



# THE CITY OF KEY WEST

## Executive Summary

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To: Jim Scholl, City Manager  
Cc: Greg Veliz, Assistant City Manager  
From: Jim Young, Director of Code Compliance *JY*  
Date: April 27, 2017  
Subject: Release of lien 3714 Flagler Avenue

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### **Action statement:**

Request the Key West City Commission considers releasing the lien placed by the Key West Code Compliance Department on the subject property, 3714 Flagler Avenue, Key West, FL, pursuant to Key West Code of Ordinances Section 2.635 and FL Statute 162.09 (to place the lien) and Sec. 2-646 (to remove lien). The amount of the lien is Fifty-Two Thousand Seven Hundred and Fifty Dollars, (\$52,750.00), and the proposed mitigated payment is Ten Thousand Five Hundred and Fifty, (\$10,550.00).

### **Background:**

February 8, 2016 Code Compliance Officer observes several violations at the subject property. The lot has overgrown landscaping, is littered with household debris, and the pool area is unsafe with a refrigerator on back patio. The Code Officer later discovers the carport has been enclosed to create an unrecognized dwelling unit.

March 7, 2016 the Chief Building Official posts the subject property as unsafe and the pool gate is secured.

March 31, 2016 emailed Wells Fargo Bank, NA advising of the violation.

April 11, 2016 Wells Fargo Bank, NA obtains the Certificate of Title for the subject property.

April 13, 2016 Notice of Code Violation issued via certified mail to Wells Fargo Bank, NA.

April 25, 2016 the Notice of Code Violation is received by Wells Fargo Bank, NA.

May 5, 2016 Code Compliance receives a letter from Wells Fargo Bank, NA stating they do not own the subject property.

May 9, 2016 Notice of Hearing issued via certified mail to Wells Fargo Bank, NA for the June, 29, 2016 hearing date.

May 23, 2016 the Notice of Hearing is received by Wells Fargo Bank, N.A.

June 29, 2016 the Special Magistrate issues a finding of violations and imposes Administrative Costs of Two Hundred and Fifty Dollars, (\$250.00,) and a daily Fine in the amount of Two Hundred and Fifty Dollars, (\$250.00) per day if the subject property is not in compliance by July 1, 2016.

July 1, 2016 the Special Magistrates Findings and Order are sent via certified mail to Wells Fargo Bank, NA.

July 11, 2016 the Findings and Order are received by Wells Fargo Bank, NA.

August 10, 2016 Code Compliance files a lien on the subject property with the Monroe County Clerk of Courts.

December 8, 2016 GTF Builders, Inc. applies for the following permits: Demolition, Fence, Plumbing and Electric to bring the property into compliance.

January 27, 2017 the subject property achieves compliance.

March 27, 2017 lien mitigation request is sent to Code Compliance.

On April 26, 2017 after discussing the original offer from Wells Fargo Bank, N.A. with City Management the property representative was contacted and was requested to consider paying at least twenty percent of the total lien amount. The property representative consulted with Wells Fargo Bank, N.A. and they agreed to offer Ten Thousand Five Hundred and Fifty Dollars, (\$10,550.00) for the release of the lien so the anticipated sale of the property can proceed.