

Legislation Text

File #: 2024-0534, Version: 1

Title:

Reduction of Lien Request - Consider the request for a reduction of lien due to financial hardship, of the Code Enforcement Board lien of \$208,250.00 to the administrative costs of \$552.82, under Case # 12-70-CEB, on the property located at 1880 Ranchland Trail, Longwood, Tax Parcel ID: 30-20-30-300-0180-0000, (Drew A. Mooty, Applicant). District4 - Lockhart (**Alexis Brignoni, Code Enforcement Clerk**)

Division:

Development Services - Planning and Development

Authorized By:

Rebecca Hammock, Development Services Director

Contact/Phone Number:

Alexis Brignoni/407-665-7403

Background:

A detailed Background Timeline and Case History is included in the attachments.

In summary, the issue began as a response to a complaint on December 15, 2011, the Building Inspector observed the following violation located at 1880 Ranchland Trail, Longwood, FL 32750: Construction without the required permits. Change the use of a structure without an approved Certificate of Occupancy at 1880 Ranchland Trail.

On July 26, 2012, the Code Enforcement Board issued an Order giving the Respondent a compliance date of September 27, 2012.

On September 27, 2012, the Code Enforcement Board issued an Order extending the compliance date to January 24, 2013.

An Affidavit of Non-Compliance was filed by the Building Inspector after re-inspection on January 28, 2013.

After several requests by the applicant, the Code Enforcement Board continued the hearing to impose a lien for non-compliance. On April 24, 2014, the Code Enforcement Board issued an Order finding Non-Compliance and Imposing Fine/Lien, with the fine

continuing to accrue until compliance is obtained.

On April 14, 2015, the Applicant came before the Board of County Commissioners to consider a request to release the lien on parcel 30-20-30-300-0190-0000 (formerly known as 1870 Ranchland Trail) which was attached to pursuant to Florida Statutes, Section 162.09(3), as a lien was imposed by the Code Enforcement Board on the aforementioned parcel 30-20-30-300-0190-0000 (1880) where the violations exist.

Parcel 30-20-30-300-0190-0000 (formally known as 1870 Ranchland Trail) was under contract to be sold and the Title Company required the lien to be resolved prior to proceeding with the closing. The applicant stated he was selling the vacant parcel to pay the back taxes on properties 30-20-30-300-0180-0000 and 30-20-30-300-0310-0000 and to bring the structure on 30-20-30-300-0180-0000 into compliance.

After a lengthy discussion, the motion was made and seconded to release the lien on the vacant parcel 30-20-30-300-0190-0000 (formerly known as 1870 Ranchland Trail), with the condition that the structure located on 30-20-30-300-0180-0000 be permitted and all the back taxes paid. The vote was unanimous in granting the request. Please see the attached minutes.

The sale of the vacant property 30-20-30-300-0190-0000 was completed on May 1, 2015. A permit was obtained by the applicant on May 7, 2015 and the inspector filed an Affidavit of Compliance.

The fine/lien totals \$208,250.00.

In January 2023, the house located on parcel ID 30-20-30-300-0031-0000 0000 (1880 Ranchland Trail, Longwood) owned by Dianna Mooty the applicant's mother, was sold due to her financial situation. The applicant and his mother currently rent the house on parcel ID 30-20-30-300-0031-0000 from the new owners.

As the applicant wasn't able to complete the work and inspections under the permit issued in 2015 for 1880 Ranchland Trail, on August 2, 2023 the applicant obtained a permit to remove the work and return the structure to its original state as a pole barn. On April 1, 2024, the permit was completed as the required inspections were all scheduled and approved.

Due to their financial and medical situations, the applicant is under contract to sell parcel 30-20-30-300-0180-0000 to the adjacent property owner which is the subject of this request.

Pursuant to Seminole County Administrative Code 3.20, the following items should be considered when evaluating a lien reduction request:

(a) The amount of the lien as compared to the value of the property:

Per the Property Appraiser information, the 2023 certified assessed value of the property is \$164,134.00. The amount of the lien totals \$208,250.00.

(b) The actions taken, or not taken, by the property owners in attempting to abate the code violation:

The Applicant brought the property into compliance; however it took the applicant over ten years to bring the property into compliance.

(c) The amount of staff time expended to bring the property into compliance:

The estimated administrative costs on this matter total: \$552.82.

However, County Policy implemented around 2013 also allows Staff and the Board of County Commissioners to consider financial and medical hardships when evaluating a request for reduction or waiver. Mr. Mooty is requesting this waiver based on his financial hardship.

The applicant is currently under contract with the owner of parcel ID 30-20-30-300-003I-0000 property to sell the remaining parcel ID 30-20-30-300-0018-0000 which is the subject of this request.

Once the lien is resolved, the Applicant can finalize the sale of the subject parcel, use the proceeds to pay their currently overdue rent, and try to secure his mother's care closer to family members out of state.

Requested Action:

Staff requests the Board of County Commissioners approve a reduction of the Code Enforcement Board lien of \$208,250.00, to the administrative costs of \$552.82, for Case # 12-70-CEB on the property located at 1880 Ranchland Trail, Longwood, Tax Parcel ID: 30-20-30-300-0180-0000, owned by Drew A. Mooty, (Applicant), to be paid within 30 days or the lien revert to the original amount and authorize the Chairman to execute the Satisfaction of Lien upon payment in full.