



## EXECUTIVE SUMMARY

To: Jim Scholl, City Manager  
Cc: Greg Veliz, Assistant City Manager  
From: Jim Young Director of Code Compliance *JY*  
Date: August 16, 2018  
Subject: 2522 Staples Avenue Mitigation of Lien

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### **Action statement:**

Michael Ferrell, current property owner of the subject property located at 2522 Staples Avenue, Key West, FL has sent a request to mitigate a lien placed on the subject property. The total amount of the lien is Twelve Thousand Nine Hundred and Fifty Dollars, (\$12,950.00). Mr. Ferrell is offering One Thousand Two Hundred and Ninety-Five Dollars (\$1,295.00) 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 September 8, 2014 the Code Compliance Department received a complaint a pile of trash and furniture had been discarded in the City easement behind the subject property.

On September 12, 2014 a Notice of Code Violation, NOCV, was issued via certified mail to the subject property owner, Wells Fargo Bank, NA.

On September 17, 2014 the NOCV was received by Wells Fargo Bank, NA.

On October 4, 2014 a Notice of Hearing, NOH, was issued to Wells Fargo Bank, NA for the Code Compliance Hearing date of October 29, 2014.

On October 14, 2014 the NOH was received by Wells Fargo Bank, NA.

On October 29, 2014 the hearing was held, and the Special Magistrate issued a Findings of Fact, Conclusions of Law and Order that the subject property was in violation. The Special Magistrate imposed Administrative Costs in the amount of Two Hundred and Fifty Dollars, (\$250.00) and a daily fine in the amount of One Hundred Dollars, (\$100.00) per day, if compliance was not obtained by December 17, 2014.

On December 19, 2014 the Special Magistrate found the property had not achieved compliance and imposed a Administrative Cost in the amount of Two Hundred and Fifty Dollars, (\$250.00), and a daily Fine in the amount of One Hundred Dollars, (\$100.00).

On April 23, 2015 the subject property achieved compliance. The total owed to the City was Twelve Thousand Nine Hundred and Fifty Dollars, (\$12,950.00).

On June 25, 2015 Wells Fargo Bank, NA sold the subject property to the current owner Michael Ferrell.

On July 31, 2015 a lien was filed with the Monroe County Clerk of Courts. The amount of the filed lien was Twelve Thousand Nine Hundred and Fifty Dollars, (\$12,950.00).

On August 7, 2015 the deed for the sale of the subject property was recorded with the Monroe County Clerk's Office.

On August 9, 2018 Attorney Gregory Oropeza who is representing the subject property owner submitted a Lien Mitigation Request Form offering to pay the City One Thousand Two Hundred and Ninety-Five Dollars, (\$1,295.00).