





**Background and Policy Issues Continued**  
**Page 3**

The factors considered during staff's review and evaluation of this settlement are as follows:

1. The initial Notice of Violation was issued for eleven (11) expired building permits that had not been properly closed out. By the time of the CESM Hearing on October 1, 2014, only three (3) expired permits remained unresolved of which two (2) pre-dated Lawstar's ownership and one (1) which had been issued under their ownership:
  - a. 1992 air conditioning (hvac) permit,
  - b. 1993 permit for alterations and renovations,
  - c. 2005 permit for alterations and renovations.

Due to some miscommunications within the ownership group, there were delays in getting these final three (3) expired permits properly closed out.

2. In August of 2016, the lien was discovered by Mr. Shenkman as the building was being sold. He immediately contacted the Building Department to resolve the remaining three (3) inactive permits which were closed as of August 31, 2016.
3. The expired 1992 HVAC permit was determined to be moot as the HVAC units under this permit were replaced and passed inspection under a 2005 HVAC permit. The 1993 building alterations permit was re-activated and a Certificate of Completion was issued within two (2) weeks of re-activation. The expired 2005 building alterations permit was quickly resolved as the renovations permitted under this building permit were never done and the permit was cancelled.
4. The settlement, if approved, will be paid out of the proceeds from the sale of the property.

An Affidavit of Compliance was issued by Code Enforcement stating that the cited code violations were fully corrected as of August 31, 2016 and that the property was in full compliance with the CESM's Order. Further, the cited violations did not involve any health/safety issues.

In light of the above stated circumstances, Staff believes that the proposed settlement is fair and in the best interest of Palm Beach County.

Settlement offers that reduce any debt amount due to Palm Beach County by more than \$2,500 require the approval of the Board of County Commissioners, per Countywide PPM# CW-F-048.