PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 1, 2026 | ☒ **Consent** ☐ **Regular** ☐ **Workshop** ☐ **Public Hearing**

Department: Office of Financial Management and Budget

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a negotiated settlement offer in the amount of $88,409 for the full satisfaction of a code compliance lien entered against U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (U.S. Bank Trust), on April 1, 2020.

Summary: On October 2, 2019, a Code Compliance Special Magistrate (CCSM) issued an order in Case C-2019-04290045, giving U.S. Bank Trust 120 days to bring its property located at 5163 Marion Place, West Palm Beach, FL into full code compliance. The property was cited for overgrown vegetation, open storage of debris in the front yard, interior structure disrepair, exterior disrepair to the windows and asphalt driveway, and of the conversion of a garage and construction of a shed, fencing, and a detached accessory addition to the rear installed without valid building permits. Compliance with the CCSM's order was not timely achieved, and a fine of $100 per day was imposed. The CCSM executed an order imposing a code compliance lien entered against (U.S. Bank Trust) on April 1, 2020.

The Code Compliance Division (Code Compliance) issued an affidavit of compliance for the property stating the violations were corrected as of February 17, 2026. The total fine amount on August 31, 2026, the date on which settlement discussions began, amounted to $221,021.52. Mr. Theodore A. Topouzis, Esq., representative for U.S. Bank Trust, has agreed to pay Palm Beach County $88,409 (40%) for the full settlement of the outstanding code compliance lien. This is a non-homestead property. **District 7 (SF)**

Background and Justification: U.S. Bank Trust was issued a Certificate of Title following the foreclosure of the property in January 2019. In April 2019, a Code Compliance Officer patrolling the area observed violations at the property. Upon further investigation, the property was found to have overgrown vegetation, open storage of debris in the front yard, interior structural disrepair, and exterior disrepair involving the windows and asphalt driveway. Additionally, the garage, shed, fencing, and a detached accessory addition to the rear of the property had been converted or installed without valid building permits. A Notice of Violation was subsequently issued. Between April 2019 and February 2026, Code Compliance conducted seven (7) site inspections to assist the owner in bringing the property into compliance.

US Bank Trust's representative did not attend the Special Magistrate hearing and was granted 120 days to correct the outstanding violations. According to its legal representative, Topouzis & Associates, US Bank Trust was previously unaware of the underlying code violations. Once notified of the violations, US Bank Trust acted diligently to address and remedy the outstanding issues. US Bank Trust is currently in the process of selling the property. Its legal representative contacted the Office of Financial Management and Budget to resolve the outstanding fines associated with the property. Topouzis & Associates has agreed to pay $88,409.

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 (BCC), per Countywide PPM CW-F-048.

Attachments: None

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Recommended by: Ralph Rawe for S. Brown 11/2/26
Department Director **Date**

Approved by: 11-12-26
County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five-Year Summary of Fiscal Impact:

Fiscal Years	2027	2028	2029	2030	2031
Capital Expenditures					
Operating Costs					
External Revenues	(88,409)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(88,409)				
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is item included in Current Budget? Yes ☐ No ☒
Is this item using Federal Funds? Yes ☐ No ☒
Is this item using State Funds? Yes ☐ No ☒

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:

11/2/26
OFMB

N/A
Contract Dev. and Control

11/2/26 MD 11/2

B. Legal Sufficiency:

11/2/26

Assistant County Attorney

C. Other Department Review:

N/A
Department Director

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