



THE SUNRISE CITY
FORT PIERCE
 CODE ENFORCEMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 CODE ENFORCEMENT FINES (MASSEY CASE)

Date:	MAY 3 2019				
Property address:	1218 S. 11th ST FORT PIERCE				
Owner(s) of record:	RAUL ARENAS				
Mailing address:					
Property tax ID #:					
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:	RAUL ARENAS		Relationship to owner(s)		
Telephone #:			Mobile phone #:		
E-mail:			Preferred contact method:		
What are owner(s) intentions for property:					
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

\$ _____

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ _____

DOLLAR AMOUNT I AGREE TO PAY

\$ 11000.-


 Signature of Owner or Representative

Date

RAUL ARENAS
 Printed Name



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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 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: 1218 S. 11th ST - FORT PIERCE FL
 Property Owner: RAUL ARENAS 34950
 Mailing Address: SAME
 Telephone #: _____ Cell Phone #: 786 519 2413
 E-Mail Address: mami@miami@gmail.com
 Is the property in compliance? YES If no, please explain in the narrative of your request.

SEE ATTACHED SUPPLEMENT

Signed: [Signature]

Date: MAY 3rd 2019

Print Name: RAUL ARENAS

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority RAUL ARENAS 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 FLORIDA DRIVER LICENSE identification.

SWORN TO AND SUBSCRIBED before me this 3rd day of MAY, 2019. A652734662890

Notary Public, State of Florida

Signed Before Me
Jessataporn Sriboo
Mr. Jessataporn Sriboo
Notarial Services Attorney
Reg. No. 9106/2561



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Reg.No./ทะเบียนเลขที่ 9106/2561
Commission Expires/ทะเบียนหมดอายุ
Date/วันที่ 13 MAY 2020

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of
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A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS
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ALEXZANDER D. GONANO
email: agonano@gh-law.com

RE: Raul Arenas
1218 S. 11th Street
Fort Pierce, FL

SUPPLEMENT TO REQUEST FOR REDUCTION OF CODE ENFORCEMENT FINES
(MASSEY CASE)

As you know, our office has the pleasure of representing Mr. Arenas in this matter. In conjunction with, and as a supplement to, the reduction request from Mr. Arenas, it is important to take some additional information into consideration. The monthly rent paid per the lease submitted into evidence is \$1,600.00. The findings of the magistrate indicate a fine of one month's rent or \$2,970.00, however, it was later explained that the amount fined was \$2,970.00 and not one month's rent despite the clear language in the order. As argued at the hearing, there was no evidence to support the claims made by the City except for the fact that vacation rental websites were utilized to advertise the property for rent. The leases provided as evidence were clearly for six (6) month periods. Even the advertisements on those sites, however, clearly showed that no rental for less than six (6) months would be entertained. At this juncture, the online ads have been permanently removed and the subject property will continue to be rented for longer than six (6) month periods only using non-vacation rental website marketing tools to do so.

Mr. Arenas utilizes the rental income to maintain the house, which has had no other code violations, and as income while he undergoes cancer treatments in Spain, his native country. A fine of \$2,970.00 is excessive given the nature of the violation and the fact that there was not a clear violation but instead that evidence existed on both sides which could have allowed a finding of no violation as well. In addressing the Rule 17(c) guidelines: (a) the gravity or seriousness of the violation was low as no complaints were received about the home and there was no public health or safety aspect involved in the violation; (b) Mr. Arenas has removed all ads from vacation rental websites and had done so prior to the date of the hearing thereby curing any violations; (c) there was no delay in bringing the property into compliance and the property remains in compliance; (d) there were no prior findings of violations by the special magistrate or admissions of guilt by Mr. Arenas; (e) while prior violation notices were sent, the nature of the violation was not serious and has been cured and the leases supported all long term rental periods only; (f) compliance was achieved immediately and the property has remained in compliance; and (g) there are no further pending violations against the property or Mr. Arenas.

Mr. Arenas has learned a valuable lesson and also elected to abide by the Magistrate's ruling, thereby foregoing an appeal which certainly saved the City from expending time, effort, energy and funds defending said appeal. In return, Mr. Arenas simply requests a reduction in the fine amount to the equivalent of one month of rent in the amount of \$1,600.00.