

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

365

AGENDA ITEM SUMMARY

Meeting Date: May 18, 2021

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 \$6,300 for the full satisfaction of a code enforcement lien that was entered against Joyann Tramuta & Beryl Prianti on April 11, 2017.

Summary: The Code Enforcement Special Magistrate (CESM) entered an order on September 9, 2016, for the property owned by Joyann Tramuta & Beryl Prianti providing them until February 4, 2017 to bring their property located at 11265 86th St N., West Palm Beach into full compliance. The property had been cited for erecting accessory structures, storage buildings, and enclosing garage without obtaining 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 Joyann Tramuta & Beryl Prianti on April 11, 2017. The Code Enforcement Division issued an Affidavit of Compliance (AOC) for the property stating that the cited code violations had been fully corrected as of January 23, 2018. The total accrued lien amount through April 12, 2021, the date on which settlement discussions began, totaled \$31,399.23. Joyann Tramuta has agreed to pay Palm Beach County \$6,300, (20%) for full settlement of their outstanding Code Enforcement lien. District 6 (SF).

Background and Justification: The violations that gave rise to this Code Enforcement lien were for erecting accessory structures, storage buildings, and enclosing garage without obtaining building permits. The Special Magistrate provided Joyann Tramuta & Beryl Prianti until February 4, 2017 to bring their property into full code compliance or a fine of \$75 per day would begin to accrue. A code lien was then entered against Joyann Tramuta & Beryl Prianti on April 11, 2017. The Code Enforcement Division issued an Affidavit of Compliance stating that the cited code violations had been fully corrected as of January 23, 2018. The Collections Section of OFMB was first contacted by Joyann Tramuta on April 12, 2021, to discuss a settlement. Collections, after extensive review, evaluation, and discussions with Code Enforcement Division and the County Attorney's Office, has agreed to present the proposed settlement offer in the amount of \$6,300 to the Board for approval.

(Continued on page 3)

Attachments: none

Recommended by: Sherry Brown 4/28/2021
Department Director Date

Approved by: JC Baker 5/5/21
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures					
Operating Costs					
External Revenues	(\$6,300)				
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	(\$6,300)				
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is Item Included In Current Budget? Yes X No -
 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:

Lisa Mente 4/29/21
 OFMB JA 4-29-21 AP 4/
 RLB 4/28/21 MJD 4/28/21

N/A
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature]
 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 (Joyann Tramuta & Beryl Prianti) Page 3

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

1. The subject property was purchased by Joyann Tramuta & Beryl Prianti on January 25, 2013. In January 2016, Code Enforcement received an anonymous complaint about a garage door enclosure constructed without a permit. It was found that the garage was converted into a master bedroom and bathroom without a building permit, and that it predated Ms. Tramuta and Mr. Prianti's ownership. It then became their responsibility to resolve the building code violations by either obtaining the required permit or have the structures removed.
2. Ms. Tramuta did attempt to hire an architect/engineer to assist her in resolving the issue before the fine start date, but it was too costly, and they could not afford it. They then decided to remove the structures to correct the violations. An application for a demolition permit was submitted to the Building Department on March 7, 2017, and was issued on June 29, 2017. The structures were removed for full code compliance confirmed by the Code Enforcement Division on January 23, 2018.
3. Ms. Tramuta stated during that same period she was dealing with her elderly parents. Their health deteriorated and both were diagnosed with Dementia and Alzheimer. She was their primary caregiver. While caring for them, she was also dealing with some personal health issues. On September 27, 2016, she lost her father followed by her mother on June 13, 2019. These circumstances caused the delay in reaching compliance in a timely manner.
4. The property is Ms. Tramuta's homestead property, and the only property she owns.
5. The building code violation did not present any life safety issues and did not negatively impact the neighborhood.

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.