

APPROVED in Open Session

Manatee County Board of County
Commissioners

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - February 7, 2017

2/7/17

February 7, 2017 - Regular Meeting
Agenda Item #17

Subject

Reduction of Code Enforcement Fines for National Finance Group LLC, PIN 18543410007 - 6429 15th St E and PIN 1853410056 - 6315 15th Street East, Saroota, FL

Briefings

None

Contact and/or Presenter Information

Jeff Bowman, Division Chief, Ext. 6854

Action Requested

Motion to reduce the fines for case numbers CE2013110007 and CE2013110008 totaling \$338,400.00, to be reduced to \$4,000.00 (as previously recommended by the Special Magistrate on January 25, 2017), subject to the following conditions:

1. The reduced fines shall be paid within 90 days or will revert back to the original fine amounts of \$172,800.00 for case number CE2013110007 and \$165,600.00 for case number CE2013110008.
2. Recording fees need to be collected, which total \$120.00.
3. Building and Development Services Department Director is authorized to sign satisfactions of liens if reduced fines are paid.

Enabling/Regulating Authority

Section 162.09, Florida Statutes

Background Discussion

The owner of this property is a local used car dealer, doing business in southwest Manatee County for nearly 40 years. The owner was consistently faced with the illegal dumping of vehicles and other waste on the subject land. Subsequent to receiving the Code Enforcement notice of violation, the owner has diligently worked to correct the matter, while also running the day-to-day operations of his business, where he employs 24 full-time people. Correcting the violation has cost over \$200,000.00, which has been a financial burden that nearly bankrupted the company.

Below is a brief synopsis regarding the case history:

1. Violation: Junk vehicles, operating a junk yard without approval and violation of the approved final site plan.
2. Notice of Violations issued and date:
 1. CE2013110007 on 11/01/2013
 2. CE2013110008 on 11/01/2013
3. Special Magistrate Hearing:
 1. CE2013110007 on 01/22/2014 - ordered to comply or a \$150.00 fine per day per violation would

- be imposed.
2. CE2013110008 on 01/22/2014 - ordered to comply or a \$150.00 fine per day per violation would be imposed.
4. Complied:
1. CE2013110007 on 05/08/2015 - 384 days
 2. CE2013110008 on 04/22/2015 - 368 days
5. Fines for both cases total \$338,400.00 plus \$120.00 recording fees to settle both cases.
 6. Property owner offered a total of \$4,000.00 plus \$120.00 recording fees to settle both cases.
 7. Special Magistrate Mitigation hearing was held on January 25, 2017. The Magistrate determined the justification exists to reduce the total fine amounts and to forward the request to the Board of County Commissioners with a recommendation to reduce the fine amounts totaling \$338,400.00 to \$4,000.00 plus \$120.00 recording fees to settle both cases. Code Enforcement staff also recommends such reduction.

County Attorney Review

Not Reviewed (Utilizes exact document or procedure approved within the last 18 months)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records Emailed 2/8/17

Please forward a stamped copy of the agenda to Administrative Specialist Vicki Gipson (vicki.gipson@mymanatee.org) in the Code Enforcement Division following disposition.

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [2017-02-07 National Finance Group LLC CE2013110007.pdf](#)

Attachment: [2017-02-07 National Finance Group LLC CE2013110008 .pdf](#)

Application For Relief - Code Enforcement Liens

Manatee County Code Enforcement Division

1112 Manatee Avenue West
Bradenton, FL 34205
Tel: (941) 748-2071 Fax: (941) 749-3094

Notice: This application is available as a WORD document for your convenience. Manatee County accepts applications for Code Enforcement Lien relief from owners of properties that have corrected ALL of the violations on the subject property. Please complete the form in its entirety. Incomplete applications will not be accepted.

Case # CE2013110008 Manatee County - vs - National Finance Group LLC
Property Information

Parcel Identification Number: 1853410056		
Lot: N/A	Block: N/A	Subdivision: N/A
Address: 6315 15 th Street East		
City: Sarasota	Zip Code: 34243	

Property Owner Information

Current property owner: National Finance Group LLC		
Address: 6429 15 th Street East		
City: Sarasota	State: FL	Zip: 34243
Phone #: 941-752-1414	Email address: wholesalecars111@yahoo.com	
Representative/Agent: Misty Servia, AICP		
Address: 2930 University Parkway		
City: Sarasota	State: FL	Zip: 34243
Phone #: 941-358-6500	Email address: mservia@kingengineering.com	

Lien Information

Amount of lien: \$165,600 + \$60.00 Recording Fees	Amount of offer: \$ 2,000.00 + \$60.00 Recording Fees
Date lien was recorded: May 1, 2014	Number of days the property was in Violation: 368
Date of Compliance: May 8, 2015	How much money was spent to abate the Violation: < \$200,000

Please provide written justification as to why relief should be granted: (When you complete this section, at a minimum, address the above factors and reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

The following documentation (when applicable) SHALL be submitted with the application:

(Reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

1. Notice of Lis Pendens recorded with Manatee County Clerk of Courts with the date, book and page shown;
Response: To be provided by County
2. Foreclosure Order, with the recording date, book and page shown;
Response: Not Applicable
3. Final Summary Judgment of Foreclosure, with the recording date, book and page shown;
Response: Not Applicable
4. New Certificate of Title, with the recording date, book and page shown;
Response: Not Applicable
5. County's Final Order of Imposition of Fine; and
Response: To be provided by County
6. Claim of Lien(s) with the recording date, book and page shown.
Response: To be provided by County

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

1. The nature and gravity of the violation(s);
Response: The owner is a local used car dealer, doing business in southwest Manatee County for nearly 40 years. While he owns approximately 4 acres of land, only the southern two-thirds of the property has Final Site Plan approval for a "Motor Vehicle Sales, Rental, Leasing" business. The northern third of the property is comprised of two parcels and had cars stored on-site for over two decades when the property was cited by Code Enforcement. The owner was consistently faced with the illegal dumping of vehicles and other waste on the subject land. The historical dumping was evident, as many of the vehicles were buried below grade when the clean-up began. Subsequent to receiving the Code Enforcement notice of violation, the owner has diligently worked to correct the matter, while also running the day-to-day operations of his business, where he employs 24 full-time people. Correcting the violation has cost over \$200,000, which has been a financial burden that nearly bankrupted the company. The stress of the situation has resulted in losing several long-time employees who were key to the operation. Additionally, since the subject property is comprised of two parcels, the County has filed two liens (one for each site), although both parcels have the same parcel identification number (1853410007) and ownership. The liens are currently creating a hardship and preventing the refinancing of the business. The owner is seeking a refinance in an effort to keep the doors open, due to the unexpected expenses caused by this matter.
2. Any actions you have taken to correct the violation(s);
Response: The owner hired additional full-time staff who were responsible for the site remediation, including 6 laborers and 2 mechanics. The owner also contracted with several local tow companies

Application For Relief - Code Enforcement Liens

to assist with vehicle removal and locksmiths, as needed. The owner spent time locating properly zoned property to use as a temporary storage facility for the relocated vehicles that were not ready for sale or scrap. The cost of leasing this land has been more than \$50,000 to date. Two full-time administrative people were tasked with locating titles for each of the vehicles, many of which were never under ownership of the company and were illegally dumped on site. The Department of Motor Vehicles (DMV) has very strict standards when selling vehicles; including those sold to a junk yard or for scrap metal. Locating valid titles for the vehicles proved to be the task that required the greatest amount of time.

The owner and his employees worked diligently after being cited to bring the site into conformance, but the task was enormous, with approximately 400 vehicles on site.

Since the clean-up, the owner has trained his employees on the proper storage of vehicles and is working to have the property fenced for security.

3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;

Response: The County recorded the lien on May 1, 2014 and the site was brought into compliance on May 8, 2015.

4. Any actual costs you expended to cure the violation(s), if supported by documentation;

Response: Approximately \$200,000 (Documentation to be provided upon request)

5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and

Response: There are no current violations on the subject property and past Code Enforcement violations were promptly addressed. Other than the subject site, National Finance Group, LLC does not own other property in Manatee County.

6. Equitable considerations.

Response: It is the owner's intent to pay for any administrative fees incurred by the County relative to this matter.

- i. Whether there was any extraordinary hardship which existed or currently exists;

Response: As mentioned above, the owner nearly lost his business due to the efforts required to clean up the site while managing his business.

- ii. Whether the applicant was the property owner when the fine or lien was imposed;

Response: The property has been under the same ownership since the lien was imposed.

- iii. Whether the property is homestead or non-homestead property;

Response: The property is a business, and therefore a non-homestead property.

- iv. Whether the County lien is interfering with the sale or restoration of the property or will prevent the property from being conveyed to a new owner.

Response: The county lien is preventing a re-finance of the property, but the ownership is not changing.

PROPERTY LITIGATION: (If applicable give detail here if this property is involved in litigation.)

I certify that I am: (Include documentation of the below)

- the owner of the subject property;
- an Attorney representing the owner,
- the legal representative for the property, or
- otherwise authorized to act on behalf of the property owner in this matter.



Signature of Owner/Authorized Representative

1/25/17

Date

William Chong

Print Name

AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION AFFIDAVIT

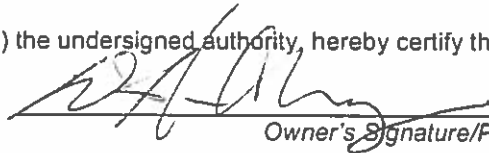
Property Owner (Company or individual) *(print)*: National Finance Group, LLC
Mailing Address *(print)*: 6429 15th Street East
Officer's Name and Title *(print)*: Bill Chong, Manager

Being first duly sworn, depose(s) and say(s):

1. That I am (we are) the owner's and record title holder(s) of the following described property legal description, to wit: (See Attached)

2. That this property constitutes the property for which a request for Relief of Code Enforcement Lien

(Type of Application Approval Requested)
Is being applied for to Manatee County, Florida;
3. That the undersigned has (have) appointed and does (do) appoint Misty Servia, AICP as
agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept my agent(s) signature as representing my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Manatee County, Florida to consider and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

 / Manager

Owner's Signature/Print Title

Owner's Signature/Print Title

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, FLORIDA,
Complainant,
vs.

CASE NO. CE2013110008

NATIONAL FINANCE GROUP, LLC,
Respondent.

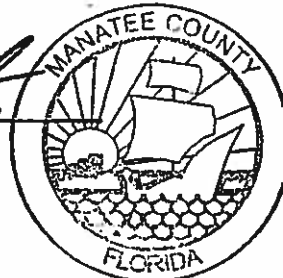
AMENDED ORDER OF REFERRAL TO THE BOARD OF COUNTY COMMISSIONERS

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 25, 2017, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Order of Referral Order as follows:

1. The Compliance Orders issued on January 22, 2014 found that Respondent(s), National Finance Group LLC, was/were the owner(s) or person(s) in charge of the property located at 6315 15th Street East, Sarasota, FL, and identified in the Manatee County Property Appraiser's records as: PIN 1853410056, and that the property was in violation of Sections 1202.2 of the Manatee County Land Development Code, 703.2.23 of the Manatee County Land Development Code, and 602.2, Figure 6-1, Page 433 of the Manatee County Land Development Code in that Respondent had failed to remedy the aforesaid violation.
2. The Compliance Order imposed a fine of \$150.00 a day for Section 1202.2, \$150.00 a day for Section 602.2 and \$150.00 a day for Section 703.2.23 for each day each violation(s) continued to exist past the compliance date ordered.
3. As of the date of the hearing, fines imposed against Respondent(s) totaled \$165,600.00, and a certified copy of the Order of Imposing Fine/Lien issued on January 22, 2014 was recorded in the Public Records of Manatee County Book 2518, Page 7412, Book 2518, Page 7413 and Book 2518, Page 7414, and thereafter constituted a lien against the above-described property and upon any other real or personal property owned by Respondent(s) pursuant to Section 152.09, Florida Statutes, and Section 2-9-8 of the Manatee County Code of Ordinances.
4. The corrective action ordered in the Compliance Order has been completed and the property is now in compliance with Manatee County Land Development Code.
5. Justification exists to refer this case to the Manatee County Board of County Commissioners with a recommendation to reduce the outstanding fines to \$2,000.00 plus \$60.00 in recording fees.

DONE AND ORDERED this 31ST day of January, 2017

David County
Manatee County Code Enforcement
Special Magistrate



ATTEST: Angellina Colonnese, Clerk of the Circuit Court
Manatee County

By: *Amanda Colonnese*
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, National Finance Group LLC at 6315 15th Street East; Sarasota, FL 34243-3297 and Misty Servia 2930 University Parkway, Sarasota, FL 34243, by US Mail and to the Manatee County Code Enforcement Division, this 31 day of January, 2011.

Angelina Colonnese, Clerk of the Circuit Court
Manatee County

By: Amanda J. Braide
Deputy Clerk

For further information on this matter contact Code Enforcement at 941-748-2071.

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,

vs.
NATIONAL FINANCE GROUP LLC
Respondent,

CASE NO. CE2013110008

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 22, 2014, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, NATIONAL FINANCE GROUP LLC is the owner or person in charge of the property located at 6315 15TH STREET EAST, SARASOTA, FLORIDA, and described as follows: PARCEL ID 1853410056.

Respondent received notice by certified mail. Respondent's representative WILLIAM CHONG present at the hearing.

The condition of junk vehicles were observed at the subject property constituted a violation of Section 703.2.23 of the Manatee County Land Development Code and was to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, NATIONAL FINANCE GROUP LLC, by reason of the foregoing, is in violation of Section 703.2.23 of the Manatee County Land Development Code, in that Respondent has failed to remedy the aforesaid violation, and is subject to the provisions of Chapter 162, Part 1, Florida Statutes, and Chapter 2-36 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by removing the junk vehicles. In the event that the aforesaid violation is not corrected on or before April 18, 2014 a fine of \$150.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED January 22nd, 2014

ATTEST: R.B. Shore, Clerk of the Circuit Court

Manatee County, Florida

By: [Signature]
Deputy Clerk



By: [Signature]
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, National Finance Group LLC, at 6425 15TH STREET EAST, SARASOTA, FL 34243-3297, by U.S. Mail and to the Manatee County Code Enforcement Division, this 22nd day of January, 2014.

R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.



STATE OF FLORIDA COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 1 day of

May 20 14
R.B. SHORE
Clerk of Circuit Court

Cy: [Signature] OC

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,

vs.
NATIONAL FINANCE GROUP LLC
Respondent,

CASE NO. CE2013110008

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 22, 2014, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, NATIONAL FINANCE GROUP LLC is the owner or person in charge of the property located at 6315 15TH STREET EAST, SARASOTA, FLORIDA, and described as follows: PARCEL ID 1853410056.

Respondent received notice by certified mail. Respondent's representative WILLIAM CHONG present at the hearing.

The condition of an unauthorized junkyard was observed at the subject property constituted a violation of Section 602.2, Figure 6-1, Page 433 of the Manatee County Land Development Code and was to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, NATIONAL FINANCE GROUP LLC, by reason of the foregoing, is in violation of Section 602.2, Figure 6-1, Page 433 of the Manatee County Land Development Code, in that Respondent has failed to remedy the aforesaid violation, and is subject to the provisions of Chapter 162, Part 1, Florida Statutes, and Chapter 2-36 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by removing all inoperable vehicles from the property and designated handicap spaces must be properly marked. In the event that the aforesaid violation is not corrected on or before April 18, 2014 a fine of \$150.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED January 22nd, 2014.

ATTEST: R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk



Manatee County, Florida
[Signature]
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, National Finance Group LLC, at 6425 15TH STREET EAST, SARASOTA, FL 34243-3297, by U.S. Mail and to the Manatee County Code Enforcement Division, this 20th day of January, 2014.

R.B. Shore, Clerk of the Circuit Court
By: [Signature]
Deputy Clerk

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 1 day of May, 2014
R.B. SHORE
Clerk of Circuit Court
[Signature]
D.C.

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,

vs.
NATIONAL FINANCE GROUP LLC
Respondent.

CASE NO. CE2013110008

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 22, 2014, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, NATIONAL FINANCE GROUP LLC is the owner or person in charge of the property located at 6315 15TH STREET EAST, SARASOTA, FLORIDA, and described as follows: PARCEL ID 1853410056.

Respondent received notice by certified mail. Respondent's representative WILLIAM CHONG present at the hearing.

The condition of falling to stay in compliance with Final Site Plan was observed at the subject property constituted a violation of Section 1202.2 of the Manatee County Land Development Code and was to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, NATIONAL FINANCE GROUP LLC, by reason of the foregoing, is in violation of Section 1202.2 of the Manatee County Land Development Code, in that Respondent has failed to remedy the aforesaid violation, and is subject to the provisions of Chapter 162, Part 1, Florida Statutes, and Chapter 2-36 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by keeping portions of parcel not approved for development on Final Site Plan must be left vacant. In the event that the aforesaid violation is not corrected on or before April 18, 2014 a fine of \$150.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED January 22, 2014.

ATTEST, R.B. Shore, Clerk of the Circuit Court

Manatee County, Florida

By: [Signature]
Deputy Clerk



[Signature]
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, National Finance Group LLC, at 6425 15TH STREET EAST, SARASOTA, FL 34243-3297, by U.S. Mail and to the Manatee County Code Enforcement Division, this 29th day of January, 2014.

R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.



STATE OF FLORIDA COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 1 day of

[Signature] 20 14
R.B. SHORE
Clerk of Circuit Court

By: [Signature] D.C.

Application For Relief - Code Enforcement Liens

Manatee County Code Enforcement Division

1112 Manatee Avenue West
Bradenton, FL 34205
Tel: (941) 748-2071 Fax: (941) 749-3094

Notice: This application is available as a WORD document for your convenience.
Manatee County accepts applications for Code Enforcement Lien relief from owners of properties that have corrected ALL of the violations on the subject property. Please complete the form in its entirety. Incomplete applications will not be accepted.

Case # CE2013110007 Manatee County - vs - National Finance Group LLC

Property Information

Parcel Identification Number: 1853410007		
Lot: N/A	Block: N/A	Subdivision: N/A
Address: 6429 15 th Street East		
City: Sarasota		Zip Code: 34243

Property Owner Information

Current property owner: National Finance Group LLC		
Address: 6429 15 th Street East		
City: Sarasota	State: FL	Zip: 34243
Phone #: 941-752-1414	Email address: wholesalecars111@yahoo.com	
Representative/Agent: Misty Servia, AICP		
Address: 2930 University Parkway		
City: Sarasota	State: FL	Zip: 34243
Phone #: 941-358-6500	Email address: mservia@kingengineering.com	

Lien Information

Amount of lien: \$172,800.00 + \$60.00 Recording Fees	Amount of offer: \$ 2,000.00 + \$60.00 Recording Fees
Date lien was recorded: May 1, 2014	Number of days the property was in Violation: 384
Date of Compliance: May 8, 2015	How much money was spent to abate the Violation: < \$200,000

Please provide written justification as to why relief should be granted: (When you complete this section, at a minimum, address the above factors and reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

The following documentation (when applicable) SHALL be submitted with the application:

1

(Reference any supporting documentation as Exhibit 1, Exhibit 2, and so forth.)

1. Notice of Lis Pendens recorded with Manatee County Clerk of Courts with the date, book and page shown;
Response: To be provided by County
2. Foreclosure Order, with the recording date, book and page shown;
Response: Not Applicable
3. Final Summary Judgment of Foreclosure, with the recording date, book and page shown;
Response: Not Applicable
4. New Certificate of Title, with the recording date, book and page shown;
Response: Not Applicable
5. County's Final Order of Imposition of Fine; and
Response: To be provided by County
6. Claim of Lien(s) with the recording date, book and page shown.
Response: To be provided by County

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

1. The nature and gravity of the violation(s);

Response: The owner is a local used car dealer, doing business in southwest Manatee County for nearly 40 years. While he owns approximately 4 acres of land, only the southern two-thirds of the property has Final Site Plan approval for a "Motor Vehicle Sales, Rental, Leasing" business. The northern third of the property is comprised of two parcels and had cars stored on-site for over two decades when the property was cited by Code Enforcement. The owner was consistently faced with the illegal dumping of vehicles and other waste on the subject land. The historical dumping was evident, as many of the vehicles were buried below grade when the clean-up began. Subsequent to receiving the Code Enforcement notice of violation, the owner has diligently worked to correct the matter, while also running the day-to-day operations of his business, where he employs 24 full-time people. Correcting the violation has cost over \$200,000, which has been a financial burden that nearly bankrupted the company. The stress of the situation has resulted in losing several long-time employees who were key to the operation. Additionally, since the subject property is comprised of two parcels, the County has filed two liens (one for each site), although both parcels have the same parcel identification number (1853410007) and ownership. The liens are currently creating a hardship and preventing the refinancing of the business. The owner is seeking a refinance in an effort to keep the doors open, due to the unexpected expenses caused by this matter.

2. Any actions you have taken to correct the violation(s);

Response: The owner hired additional full-time staff who were responsible for the site remediation, including 6 laborers and 2 mechanics. The owner also contracted with several local tow companies

Application For Relief - Code Enforcement Liens

to assist with vehicle removal and locksmiths, as needed. The owner spent time locating properly zoned property to use as a temporary storage facility for the relocated vehicles that were not ready for sale or scrap. The cost of leasing this land has been more than \$50,000 to date. Two full-time administrative people were tasked with locating titles for each of the vehicles, many of which were never under ownership of the company and were illegally dumped on site. The Department of Motor Vehicles (DMV) has very strict standards when selling vehicles; including those sold to a junk yard or for scrap metal. Locating valid titles for the vehicles proved to be the task that required the greatest amount of time.

The owner and his employees worked diligently after being cited to bring the site into conformance, but the task was enormous, with approximately 400 vehicles on site.

Since the clean-up, the owner has trained his employees on the proper storage of vehicles and is working to have the property fenced for security.

3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;

Response: The County recorded the lien on May 1, 2014 and the site was brought into compliance on May 8, 2015.

4. Any actual costs you expended to cure the violation(s), if supported by documentation;

Response: Approximately \$200,000 (Documentation to be provided upon request)

5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and

Response: There are no current violations on the subject property and past Code Enforcement violations were promptly addressed. Other than the subject site, National Finance Group, LLC does not own other property in Manatee County.

6. Equitable considerations.

Response: It is the owner's intent to pay for any administrative fees incurred by the County relative to this matter.

- i. Whether there was any extraordinary hardship which existed or currently exists;

Response: As mentioned above, the owner nearly lost his business due to the efforts required to clean up the site while managing his business.

- ii. Whether the applicant was the property owner when the fine or lien was imposed;

Response: The property has been under the same ownership since the lien was imposed.

- iii. Whether the property is homestead or non-homestead property;

Response: The property is a business, and therefore a non-homestead property.

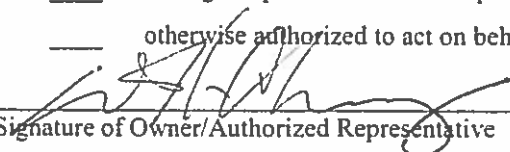
- iv. Whether the County lien is interfering with the sale or restoration of the property or will prevent the property from being conveyed to a new owner.

Response: The county lien is preventing a re-finance of the property, but the ownership is not changing.

PROPERTY LITIGATION: (If applicable give detail here if this property is involved in litigation.)

I certify that I am: (Include documentation of the below)

- the owner of the subject property;
- an Attorney representing the owner,
- the legal representative for the property, or
- otherwise authorized to act on behalf of the property owner in this matter.



Signature of Owner/Authorized Representative

1/25/17
Date

William Chong
Print Name

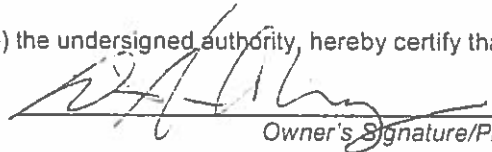
AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION AFFIDAVIT

Property Owner (Company or individual) *(print)*: National Finance Group, LLC
Mailing Address *(print)*: 6429 15th Street East
Officer's Name and Title *(print)*: Bill Chong, Manager

Being first duly sworn, depose(s) and say(s):

1. That I am (we are) the owner's and record title holder(s) of the following described property legal description, to wit: (See Attached)
2. That this property constitutes the property for which a request for Relief of Code Enforcement Lien

(Type of Application Approval Requested)
Is being applied for to Manatee County, Florida;
3. That the undersigned has (have) appointed and does (do) appoint Misty Servia, AICP as agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept my agent(s) signature as representing my agreement of all terms and conditions of the approval process;
4. That this affidavit has been executed to induce Manatee County, Florida to consider and act on the foregoing request;
5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

 / Manager
Owner's Signature/Print Title

Owner's Signature/Print Title

CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, FLORIDA,
Complainant,

vs.

CASE NO. CE2013110007

NATIONAL FINANCE GROUP, LLC,
Respondent.

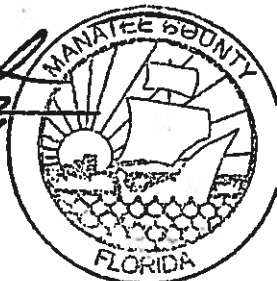
AMENDED ORDER OF REFERRAL TO THE BOARD OF COUNTY COMMISSIONERS

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on January 25, 2017, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Order of Referral Order as follows:

1. The Compliance Orders issued on January 22, 2014 found that Respondent(s), National Finance Group LLC, was/were the owner(s) or person(s) in charge of the property located at 6429 15th Street East, Sarasota, FL, and identified in the Manatee County Property Appraiser's records as: PIN 185341007, and that the property was in violation of Sections 1202.2 of the Manatee County Land Development Code, 703.2.23 of the Manatee County Land Development Code, and 602.2, Figure 6-1, Page 433 of the Manatee County Land Development Code in that Respondent had failed to remedy the aforesaid violation.
2. The Compliance Order imposed a fine of \$150.00 a day for Section 1202.2, \$150.00 a day for Section 602.2 and \$150.00 a day for Section 703.2.23 for each day each violation(s) continued to exist past the compliance date ordered.
3. As of the date of the hearing, fines imposed against Respondent(s) totaled \$172,800.00, and a certified copy of the Order of Imposing Fine/Lien issued on January 22, 2014 was recorded in the Public Records of Manatee County Book 2518, Page 7417, Book 2518, Page 7416 and Book 2518, Page 7415, and thereafter constituted a lien against the above-described property and upon any other real or personal property owned by Respondent(s) pursuant to Section 162.09, Florida Statutes, and Section 2-9-8 of the Manatee County Code of Ordinances.
4. The corrective action ordered in the Compliance Order has been completed and the property is now in compliance with Manatee County Land Development Code.
5. Justification exists to refer this case to the Manatee County Board of County Commissioners with a recommendation to reduce the outstanding fines to \$2,000.00 plus \$60.00 in recording fees.

DONE AND ORDERED this 31ST day of JANUARY, 2017


Manatee County Code Enforcement
Special Magistrate



ATTEST: Angelina Colonnese, Clerk of the Circuit Court
Manatee County

By: 
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, National Finance Group LLC at 6425 15th Street East, Sarasota, FL 34243-3297 and Misty Servia 2930 University Parkway, Sarasota, FL 34243, by US Mail and to the Manatee County Code Enforcement Division, this 31 day of January, 2017.

Angelina Colonnese, Clerk of the Circuit Court
Manatee County

By: Amanda L. Caswell
Deputy Clerk

For further information on this matter contact Code Enforcement at 941-748-2071.

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,

vs.
NATIONAL FINANCE GROUP LLC,
Respondent,

CASE NO. CE2013110007

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on JANUARY 22, 2014, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, NATIONAL FINANCE GROUP LLC, is the owner or person in charge of the property located at 6429 15TH STREET EAST, SARASOTA, FLORIDA, and described as follows: PARCEL ID 1853410007.

Respondent received notice by certified mail. Respondent representative WILLIAM CHONG was present at the hearing.

The condition of junk vehicles were observed at the subject property and constituted a violation of Section 703.2.23 of the Manatee County Land Development Code and is to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, NATIONAL FINANCE GROUP LLC, by reason of the foregoing, is in violation of Section 703.2.23 of the Manatee County Land Development Code, in that Respondent has failed to remedy the aforesaid violation, and is subject to the provisions of Chapter 162, Part 1, Florida Statutes, and Chapter 2-36 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by removing the junk vehicles. In the event that the aforesaid violation is not corrected on or before April 18, 2014, a fine of \$150.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED January 22, 2014

ATTEST: R.B. Shore, Clerk of the Circuit Court

Manatee County, Florida

By: [Signature]
Deputy Clerk



By: [Signature]
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, NATIONAL FINANCE GROUP LLC, at 6429 15TH STREET EAST, SARASOTA, FLORIDA, 34243-3297, by U.S. Mail and to the Manatee County Code Enforcement Division, this 22th day of January, 2014.

R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.



STATE OF FLORIDA COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 1 day of

May 20 14
R.B. SHORE
Clerk of Circuit Court

By: [Signature] D.C.

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,
vs.
NATIONAL FINANCE GROUP LLC,
Respondent,

CASE NO. CE2013110007

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on **JANUARY 22, 2014**, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, **NATIONAL FINANCE GROUP LLC**, is the owner or person in charge of the property located at **6429 15TH STREET EAST, SARASOTA, FLORIDA**, and described as follows: **PARCEL ID 1853410007**.

Respondent received notice by **certified mail**. Respondent representative **WILLIAM CHONG** was present at the hearing.

The condition of **failing to stay in compliance with Final Site Plan** was observed at the subject property and constituted a violation of Section 1202.2 of the Manatee County **Land Development Code** and is to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, **NATIONAL FINANCE GROUP LLC**, by reason of the foregoing, is in violation of Section 1202.2 of the Manatee County **Land Development Code**, in that Respondent has failed to remedy the aforesaid violation, and is subject to the provisions of Chapter 162, Part 1, Florida Statutes, and Chapter 2-36 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by **keeping portions of parcel not approved for development on Final Site Plan must be left vacant**. In the event that the aforesaid violation is not corrected on or before **April 18, 2014**, a fine of **\$150.00** shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED **January 22, 2014**.

ATTEST: R.B. Shore, Clerk of the Circuit Court

Manatee County, Florida

By: [Signature]
Deputy Clerk



By: [Signature]
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, **NATIONAL FINANCE GROUP LLC**, at **6425 15TH STREET EAST, SARASOTA, FL 34243-3297**, by U.S. Mail and to the Manatee County Code Enforcement Division, this 22nd day of January, 2014.

R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.



STATE OF FLORIDA, COUNTY OF MANATEE
This Certificate of Service is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 1 day of May, 2014
R.B. SHORE
Clerk of Circuit Court
[Signature] D.C.

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,

vs.
NATIONAL FINANCE GROUP LLC,
Respondent,

CASE NO. CE2013110007

COMPLIANCE ORDER

THIS CAUSE came on for hearing before the Code Enforcement Special Magistrate of Manatee County, Florida, on JANUARY 22, 2014, after due notice to Respondent, and the Special Magistrate having heard testimony under oath, received evidence and heard argument, thereupon issues this Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, NATIONAL FINANCE GROUP LLC, is the owner or person in charge of the property located at 6429 15TH STREET EAST, SARASOTA, FLORIDA, and described as follows: PARCEL ID 1853410007.

Respondent received notice by certified mail. Respondent representative WILLIAM CHONG was present at the hearing.

The condition of an unauthorized junkyard was observed at the subject property and constituted a violation of Section 602.2, Figure 6-1, Page 433 of the Manatee County Land Development Code and is to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, NATIONAL FINANCE GROUP LLC, by reason of the foregoing, is in violation of Section 602.2, Figure 6-1, Page 433 of the Manatee County Land Development Code, in that Respondent has failed to remedy the aforesaid violation, and is subject to the provisions of Chapter 162, Part 1, Florida Statutes, and Chapter 2-36 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by removing all inoperable vehicles from the property and designated handicap spaces must be properly marked. In the event that the aforesaid violation is not corrected on or before April 18, 2014, a fine of \$150.00 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED January 22, 2014.

ATTEST: R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk



Manatee County, Florida

By: [Signature]
Code Enforcement Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Compliance Order has been furnished to Respondent, NATIONAL FINANCE GROUP LLC, at 6425 15TH STREET EAST, SARASOTA, FL 34243-3297, by U.S. Mail and to the Manatee County Code Enforcement Division, this 22th day of January, 2014.

R.B. Shore, Clerk of the Circuit Court

By: [Signature]
Deputy Clerk

Attention: It is your responsibility to notify Code Enforcement at 941-748-2071 to verify that the violation has been brought into compliance and that any fines/liens have been satisfied.



STATE OF FLORIDA COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 1 day of 24
R.B. SHORE
Clerk of Circuit Court
[Signature] D.C.