



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

| | | | |
|--|---|---|---|
| Date: | 7/8/2019 | | |
| Property address: | 1222 AVE G | | |
| Owner(s) of record: | | | |
| Mailing address: | 5259 NW South Love Ft Cir | | |
| Property tax ID #: | | | |
| Original purchase date: | 2-14-2015 | Original purchase price: | 12,500 |
| 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: | JAMIE MCNAIR | Relationship to owner(s) | |
| Telephone #: 772 | 446-2155 | Mobile phone #: | 772-446-2155 |
| E-mail: | JAMIE.MCNAIR@ICloud.com | Preferred contact method: | |
| What are owner(s) intentions for property: | REPAIR ROOF | | |
| Are there current code violations? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | Explain: (please attached notice) Yes, Roof Needs Repairs Did Not Have Money to Fix |
| Is property listed for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is listing price? <u>0</u> |
| Is property under contract for sale? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | If yes, what is the sale price? <u>0</u> |

AMOUNT OF FINE / LIEN \$ _____

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ _____

DOLLAR AMOUNT I AGREE TO PAY \$ _____

 Signature of Owner or Representative

 Date

REQUEST FOR REDUCTION OF PENALTY FOR BUILDING VIOLATIONS

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. For building violation liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Elizabeth Beck (772-467-3718) for cost / fees breakdown.
8. 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.
9. Return this form, the application and any other pertinent documentation to the Building Department.
10. Requests for Reduction / Rescindment of building violation liens are governed by Rule 17 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 1222 AVE G
Property Owner: JAMIE MENAIR
Mailing Address: 5259 NW South Lovett Cir Port St Lucie 34986
Telephone #: 772-446-2155 Cell Phone #: 772-446-2155
E-Mail Address: JAMIE.MENAIR@ICLOUD.COM

Is the property in compliance? No If not, please explain in the narrative of your request.

DID NOT HAVE MONEY TO REPLACE THE ROOF OR TO
HIRE A G.C. TO FULL THE PERMITS FOR THE
PERMITS

Rule 17: Requests for Reduction of Liens.

- A. A respondent may request a reduction of a lien otherwise imposed by the City to the Department, after the original violation is in compliance and the Department has issued an affidavit of compliance. No such request shall be made until after the date originally set for compliance has passed and the property is already under penalty. Any request for reduction of lien shall be made in writing to the Department and shall state reasons why a reduction of the Lien should be considered. The request should include a description of any supporting documentation which should be considered in furtherance of such request.
- B. If any of the following conditions are met, the Department has the authority to process a lien reduction request and issue a Release of Lien:
- (1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$5000 or more and is payable in less than 30 days.
 - (2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial or zoned industrial is \$10,000 or more and is payable in less than 30 days.
 - (3) The settlement is based upon the receipt of excess tax sale proceeds that have been received by the City and respectively cover the administrative costs incurred.

The Department shall forward the request to the Special Magistrate or Code Enforcement Board if additional review is required, if a hearing is specifically requested or in the best interest of the City. The Department and Requestor may enter into an agreement to settle the Lien reduction. Any written agreement between the requesting party and the Department to settle the lien reduction shall constitute a waiver of hearing by the Special Magistrate or Code Board by both parties.

- C. If the request does not meet the criteria outlined in Section (b), the Department has determined the request requires additional review, or the requesting party chooses to not waive his or her right to a hearing, the Department shall schedule a hearing on the request before the Special Magistrate or Board, with notice to the respondent. After hearing both sides, the Special Magistrate shall make a determination, or the Board shall adopt a motion, that the request for reduction of the lien be denied, granted, or granted with conditions. The determination will be based upon evidence, upon consideration of the following criteria:
- (1) The gravity or seriousness of the violation;
 - (2) Any and all actions taken by the violator to correct the violations or, if the violation was not corrected by the original violator, what action was taken

by any other owner or party in interest to bring the property into compliance;

- (3) The length of time necessary to bring the property into compliance;
- (4) 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;
- (5) The number of violation notices the violator has received in the past as well as their nature and the final disposition of each such notice;
- (6) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (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.

D. If the Special Magistrate only determines that the request for reduction be approved and the following conditions are met, they may order the Department, once payment is received and any other conditions are met, to issue a Release of Lien:

- (1) The amount of settlement for a property zoned residential with less than four (4) dwelling units is \$3,000 or more and is payable in less than 6 months.
- (2) The amount of the settlement for a property either zoned residential with four (4) or more dwelling units, zoned commercial or zoned industrial is \$7,500 or more and is payable in less than 6 months.

The Special Magistrate or Code Enforcement Board may, at its discretion, forward the request to the Commission if they feel additional review is required or in the best interest of the City.

E. If the Special Magistrate or the Board determines that the request for reduction be approved but the request does not meet the criteria outlined in Section (d), the determination is to deny the request, or additional review is required, they shall forward their recommendation to the City Commission for a final determination.

F. Any recommendation for waiver or reduction may include further recommendation that the reduction be conditioned upon payment of the reduced amount within a specified period of time. Failure to pay the reduced amount within that time period will result in the lien reverting to the original amount.

G. There shall be established an administrative fee of \$250.00 for any requests for mitigation of a code enforcement lien that must be heard by the City Commission. Such fee may be imposed after consideration by the City

OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 1222 AVE G

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 City Commission.

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 the Special Magistrate 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.

Shaun Coss
Signature of Owner or Representative

7-8-2019
Date

COFP – 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 does not agree to process the application as requested by the signing party.

Comments:

Shaun Coss, Building Department Coordinator

Date

I, JAMIE McNAIN, 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 Need to sell property on the 17th of July so I can get said moneys to Repair The Roof on 1222 AVE G, in fort Pierce FL 34900

went Threw HARD ship so could not afford to get roof repaired and to HIRE G.C.

Signed: JAMIE McNAIN Date: 7/9/2019
Print Name: JAMIE McNAIN

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority JAMIE McNAIN 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 _____ as identification.

SWORN TO AND SUBSCRIBED before me this 8 day of July, 2019.

Notary Public, State of Florida