



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
CONFERENCE MEETING**

#13-1025

TO: Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM: Lee Feldman, ICMA-CM , City Manager

DATE: August 20, 2013

TITLE: Conference Report– Proposed Lien Settlements (Special Magistrate & Code Enforcement Board cases)

It is recommended that the City Commission review the attached lien settlement(s) as approved by the City Manager.

Pursuant to City Commission Resolution 05-50, approved on March 15, 2005, the City Manager presents his report of proposed lien settlements. Each applicant has complied the code violation(s) and the city's direct costs are included in staff's settlement recommendation. Each of these settlements is subject to the call-up provisions set for in Resolution 05-50.

Resource Impact

The lien in the amount of \$206,930.00 will be reduced to \$ 10,814.50. Revenue will be placed in the General Fund, Index #DSD040101, Sub Object #M103.

DEPOSITED IN:

FISCAL		SUB				SUB	SUBJECT	AMOUNT
YEAR	FUND	FUND	FUND NAME	INDEX #	INDEX NAME	OBJECT #	NAME	
2013	001	01	General Fund	DSD 040101	Community Inspections	M103	Code Enforcement Board Fines	\$10,814.50
TOTAL								\$10,814.50

Attachments

- Exhibit 1 - Lien Settlement Report
- Exhibit 2 - Resolution 05-50

Prepared By: Jeri Pryor, Administrative Assistant II

Department Director: Greg Brewton, Sustainable Development



CITY OF FORT LAUDERDALE DEPARTMENT OF SUSTAINABLE DEVELOPMENT

The following report outlines code enforcement lien settlements for the week ending:
July 19, 2013

Total Original Amount of Liens: \$ 206,930.00
Total Recommended Reduction Amount: \$ 10,814.50

The following schedule was used to develop the reduction recommendations in the case of *WaterWorks* liens:

WaterWorks 2011 Approved Lien Settlement Matrix

Duration of Non-Compliance (mos.)	Code & WW2011 Division Admin. Charges	"Penalty" Charge – 1,2,3 Unit Residential	"Penalty" Charge – Commercial & >3 Unit Residential
1	520	50	100
2	520	100	200
3	520	150	300
4	520	200	400
5	520	250	500
6	520	300	600
7	520	350	700
8	520	400	800
9	520	450	900
10	520	500	1000
11	520	550	1100
12	520	600	1200

Property Info	WaterWorks
Case Number	CE12041352
Address	1705 SW 11 St
Owner	Porter, Orenthian
Zoning	RD-15
BCPA Assessed Value	\$81,080.00
BCPA Taxes	\$1,769.03
Homestead Tax Exempt	Yes
Mortgage	Yes
Lien Info	
Original Amount	\$7,200.00
Recorded Date	Lien has not been recorded. Order from Magistrate on May 16, 2013. Compliance occurred on May 16, 2013. Received request to reduce fine on June 3, 2013.
City Direct Costs	\$341.00
Recommendation	\$670.00
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The property owner experienced financial difficulty and received a mortgage modification from his lender. Mr. Porter was out of compliance for 72 days and complied his case at a cost of \$3,000.00. The current property owner connected to the City's sanitary sewer system and complied the violation on the same day the Magistrate ordered the imposition of fines.
Code Board/ Special Magistrate	
Meeting Date	August 27, 2012
Violation(s)	28-33(a) – Not connected to the City's sewer system
Outcome	The Special Magistrate ordered compliance within 91 days or a fine of \$100.00 per day would begin to accrue.
Hearing to Impose a Fine	May 28, 2013
Compliance Date	May 28, 2013

Property Info	WaterWorks
Case Number	CE05011227
Address	1112 NW 11 PI
Owner	Knowles, Dwight
Zoning	RS-8
BCPA Assessed Value	\$38,670.00
BCPA Taxes	\$ 914.31
Homestead Tax Exempt	No
Mortgage	Yes
Lien Info	
Original Amount	\$7,700.00
Recorded Date	March 22, 2006
City Direct Costs	\$298.00
Recommendation	\$670.00
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The property owner purchased the property on June 30, 1997 for \$58,500.00. In 2005, the property owner was experiencing financial difficulties and could not comply the violation in a timely manner. Mr. Knowles was out of compliance for 77 days and complied his case at a cost of \$3,000.00. On April 1, 2010 Wells Fargo Bank initiated foreclosure action. The foreclosure action was dismissed on June 20, 2012. Mr. Knowles is now requesting a reduction of the imposed fines.
Code Board/ Special Magistrate	
Meeting Date	September 1, 2005
Violation(s)	28-33(a) – Not connected to the City's sewer system
Outcome	The Special Magistrate ordered compliance within 60 days or a fine of \$100.00 per day would begin to accrue.
Hearing to Impose a Fine	February 27, 2006
Compliance Date	January 17, 2006

Property Info	WaterWorks
Case Number	CE11061144
Address	2870 SW 1 St
Owner	Davis, Sylvia & Davis, Annette Etal
Zoning	RMM-25
BCPA Assessed Value	\$ 74,140.00
BCPA Taxes	\$2,027.30
Homestead Tax Exempt	No
Mortgage	Yes
Lien Info	
Original Amount	\$61,700.00
Recorded Date	December 2, 2011
City Direct Costs	\$ 258.00
Recommendation	\$1,120.00
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The current owner received this property via probate process on December 20, 2010. On December 22, 2011 Wells Fargo initiated foreclosure action. On March 22, 2013 the property owners were able to negotiate with the bank and modify the mortgage. The owners have experienced financial and medical hardships and were unable to comply the violation in a timely manner.
Code Board/ Special Magistrate	
Meeting Date	August 22, 2011
Violation(s)	28-33(a) – Not connected to the City's sewer system
Outcome	The Special Magistrate ordered compliance within 30 days or a fine of \$100.00 per day would begin to accrue.
Hearing to Impose a Fine	October 24, 2012
Compliance Date	May 31, 2013

Property Info	WaterWorks
Case Number	CE10062498
Address	210 SW 19 St
Owner	Oriane LLC
Zoning	RM-15
BCPA Assessed Value	\$ 176,600.00
BCPA Taxes	\$3,689.06
Homestead Tax Exempt	No
Mortgage	Yes
Lien Info	
Original Amount	\$9,100.00
Recorded Date	January 6, 2011
City Direct Costs	\$ 258.00
Recommendation	\$1,120.00
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The current owner purchased this property on February 27, 2004 for \$475,000.00. The property owners live out of state and hired a contractor to comply this violation; however the contractor did not complete the work. The owners hired another contractor who completed the work on December 23, 2010.
Code Board/ Special Magistrate	
Meeting Date	August 23, 2010
Violation(s)	28-33(a) – Not connected to the City's sewer system
Outcome	The Special Magistrate ordered compliance within 30 days or a fine of \$100.00 per day would begin to accrue.
Hearing to Impose a Fine	November 22, 2010
Compliance Date	December 23, 2010

Property Info	WaterWorks
Case Number	CE10062624
Address	1150 SW 32 St
Owner	United Properties of S. Fl. LLC
Zoning	RS-08
BCPA Assessed Value	\$ 71,350.00
BCPA Taxes	\$1,572.92
Homestead Tax Exempt	No
Mortgage	No
Lien Info	
Original Amount	\$79,800.00
Recorded Date	April 29, 2011
City Direct Costs	\$ 129.00
Recommendation	\$1,120.00
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The previous owner purchased the property on June 26, 2006 for \$252,000.00. The Bank of New York Mellon initiated the foreclosure process on October 14, 2009. The property transferred bank ownership three times before United Properties of S. Fl. LLC, received the property via a deed transfer on August 22, 2012. Upon receiving the property United Properties of S. Fl. LLC, complied the violation.
Code Board/ Special Magistrate	
Meeting Date	January 25, 2011
Violation(s)	28-33(a) – Not connected to the City's sewer system
Outcome	The Special Magistrate ordered compliance within 30 days or a fine of \$100.00 per day would begin to accrue.
Hearing to Impose a Fine	March 28, 2011
Compliance Date	May 2, 2013

Property Info	
Case Number	CE12061080
Address	839 SW 13 St
Owner	Federal National Mortgage Assn. (Fannie Mae)
Zoning	RD-15
BCPA Assessed Value	\$121,320.00
BCPA Taxes	\$2,714.99
Homestead Tax Exempt	No
Mortgage	No
Lien Info	
Original Amount	\$12,180.00
Recorded Date	December 7, 2012
City Direct Costs	\$350.00
Recommendation	\$1,827.00 (15% of lien)
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The previous owner received this property on November 2, 2007 via a warranty deed for \$285,000. On October 3, 2011 Fannie Mae initiated foreclosure action. On March 20, 2012 Fannie Mae received the certificate of title. Upon receiving the property, Fannie Mae complied the violations.
Code Board/ Special Magistrate	
Meeting Date	September 25, 2012
Violation(s)	<p>FBC (2010) 105.1 – Construction of a shed without a permit.</p> <p>FBC (2010) 105.4.5 – Electrical power and wiring connected to shed without a Permit.</p> <p>FBC (2010) 105.4.11 – A/C unit installed without a permit.</p>
Outcome	The Special Magistrate ordered compliance within 28 days or a fine of \$20.00 per day would begin to accrue.
Hearing to Impose a Fine	October 23, 2012
Compliance Date	May 20, 2013

Property Info	
Case Number	CE12090249
Address	6847 NW 25 Terr
Owner	Federal National Mortgage Assn. (Fannie Mae)
Zoning	RS-8
BCPA Assessed Value	\$156,860.00
BCPA Taxes	\$3,316.25
Homestead Tax Exempt	No
Mortgage	No
Lien Info	
Original Amount	\$23,900.00
Recorded Date	March 8, 2013
City Direct Costs	\$856.00
Recommendation	\$3,585.00 (15% of lien)
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The previous owner received this property on November 2, 2007 via a warranty deed for \$285,000. On October 3, 2011 Fannie Mae initiated foreclosure action. On March 27, 2013 Fannie Mae received the certificate of title. Upon receiving the property, Fannie Mae complied the violations.
Code Board/ Special Magistrate	
Meeting Date	November 1, 2012
Violation(s)	18-11 (a) – Swimming pool is filled with green/stagnant water.
Outcome	The Special Magistrate ordered compliance within 35 days or a fine of \$25.00 per day would begin to accrue
Hearing to Impose a Fine	December 20, 2012
Compliance Date	July 9, 2013

Property Info	
Case Number	CE12090371
Address	6847 NW 25 Terr
Owner	Federal National Mortgage Assn. (Fannie Mae)
Zoning	RS-8
BCPA Assessed Value	\$156,860.00
BCPA Taxes	\$3,316.25
Homestead Tax Exempt	No
Mortgage	No
Lien Info	
Original Amount	\$5,350.00
Recorded Date	March 8, 2013
City Direct Costs	\$764.00
Recommendation	\$802.50 (15% of lien)
Reduction Factors	<ul style="list-style-type: none"> ▪ The property is currently in compliance. ▪ The property has been kept free of other violations since the current property owner took possession.
Background	The previous owner received this property on November 2, 2007 via a warranty deed for \$285,000. On October 3, 2011 Fannie Mae initiated foreclosure action. On March 27, 2013 Fannie Mae received the certificate of title. Upon receiving the property, Fannie Mae complied the violations.
Code Board/ Special Magistrate	
Meeting Date	November 1, 2012
Violation(s)	9-280(b) – Screen enclosure around swimming pool is in disrepair and has missing/torn screens.
Outcome	The Special Magistrate ordered compliance within 35 days or a fine of \$25.00 per day would begin to accrue.
Hearing to Impose a Fine	January 17, 2013
Compliance Date	July 9, 2013