

# **CITY OF NORTH PORT**

SARASOTA COUNTY, FLORIDA 4970 City Hall Boulevard – North Port, FL. 34286

## **HEARING OFFICER**

CITY OF NORTH PORT, FLORIDA	}		
Petitioner,	}		
VS.	}		
SHAWN STUMPF	}		
KRISTY STUMPF			
Respondent(s)	}	CASE NO.:	16-712; 16-4273; 16-685;
			13-1231; 13-379; 12-1922;
			12-1081; 12-43; 09-3000013;
			08-10000819; 07-10001576
	}	CERTIFIED MAIL NO.:	70161370000235069967
ADDRESS OF VIOLATION:	}		
1733 KADASHOW AVE.	}		
North Port, FL	}		
PARCEL ID.: 1139163804	}		

#### ORDER AUTHORIZING FORECLOSURE

**THIS CAUSE** came on for hearing on January 26<sup>th</sup>, 2017 before the Hearing Officer and upon having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, the Hearing Officer issues the following Findings of Fact:

#### **FINDINGS OF FACT**

1. A) That on June 29th, 2016 the Hearing Officer entered an Order in Case No. **16-712** finding the Respondent(s) to be in violation of Section 104.5 of the Florida Building Code, Section 42-22 of the North Port City Code, and Section 105.5.4.1.1 of the Florida Building Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2016080733** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

2. A) That on October 17, 2016 the Hearing Officer entered an Order in Case No. **16-4273** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2016128800** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

3. A) That on May 11, 2016 the Hearing Officer entered an Order in Case No. **16-685** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2016058181** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

4. A) That on January 27, 2014 the Hearing Officer entered an Order in Case No. **13-1231** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2014009626** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

5. A) That on August 16, 2013 the Hearing Officer entered an Order in Case No. **13-379** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2013114383** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

6. A) That on February 19, 2013 the Hearing Officer entered an Order in Case No. **12-1922** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2013023234** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

7. A) That on October 12, 2012 the Hearing Officer entered an Order in Case No. **12-1081** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2012132700** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

8. A) That on May 11, 2012 the Hearing Officer entered an Order in Case No. **12-43** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2012060682** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

9. A) That on December 9, 2008 the Hearing Officer entered an Order in Case No.
 09-3000013 finding the Respondent(s) to be in violation of Section 104.5, 109.1, and 109.2 of the Florida Building Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **200815928** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien upon the real property on which the violations(s) existed and upon any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

10. A) That on June 19, 2009 the Hearing Officer entered an Order in Case No. **08-10000819** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number **2009074563** in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien up the real property on which the violation(s) existed upon and any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

11. A) That on May 20, 2008 the Hearing Officer entered an Order in Case No. **07-10001576** finding the Respondent(s) to be in violation of Section 142-19 through 142-36 of the North Port City Code and assessing a fine accordingly;

B) That the City of North Port filed a certified copy of said order as instrument number 2008069302 in the Public Records of Sarasota County, Florida, which upon filing, constituted a lien up the real property on which the violation(s) existed upon and any other real or personal property owned by the Respondent(s) consistent with Chapter 162, Florida Statues, and Chapter 2, North Port City Code;

- Pursuant to the Florida Statutes 162.09(3), and North Port City Code 2-511(c) after three
  (3) months from the filing of any such lien the City Attorney may foreclose the lien or sue to recover a money judgment for the amount of the lien plus accrued interest; and
- 13. Each lien referenced herein has been on file with the County more than three (3) months and remains unpaid.

## ORDER

**BASED UPON** the foregoing Findings of Fact and pursuant to the authority granted in Chapter 162 and particularly Section 162.09(3) of the Florida Statutes, and Chapter 2 and particularly Section 2-511(c) of the North Port City Code, it is hereby

**ORDERED AND ADJUDGED** that the City Attorney or designee is authorized to foreclose on the abovereferenced lien or to sue to recover a money judgment for the amount of the lien plus accrued interest.

DONE and ORDERED, for the City of North Port, Florida this 10th day of February, 2017.

JAMES E. TOALE HEARING OFFICER

## CERTIFICATE OF SERVICE

*I HEREBY CERTIFY* that a true and correct copy of the ORDER AUTHORIZING FORECLOSURE has been furnished to the Respondent(s) by *Certified Mail/Return Receipt Requested* at Shawn and Kristy Stumpf 1849 Blanton Ave. North Port, FL 34288 on this day of February 10, 2017.

## SERVER-CITY OF NORTH PORT

CAROL A. KOZABO Commission # FF 061010 Expires November 30, 2017 Bonded Thru Troy Fain Insurance 800-385-7019