



Legislation Details (With Text)

File #: 17-0837 **Version:** 1 **Name:**
Type: General Business **Status:** Passed
File created: 2/14/2017 **In control:** City Commission Regular Meeting
On agenda: 3/7/2017 **Final action:** 3/7/2017
Title: Discussion and possible action authorizing the City Attorney to file suit to foreclose on liens for 1733 Kadashow Avenue and 4446 Bayano Street

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1733 Kadashow Ave - Order Authorizing Foreclosure, 2. 4446 Bayano St. - Order Authorizing Foreclosure, 3. Annotate - 1733 Kadashow Ave - Lien Calculation as of Feb 14 2017, 4. Annotate - 4446 Bayano St - Lien Calculation as of Feb 14 2017, 5. Property Appraiser - 1733 Kadashow, 6. Property Appraiser - 4446 Bayano, 7. Additional Backup 4446 Bayano St Tax Record, 8. Additional Backup City Attorney Memo 1733 Kadashow Avenue Other Liens and Encumbrances, 9. Additional Backup 1733 Kadashow Ave Tax Record, 10. Additional Backup City Attorney Memo on 4446 Bayano St Other Liens and Encumbrances

Date	Ver.	Action By	Action	Result
3/7/2017	1	City Commission Regular Meeting	approved	Pass

TO: Honorable Mayor & Members of the North Port Commission

FROM: Jonathan R. Lewis, ICMA-CM, City Manager

TITLE: Discussion and possible action authorizing the City Attorney to file suit to foreclose on liens for 1733 Kadashow Avenue and 4446 Bayano Street

Recommended Action

Determine whether to authorize the City Attorney to file suit to foreclose on liens for 1733 Kadashow Avenue and 4446 Bayano Street

Background Information

On February 10, 2017, Code Enforcement Hearing Officer Toale entered Orders Authorizing Foreclosure of two properties in order to recover monies due to the City for unpaid code enforcement liens. Florida Statutes Section 162.09(3) and City Code Section 2-511(c) authorize such an order if a lien has been on file in the public records for at least three months and remains unpaid.

The order relating to 1733 Kadashow Avenue includes 11 code enforcement liens filed from May 2008 through October 2016. A list of the liens and amounts due as of February 14, 2017 is attached (please note that the list includes case number 16-5796, a violation that is not part of the foreclosure order). Of note is a June 2016 violation deeming the building unsafe for occupancy; this resulted in a \$250.00 per day fine that totaled \$59,750.00 as of February 14, 2017.

The order relating to 4446 Bayano St. includes 12 code enforcement liens filed from December 2011 through July 2016. A list of the liens and amounts due as of February 14, 2017 is attached (please note that the list includes case number 16-5169, a violation that is not part of the foreclosure order). Of note is a June 2016 violation deeming the building unsafe

for occupancy; this resulted in a \$250.00 per day fine that totaled \$59,750.00 as of February 14, 2017.

These properties have not come into compliance and have been deemed to be unsafe buildings. Neither property bears a homestead exemption.

If the City Commission authorizes the City Attorney to file suit, the City can acquire title to the properties, bring the property into compliance, and abate the unsafe buildings.

Strategic Plan

n/a

Financial Impact

\$400.00 filing fee per case; \$50.00 per summons.

Procurement

n/a

Attachments:

1. Order Authorizing Foreclosure - 1733 Kadashow Avenue
2. Order Authorizing Foreclosure - 4446 Bayano Street
3. Code Enforcement Lien and Active Violation Information - 1733 Kadashow Avenue
4. Code Enforcement Lien and Active Violation Information - 4446 Bayano Street
5. Sarasota County Property Appraiser's Property Record Information - 1733 Kadashow Avenue
6. Sarasota County Property Appraiser's Property Record Information - 4446 Bayano Street

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