



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	02/13/2020		
Property address:	1005 OHIO AVE		
Owner(s) of record:	Lisa M Chase Pacheco		
Mailing address:	1005 Ohio Ave, Ft Pierce, FL 34950		
Property tax ID #:	2A15-703-0102-000-3		
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:	Lisa Pacheco	Relationship to owner(s)	
Telephone #:		Mobile phone #:	845-430-2204
E-mail:	LCHASE14@yahoo	Preferred contact method:	
What are owner(s) intentions for property:	Primary Residence		
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

\$ 23,380.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 23,380.00

DOLLAR AMOUNT I AGREE TO PAY

\$ - 0 -

Lisa M Pacheco
 Signature of Owner or Representative

3-1-2020
 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: 1005 Ohio Ave

Property Owner: Lisa Pacheco

Mailing Address: 1005 Ohio Ave Fort Pierce, FL 34950

Telephone #: _____ Cell Phone #: 845-430-2004

E-Mail Address: LCHASE14@yahoo.com

Is the property in compliance? yes If not, please explain in the narrative of your request.

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: 1005 OHIO AVE

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.

Lisa M Pacheco
Signature of Owner or Representative

3-11-2020
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, Lisa Pacheco, 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'm writing this to outline my position regarding the correspondance I have recieved from your office in connection with the permit for the air conditioning unit and why I feel everything has been out of my control. Back in Sept 2017 I decided to upgrade my air conditioning unit. After considerable research I hired Mike Mazzilli of So Low Air Conditioning and Heating Inc. to carry out the nessisary work, which I paid in full and assumed that he had done everything correctly and by the book. It wasn't until I recieved your letter dated May 24th 2018 that it came to my attention

Signed:

Lisa Pacheco

Date:

3-2-2020

Print Name:

Lisa PACHECO

STATE OF FLORIDA

COUNTY OF ST. LUCIE

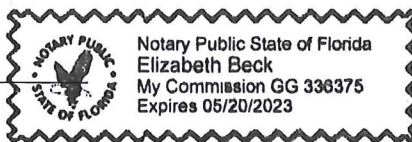
PERSONALLY APPEARED before me, the undersigned authority

Lisa Pacheco 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 FL Driver's license as identification.

SWORN TO AND SUBSCRIBED before me this 2nd day of March, 2020.

Elizabeth Beck

Notary Public, State of Florida



that a new permit had not been attained. So I called and spoke with Shaun Coss and told him what happened, he told me to try and get a hold of Mike Mazzilli through letter which I did through social media as well and never heard back from Mike Mazzilli. Once again I thought all was taken care of (I didn't realize it was mine and not Mike's problem being that it was in our contract that he was responsible for the permit) until I got a letter in January 2019 that I had to go to court. So I went to City Hall and spoke to Shaun Coss and told him everything and he kindly informed me exactly what I had to do and explained everything so I could understand it and basically said I had to pay a fine and get a permit but he said he'd give me either 60 or 90 days to get the money. So in March I returned to pay the fine and no one could

had any paper work and had ~~the~~ said that codes had changed and that they were sorry that they would call me when they found the paperwork when I returned from my cruise.

And yet again it wasn't until I received a letter dated December 2019 stating I owed \$17,000. So again I went to city hall to straighten everything out where finally I obtained a permit, had the inspector come and get my permit.

I have always tried to do the right thing and I feel I shouldn't have to pay any fines. My only wrong doing is being naive on how the system works and trusting in it.

I can go into much more detail if I have to. We learned a lot and I'm much more knowledgeable as a new homeowner in Florida. I feel we always ~~will~~ tried to do the ~~the~~ right thing.

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and I should not be penalized for other
people's negligents.

Thank you,
Sincerely Lisa Pacheco

