



HAINES CITY

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CITY MANAGER MEMORANDUM

To: The Honorable Mayor and City Commissioners

Through: James R. Elensky, City Manager

From: Steve Shifley Code Compliance Supervisor

Date: December 7, 2023

Subject: Release of Code Enforcement Liens – 502 N. 5th Street and 419 N. 7th Street

Executive Summary

Reduce the Code Enforcement Liens for the properties located at 502 N. 5th Street & 419 N. 7th Street.
Staff contact: Steve Shifley, Code Compliance Supervisor

Introduction

The intent of this item is to accept the recommendation of the Special Magistrate to reduce the Code Enforcement liens for the properties at 502 N. 5th Street and 419 N. 7th Street.

Background

On March 25, 2015, the Magistrate issued an order for the property located at 419 N. 7th St. to be brought into compliance by August 8, 2015. The property owner Toschia Hogan had entered into a verbal agreement with a nearby business owner to make the necessary repairs so that the business owner could take advantage of the structure for his benefit of his business. The business owner reneged on the agreement leaving the property owner responsible for the repairs. A lien was recorded on September 18, 2015, book 9630, page 1306, with the Polk County Clerk of Courts. The property was brought into compliance on July 24, 2022 by way of demolition and had accrued a lien of \$252,800.

On May 26, 2021, the Magistrate issued an order for the property at 502 N. 5th St. to be brought into compliance by June 25, 2021. A lien was recorded on August 21, 2021, book 11840, page 536, with the Polk County Clerk of Courts. The property was brought into compliance on October 2, 2023 and had accrued a lien of \$82,500.

On May 26, 2021, the Magistrate issued an order for violating a previous order dated August 23, 2017 for the property of 502 N. 5th St. and ordered a fine of \$100 a day until the violation was brought into compliance. A lien was recorded on June 10, 2021, book 11752, page 1410 with the Polk County Clerk of Courts. The property was brought into compliance on August 18, 2021 which had accrued a lien of



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\$3,900. This violation was created by the tenant for allowing junk, trash and debris to accumulate on the property.

The Magistrate, after hearing testimony from the city and the property owner, found the following: the property owner had a financial hardship as she was unemployed from 2015 until last year; the property owner had entered into a verbal contract with a nearby business owner who reneged on the agreement; the property owner did make a significant payment (\$3,742) of the lien for the property sanitation; the property owner has begun working with the CRA to build affordable housing on the property located at 419 N. 7th St.

The Magistrate made a recommendation of waiving the remaining balance of \$158 for the 502 N. 5th St. property sanitation lien, and reducing the other two liens to zero less \$206.56 for administrative fees.

Organizational Goal(s)

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

Budget Impact

There is a positive budget impact for the fiscal year 2024 in the amount of \$206.56 if approved, and a reduction in outstanding receivables for the difference.

Recommendation

Staff recommends accepting the recommendation of the Special Magistrate to reduce the Code Enforcement Liens for the properties at 502 N. 5th St. and 419 N. 7th St.