



THE CITY OF KEY WEST

Executive Summary

To: Jim Scholl, City Manager
Cc: Greg Veliz, Assistant City Manager
From: Jim Young, Director of Code Compliance *JY*
Date: January 10, 2017
Subject: Release of lien 1523 Seminary Street

Action statement:

Request the City of Key West City Commission considers the proposed release of lien amount of Two Thousand Dollars, \$2,000.00, of accrued fines of Twelve Thousand Seven Hundred and Fifty Dollars, \$12,750.00, for the property located at 1523 Seminary Street. Request City of Key West City Commission considers releasing the lien placed by the City of Key West Code Compliance Department on the subject property pursuant to City of Key West Code of Ordinances Sec 2.635 and FL Statute 162.09 (to place the lien) and Sec. 2-646 (to remove lien).

Background:

On June 8, 2016 the City of Key West Code Compliance Department received a complaint that this property was vacant, overgrown and had debris littered throughout. Also, the building was left unsecured and open to the public. An inspection was done by a code compliance officer and he confirmed there was a violation at the vacant property. On June 8, 2016 a Notice of Code Violation was sent to the listed property owner as well as the Mortgage Company. The notice sent to the property owner was returned unclaimed. The notice sent to the mortgage company was signed received on June 13, 2016.

On June 29, 2016 the Mortgage Company filed a Lis Pendens after the Third District Court of Appeal denied the property owners motion to have a Final Judgement dismissed

On July 11, 2016 a Notice of Administrative Hearing, scheduled for August 31, 2016, was sent to the mortgage company and good service was received on July 14, 2016. On August 8, 2016 a Notice of Administrative Hearing, scheduled for August 31, 2016, was sent to the property owner and good service was received on August 12, 2016.

The hearing was held September 28, 2016 and a Findings of Fact, Conclusions of Law and Order was issued for the overgrown property. A fine in the amount of Two Hundred and Fifty

Dollars, \$250.00, per day was assessed if compliance was not achieved by September 29, 2016. A compliance hearing was held and the Special Magistrate found compliance had not been achieved so the daily fines were imposed.

On November 4, 2016 the lien was filed with the Monroe County Clerk of Courts and a copy of said lien was sent to Bank of America.

On November 18, 2016 the assigned code compliance officer confirmed the subject property was in compliance within sixty days (60) and the daily fine discontinued.

On November 28, 2016 Code Compliance received the attached Request for Release of Lien from the new property owner.