A LOT 11 (OR 208-744: 1568-1493)

Cited By Mike Morabito

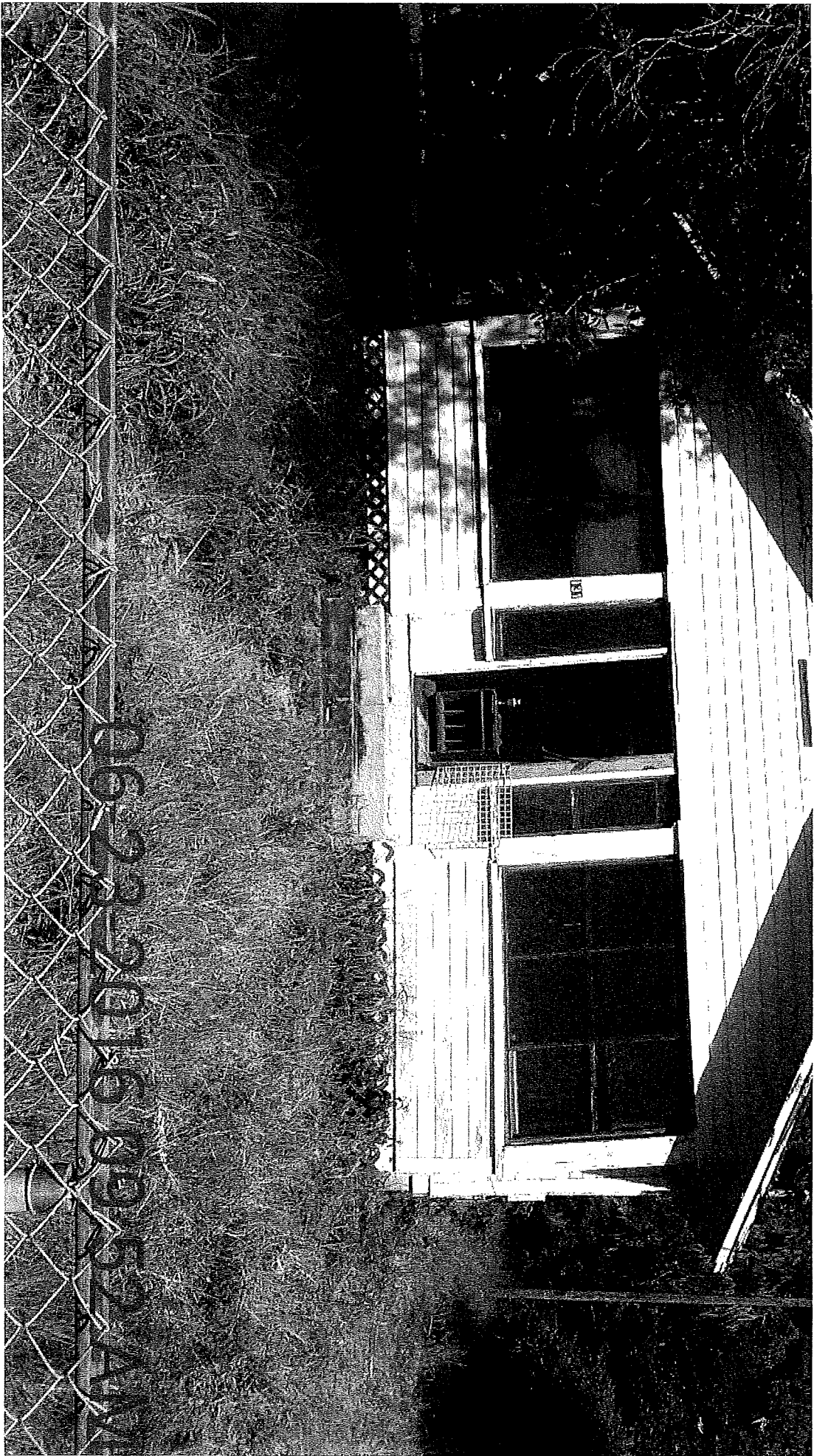
RE: 131 N 15TH ST

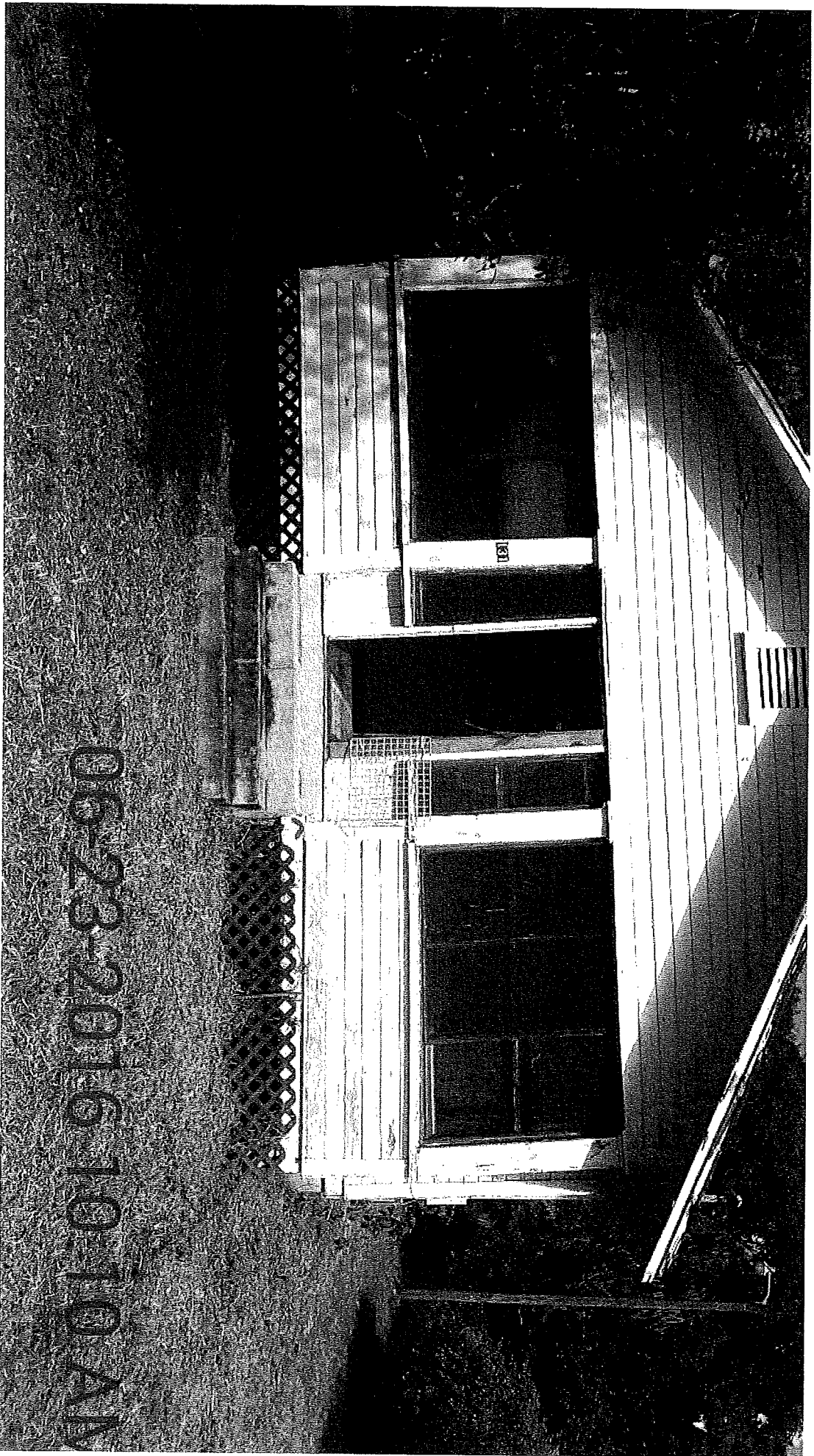
Owner: JANE A TENEYCK  
WAYNE A TENEYCK JR (EST) 5380 NW DELL CT  
PORT ST LUCIE FL 34986

Sections in violation: 16-46, 16-47, 16-48(1)(7)(9)(10)(18)

Comments: Weeds and grass need to be cut. Remove all trash, debris, dead trees and branches. Also, please trim all trees up to six (6) feet above the ground.

Property Size	L	W	Acre	Square Feet
(LxW or Acreage)			<del>XXXX</del>	LxW 0
	<del>XXXX</del>	<del>XXXX</del>		Acre 0
				Total 7750
Non-Mowable Area	L	W	Sq. Ft	
(structures, pavement, etc.)			<del>XXXX</del>	LxW 0
	<del>XXXX</del>	<del>XXXX</del>		Sq. Ft 0
				Total 1242
			Total Billable Square Feet	6508
Special Notes:				





06-23-2016 10:10 AM

Meeting Date: 03/15/2017

**Information**

**SUBJECT:**

14-0402	1609 Citrus Avenue	Massoni, Thomas (Est)	Peggy Arraiz
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**CASE INFORMATION:**

Case Initiated:	February 24, 2014	Type of Presentation:	Lien Reduction
-----------------	-------------------	-----------------------	----------------

**OWNER:**

<b>PREVIOUS OWNER:</b> Thomas Massoni (EST) 1609 Citrus Avenue Ft. Pierce, FL 34950	<b>CURRENT OWNER:</b> Moses H. Sellers, Gregory Sellers, Felicia Moss 104 N 40th Street Ft. Pierce, FL 34947
--	---

**VIOLATIONS:**

- Section(s): 5-73 House Numbers**
- Section(s): 5-368 (1) (4) Property Maintenance**
- Section(s): 5-369 Vacant Buildings**

**FINDINGS/ORDER:**

May 7, 2014 the Special Magistrate found Thomas Massoni (Est) responsible for the violations listed above and gave him 30 days to comply or a fine of \$250.00 per day would be assessed.

**ACTION DATES:**

1. June 9, 2014 an inspection was made, the violations were not complied, the fines began.
2. January 30, 2015 the Order Assessing Fine and Imposing Lien was recorded at the Clerk of the Circuit Court St. Lucie County.
3. October 28, 2016 learned of new owners and notified them of the violations and the lien.
4. On receipt of our letter the new owners contacted the officer and learned what needed to be done to comply.
5. November 10, 2016 an inspection was made, the property was now in compliance, the fines stopped.
6. November 15, 2016 received request for reduction/rescindment from Mr. Moses Sellers.
7. The total amount of lien is **\$221,290.00 (\$40.00 recording fees)**.
8. January 19, 2017 applied for excess funds from the tax deed sale; however as there were other governmental liens attached, we have not received any funds to date.

**RECOMMENDATION:**

To be determined.

**Attachments**

Request for Reduction

Tax Card  
7 Criteria  
Administration Costs  
Excess

---

### **Form Review**

Form Started By: Collen Greer  
Final Approval Date: 02/16/2017

Started On: 01/26/2017 10:36 AM



THE SUNRISE CITY  
**FORT PIERCE**  
CODE ENFORCEMENT  
*Florida*

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

Date:	11/15/16		
Property address:	1609 N citrus Ft. Pierce FLA		
Owner(s) of record:	Moses Sellers, Gregory Sellers, Felicia Moss		
Mailing address:	7703 Palomar St. Ft. Pierce FLA		
Property tax ID #:	2409-814-0031-00016		
Original purchase date:	Original purchase price:		
Property is used for:	<input checked="" 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:	Moses Sellers	Relationship to owner(s)	
Telephone #:	X	Mobile phone #:	(772) 940-6226
E-mail:	officialofftop28@gmail.com	Preferred contact method:	
What are owner(s) intentions for property:	Rental		
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice)
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

\$ 220,000

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ all except Administrative and hard cost

DOLLAR AMOUNT I AGREE TO PAY

\$ administrative and hard cost

Moses A. Sellers  
Signature of Owner or Representative

11/15/16  
Date

Moses H. Sellers  
Printed Name



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 the appropriate application for lien reduction / rescindment.
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 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 are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 1609 citrus Ave Ft. Pierce FLA  
 Property Owner: MOSES A. SELLERS, Gregory Sellers, Feledia Moss  
 Mailing Address: 7703 Palomar St. Ft. Pierce FLA  
 Telephone #: ∞ Cell Phone #: (772) 940-6226  
 E-Mail Address: officialofftop28@gmail.com  
 Is the property in compliance? yes If no, please explain in the narrative of your request.

I, Moses H. Sellers, 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:

I want overage from sails to pay administrative and hard cost.

Date: 11/15/16

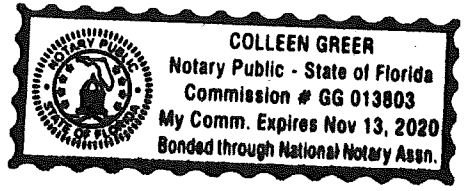
Signed: Moses H. Sellers

Print Name: MOSES H. SELLERS  
Moses H. Sellers

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Moses Hezron Sellers who acknowledged before me that the information contained herein is true and correct. He or She is is not personally known to me and has produced FLDL 5462-548-84-370-0 as identification.

SWORN TO AND SUBSCRIBED before me this 15th day of November, 2016.



Colleen Greer  
Notary Public, State of Florida

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 1609 Citrus Ave. Ft. Pierce FLA

I acknowledge that I have been provided a copy of Rule 17 of the Rules of Procedure for the City of Fort Pierce Code Enforcement Board and Special Magistrates and that I have read the rules and being advised as such make the following request:

I am requesting that my application for lien reduction be processed administratively through the Rules of Procedure Sec. 17(b), I understand the requirements to be met and that I waive my right to a hearing before either the Special Magistrate or Code Enforcement Board.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(c), I understand the requirements to be met and that my request will be heard and determination made by either the Special Magistrate or Code Enforcement Board that authorized Order Assessing Fine and Imposing Lien.

I am requesting that my application for lien reduction be processed through the Rules of Procedure Sec. 17(e) and that my request will be heard and determination made by the City Commission of the City of Fort Pierce.

Moses H. Sellers      11/15/16      MOSES H. SELLERS  
Signature of Owner or Representative      Date      Printed Name

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COFF – APPLICATION PROCESS DETERMINATION

Staff has reviewed the request for lien reduction and agrees to process the application as requested by the signing party.

Staff has reviewed the request for lien reduction and do not agree to process the application as requested by the signing party. The matter will be placed before either the Special Magistrate or Code Enforcement Board that authorized the Order Assessing Fine and Imposing Lien.

\_\_\_\_\_  
City Representative      Date      Printed Name

**Property Identification**

Site Address: 1609 CITRUS AVE  
 Map ID: 24/09S  
 Parcel ID: 2409-814-0031-000-6  
 Zoning: R3  
 Account #: 22725  
 Use Type: 0100  
 Sec/Town/Range: 09/35S/40E  
 Jurisdiction: Fort Pierce

**Ownership**

Moses H Sellers  
 Gregory Sellers  
 Felicia Moss  
 104 N 40th ST  
 Fort Pierce, FL 34947-2579

**Legal Description**

REVISED PLAT OF COBB'S PARK BLK B LOT 1 (OR 3895-467)

**Current Values**

Just/Market: \$34,300  
 Exemptions: \$0  
 Assessed: \$30,580  
 Taxable: \$30,580

**Historical Values 3-year**

Year	Just/Market	Assessed	Exemptions	Taxable
2016	\$34,300	\$30,580	\$0	\$30,580
2015	\$27,800	\$27,800	\$0	\$27,800
2014	\$27,400	\$27,400	\$0	\$27,400

**Sale History**

Date	Book/Page	Sale Code	Deed	Grantor	Price
07-25-2016	3895 / 0467	0111	TD	Massoni (EST) Thomas	\$0
02-28-2011	3273 / 1590	0112	SP	Federal National Mortgage Assc,	\$18,000
01-10-2011	3260 / 0223	0112	CT	Hood (EST),James	\$0

**Primary Building Information**

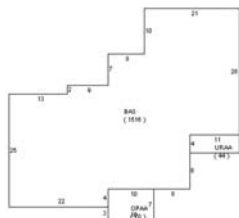
Finished Area of this building: 1,516 SF  
 Gross Area of this building: 1,630 SF

**Exterior Data**

View:	Roof Cover: Fibrglss Shg	Roof Structure: Gable	Building Type: HD+
Year Built: 1950	Frame:	Grade: D+	Effective Year: 1975
Primary Wall: Abs Shingle	Story Height: 1 Story	No. Units: 1	Secondary Wall:

**Interior Data**

Bedrooms: 3	A/C %: 0%	Electric: MAXIMUM	Primary Int Wall:
Full Baths: 1	Heated %: 0%	Heat Type:	Avg Hgt/Floor: 0
Half Baths: 1	Sprinkled %: N/A%	Heat Fuel:	Primary Floors: Carpet



**Total Areas**

Finished/Under Air (SF):	1,516
Gross Area (SF):	1,630
Land Size (acres):	0.25
Land Size (SF):	10,893
Total Building Count:	1

**Special Features and Yard Items**

Type	Qty	Units	Year Blt
CHAINLINK 4'	1	92	1999

This information is believed to be correct at this time but it is subject to change and is not warranted.  
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**LIEN REDUCTION HEARING  
CONTESTING OF FINE/NON-COMPLIANCE**

**Case No: 14-0402**

**Address: 1609 Citrus Avenue**

1.) The gravity or seriousness of the violation:	MODERATE
2a.) Any and all actions taken by the violator to correct the violations; OR	NONE
2b.) If the violations were not corrected by the original violator, what action was taken by any other owner or interested party to bring the violation into compliance:	NEW OWNER CORRECTED ALL VIOLATIONS.
3.) The length of time necessary to bring the property into compliance:	2 YEARS 8 MONTHS
4.) The number of times the violator was previously found in violation by either the CEB, SM or other quasi-judicial or judicial process, or otherwise admitted guilt in any such proceeding:	N/A (NEW OWNER)
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	N/A
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	N/A
7.) Whether or to what extent there are pending violation proceedings on the subject property or any other property within the city owned by the respondent:	N/A

# Administrative Cost Estimator

12/1/2016

Property Address: 1609 Citrus Avenue (14-0402)

Date case originated: 2/24/2014

Date case complied: 11/10/2016

Total time: 31 months

## Number of Hearings

Violation Hearings: 1

Massey Hearings: 0

Lien Reduction Hearings: 1

## Mailing Expense

Regular 1st Class:	\$0.44	<u>8</u>	\$3.52
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Certified Mail:	\$5.10	<u>1</u>	\$5.10
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Photographs (per page)	\$0.50	<u>8</u>	\$4.00
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>31</u>	\$1,550.00
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Covers code officer's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

## Code Enforcement Secretary

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
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Each additional Hearing	\$75.00	<u>0</u>	\$0.00
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Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Code Compliance Manager	\$75.00	<u>1</u>	\$75.00
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Covers review of initial notice, review of case file for recommendation and review with attorney

City Attorney (per hour)	\$125.00	<u>1</u>	\$125.00
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Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

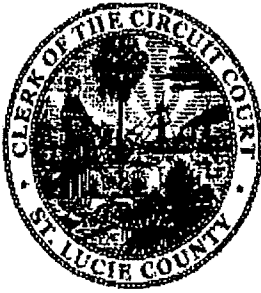
Hearings	\$150.00	<u>2</u>	\$300.00
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Cover SM/CEB review and hearing time, recording secretary, code staff & management hearing time, attorney hearing time, MIS or SLC set up.

Commision Meeting	\$275.00	<u>1</u>	\$275.00
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Covers cost to advertise, copies, review time for commissioners/attorney/city manager time at hearing, post hearing correspondence and processing / filing fees.

Total Estimated Cost: \$2,527.62



JOHN E SMITH  
 CLERK OF THE CIRCUIT COURT  
 ST. LUCIE COUNTY, FLORIDA  
 TAX DEED/OFFICIAL RECORDS  
 201 SOUTH INDIAN RIVER DRIVE, 2ND FLOOR  
 FORT PIERCE, FLORIDA 34980  
 (772) 462-6926  
 MAILING ADDRESS: 2000 VIRGINIA AVENUE, 2ND FLOOR, FORT PIERCE (FL 34962)

**AFFIDAVIT (Tax Deed Sale - Excess Proceeds)**

File # 15-608  
 Certificate # 2013/2763

MARGARET MARRAIZ FORTHE being first duly sworn, deposes and says:  
 (Print/Type Name of Affiant) CITY OF FORT PIERCE

1. That, as further stated in paragraph 3 below, I am one of the person(s) described in F.S. 197.502(4), to wit:
- 1. Legal titleholder of record whose address appears on the record of conveyance of the lands to the owner.
  - 2. Lien holder of record whose address appears on the recorded lien. That the lien in the amount of \$24,296 (Includes applicable interest) has not been transferred or satisfied.
  - 3. Mortgagee of record whose address appears on the recorded mortgage.
  - 4. Vendee of a recorded contract or vendee who has applied to receive notice.
  - 5. Other lien holder who has applied to receive notice.
  - 6. Person to whom property was assessed on the tax roll for year in which property was last assessed.
  - 7. OTHER: If property was acquired by other than a deed (for example, Court Order or Probate), certified copies of all pertinent documents are attached.

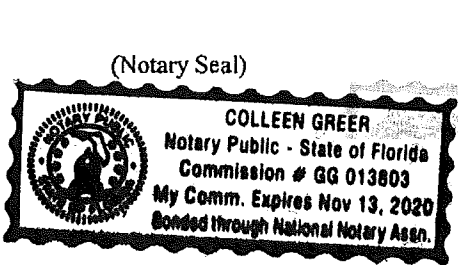
2. Of certain real property legally described as:  
PID # 2409-814-0031-0006 AKA  
1609 CITRUS AVE

3. That, because of delinquent real property taxes, the above described real property was sold under the administration of the Clerk of Circuit Court of St Lucie County, Florida, on 1/25/16 all in accordance with and pursuant to law.
4. That at the aforesaid time of sale of the above described real property, as connected with Tax Certificate No. 2013/2763, I am one of those persons described in paragraph 1 above and entitled under Florida Statutes 197.582(2) to certain undistributed surplus funds as my interests appear. My maximum entitlement to such funds is \$ \_\_\_\_\_, which is subject to all other claims by such other persons as described in F.S. 197.502(4)

Attached, as required, is a copy of my Notice of Overbid Surplus Monies.

Signature of Affiant: Margaret M. Marraiz  
 Print/Type address and telephone number of Affiant: CITY OF FORT PIERCE  
100 N US HWY 1  
FORT PIERCE FL 34950  
772-467-3000

The foregoing instrument was acknowledged before me this 19th day of January, 2017, by Margaret A. Marraiz, who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.



Colleen Greer  
 Notary Public



RE: Excess proceeds from tax deed sale  
 Margaret Rahal  
 to:  
 Colleen Greer  
 01/17/2017 02:16 PM  
 Hide Details  
 From: Margaret Rahal <RahalMa@Stlucieclerk.com>  
 To: Colleen Greer <CGreer@City-FtPierce.Com>

Ms. Greer,

Both of these files have other governmental liens attached to them and no payouts can be done until all have been received and reviewed. Claims were submitted by Kathryn D'Arton from the the City's finance department.

#15-608 has received all surplus requests from the governmental liens and check requests will be sent to our finance department this week.

#15-429 has an outstanding government lien that has not been filed as of today. Fort Pierce Utilities Authority and City of Fort Pierce have both filed surplus claim. I will send out another letter to the outstanding government lien to expedite their filing for surplus.

Let me know if you have any further questions.

**Margaret Rahal**

Tax Deed Record Clerk | Clerk of the Circuit Court, St. Lucie County  
 201 South Indian River Drive, Fort Pierce, FL 34950  
 772-462-1494

**From:** Colleen Greer [<mailto:CGreer@City-FtPierce.Com>]

**Sent:** Tuesday, January 17, 2017 12:13 PM

**To:** Margaret Rahal <RahalMa@Stlucieclerk.com>

**Subject:** Excess proceeds from tax deed sale

Dear Ms. Rahal:

Our staff has been informed by the current owner of the property listed below that there are excess funds from his purchase and wants to apply them to the lien the City is holding against the property. Would you please confirm and let me know what the circumstances is on this property. We have not received any notice of such excess funds from the Clerk of Court's office.

Address: 1609 Citrus Avenue  
 Prop ID 2409-814-0031-000-6  
 File # 15-608  
 File # 15-429  
 Sale is listed as 7/25/16

Don't know if it will help but I'm attaching a copy of the bidding summary.