

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

36-1

AGENDA ITEM SUMMARY

Meeting Date: September 13, 2022

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 \$70,000 for the full satisfaction of two code enforcement liens that were entered against Rogelio R. Riveron on October 2, 2013.

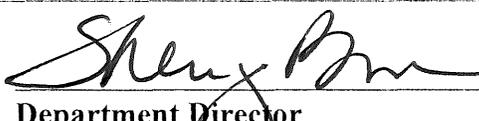
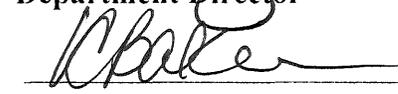
**Summary:** The Code Enforcement Special Magistrate (CESM) entered an Order on May 5, 2010 for the property owned by Rogelio R. Riveron providing him until May 20, 2010 to resolve the electrical violations and July 4, 2010 to bring his property located at 3102 Giuliano Ave, Lake Worth, FL into full compliance. The property had been cited for construction work without permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and fines in the amount of \$500 per day for unpermitted electrical installations and \$150 per day for all unpermitted structures were imposed. The CESM then entered two claims of lien against Rogelio R. Riveron on October 2, 2013. The Code Enforcement Division issued two Affidavits of Compliance for the property stating that the cited code violations had been fully corrected as of April 25, 2022. The total accrued lien amount through May 10, 2022, the date on which settlement discussions began, totaled \$3,367,866.55. Mr. Riveron's daughter, Maritza Reyes, has agreed to pay Palm Beach County \$70,000 (2%) for full settlement of their outstanding Code Enforcement lien. District 3 (SF).

**Background and Justification:** The violations that gave rise to these two Code Enforcement liens were construction work without permits. The CESM provided Rogelio R. Riveron until May 20, 2010 to correct the electrical violations and July 4, 2010 to bring his property into full code compliance or fines in the amount of \$500 per day and \$150 per day would begin to accrue. The Code Enforcement Division issued two Affidavits of Compliance for the property stating that the cited code violations had been corrected as of April 25, 2022. The Collections Section of OFMB was first contacted by Ailin Perez, Consultant for Maritza Reyes, on May 10, 2022 to discuss a settlement. After extensive review, evaluation, and discussions with the Code Enforcement Division and County Attorney's Office, Collections has agreed to present the proposed settlement offer in the amount of \$70,000 to the Board for approval.

(Continued on page 3)

Attachments: none

---

Recommended by:		8/19/2022
	Department Director	Date
Approved by:		8/31/2022
	County Administrator	Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures					
Operating Costs					
External Revenues	(\$70,000)				
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	(\$70,000)				
#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:**

ASD 8/19/22 N/A  
 OFMB JA 8/19 ASD 8/18  
 MG 8/19 MYD 8/18/22  
 Contract Dev. and Control

**B. Legal Sufficiency:**

[Signature]  
 Assistant County Attorney

**C. Other Department Review:**

N/A  
 Department Director

### **Background and Justification Continued (Rogelio R. Riveron) Page 3**

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

1. Two Code Enforcement liens were placed against Mr. Riveron for the installation of the following: fence, shed, AC, electric, carport, back porch, electric panel, windows, and doors without first obtaining Building permits.
2. Mr. Riveron reported that he purchased the property in January 2005 as is, and the family resided on the property for about two years before moving out and using it as a rental. The 920 square-foot property, which is a two bedrooms and one bathroom home, has been rented out since then. Mr. Riveron stated that during his residence at the property, he never received a notice of violation from Code Enforcement.
3. On September 14, 2009, a notice of violation was issued for construction work without permits. According to Mr. Riveron's daughter, he did not add nor construct any portion of the property; as previously mentioned, he purchased it as is. He was not aware that the property had unpermitted structures; neither the seller nor the title company had disclosed that information to Mr. Riveron.
4. On May 29, 2020, Mr. Riveron quit claimed the property to his daughter, Maritza Reyes, still unaware of the violations and accumulated fines. Ms. Reyes only became aware of the issue in February of 2022 when she listed the house for sale and received an offer. During a title search, the title company found out about the liens and disclosed them to the owner.
5. Ms. Reyes reached out to Code Enforcement to learn more about the violations and what needed to be done to achieve compliance. She hired a contractor immediately to handle the construction work and resolve the permit issues. Within two months, all the violations were corrected.
6. Code Enforcement issued Affidavits of Compliance stating that the cited code violations were fully corrected as of April 25, 2022 and that the property was in full compliance with the CESM's Order.
7. Ms. Reyes wishes to settle the fines in order to provide the buyer a clear title. Settlement will be paid from the net proceeds.

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.