

36-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: February 5, 2019

☒ **Consent**

☐ **Regular**

☐ **Workshop**

☐ **Public Hearing**

Department: Office of Financial Management and Budget

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a negotiated settlement offer in the amount of \$37,000 for the full satisfaction of a code enforcement lien that was entered against Louise Jordan on March 3, 2010.

Summary: The Code Enforcement Special Magistrate (CESM) entered an Order on November 4, 2009 for property owned by Louise Jordan giving her until January 3, 2010 to bring her property located at 17035 48th Court North in Loxahatchee into full code compliance. The property had been cited for renovations without the required building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$75 per day was imposed. The CESM then entered a claim of lien against Louise Jordan on March 3, 2010. The Code Enforcement Division issued an affidavit of compliance for the property on April 18, 2017 stating that as of April 12, 2017 the cited code violations had been fully corrected. The total accrued lien amount on August 15, 2018, the date on which settlement discussions began, totaled \$313,148.26. Louise Jordan has agreed to pay Palm Beach County \$37,000 for full settlement of her outstanding code enforcement lien. District 6 (SF).

Background and Justification: The violations that gave rise to this code enforcement lien was for renovations to a single family dwelling without the proper permits. The Special Magistrate gave Louis Jordan until January 3, 2010 to bring her property into full code compliance or a fine of \$75 per day would begin to accrue. A follow-up inspection by the Code Enforcement Division on January 4, 2010 confirmed that the property was still not in full compliance. A code lien was then entered against Louise Jordan on March 3, 2010. The Code Enforcement Division issued an affidavit of compliance for the property on April 18, 2017 stating that as of April 12, 2017 the cited code violations had been corrected. The Collections Section of OFMB was originally contacted by Ms. Jordan on August 15, 2018, to discuss a settlement. Collections, after extensive review, evaluation, and discussions with the Code Enforcement Division, has agreed to present a proposed settlement offer in the amount of \$37,000 to the Board for approval.

(continued on page 3)


Attachments: none

Recommended by:


Department Director

1/14/19
Date

Approved by:


County Administrator

1/27/19
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures					
Operating Costs					
External Revenues	(\$37,000)				
Program Income(County)					
In-Kind Match(County					
NET FISCAL IMPACT	(\$37,000)				
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is Item Included In Current Budget? Yes _____ No X
Does this item include the use of federal funds? Yes _____ No X

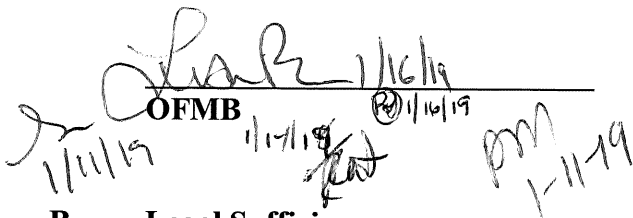
Budget Account No. Fund 0001 Department 600 Unit 6241 Object 5900

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:


OFMB 1/16/19
1/11/19 1/17/19 1/16/19 PM 1-11-19

N/A
Contract Dev. and Control

B. Legal Sufficiency:


Assistant County Attorney

C. Other Department Review:

N/A
Department Director

(This summary is not to be used as a basis for payment)

Background and Justification Continued (Louise Jordan)
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The factors considered during staff's review and evaluation of this settlement are as follows:

1. Ms. Jordan initially began applying for building permits on August 31, 2009 but never completed the process in obtaining the required permits. On April 5, 2017 she submitted a new permit application package and obtained the required building permits on April 12, 2017 which satisfied the requirements of the CESM's order. The 2017 building permits passed final inspection and received a certificate of completion from the Building Division on July 11, 2018.
2. Ms. Jordan has just recently completed the refinancing of her senior first mortgage and the proposed \$37,000 lien settlement amount will be paid from the excess proceeds.
3. The subject property is Ms. Jordan's homestead property and the only one she owns.
4. The Building Division listed the total value of the improvements at \$18,500.
5. The building code violations did not present any life safety issues.

An affidavit of compliance was issued by the Code Enforcement Division stating that the cited code violations were fully corrected as of April 12, 2017 and the property is in full compliance with the CESM's Order.

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.