



**CITY OF NORTH PORT**  
SARASOTA COUNTY, FLORIDA  
4970 City Hall Boulevard – North Port, FL. 34286

**HEARING OFFICER**

CITY OF NORTH PORT, FLORIDA

Petitioner,

vs.

JOHN C. METZ

JOETTA M. CONSTANT

Respondent(s)

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CASE NO.: 16-1054; 16-2693; 15-4636;  
15-4567; 15-2502; 15-25;  
14-823; 14-471; 14-383;  
13-1177; 12-671; 11-2149

CERTIFIED MAIL NO.: 70161370000235069974

ADDRESS OF VIOLATION:

4446 Bayano St

North Port, FL

PARCEL ID.: 0996191904

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**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. **16-1054** finding the Respondent(s) to be in violation of Section 104.5 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 **2016080737** 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 Statutes, and Chapter 2, North Port City Code;
2. A) That on July 22nd, 2016 the Hearing Officer entered an Order in Case No. **16-2693** 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 **2016090979** 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 Statutes, and Chapter 2, North Port City Code;

3. A) That on June 3rd, 2016 the Hearing Officer entered an Order in Case No. **15-4636** finding the Respondent(s) to be in violation of Section 42-22 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 **2016069427** 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 Statutes, and Chapter 2, North Port City Code;
4. A) That on February 11, 2016 the Hearing Officer entered an Order in Case No. **15-4567** 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 **2016016515** 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 Statutes, and Chapter 2, North Port City Code;
5. A) That on October 2, 2015 the Hearing Officer entered an Order in Case No. **15-2502** 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 **2015123150** 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 Statutes, and Chapter 2, North Port City Code;
6. A) That on March 23, 2015 the Hearing Officer entered an Order in Case No. **15-25** 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 **2015033599** 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 Statutes, and Chapter 2, North Port City Code;
7. A) That on November 14, 2014 the Hearing Officer entered an Order in Case No. **14-823** 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 **2014136997** 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 Statutes, and Chapter 2, North Port City Code;
8. A) That on September 5, 2014 the Hearing Officer entered an Order in Case No. **14-471** finding the Respondent(s) to be in violation of Section 42-22 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 **2014106450** 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 Statutes, and Chapter 2, North Port City Code;
9. A) That on July 21, 2014 the Hearing Officer entered an Order in Case No. **14-383** 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 **2014085733** 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 Statutes, and Chapter 2, North Port City Code;
10. A) That on December 16, 2013 the Hearing Officer entered an Order in Case No. **13-1177** 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 **2013166942** 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 Statutes, and Chapter 2, North Port City Code;
11. A) That on August 9, 2012 the Hearing Officer entered an Order in Case No. **12-671** 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 **2012103094** 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 Statutes, and Chapter 2, North Port City Code;

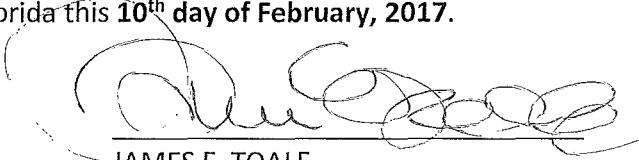
12. A) That on December 28, 2011 the Hearing Officer entered an Order in Case No. **11-2149** finding the Respondent(s) to be in violation of Section 110 of the North Port City Code and assessing a fine accordingly;
- B) That the City of North Port filed a certified copy of said order as instrument number **2011149859** 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 Statutes, and Chapter 2, North Port City Code;
13. 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
14. 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 above-referenced 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 10<sup>th</sup> 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 John C. Metz and Joetta M. Constant 2326 Ribble St. North Port, FL 34291 on this day of February 10, 2017.

  
SERVER-CITY OF NORTH PORT

