

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: September 19, 2013

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the settlement received for: Joseph Thomas, 2921 SW 46 Court, Case # 10-0541

Summary Explanation & Background:

This was originally cited on 4/28/10 for 3 violations. This went to the Special Magistrate on 1/8/10 for 3 violations. The Special Magistrate issued an order giving the respondent until 8/17/10 to comply or a fine of \$200.00 per day would be levied. At the 4/7/11 hearing, the Special Magistrate confirmed the fine as a lien. At the 8/4/11 hearing, the Special Magistrate authorized the City to abate the nuisances on the property that presented a serious threat to the public health, safety and welfare. At the 2/2/12 hearing, the Special Magistrate granted authorization to foreclose. The property was brought into compliance on 4/22/13. The fine ran from 8/17/10 through 4/22/13, 979 days @ \$200.00 per day = \$195,800.00 plus recording/admin fees of \$254.00, for a total of \$196,054.00. The City received \$5,629.00 for code fines and \$371.00 for a Public Service lien placed on the property for nuisance abatement, for a total settlement of \$6,000.00.

Exhibits (List):

- (1) Copy of the history report.
- (2) Copy of the lien sheet

Purchasing Approval:

Source of Additional Information: *(Name & Phone)*

Recommended for Approval By:

This is a request to accept the settlement offer received by the City due to foreclosure. The City received \$5,629.00 for code fines and \$371.00 for a Public Service lien placed on the property for nuisance abatement, for a total settlement of \$6,000.00.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

INITIAL - INITIAL INSPECTION	04-22-2010
HISTORICAL - DMS Violation Letter	04-28-2010
REINSPECTION - REINSPECTION	05-28-2010
HISTORICAL - DMS Affidavit of Service	06-22-2010
POST HEARING - POST BOARD	08-17-2010
F-TITLE SEARCH - TITLE SEARCH	01-06-2011
HISTORICAL - DMS Affidavit of Service	03-23-2011
FORECLOSURE - FORECLOSURE REINSPECTION	07-18-2011
NUISANCE ABATE - NUISANCE ABATEMENT REINSPECT	08-25-2011
F-TITLE SEARCH - TITLE SEARCH	11-28-2011

Case Violations

1	CE013034001001 - DBCC 13-34(a) Nuisance Accumulation	DBCC 13-34(a) states it is unlawful for any owner or operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, trash, stagnant water, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises.	ACTIVE	04/22/2010
2	CE013034002001 - DBCC 13-34(b) Property & R/W Maintenance	DBCC 13-34(b) states each owner or operator of property within the city shall keep such property and the adjoining unpaved portions of the public rights of way, swales, and/or canal banks clean and free from any accumulation of garbage, trash, and litter.	ACTIVE	04/22/2010
3	CE015001000001 - DBCC 15-1 BTR/License Required	DBCC 15-1 states it is unlawful for any person to engage in, manage or allow anyone on the person's property to engage in or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city.	ACTIVE	04/22/2010

City of Dania Beach

100 W. Dania Beach Blvd.
 Dania Beach, FL 33004
 954-924-6800 Ext. 3662

OWNER: JOSEPH THOMAS
FOLIO: 0229-27-0040
LEGAL: GLENWOODS VILLAGE 82-10 B LOT 4
ADDRESS: 2921 SW 46 COURT

CODE ENFORCEMENT ORDER LIEN				CEB 10-0541		RECORDED		RELEASED			
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	BOOK	PAGE	DATE	BOOK	PAGE	DATE
8/17/2010	4/22/2013	\$200.00	979	\$195,800.00	\$254.00	47868	1226-1231	4/22/2011	49877	425-426	6/11/2013
						Total					

Case Complied 4/22/13

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
2	PAGES	RELEASE OF LIEN	25.00
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
			254.00

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NUISANCE ABATEMENT LIEN

Interest Start	Through Date	Lien Amount	# of Days	Interest Amount	Per Diem	Interest Amount	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE
9/12/2011	6/10/2013	\$222.60	637	0.00032900	\$0.073235	\$46.65	\$103.00	\$372.25	48195	871	9/22/2011	49872	332	6/10/2013

CASE # 10-0541 RECORDED

RECORDED	RELEASED
BOOK PAGE	BOOK PAGE
48195 871	49872 332
DATE	DATE
9/22/2011	6/10/2013

ESTIMATED COST OF RECORDING FEES

1	PAGE(S) CLAIM OF LIEN	16.50
	ADM. FEE RECORDING LIEN	40.00
1	PAGE(S) RELEASE OF LIEN	16.50
	ADM. FEE RECORDING RELEASE	30.00
		<u>103.00</u>