



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager
Cc: Greg Veliz, Assistant City Manager
From: Jim Young Director of Code Compliance *JY*
Date: February 7, 2019
Subject: 1007 Thomas Street Mitigation of Lien

Action statement:

On January 30, 2019 the subject property representative, David Paul Horan, Esq., submitted a request to mitigate a lien placed on the property located at 1007 Thomas Street, Key West, FL. \$9,750.00. The total amount of the lien is Nineteen Thousand Five Hundred Dollars, (\$19,500.00). Horan is offering Nine Thousand Seven Hundred and Fifty Dollars, (\$9,750.00), for the release of 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 October 11, 2017 Code Compliance received a complaint the subject property had debris discarded on it and the property was overgrown with landscaping.

On October 12, 2017 a Notice of Code Violation is issued to the property owner representative, Ted J. Mc Burnett Estate via certified mail.

On February 24, 2018 a Notice of Code Violation/Notice of Hearing is issued to the property owner representative via certified mail. The Notice is returned to sender.

On March 29, 2018 a Notice of Hearing is posted at the subject property with a Hearing date of April 25, 2018.

On April 25, 2018 the Code Compliance Special Magistrate finds the subject property is in violation. The Special Magistrate imposes an Administrative Cost in the amount of Two Hundred and Fifty Dollars, (\$250.00), and a daily Fine of Two Hundred and Fifty Dollars, (\$250.00), if the subject property is not in compliance by May 29, 2018.

On May 30, 2018 a Compliance Hearing is conducted during which the Special Magistrate imposes the Two Hundred and Fifty Dollars, (\$250.00), Administrative Cost and the daily Fine of Two Hundred and Fifty Dollars, (\$250.00).

On August 15, 2018 the subject property achieves compliance after 78 days. The total amount owed to the City is Nineteen Thousand Five Hundred Dollars, \$(19,500.00).

On September 17, 2018 the subject property owner representative, David Paul Horan, submits a Fine Mitigation Request offering to pay One Thousand Five Hundred Dollars, (\$1,500.00).

On December 20, 2018 a lien was filed by the Code Compliance Department on the subject property with the Monroe County Clerk's Office.

On January 30, 2019 the subject property representative sent a Lien Mitigation Form to the City offering Nine Thousand Seven Hundred and Fifty Dollars, (\$9,750.00).

RECOMMENDATION:

The Assistant City Manager recommends the City Commission accept the mitigation offer of Nine Thousand Seven Hundred and Fifty Dollars, (\$9,750.00).