

**SPECIAL MAGISTRATE
BOARD AGENDA**

Special Magistrate Hearing - Tuesday, September 19, 2023 - 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 - CITATIONS**

5. **PUBLIC HEARINGS - VIOLATION CASES**

A.	22-1448	902 Avenue E	Simmons, LaTonya	Logan Winn
B.	22-1781	1212 Avenue L	Montes Consulting LLC	Frank Remling
C.	23-18	3347 S US Hwy 1	Ransur LLC	Frank Remling
D.	23-706	1916 Delaware Ave	Lamartine, Julien	Logan Winn
E.	23-1333	1618 S 27th St	Delgado Loyola, Maximino	Frank Remling

F.	23-1430	1711 N 19th St	Keith, William A. Keith, Jeffiner Keith, Glenn R. Keith, Freddie V. Keith, Willie E. Keith, Jennifer J Keith, Lorranzo J Keith, Horace R	Logan Winn
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G.	23-1473	1016 Tortugas Ave	Ramirez, Armando Castillejos, Manuela	Frank Remling
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H.	23-1475	600 Roselyn Ave Apt A	Hatfield, James	Logan Winn
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I.	23-1583	1010 Mayflower Rd	Mas Perfume Mgmt LLC	Logan Winn
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J.	23-1589	304 S 14th St Apt A	Tyrone Ventures LLC	Frank Remling
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6. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

A.	22-326	2650 S Kings Hwy	Ft Pierce So Kings Hwy LLC	Shaun Coss
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B.	22-1595	2405 Sunrise Blvd	Pink Sunrise LLC	Shaun Coss
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C.	22-2697	515 Palm Ave Unit B	Martin Co. Properties LLC	Shaun Coss
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D.	22-3397	712 Cedar Place	Jarantow, Daniel	Shaun Coss
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7. **PUBLIC HEARINGS - LIEN REDUCTION REQUESTS**

A.	20-614	2007 Avenue O	Morris, Angel & Simms, Donovan	Shaun Coss
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B.	21-58	1310 N 16th Court	Ft Pierce Empire 1 Holdings LLC	Shaun Coss
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C.	21-1145	608 Palm Avenue	Martin County Properties LLC	Shaun Coss
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D.	22-2686	1203 Avenue L Unit A	Abreu, Josiah & Nieves	Shaun Coss
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E.	22-2688	1203 Avenue L Unit B	Abreu, Josiah & Nieves	Shaun Coss
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8. **OTHER CASES**

9. **NEW BUSINESS**

10. **OLD BUSINESS**

Any person seeking to appeal any decision by the Special Magistrate with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Building Department at (772) 467-3712, 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 Hearing - Building

5. A.

Meeting Date: 09/19/2023

Re: Case #22-1448 - 902 Avenue E

Information

SUBJECT:

22-1448	902 Avenue E	Simmons, LaTonya	Logan Winn
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CASE INFORMATION:

Case Initiated:	April 27, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: LaTonya Simmons 430 Means Ct Ft Pierce FL 34950	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1.1 (2021) Unsafe Structure, IPMC 111.1.2. (2021) Unsafe Equipment, IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure- General, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.13 (2021) Windows, Doors & Frames, IPMC 305.1 (2021) General, IPMC 305.1.1 (2021) Unsafe Conditions, IPMC 305.3 (2021) Interior Surfaces, IPMC 306.1 (2021) Component Serviceability- General, IPMC 306.1.1 (2021) Unsafe Conditions

CORRECTIVE ACTIONS:

1. Obtain a permit to repair/replace all fire damaged wiring, electrical fixtures drywall, soffit and fascia. Any structural damage will require signed and sealed repair plans designed by a registered design professional.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Elizabeth Beck

Started On: 07/19/2023 09:32 AM

Final Approval Date: 07/19/2023

Special Magistrate Hearing - Building

5. B.

Meeting Date: 09/19/2023

Re: Case #22-1781 - 1212 Avenue L

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

22-1781	1212 Avenue L	Montes Consulting LLC	Frank Remling
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CASE INFORMATION:

Case Initiated:	May 26, 2022	Type of Presentation:	Regular
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OWNER:

OWNER: Montes Consulting LLC P.O. BOX 1286 Ft Pierce, FL 34954	REG. AGENT: Denise Santana 2105 Avenue Q Ft Pierce, FL 34950
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1.1 (2021) Unsafe Structures, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 304.1 (2021) Exterior Structure – General, IPMC 304.1.1. (2021) Unsafe Conditions, IPMC 304.2 (2021) Protective Treatment, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions

CORRECTIVE ACTIONS:

Obtain a permit to repair/replace all damaged wiring, electrical fixtures, drywall, soffit and fascia. Any structural damage will require signed and sealed repair plans designed by a registered design professional.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/06/2023 07:53 AM

Special Magistrate Hearing - Building

5. C.

Meeting Date: 09/19/2023

Re: Case #18 - 3347 S US Hwy 1

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-18	3347 S US Hwy 1	Ransur LLC	Frank Remling
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CASE INFORMATION:

Case Initiated:	January 5, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Ransur LLC Suresh K Wadhwa, Reg. Agent 7969 Steeplechase Ct Port St Lucie, FL 34986	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 111.1 (2021) Unsafe Structures, IPMC 111.1.2 (2021) Unsafe Equipment, IPMC 111.1.3 (2021) Structure Unfit for Human Occupancy, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 302.7 (2021) Accessory Structure, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.2 (2021) Protective Treatment, IPMC 304.3 (2021) Address Identification, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.9 (2021) Overhang Extensions, IPMC 304.13.1 (2021) Glazing, IPMC 304.15 (2021) Doors, IPMC 305.1 (2021) General, IPMC 305.1.1 (2021) Unsafe Conditions, IPMC 305.2 (2021) Structural Members, IPMC 305.3 (2021) Interior Surfaces, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604.3 (2021) Electrical System Hazards, IPMC 604.3.1.1 (2021) Electrical Equipment, IPMC 604.3.2.1 (2021) Electrical Equipment, IPMC 607.1 (2021) General

CORRECTIVE ACTIONS:

Obtain a permit to repair/replace all fire damaged wiring, electrical fixtures drywall, soffit and fascia. Any structural damage will require signed and sealed repair plans designed by a registered design professional.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/05/2023 03:17 PM

Special Magistrate Hearing - Building

5. D.

Meeting Date: 09/19/2023

Re: Case #23-706 - 1916 Delaware Ave

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-706	1916 Delaware Ave	Lamartine, Julien	Logan Winn
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CASE INFORMATION:

Case Initiated:	March 15, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Lamartine Julien 717 E Chatelaine Blvd Delray Beach, FL 33445	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.13.1 (2021) Glazing, IPMC 304.13.2 (2021) Openable Windows, IPMC 304.15 (2021) Doors, IPMC 305.3 (2021) Interior Surfaces, IPMC 309.1 (2021) Infestation, IPMC 504.1 (2021) General, IPMC 605.1 (2021) Installation, IPMC 605.2 (2021) Receptacles

CORRECTIVE ACTIONS:

1. Repair/replace windows that are broken and/or unopenable.
2. Treat the property for pest infestation.
3. Replace missing electrical faceplates.
4. Repair/replace the front door that is in disrepair, making it weathertight.
5. Make necessary plumbing repairs to the kitchen sink that is leaking, the toilet that needs repair, and the bathtub water valves and overflow that need to be repaired/replaced.
6. Make necessary repairs and seal the hole in the wall behind the bathroom sink.
7. Make safe the exposed electrical wiring in the ceiling.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/05/2023 04:06 PM

Special Magistrate Hearing - Building

5. E.

Meeting Date: 09/19/2023

Re: Case #23-1333 - 1618 S 27th St

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1333	1618 S 27th St	Delgado Loyola, Maximino	Frank Remling
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CASE INFORMATION:

Case Initiated:	May 8, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Maximino Delgado Loyola 1618 S 27th St Ft Pierce, FL 34947	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the roofed structure in the rear of the property being built without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/06/2023 07:34 AM

Special Magistrate Hearing - Building

5. F.

Meeting Date: 09/19/2023

Re: Case #23-1430 - 1711 N 19th St

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1430	1711 N 19th St	Keith, William A. Keith, Jeffiner Keith, Glenn R. Keith, Freddie V. Keith, Willie E. Keith, Jennifer J Keith, Lorranzo J Keith, Horace R	Logan Winn
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CASE INFORMATION:

Case Initiated:	May 18, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: William A Keith Jeffiner Keith Glenn Keith 1320 Ashbrook Pl Charlotte, NC 28209	OCCUPIED BY:
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VIOLATIONS:

IPMC 111.1. (2021) Unsafe Structures, IPMC 111.1.2 (2021) Unsafe Equipment, IPMC 111.1.5 (2021) Dangerous Structure or Premises, IPMC 302.7 (2021) Accessory Structures, IPMC 304.1 (2021) Exterior Structure – General, IPMC 304.1.1 (2021) Unsafe Conditions, IPMC 304.2 (2021) Protective Treatment, IPMC 304.4 (2021) Structural Members, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 306.1 (2021) Component Serviceability – General, IPMC 306.1.1 (2021) Unsafe Conditions, IPMC 604. 3 (2021) Electrical System Hazards

CORRECTIVE ACTIONS:

Obtain a permit to demolish the unsafe structure.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Review

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/05/2023 04:40 PM

Special Magistrate Hearing - Building

5. G.

Meeting Date: 09/19/2023

Re: Case #23-1473 - 1016 Tortugas Ave

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1473	1016 Tortugas Ave	Ramirez, Armando Castillejos, Manuela	Frank Remling
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CASE INFORMATION:

Case Initiated:	May 23, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Armando Ramirez Manuela Castellejos 1016 Tortugas Ave Ft Pierce, FL 34982	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain the permit for the shed built without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed

Form Review

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/06/2023 07:20 AM

Special Magistrate Hearing - Building

5. H.

Meeting Date: 09/19/2023

Re: Case #23-1475 - 600 Roselyn Ave Apt A

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1475	600 Roselyn Ave Apt A	Hatfield, James	Logan Winn
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CASE INFORMATION:

Case Initiated:	May 23, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: James Hatfield PO BOX 1506 Ft Pierce, FL 34954	OCCUPIED BY:
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VIOLATIONS:

IPMC 304.13.1 (2021) Glazing, IPMC 304.6 (2021) Exterior Walls, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.1 (2021) Exterior Structure – General, IPMC 605.1 (2021) Installation, IPMC 605.2 (2021) Receptacles

CORRECTIVE ACTIONS:

1. Repair/replace the broken window.
2. Replace the rotten wood siding.
3. Make necessary repairs to the soffit that is missing and deteriorating.
4. Repair/replace the roof that is leaking.
5. Make necessary repair to the ceiling that is water damaged from the roof leak.
6. Make necessary repairs to the electrical boxes.
7. Replace the missing faceplates.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/05/2023 05:03 PM

Special Magistrate Hearing - Building

5. I.

Meeting Date: 09/19/2023

Re: Case #23-1583 - 1010 Mayflower Rd

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1583	1010 Mayflower Rd	Mas Perfume Mgmt LLC	Logan Winn
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CASE INFORMATION:

Case Initiated:	June 1, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Mas Perfume Management LLC 12361 NW 12th St Sunrise, FL 33323	REG. AGENT: Mohsin Abbas 12361 NW 12th St Sunrise, FL 33323
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

CORRECTIVE ACTIONS:

Obtain a permit for the trusses and roof sheathing replaced on the storage building without a permit.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed

Form Review

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/06/2023 07:03 AM

Special Magistrate Hearing - Building

5. J.

Meeting Date: 09/19/2023

Re: Case #23-1589 - 304 S 14th St Apt A

Submitted For: Shaun Coss, Assistant Director of Building, Building

Information

SUBJECT:

23-1589	304 S 14th St Apt A	Tyrone Ventures LLC	Frank Remling
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CASE INFORMATION:

Case Initiated:	June 2, 2023	Type of Presentation:	Regular
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OWNER:

OWNER: Tyrone Ventures LLC 1961 NE Steven Ave Jensen Beach, FL 34957	REG. AGENT: Eric Tyrone Pratt
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VIOLATIONS:

IPMC 504.1 (2021) General, IPMC 304.13 (2021) Window, Skylight and Door Frames, IPMC 304.7 (2021) Roofs and Drainage, IPMC 305.3 (2021) Interior Surfaces, IPMC 604.3 (2021) Electrical System Hazards, IPMC 309.1 (2021) Infestation

CORRECTIVE ACTIONS:

1. Make necessary plumbing repairs to the sink that is leaking and replace the non-working tub valve.
2. Repair/replace the windows that are leaking.
3. Repair/replace the roof that is leaking.
4. Make necessary repairs to the ceiling and walls damaged by the roof leak.
5. Make safe the light fixtures that are pulling away from the ceiling.
6. Treat the property for all pest infestations including rodent infestation.

RECOMMENDATION:

The City requests that if the Special Magistrate finds the violation exists, the violator(s) be given 60 days to obtain a permit; obtain approval for all required inspections at least every 180 days until the permit has been closed; comply with all other permit conditions; and, cure all other violations described in the Order not requiring a permit or a fine of \$100.00 per day be assessed.

Form Started By: Marivel Luna
Final Approval Date: 09/12/2023

Started On: 09/06/2023 07:44 AM

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

6. A.

Information

SUBJECT:

22-326	2650 S Kings Hwy	Ft Pierce So Kings Hwy LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	January 25, 2022	Type of Presentation:	Request for Extension
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OWNER:

OWNER: Ft Pierce So Kings Hwy LLC 67 Mountain Blvd #201 Warren NJ 07060	REG. AGENT: CT CORPORATION SYSTEM 1200 S Pine Island Rd Plantation FL 33324
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - January 18, 2023
Notice of Extension of Time (90 days) - March 21, 2023

ACTION DATES:

1. December 20, 2022 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. March 21, 2023 - Notice of Extension of Time (90 days) was recorded.
3. June 16, 2023 - Letter from the project manager requesting that the fines not start and that another extension be granted.
4. July 18, 2023 - 60 day continuance provided.
5. September 5, 2023 - Contractor emailed to pay for the permit submittal for the review process to begin.
6. September 11, 2023 - Email sent to the engineer stating that the review process has not begun due to lack of payment. The engineer states that he plans to have the fees paid sometime this week.

RECOMMENDATION:

To be determined.

Form Review

Final Approval Date: 07/19/2023

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

6. B.

Information

SUBJECT:

22-1595	2405 Sunrise Blvd	Pink Sunrise LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	May 17, 2022	Type of Presentation:	Fine Reduction
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OWNER:

OWNER: Pink Sunrise LLC 1750 NE 191 St #809 Miami FL 33179	REG, AGENT: Adriana Kozma
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - September 20, 2022
Affidavit of Non-Compliance - November 22, 2022
Affidavit of Compliance - June 8, 2023

ACTION DATES:

1. September 20, 2022 - Special Magistrate Hearing - 60 days provided to obtain the permit or fines may accrue.
2. November 22, 2022 - An Affidavit of Non-Compliance was recorded and fines began on this date.
3. November 29, 2022 - A permit application was submitted for the work cited in the violation. It was issued on December 14, 2022.
4. January 17, 2023 - Special Magistrate Massey Hearing - fines were stopped on this date to allow the work to be completed. Fines total \$5,630.00.
5. June 8, 2023 - A final inspection was approved on the building permit for the cited items. An Affidavit of Compliance was prepared and recorded on June 14, 2023.
6. June 21, 2023 - A letter requesting a fine reduction hearing. The owner was out of town and needed a September hearing.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria
Fine Reduction Request
Admin Costs

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 09/12/2023

Started On: 09/11/2023 09:24 PM

MASSEY HEARING
September 19, 2023
Case #22-1595

CONTESTING OF FINE/NON-COMPLIANCE

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? **A permit was obtained for the work that began without a permit, and all necessary inspections were done.**

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? **1 (one).**



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION FINES

Date:	6/21/23		
Property address:	2405 SUNRISE BLVD, Fort Pierce		
Owner(s) of record:	PINK SUNRISE LLC		
Mailing address:	1750 NE 191 ST ST # 809, MIAMI, FL, 33179		
Property tax ID #:	2421-503-0019-000-9		
Original purchase date	11/12/2021	Original purchase price:	\$ 115,000
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:	ADRIANA KOZMA	Relationship to owner(s)	OWNER
Telephone #:	305 798 0680	Mobile phone #:	305 798 0680
E-mail:	AdrianaKozma@yahoo.com	Preferred contact method:	PHONE
What are owner(s) intentions for property:	TO KEEP IT		
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice) VIOLATIONS WERE CORRECTED
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

\$ 5630

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 5630

DOLLAR AMOUNT I AGREE TO PAY

\$ 0

Signature of Owner or Representative

Adriana Kozma

Date

6/21/23

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: 2405 SUNRISE BLVD.
Property Owner: PINK SUNRISE LLC
Mailing Address: 1750 NE 191ST ST # 809, MIAMI, FL
Telephone #: 305 7980680 Cell Phone #: 305 7980680
E-Mail Address: ADRIANAKOZMA@YAHOO.COM

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

I, ADRIANA KOZMA, 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:

Your Honor,

Please grant me a reduction of fines incurred at 2405 Sunrise Bl. When I hired Mr. Albert Wagner, G.C., I gave him a copy of the violation with the timeline that needed to be met, I insisted we hurry and submit the needed documents for the permit but unfortunately they were only sent the day we supposed to have the permits already and I was fully dependent on him to perform. Another delay was caused by not being available on 12/20/22 hearing due to traveling and could only make the 1/17/23 hearing for the fines to stop accruing. Thank you for understanding.

Signed: *Adriana* Date: 6/21/23

Print Name: ADRIANA KOZMA

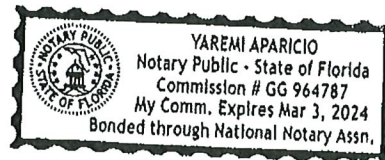
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority ADRIANA KOZMA 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'S LICENSE as identification.

SWORN TO AND SUBSCRIBED before me this 21ST day of JUNE, 20 23.

Yaremi Aparicio
Notary Public, State of Florida



Administrative Cost Estimator

9/12/2023

Property Address: 2405 Sunrise Blvd

Date case originated: 5/17/2022

Date case complied: 6/8/2023

Total time: 13 months

Number of Hearings

Violation Hearings: 1
 Massey Hearings: 2
 Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.60	<u>7</u>	\$4.20
Certified Mail:	\$7.25	<u>1</u>	\$7.25

Photographs (per page)	\$0.50	<u>6</u>	\$3.00
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>13</u>	\$650.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
Each additional Hearing	\$75.00	<u> </u>	\$0.00

Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Building Dept. Coordinator	\$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>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>0</u>	\$0.00
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Total Estimated Cost: \$1,194.45

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

6. C.

Information

SUBJECT:

22-2697	515 Palm Ave Unit B	Martin Co. Properties LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	September 7, 2022	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Martin Co. Properties LLC 265 Bermuda Beach Dr Ft Pierce FL 34949	REG. AGENT: J B Jones, Jr. 540 SW Siesta Way Stuart FL 34994
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VIOLATIONS:

FBC 105.1 (2020) Permit Required, IPMC 304.13 Window, Skylight & Door Frames

FINDINGS/ORDER:

Order Determining Violation - March 7, 2023
Affidavit of Non-Compliance - May 7, 2023
Affidavit of Compliance - August 8, 2023

ACTION DATES:

1. March 7, 2023 - Special Magistrate Hearing - owner provided 60 days to get a permit or fines may accrue.
2. May 17, 2023 - Affidavit of Non-Compliance was recorded. Fines began on this date.
3. June 13, 2023 - Letter from the owner contesting the fines and requesting a hearing.
4. July 19, 2023 - the property was re-inspected and was complied on this date. An Affidavit of Compliance was recorded on August 8, 2023. Fines total \$6,230.00 including \$30.00 of recording fees.
5. August 9, 2023 - a request for a fine reduction was received.

RECOMMENDATION:

To be determined.

Attachments

3 Criteria
Fine Reduction Request
Admin Costs

Form Review

Form Started By: Elizabeth Beck

Started On: 08/10/2023 12:20 PM

Final Approval Date: 08/10/2023

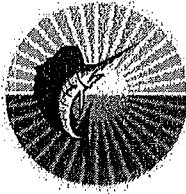
MASSEY HEARING
July 18, 2023
Case #22-2697

CONTESTING OF FINE/NON-COMPLIANCE

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? The owner hired a contractor and obtained permits for the cited violations. The permits expired without any inspections. The permits were recently renewed and received final approved inspections. A re-inspection of the cited item not requiring a permit is needed to comply the case.

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? 2 (two).



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION FINES

Date:	8/19/23		
Property address:	515 Palm Ave, Fort Pierce FL 34982		
Owner(s) of record:	Martin County Properties LLC.		
Mailing address:	540 SW Siesta Way Stuart FL 34994		
Property tax ID #:	2422 602 0215 0000		
Original purchase date:	4/17/17	Original purchase price:	34,761.00
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Carriann Martin	Relationship to owner(s)	Wife
Telephone #:	772-672-0594	Mobile phone #:	954-815-7173
E-mail:	chipjones24@gmail.com	Preferred contact method:	email
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

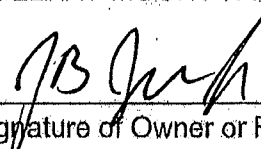
\$ 6,220.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 5,700.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 520.00


 Signature of Owner or Representative

8/16/23
 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: 515 palm ave,
Property Owner: Martin County Properties LLC.
Mailing Address: 540 SW Siesta Way Stuart FL 34994.
Telephone #: (931) 815-7123 Cell Phone #: (931) 815-7773
E-Mail Address: ChipJones24@gmail.com

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

I, JB Jones JR, 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:

Needed a permit.
Original issue started w/ Plumbing repair
We pulled permits through Contracting Companies, replaced all windows \$17,000.
and also,

Signed: JB Jones Jr Date: 8-14-23

Print Name: JB JONES JR

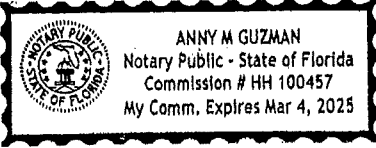
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority JB Jones JR 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 Drivers License as identification.

SWORN TO AND SUBSCRIBED before me this 14 day of August, 2023.

[Signature]
Notary Public, State of Florida



Administrative Cost Estimator

9/12/2023

Property Address: 515 Palm Ave Unit B

Date case originated: 9/7/2022

Date case complied: 7/19/2023

Total time: 10 months

Number of Hearings

Violation Hearings: 1
 Massey Hearings: 2
 Lien Reduction Hearings:

Mailing Expense

Regular 1st Class:	\$0.60	<u>8</u>	\$4.80
Certified Mail:	\$7.25	<u>1</u>	\$7.25

Photographs (per page)	\$0.50	<u>2</u>	\$1.00
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Filing Fees	\$10.00	<u>3</u>	\$30.00
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Months Open	\$50.00	<u>10</u>	\$500.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
Each additional Hearing	\$75.00	<u> </u>	\$0.00

Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Building Dept. Coordinator	\$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>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u> </u>	\$0.00
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Total Estimated Cost: \$1,043.05

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

6. D.

Information

SUBJECT:

22-3397	712 Cedar Place	Jarantow, Daniel	Shaun Coss
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CASE INFORMATION:

Case Initiated:	December 8, 2022	Type of Presentation:	Massey Hearing
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OWNER:

OWNER: Daniel R. Jarantow 831 Hollywood Blvd Hollywood FL 33019	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - March 22, 2023
Notice of Extension of Time (90 days) - May 15, 2023

ACTION DATES:

1. March 21, 2023 - Special Magistrate Hearing - owner was provided 60 days to get a permit or fines may accrue.
2. May 15, 2023 - Notice of Extension of Time (90 days) was granted, and recorded on May 17, 2023.
3. August 22, 2023 - A DPCR (application for approvals needed prior to applying for a building permit) application was received.
4. August 29, 2023 - A letter from the owner was received requesting a further extension of time to comply the violation.
5. September 5, 2023 - a rejection of the DPCR by the Planning Department.

RECOMMENDATION:

Start fines.

Form Review

Form Started By: Elizabeth Beck

Started On: 09/11/2023 02:50 PM

Final Approval Date: 09/12/2023

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

7. A.

Information

SUBJECT:

20-614	2007 Avenue O	Morris, Angel & Simms, Donovan	Shaun Coss
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CASE INFORMATION:

Case Initiated:	February 27, 2020	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Royaleaf LLc Donovan Simms PO Box 13712 Ft Pierce, FL 34979	REG. AGENT: Donovan Simms
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VIOLATIONS:

Section 5-1.105.1 (2017) Permit Required

FINDINGS/ORDER:

Order Determining Violation - August 26, 2020
Affidavit of Non-Compliance - September 29, 2021
Order Assessing Fine and Imposing Lien - August 16, 2022
Affidavit of Compliance - June 22, 2023

ACTION DATES:

1. January 30, 2018 - a renovation permit was issued. A number of inspections were completed but the permit expired without work or inspections being completed. Work resumed without an active permit and a case started on February 27, 2020.
2. August 25, 2020 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
3. September 29, 2021- A Notice of Extension of Time (90 days already provided) was recorded.
4. September 29, 2021 - An Affidavit of Non-Compliance was recorded, and a fine of \$100.00 per day began to accrue.
5. August 2, 2022 - the renovation permit was renewed.
6. August 16, 2022 - an Order Assessing Fine and Imposing Lien - was prepared and recorded on August 19, 2022.
7. June 22, 2023 - A final inspection on the issued permit was approved. An Affidavit of Compliance was recorded and fines stopped. The lien totals \$63,150.00 which includes \$50.00 in recording fees.
8. July 19, 2023 - A request for a lien reduction was received.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs

Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck

Final Approval Date: 09/13/2023

Started On: 09/12/2023 12:18 PM

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 20-614

Date: September 19, 2023

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	The work that was done on an expired permit was finally completed by renewing the permit (requiring 3 renewals) and obtaining all necessary inspections.
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:	The owner hired a contractor to obtain the permit.
3.) The length of time necessary to bring the property into compliance:	3 years, 4 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:	1
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	2, 1 case currently before the Magistrate that has a lien, 1 Code Enforcement case was complied prior to a hearing.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The owner states that he was defrauded by the first contractor hired to do the renovation.
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:	1 (one)

Administrative Cost Estimator

9/12/2023

Property Address: 2007 Avenue O

Date case originated: 2/27/2020

Date case complied: 6/22/2023

Total time: 40 months

Number of Hearings

Violation Hearings: 1
 Massey Hearings: 1
 Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>15</u>	\$9.00
Certified Mail:	\$7.25	<u>1</u>	\$7.25

Photographs (per page)	\$0.50	<u>4</u>	\$2.00
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>40</u>	\$2,000.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

Up to three Hearings	\$150.00	<u>1</u>	\$150.00
Each additional Hearing	\$75.00	<u> </u>	\$0.00

Covers hearing prep: NOV, postings, notarizations, order preparation, minutes, summary sheets, correspondence, filings with Clerk of Court.

Building Dept. Coordinator	\$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>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$2,818.25



REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	7-19-2023		
Property address:	2007 AVE O Ft Pierce FL 34950		
Owner(s) of record:	Royal Leaf LLC		
Mailing address:	PO BOX 13712 Ft Pierce FL 34979		
Property tax ID #:	2404-609-0071-000-3		
Original purchase date:	5-6-2022	Original purchase price:	Quick claimed & paid the mortgage
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:	DONOVAN SIMMS	Relationship to owner(s):	SAME
Telephone #:	786 267 0604	Mobile phone #:	786 267 0604
E-mail:	morris37200@yahoo.com	Preferred contact method:	email
What are owner(s) intentions for property:	Live in family home for kids		
Are there current code violations?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	Explain: (please attached notice) N/A NONE ILLUMINATED
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

\$ 63,950.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 63,850.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 100.00

Signature of Owner or Representative

Date

7-19-2023

I, DONOVAN SIMMS, 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:

This property WAS NOT OWNED by me when litigation began. The previous contractor Patrick Silas and owner walked away from this property. The contractor received money and the work was not completed, stated the mortgage company. I had to go through a lot of legal channels to fire the old contractor and to hire a new (one) contractor. I had to go through mortgage company for approval and stop the forecloser, reapplying for approval. All of this took time and required paperwork for approval. Covid 19 was another big disappointment it put a stop on this project people were in lock down

Signed: [Signature] Date: 7-19-2023

Print Name: DONOVAN SIMMS

STATE OF FLORIDA

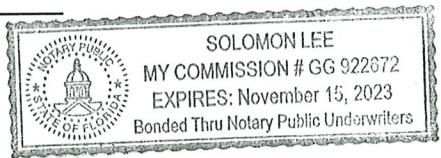
COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Donovan Simms 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 DL as identification.

SWORN TO AND SUBSCRIBED before me this 19th day of July, 2023.

[Signature]

Notary Public, State of Florida



OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 2007 AVE D Ft Pierce FL 34982

I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.

[Signature]
Signature of Owner or Representative

7-19-2023
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:

[Signature]
Shaun Coss, Building Department Coordinator

8/1/2023
Date

Rule 15: Requests for Reduction of Liens.

A. All requests to reduce a lien imposed by the City must meet the following requirements:

- (1) For liens imposed pursuant to Fla. Stat. § 162.09, a Respondent may request a reduction of the lien only after the original violation is in compliance and the Department has issued an Affidavit of Compliance.
- (2) The request must be in writing in a form provided by the Department.
- (3) The request must be made by the owner. If the request is made by any other interested party, written proof of permission to act on behalf of the owner must be provided.
- (4) A copy of the deed, showing title transfer to the current owner, must be provided.
 - i. If the property was conveyed via Special Warranty Deed or Warranty Deed, the owner must provide proof of their attempt to have the guaranteeing party take responsibility for the debt without success.
- (5) A statement or explanation as to why the City should consider the request for reduction. The request should include a narrative with any supporting documentation to be considered in furtherance of such request.
- (6) There shall be established an application fee of \$250.00 for all requests to reduce a lien that must be heard by the Special Magistrate. Such fee shall be assessed by the Special Magistrate following consideration of the request and is in addition to any other administrative fees assessed. Any reduction or waiver of such fee may only be granted upon proof of sufficient cause by the Requestor.

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.
- (4) The amount of settlement for requests of partial lien releases due to a spreading lien as provided for in Fla. Stat. § 162.09(3) is equal to or more than 3% of the lien to be released and the property receiving the benefit of the lien reduction is located outside the Fort Pierce city limits.
- (5) The amount of settlement for nuisance abatement and demolition liens is equal to or greater than the hard costs for service plus 50% of the interest, penalties, and administration fees assessed by the City.

The Department shall forward the request to the Special Magistrate 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 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, with notice to the Requestor. After hearing both sides, the Special Magistrate shall make a determination 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 and to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether and to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the Requestor.

D. If the Special Magistrate 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) For liens imposed pursuant to Fla. Stat. § 162.09, in a reduced amount that is no less than the amount sufficient to cover the administration costs for processing the case plus the \$250.00 application fee.
- (2) For nuisance abatement liens, in a reduced amount that is no less than the amount sufficient to cover the following conditions:
 - i. The reduced amount must include the hard costs for services.
 - ii. The reduced amount must include the \$250.00 application fee.
 - iii. The City imposed interest and penalties may be waived in full if the Special Magistrate determines that it is in the best interest of the City.
 - iv. The consideration of administration fees must include any outstanding hard costs to the City including, but not limited to, recording fees.
 - v. The administration fees for liens imposed in the Requestor's name shall not be waived or reduced unless the Requestor can provide sufficient cause for such fee

to be waived or reduced, and the Special Magistrate determines it is in the best interest of the City.

vi. All other administrative fees may be waived or reduced as determined by the Special Magistrate.

E. An appeal of the Special Magistrate's decision may be made to the City Commission. Any such request for appeal must be in writing and received by the City Clerk's office no later than 30 days from the written determination of the Special Magistrate.

F. There shall be established an appeal fee of \$250.00 for any requests that must be heard by the City Commission. Such fee may be imposed after consideration by the City Commission.

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

7. B.

Information

SUBJECT:

21-58	1310 N 16th Court	Ft Pierce Empire 1 Holdings LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	January 14, 2021	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Ft Pierce Empire 1 Holdings LLC 1792 Bell Tower Ln Weston FL 33326	REG. AGENT: KSDT & COMPANY 9300 S Dadeland Blvd., Suite 600 Miami FL 33156
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VIOLATIONS:

IPMC 505.4 (2021) Water Heating Facilities, IPMC 603.1 (2021) Mechanical Equipment

FINDINGS/ORDER:

Order Determining Violation - May 18, 2021
Notice of Extension of Time (90 days) - August 12, 2021
Affidavit of Non-Compliance - February 25, 2022
Order Assessing Fine and Imposing Lien - June 22, 2022
Affidavit of Compliance - August 23, 2023

ACTION DATES:

1. May 18, 2021 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
2. August 12, 2021 - A Notice of Extension of Time (90 days) was recorded.
3. February 25, 2022 - An Affidavit of Non-Compliance was recorded, and a fine of \$100.00 per day began to accrue.
5. June 22, 2023 - an Order Assessing Fine and Imposing Lien - was prepared and recorded on June 27, 2023.
6. August 16, 2023 - a permit for the remaining cited item requiring a permit was issued.
7. August 18, 2023 - A final inspection on the issued permit was approved. An Affidavit of Compliance was recorded and fines stopped. The lien totals \$53,950.00 which includes \$50.00 in recording fees.
8. August 31, 2023 - A request for a lien reduction was received.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs

Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck

Started On: 09/12/2023 11:47 AM

Final Approval Date: 09/12/2023

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 21-58

Date: September 19, 2023

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	The AC was serviced within a short time after the complaint. The other violation, for the water heater was finally permitted, inspected and closed more than 2 years after the violation's initiation.
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:	N/A
3.) The length of time necessary to bring the property into compliance:	2 year, 7 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:	5
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	10 – 5 cases were complied before a hearing; 1 case was complied with necessary maintenance; 3 cases required permits and inspections to comply; lastly – this lien reduction case before the Magistrate that required permits and inspections to comply.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The violation originated during COVID and the owner struggled with non-payment of rent and finding reliable contractors to do the work and get the necessary permits.
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:	1 (one)

Administrative Cost Estimator

9/12/2023

Property Address: 1310 N 16th Court

Date case originated: 1/14/2021

Date case complied: 8/18/2023

Total time: 31 months

Number of Hearings

Violation Hearings: 1

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>12</u>	\$7.20
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Certified Mail:	\$7.25	<u>2</u>	\$14.50
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Photographs (per page)	\$0.50	<u>1</u>	\$0.50
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Filing Fees	\$10.00	<u>5</u>	\$50.00
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Months Open	\$50.00	<u>31</u>	\$1,550.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

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

Building Dept. Coordinator	\$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>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$2,372.20



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	8/31/23		
Property address:	1310 N 16 th Ct, Fort Pierce, FL		
Owner(s) of record:	Ft. Pierce Empire 1 Holdings LLC (Eric Solomon)		
Mailing address:	1792 Bell Tower Lane, Weston, FL 33326		
Property tax ID #:	82-4003380		
Original purchase date:	1/16/18	Original purchase price:	193,800
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Eric Solomon	Relationship to owner(s):	owner
Telephone #:	954-465-5745	Mobile phone #:	954-465-5745
E-mail:	es@solomohomes.info	Preferred contact method:	cell
What are owner(s) intentions for property:	Sale		
Are there current code violations?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Explain: (please attached notice) Violation has been closed out	
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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes	If yes, what is the sale price? 465,000	

AMOUNT OF FINE / LIEN

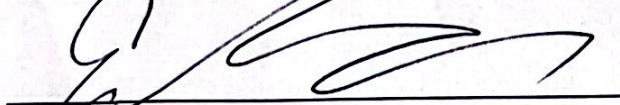
\$ 53,900

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 52,900

DOLLAR AMOUNT I AGREE TO PAY

\$ 1,000



Signature of Owner or Representative

8-31-23
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:

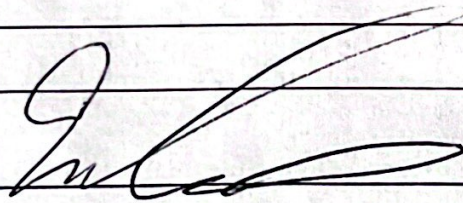
1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete the appropriate application for lien reduction / 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), contact Katherine Calderon (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 (772-467-3712) 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 15 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 1310 N 16th St., Fort Pierce, FL
Property Owner: Ft. Pierce Empire 1 Holdings LLC (Eric Solomon)
Mailing Address: 1792 Bell Tower Lane, Weston, FL 33326
Telephone #: 954-465-5745 Cell Phone #: 954-465-5745
E-Mail Address: ese@solomonhomes-info
Is the property in compliance? Yes If not, please explain in the narrative of your request.

I, Eric Solomon, 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:

The penalty was during COVID and we were extremely overwhelmed with non-payments of rent, finding contractors to work, and so much more.

Signed: _____



Date: _____

8/31/23

Print Name: _____

Eric Solomon

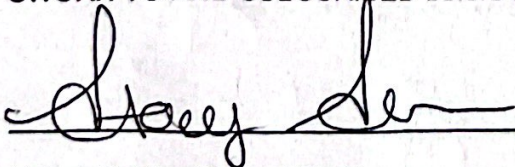
STATE OF FLORIDA

COUNTY OF ST. LUCIE

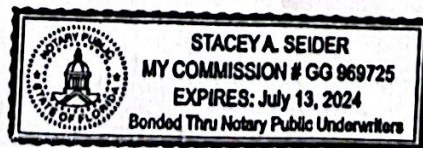
PERSONALLY APPEARED before me, the undersigned authority

Eric Solomon 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 31 day of August, 2023.



Notary Public, State of Florida



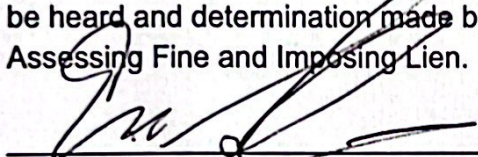
OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address: 1310 N 16th Ct, Fort Pierce, FL

I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.



Signature of Owner or Representative

8-31-23

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

Rule 15: Requests for Reduction of Liens.

A. All requests to reduce a lien imposed by the City must meet the following requirements:

- (1) For liens imposed pursuant to Fla. Stat. § 162.09, a Respondent may request a reduction of the lien only after the original violation is in compliance and the Department has issued an Affidavit of Compliance.
- (2) The request must be in writing in a form provided by the Department.
- (3) The request must be made by the owner. If the request is made by any other interested party, written proof of permission to act on behalf of the owner must be provided.
- (4) A copy of the deed, showing title transfer to the current owner, must be provided.
 - i. If the property was conveyed via Special Warranty Deed or Warranty Deed, the owner must provide proof of their attempt to have the guaranteeing party take responsibility for the debt without success.
- (5) A statement or explanation as to why the City should consider the request for reduction. The request should include a narrative with any supporting documentation to be considered in furtherance of such request.
- (6) There shall be established an application fee of \$250.00 for all requests to reduce a lien that must be heard by the Special Magistrate. Such fee shall be assessed by the Special Magistrate following consideration of the request and is in addition to any other administrative fees assessed. Any reduction or waiver of such fee may only be granted upon proof of sufficient cause by the Requestor.

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.
- (4) The amount of settlement for requests of partial lien releases due to a spreading lien as provided for in Fla. Stat. § 162.09(3) is equal to or more than 3% of the lien to be released and the property receiving the benefit of the lien reduction is located outside the Fort Pierce city limits.
- (5) The amount of settlement for nuisance abatement and demolition liens is equal to or greater than the hard costs for service plus 50% of the interest, penalties, and administration fees assessed by the City.

The Department shall forward the request to the Special Magistrate 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 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, with notice to the Requestor. After hearing both sides, the Special Magistrate shall make a determination 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 and to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether and to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the Requestor.

D. If the Special Magistrate 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) For liens imposed pursuant to Fla. Stat. § 162.09, in a reduced amount that is no less than the amount sufficient to cover the administration costs for processing the case plus the \$250.00 application fee.
- (2) For nuisance abatement liens, in a reduced amount that is no less than the amount sufficient to cover the following conditions:
 - i. The reduced amount must include the hard costs for services.
 - ii. The reduced amount must include the \$250.00 application fee.
 - iii. The City imposed interest and penalties may be waived in full if the Special Magistrate determines that it is in the best interest of the City.
 - iv. The consideration of administration fees must include any outstanding hard costs to the City including, but not limited to, recording fees.
 - v. The administration fees for liens imposed in the Requestor's name shall not be waived or reduced unless the Requestor can provide sufficient cause for such fee

to be waived or reduced, and the Special Magistrate determines it is in the best interest of the City.

vi. All other administrative fees may be waived or reduced as determined by the Special Magistrate.

E. An appeal of the Special Magistrate's decision may be made to the City Commission. Any such request for appeal must be in writing and received by the City Clerk's office no later than 30 days from the written determination of the Special Magistrate.

F. There shall be established an appeal fee of \$250.00 for any requests that must be heard by the City Commission. Such fee may be imposed after consideration by the City Commission.

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

7. C.

Information

SUBJECT:

21-1145	608 Palm Avenue	Martin County Properties LLC	Shaun Coss
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CASE INFORMATION:

Case Initiated:	September 8, 2021	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Martin County Properties LLC 265 Bermuda Beach Dr Ft Pierce, FL 34949	REG AGENT: J B JONES, JR 540 SW SIESTA WAY STUART, FL 34994
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VIOLATIONS:

FBC 105.1 (2017) Permit Required, IPMC 304.13.2 (2021) Openable Windows, IPMC 304.13 (2021) Windows, Doors & Frames, IPMC 605.1 (2018) Electrical Equipment, IPMC 305.3 (2021) Interior Surfaces, IPMC 304.7 (2021) Roofs and Drainage, IPMC 304.4 (2021) Structural Members

FINDINGS/ORDER:

Order Determining Violation - March 16, 2022
Affidavit of Non-Compliance - October 28, 2022
Order Assessing Fine and Imposing Lien - April 28, 2023
Affidavit of Compliance - September 8, 2023

ACTION DATES:

1. October 15, 2021 - A reinspection of the cited items not requiring a permit failed inspection.
2. November 18, 2021 - a permit was issued for the windows, one of the cited items. The permit expired with no inspections. It was renewed on January 11, 2022 and the necessary final inspection was done on April 13, 2022.
3. March 15, 2022 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
4. October 28, 2022 - An Affidavit of Non-Compliance was recorded, and a fine of \$100.00 per day began to accrue.
5. April 28, 2023 - an Order Assessing Fine and Imposing Lien - was prepared and recorded on May 10, 2023.
6. August 4, 2023 - a permit for the remaining cited item requiring a permit was issued, and received it's final approved inspection on August 31, 2023.
7. September 8, 2023 - A reinspection of the remaining cited items not requiring a permit was approved. An Affidavit of Compliance was recorded and fines stopped. The lien

totals \$31,540.00 which includes \$40.00 in recording fees. A request for a lien reduction was received.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs

Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck

Started On: 09/12/2023 11:00 AM

Final Approval Date: 09/12/2023

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 21-1145

Date: September 19, 2023

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	The violations were addressed by obtaining 3 permits for necessary maintenance.
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:	The owner hired contractors to obtain the permits.
3.) The length of time necessary to bring the property into compliance:	2 years
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:	3
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	24, 2 cases currently before the Magistrate that have either fines or a lien, 1 case that was complied, fines reduced and paid; 21 cases were complied prior to a hearing.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The owner states that they were misinformed about the necessity of a permit for one of the violations, which created a delay in obtaining it. In addition they were family illness and obligations that delayed the process.
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:	2 (two)

Administrative Cost Estimator

9/12/2023

Property Address: 608 Palm Ave

Date case originated: 5/25/2021

Date case complied: 9/8/2023

Total time: 27 months

Number of Hearings

Violation Hearings: 1

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>16</u>	\$9.60
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Certified Mail:	\$7.25	<u>2</u>	\$14.50
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Photographs (per page)	\$0.50	<u>14</u>	\$7.00
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>27</u>	\$1,350.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

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

Building Dept. Coordinator	\$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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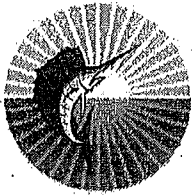
Covers the cost of case preparation (written & oral communication) for appeals, disputed cases or those with legal representation requiring review above & beyond the norm.

Hearings	\$150.00	<u>1</u>	\$150.00
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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$2,171.10



THE SUNRISE CITY
FORT PIERCE
 BUILDING DEPARTMENT
Florida

REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION FINES

Date:	9/7/2023		
Property address:	608 Palm Ave Apt. B Fort Pierce FL 34982		
Owner(s) of record:	Martin County Properties LLC.		
Mailing address:	540 SW Siesta Way Stuart FL 34984		
Property tax ID #:	2422-703-0002-0004		
Original purchase date:	1/27/2011	Original purchase price:	\$ 40,900
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Cariann Martin	Relationship to owner(s):	Wife
Telephone #:	772-672-0594	Mobile phone #:	954-815-7173
E-mail:	Chipjones24@gmail.com	Preferred contact method:	Email
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 *AS of sept 8* \$ 31,540.00
 DOLLAR AMOUNT REQUESTING TO BE WAIVED *9/11* \$ ~~31,430.00~~
 DOLLAR AMOUNT I AGREE TO PAY *9/11* \$ 30,930.00
 \$ 500.00

[Signature]
 Signature of Owner or Representative

9/8/23
 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: 608 Palm Ave Apt. B Fort Pierce FL 34982

Property Owner: Jb Jones Jr

Mailing Address: 540 SW Siesta Way Stuart FL 34994

Telephone #: 772-672-0594 Cell Phone #: ~~772-672-0594~~ ~~888~~ 954-815-7173

E-Mail Address: Chipjones24@gmail.com

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

I, Jb Jones Jr, 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:

Initially I called City to see if I needed a permit for a repair (roof) I was told for repair, no permit needed, then was inspected + I was then told needed a permit, it took months to find a contractor. Then his license "insurance" laps. We were not told for another few months - he said he was waiting for the city to issue permit. After that we had to hire another contractor, took longer, he took our money and pulled permit finally was inspected, so we thought all was good, 8 mo. later found out he needed (2) diff. permits now we need a "structural" permit, also, plumber didn't close out his permit. This my husband bot career - total reconstruction

Signed: Jb Jones Jr

Date: 8/31/23

Print Name: Jb Jones Jr

STATE OF FLORIDA

COUNTY OF ST. LUCIE

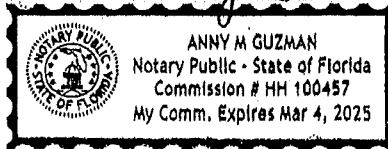
PERSONALLY APPEARED before me, the undersigned authority

Jb Jones 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 FLIDC as identification.

I have another page explaining the reasons its taken this long.

SWORN TO AND SUBSCRIBED before me this 31 day of August, 2023.

[Signature]



Notary Public, State of Florida

of his face removed 1/2 right side facial bones. + replaced w/ titanium, 2 yrs later after 2 major surgeries, chemo + radiation we had to find another contractor to pull "structural" permit - this took months, took it again - finally 3rd contractor pulled it and passed + also plumber comp. closed trees -

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

7. D.

Information

SUBJECT:

22-2686	1203 Avenue L Unit A	Abreu, Josiah & Nieves	Shaun Coss
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CASE INFORMATION:

Case Initiated:	September 6, 2022	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Josiah & Nieves Abreu 2024 SE 19th Street Homestead, FL 33035	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

Order Determining Violation - February 21, 2023
Affidavit of Non-Compliance - April 26, 2023
Order Assessing Fine and Imposing Lien - May 17, 2023
Affidavit of Compliance - July 11, 2023

ACTION DATES:

1. January 17, 2023 - Special Magistrate Hearing - case was continued to February hearing.
2. February 21, 2023 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
3. April 26, 2023 - An Affidavit of Non-Compliance was prepared and recorded on April 27, 2023, and a fine of \$100.00 per day began to accrue.
4. May 17, 2023 - an Order Assessing Fine and Imposing Lien - was prepared and recorded on May 22, 2023.
5. June 29, 2023 - A permit for the cited work was issued.
6. July 11, 2023 - A final inspection on the permit was approved. An Affidavit of Compliance was prepared and recorded on July 20, 2023. Fines stopped on July 11, 2023 and total \$7,640.00 which includes \$40.00 in recording fees.
7. August 12, 2023 a request for a lien reduction was received.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs

Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck

Started On: 09/12/2023 08:35 AM

Final Approval Date: 09/12/2023

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 22-2686

Date: September 19, 2023

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	The work done without a permit was finally permitted and inspected.
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:	The owner hired a contractor to obtain the permit.
3.) The length of time necessary to bring the property into compliance:	10 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:	3
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	9, 2 cases currently before the Magistrate that have liens, eventually permitted and complied; 1 case closed when the property was sold while in violation; 6 cases were complied prior to a hearing.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The owner states that he was defrauded by 2 different contractors hired to take care of property issues.
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:	2 (two)

Administrative Cost Estimator

9/12/2023

Property Address: 1203 Avenue L Unit A

Date case originated: 9/6/2022

Date case complied: 7/11/2023

Total time: 10 months

Number of Hearings

Violation Hearings: 2

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>8</u>	\$4.80
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Certified Mail:	\$7.25	<u>1</u>	\$7.25
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Photographs (per page)	\$0.50	<u>3</u>	\$1.50
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>10</u>	\$500.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

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

Building Dept. Coordinator	\$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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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$1,453.55




REQUEST FOR A REDUCTION OR RESCINDMENT OF
BUILDING VIOLATION LIENS

Date:	Aug, 12, 2023		
Property address:	1203 Ave L Unit A		
Owner(s) of record:	Josiah Abreu & Nieves Abreu		
Mailing address:	2024 SE 19 th St Homestead FL, 33035		
Property tax ID #:	2404-801-0053-000-1		
Original purchase date:	03-29-2021	Original purchase price:	\$125,000.00
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Josiah Abreu	Relationship to owner(s):	Owner
Telephone #:	786-379-0417	Mobile phone #:	786-379-0417
E-mail:	Josiah.Abreu@yahoo.com	Preferred contact method:	Mobile phone
What are owner(s) intentions for property:	hold And pass down to children.		
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 \$ 7,640.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED \$ 7,640.00

DOLLAR AMOUNT I AGREE TO PAY \$ 500.00


Signature of Owner or Representative

Aug, 12, 2023
Date

I, Josiah Abreu, 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 Josiah Abreu, Apologize for the inconvenience and time, I have tried to handle this issue in hand since the very ~~begining~~ beginning. I've been robbed twice from two different General Contractors And was under the impression the issue was being handled. I've always tried to keep my property in the best condition and maintain a good community presence. I look forward in helping with the growth of Fort Pierce. I pray for your mercy in this mishaps And promise to keep in compliance.

Signed: [Signature] Date: Aug, 12, 2023
Print Name: Josiah Abreu

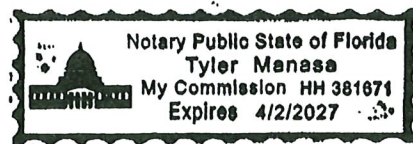
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Josiah Rafael Abreu 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 DL as identification.

SWORN TO AND SUBSCRIBED before me this 16 day of August, 2023.

[Signature]
Notary Public, State of Florida



Rule 15: Requests for Reduction of Liens.

- A. All requests to reduce a lien imposed by the City must meet the following requirements:
- (1) For liens imposed pursuant to Fla. Stat. § 162.09, a Respondent may request a reduction of the lien only after the original violation is in compliance and the Department has issued an Affidavit of Compliance.
 - (2) The request must be in writing in a form provided by the Department.
 - (3) The request must be made by the owner. If the request is made by any other interested party, written proof of permission to act on behalf of the owner must be provided.
 - (4) A copy of the deed, showing title transfer to the current owner, must be provided.
 - i. If the property was conveyed via Special Warranty Deed or Warranty Deed, the owner must provide proof of their attempt to have the guaranteeing party take responsibility for the debt without success.
 - (5) A statement or explanation as to why the City should consider the request for reduction. The request should include a narrative with any supporting documentation to be considered in furtherance of such request.
 - (6) There shall be established an application fee of \$250.00 for all requests to reduce a lien that must be heard by the Special Magistrate. Such fee shall be assessed by the Special Magistrate following consideration of the request and is in addition to any other administrative fees assessed. Any reduction or waiver of such fee may only be granted upon proof of sufficient cause by the Requestor.
- 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.
 - (4) The amount of settlement for requests of partial lien releases due to a spreading lien as provided for in Fla. Stat. § 162.09(3) is equal to or more than 3% of the lien to be released and the property receiving the benefit of the lien reduction is located outside the Fort Pierce city limits.
 - (5) The amount of settlement for nuisance abatement and demolition liens is equal to or greater than the hard costs for service plus 50% of the interest, penalties, and administration fees assessed by the City.

The Department shall forward the request to the Special Magistrate 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 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, with notice to the Requestor. After hearing both sides, the Special Magistrate shall make a determination 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 and to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether and to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the Requestor.

D. If the Special Magistrate 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) For liens imposed pursuant to Fla. Stat. § 162.09, in a reduced amount that is no less than the amount sufficient to cover the administration costs for processing the case plus the \$250.00 application fee.

(2) For nuisance abatement liens, in a reduced amount that is no less than the amount sufficient to cover the following conditions:

- i. The reduced amount must include the hard costs for services.
- ii. The reduced amount must include the \$250.00 application fee.
- iii. The City imposed interest and penalties may be waived in full if the Special Magistrate determines that it is in the best interest of the City.
- iv. The consideration of administration fees must include any outstanding hard costs to the City including, but not limited to, recording fees.
- v. The administration fees for liens imposed in the Requestor's name shall not be waived or reduced unless the Requestor can provide sufficient cause for such fee

to be waived or reduced, and the Special Magistrate determines it is in the best interest of the City.

vi. All other administrative fees may be waived or reduced as determined by the Special Magistrate.

E. An appeal of the Special Magistrate's decision may be made to the City Commission. Any such request for appeal must be in writing and received by the City Clerk's office no later than 30 days from the written determination of the Special Magistrate.

F. There shall be established an appeal fee of \$250.00 for any requests that must be heard by the City Commission. Such fee may be imposed after consideration by the City Commission.

Special Magistrate Hearing - Building
Meeting Date: 09/19/2023

7. E.

Information

SUBJECT:

22-2688	1203 Avenue L Unit B	Abreu, Josiah & Nieves	Shaun Coss
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CASE INFORMATION:

Case Initiated:	September 6, 2022	Type of Presentation:	Lien Reduction
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OWNER:

OWNER: Josiah & Nieves Abreu 2024 SE 19th Street Homestead, FL 33035	OCCUPIED BY:
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VIOLATIONS:

FBC 105.1 (2020) Permit Required

FINDINGS/ORDER:

FBC 105.1 (2020) Permit Required

ACTION DATES:

1. January 17, 2023 - Special Magistrate Hearing - case was continued to February hearing.
2. February 21, 2023 - Special Magistrate Hearing - the Special Magistrate provided 60 days to get the permit or fines may accrue.
3. April 26, 2023 - An Affidavit of Non-Compliance was prepared and recorded on April 27, 2023, and a fine of \$100.00 per day began to accrue.
4. May 17, 2023 - an Order Assessing Fine and Imposing Lien - was prepared and recorded on May 22, 2023.
5. June 29, 2023 - A permit for the cited work was issued.
6. July 11, 2023 - A final inspection on the permit was approved. An Affidavit of Compliance was prepared and recorded on July 20, 2023. Fines stopped on July 11, 2023 and total \$7,640.00 which includes \$40.00 in recording fees.
4. August 12, 2023 a request for a lien reduction was received.

RECOMMENDATION:

To be determined.

Attachments

7 Criteria

Admin Costs
Lien Reduction Request

Form Review

Form Started By: Elizabeth Beck
Final Approval Date: 09/12/2023

Started On: 09/12/2023 10:21 AM

**LIEN REDUCTION HEARING
CONTESTING OF FINE/NON-COMPLIANCE**

Case No: 22-2688

Date: September 19, 2023

1.) The gravity or seriousness of the violation:	Moderate
2a.) Any and all actions taken by the violator to correct the violations; OR	The work done without a permit was finally permitted and inspected.
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:	The owner hired a contractor to obtain the permit.
3.) The length of time necessary to bring the property into compliance:	10 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:	3
5.) The number of violation notices the violator has received in the past, as well as their nature and final disposition of each notice:	9, 2 cases currently before the Magistrate that have liens, eventually permitted and complied; 1 case closed when the property was sold while in violation; 6 cases were complied prior to a hearing.
6.) Whether or to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship:	The owner states that he was defrauded by 2 different contractors hired to take care of property issues.
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:	2 (two)

Administrative Cost Estimator

9/12/2023

Property Address: 1203 Avenue L Unit B

Date case originated: 9/6/2022

Date case complied: 7/11/2023

Total time: 10 months

Number of Hearings

Violation Hearings: 2

Massey Hearings:

Lien Reduction Hearings: 1

Mailing Expense

Regular 1st Class:	\$0.60	<u>8</u>	\$4.80
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Certified Mail:	\$7.25	<u>1</u>	\$7.25
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Photographs (per page)	\$0.50	<u>3</u>	\$1.50
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Filing Fees	\$10.00	<u>4</u>	\$40.00
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Months Open	\$50.00	<u>10</u>	\$500.00
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Covers investigator's monthly inspections and follow-up, file maintenance, correspondence/communications with property owner / tenant / management and other departments.

Building Dept. Assistant

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

Building Dept. Coordinator	\$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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Covers SM review and hearing time, recording secretary, building staff & management hearing time, attorney hearing time, and IT set up.

Application Fee for Lien Reduction	\$250.00	<u>1</u>	\$250.00
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Total Estimated Cost: \$1,453.55



REQUEST FOR A REDUCTION OR RESCINDMENT OF
 BUILDING VIOLATION LIENS

Date:	Aug 12, 2023			
Property address:	1203 Ave L unit b			
Owner(s) of record:	Josiah Abreu & Nieves Abreu			
Mailing address:				
Property tax ID #:				
Original purchase date:	03-29-2021	Original purchase price:	\$125,000.00	
Property is used for:	<input type="checkbox"/> Single Family	<input checked="" type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Josiah Abreu		Relationship to owner(s):	Owner
Telephone #:	786-379-0117		Mobile phone #:	786-379-0117
E-mail:	josiah.abreu@yahoo.com		Preferred contact method:	mobile phone
What are owner(s) intentions for property:	hold and pass down to children			
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

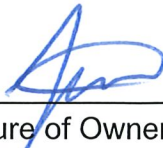
\$ 7,640.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 7,640.00

DOLLAR AMOUNT I AGREE TO PAY

\$ 500.00



 Signature of Owner or Representative

Aug 12, 2023

 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), contact Katherine Calderon (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 (772-467-3712) 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 15 of the City's Rules & Regulation for Code Enforcement Board and Special Magistrate.

Property Address: 1203 Ave L unit b

Property Owner: Josiah Abreu

Mailing Address: 2024 SE 19th St Homestead FL 33035

Telephone #: 786-379-0117 Cell Phone #: 786-379-0417

E-Mail Address: Josiah Abreu @ yahoo.com

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

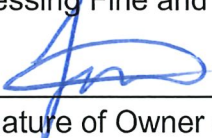
OWNER / REPRESENTATIVE REQUEST TO PROCESS APPLICATION

Property Address:	
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I acknowledge that I have been provided a copy of Rule 15 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. 15(a,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. 15(a,c,d), 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.



Signature of Owner or Representative

Aug, 12, 2023


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

8/23/23

Date

I, Josiah Abreu, 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 Josiah Abreu, Apologize for the inconvenience and time, I have tried to handle this issue in hand since the very ~~begining~~ beginning. I've been robbed twice from two different General Contractors And was under the impression the issue was being handled. I've always tried to keep my property in the best condition and maintain a good community presence. I look forward in helping with the growth of Fort Pierce. I pray for your mercy in this mishaps and promise to keep in compliance.

Signed: [Signature] Date: Aug, 12, 2023
Print Name: Josiah Abreu

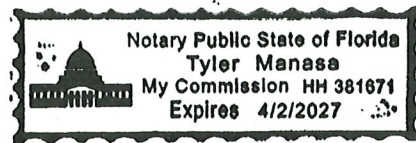
STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Josiah Rafael Abreu 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 DL as identification.

SWORN TO AND SUBSCRIBED before me this 16 day of August, 2023.

[Signature]
Notary Public, State of Florida



Rule 15: Requests for Reduction of Liens.

- A. All requests to reduce a lien imposed by the City must meet the following requirements:
- (1) For liens imposed pursuant to Fla. Stat. § 162.09, a Respondent may request a reduction of the lien only after the original violation is in compliance and the Department has issued an Affidavit of Compliance.
 - (2) The request must be in writing in a form provided by the Department.
 - (3) The request must be made by the owner. If the request is made by any other interested party, written proof of permission to act on behalf of the owner must be provided.
 - (4) A copy of the deed, showing title transfer to the current owner, must be provided.
 - i. If the property was conveyed via Special Warranty Deed or Warranty Deed, the owner must provide proof of their attempt to have the guaranteeing party take responsibility for the debt without success.
 - (5) A statement or explanation as to why the City should consider the request for reduction. The request should include a narrative with any supporting documentation to be considered in furtherance of such request.
 - (6) There shall be established an application fee of \$250.00 for all requests to reduce a lien that must be heard by the Special Magistrate. Such fee shall be assessed by the Special Magistrate following consideration of the request and is in addition to any other administrative fees assessed. Any reduction or waiver of such fee may only be granted upon proof of sufficient cause by the Requestor.

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.
- (4) The amount of settlement for requests of partial lien releases due to a spreading lien as provided for in Fla. Stat. § 162.09(3) is equal to or more than 3% of the lien to be released and the property receiving the benefit of the lien reduction is located outside the Fort Pierce city limits.
- (5) The amount of settlement for nuisance abatement and demolition liens is equal to or greater than the hard costs for service plus 50% of the interest, penalties, and administration fees assessed by the City.

The Department shall forward the request to the Special Magistrate 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 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, with notice to the Requestor. After hearing both sides, the Special Magistrate shall make a determination 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 and to what extent there are extenuating factors preventing timely compliance, such as unavoidable personal hardship.
- (7) Whether and to what extent there are pending violation proceedings on the subject property or any other property within the City owned by the Requestor.

D. If the Special Magistrate 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) For liens imposed pursuant to Fla. Stat. § 162.09, in a reduced amount that is no less than the amount sufficient to cover the administration costs for processing the case plus the \$250.00 application fee.
- (2) For nuisance abatement liens, in a reduced amount that is no less than the amount sufficient to cover the following conditions:
 - i. The reduced amount must include the hard costs for services.
 - ii. The reduced amount must include the \$250.00 application fee.
 - iii. The City imposed interest and penalties may be waived in full if the Special Magistrate determines that it is in the best interest of the City.
 - iv. The consideration of administration fees must include any outstanding hard costs to the City including, but not limited to, recording fees.
 - v. The administration fees for liens imposed in the Requestor's name shall not be waived or reduced unless the Requestor can provide sufficient cause for such fee

to be waived or reduced, and the Special Magistrate determines it is in the best interest of the City.

vi. All other administrative fees may be waived or reduced as determined by the Special Magistrate.

E. An appeal of the Special Magistrate's decision may be made to the City Commission. Any such request for appeal must be in writing and received by the City Clerk's office no later than 30 days from the written determination of the Special Magistrate.

F. There shall be established an appeal fee of \$250.00 for any requests that must be heard by the City Commission. Such fee may be imposed after consideration by the City Commission.