

Reduction of Lien Request Leonard St

Board of County Commissioners Meeting
August 27, 2024

Leonard St, Altamonte Springs – Code Enforcement Lien Reduction Request

- Code Enforcement Violation: Uncultivated Vegetation
- Request to reduce lien from \$56,400.00 to \$5,000.00
- December 6, 2023 - Chester A Vander Pyl III (original owner) passed away.
- Applicant Joshua L Moses, became Executor of the Estate and brought property into compliance on April 22, 2024.

Summary of Case History

- September 11, 2019 - property was cited for Uncultivated Vegetation and was scheduled to go before the Code Enforcement Board to be heard on January 23, 2020. The outcome of the meeting was to have the property in compliance by removing the uncultivated vegetation by February 7, 2020, not to be repeated.
- January 27, 2020 - a re-inspection done by the Code Enforcement Officer showed corrective action had been taken. The Code Enforcement Officer filed an Affidavit of compliance on that day; thus, the case was closed.



Summary of Case Cont.

- March 9, 2021 – the Code Enforcement Officer observed the same violation repeated, and a subsequent meeting with the Code Enforcement Board was scheduled for July 22, 2021.
- July 22, 2021 - the Code Enforcement Board ordered the imposition of a lien in the amount of \$7,100.00. The lien continued to accrue from March 4, 2021 at \$50.00 per day until the violation was remedied.
- December 6, 2023 - the property owner Chester A Vander Pyl III passed and the property was put into a Probate Estate under the control of the Executor/Applicant, Joshua L Moses.



Summary Cont.

- April 22, 2024 - Executor/Applicant, Joshua L Moses reached out to the Code Enforcement Officer and remedied the violation, and an Affidavit of Compliance was submitted by the Code Enforcement Officer. The total of the accrued fees are \$56,400.00.
- April 25, 2024 - A request for reduction was submitted by the Executor/Applicant.
- May 10, 2024 - Property was sold. Stipulation of sale required holding the total amount of the lien in escrow.

Administrative Code Criteria

- Sec. 3.20(b)(4): If the Deputy County Manager determines that the request does not fail any one of the established guidelines in Section 3.20(B), the Deputy County Manager shall review the request by evaluating:
- (a) the amount of the lien as compared to the value of the property. *The lien is approximately 26% of the value of the property.*
- (b) the actions taken, or not taken, by the property owner in attempting to abate the code violation. *The estate brought the property into compliance upon taking ownership.*
- (c) the amount of staff time expended to bring the property in compliance. *The offered settlement amount of \$5,000 covers the administrative staff costs of \$602.15.*

Requested Action:

Applicant requests the Board of County Commissioners approve a reduction of the Code Enforcement Board lien in the amount of \$56,400.00 to \$5,000.00 for Case #20-18-CEB, to be paid within 30 days or the lien will revert to original amount and authorize the Chairman to execute the Reduction of Lien upon receipt of the appropriate payment from the Applicant. Staff has no objection to the request.