



## EXECUTIVE SUMMARY

To: Jim Scholl, City Manager  
Cc: Greg Veliz, Assistant City Manager  
From: Jim Young Director of Code Compliance *JY*  
Date: June 11, 2019  
Subject: 1300 15 Court Lot 11 Mitigation of Lien

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### **Action statement:**

On April 23, 2019 the subject property owner, Erwin S. Mayer and the mobile home owner, Marie Delus, submitted to the City Code Compliance Department a mitigation of lien request for a lien placed on the subject property, 1300 15 Court Lot 11, Key West, FL621 Eaton Street, Key West, FL. The total amount of the lien is Eighty-Two Thousand Two Hundred and Fifty, (\$82,250.00). Both parties are offering zero dollars 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:**

#### **Case Number 17-1293**

October 12, 2017 Code Compliance received an anonymous that the subject property had an addition built on the mobile home without the benefit of the required building permits. The mobile home owner was advised she would need to apply for after the fact permits if she wanted to keep the addition or she would need to apply for a demolition permit.

On October 12, 2017 a Notice of Code Violation/Notice of Hearing was issued via certified mail to both the mobile home park owner and the mobile home owner, since no action had been taken in applying for the required permits. The Hearing Date was scheduled for November 15, 2017.

On October 16, 2017 Ms. Delus signed for the NOCV/NOH.

November 15, 2017 the Special Magistrate found both parties in violation of City of Key West Code of Ordinances Section 14-37, building permits required. The Special

Magistrate imposed an Administrative Cost of Two Hundred and Fifty Dollars, which was paid on December 12, 2017.

The court hearing was continued to February 28, 2018 for compliance. On February 28, 2018 the Special Magistrate found the property had not achieved compliance and imposed a daily fine in the amount of Two Hundred and Fifty Dollars, (\$250.00) starting on March 1, 2018.

On April 9, 2018 a Lien was filed with the Monroe County Clerk of Courts.

On January 24, 2019 the subject property achieved compliance. The lien total had accrued to Eighty- Two Thousand Two Hundred and Fifty Dollars, (\$82,250.00).

**RECOMMENDATION:**

The City Manager recommends the City Commission accept ten percent of the total lien which would amount to Eight Thousand Two Hundred and Twenty-Five Dollars, (\$8,225.00).