

February 13, 2018 - Regular Meeting
Agenda Item #23

Approved in Open Session 2/13/18,
Manatee County
Board of County Commissioners

Subject

Reduction of Code Enforcement Fines for Qingli & Manyu Long, Code Enforcement Case #CE2016100285

Briefings

None

Contact and/or Presenter Information

Jeff Bowman, Division Chief, Ext 6854

Action Requested

Motion to reduce the fines for this case to \$2,000.00 (as previously recommended by the Special Magistrate on January 24, 2018), subject to the following conditions:

1. The reduced fines shall be paid within 90 days or will revert back to the original fine amount of \$11,795.00 for CE2016100231.
2. Recording fees need to be collected, which total \$20.00
3. Building and Development Services Department Director is authorized to sign satisfactions of liens if the reduced fines are paid.

Enabling/Regulating Authority

Section 2-9-8, Manatee County Code of Ordinances

Section 162.09, Florida Statutes

Background Discussion

Qingli Long and Manyu Long, the current property owners, purchased the property on June 27, 2017. After closing, they immediately hired a contractor, obtained a permit, and abated the violation within a month. Qingli Long and Manyu Long are seeking a fine reduction as they did not create the violation and fines were against the previous owner (Bradford Blair.)

The current property owner spent approximately \$14,000.00 to abate the violation.

Violation:

2-9-106(b) (Structural Standards) of the County Code of Ordinances. (Siding of home in disrepair)

History:

1. Notice of Violation was issued October 19, 2016.
2. The Special Magistrate hearing was held on January 25, 2017. The property owner was ordered to

Manatee County Government Administrative Center
First Floor, Commission Chambers
9:00 a.m. - February 13, 2018

comply by February 17, 2017, or a fine of \$75 per day shall be imposed against the property owner for each day the violation continued past the compliance date ordered.

3. Complied on July 25, 2017.
4. Fines for the case total \$11,795.00 which includes \$20 recording fees.
5. Special Magistrate Mitigation hearing was held on January 24, 2018. The Magistrate determined that justification exists to reduce the total fine amount and to forward the request to the Board of County Commissioners with a recommendation to reduce the fine amount which totals \$11,795.00 to \$2,000.00 plus \$20.00 recording fees for a total of \$2,020.00 to settle the case. Staff recommends approval.

County Attorney Review

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

Explanation of Other

Reviewing Attorney

N/A

Distributed to J. Bowman, 2/15/18 RT

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [BOCC Long, Qingli Manyu Jan. 24, 2018.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 # CE2016100285 Manatee County - vs -- Bradford B Blair & Bradford B Blair Living Trust

Property Information

Parcel Identification Number: 564108454		
Lot: 2077	Block:	Subdivision: Mill Creek Phase II
Address: 13709 3 rd Ave E		
City: Bradenton	Zip Code: 34212	

Property Owner Information

Current property owner: Qingli & Manyu Long		
Address: 3943 Bellwood Dr		
City: Sarasota	State: FL	Zip: 34243
Phone #: 941-210-2934	Email address: angelnikki88@gmail.com	
Representative/Agent:		
Address:		
City:	State:	Zip:
Phone #:	Email address:	

Lien Information

Amount of lien: \$ 11,775.00 + \$20.00 Recording Fees	Amount of offer: \$ <u>2000</u> + \$20.00 Recording Fees
Date lien was recorded: 3/23/2017	Number of days the property was in Violation: 157
Date of Compliance: 7/25/2017	How much money was spent to abate the Violation: \$ <u>14400</u>

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;
2. Foreclosure Order, with the recording date, book and page shown;
3. Final Summary Judgment of Foreclosure, with the recording date, book and page shown;

Case # CE2016100285 – Bradford B Blair & Bradford B Blair Living Trust - 13709 3rd Ave E, Bradenton

4. New Certificate of Title, with the recording date, book and page shown;
5. County's Final Order of Imposition of Fine; and
6. Claim of Lien(s) with the recording date, book and page shown.

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

1. The nature and gravity of the violation(s);
2. Any actions you have taken to correct the violation(s);
3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance;
4. Any actual costs you expended to cure the violation(s), if supported by documentation;
5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; and
6. Equitable considerations.
 - i. Whether there was any extraordinary hardship which existed or currently exists;
 - ii. Whether the applicant was the property owner when the fine or lien was imposed;
 - iii. Whether the property is homestead or 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.

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.)

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

12-13-17

Date



Print Name

Note: County code section 2-36-8(f) allows the Board of County Commissioners to execute a satisfaction or release of lien. The application process requires two (2) public meetings. Once the application and documentation is found to be complete it will be scheduled and presented before a Special Magistrate. The findings of the Special Magistrate along with the application will be forwarded to the Board of County Commissioners for final approval or denial. All payments will need to be mailed to Manatee County, Attention Code Enforcement, P.O. Box 1000, Bradenton, FL 34206-1000 and payable to: Manatee County, and include the Case Number. Once payment is received a Satisfaction of Lien will be prepared and recorded.

Revised 3/20/15

To whom may concern .

I'm the new owner of the property at 13709 3rd Ave east Biscanor FL 34212. We closed the house at June 23rd 2017. and we immediately hired a contractor to fix the issue that last owner left behind. the contractor went ahead to pull the permit at July 12 2017 and finish the job by July 25 of 2017. we tried our best to get the violation fixed as soon as possible and. We have nothing to do with the violation that the last owner left. There is second contractor proposal will be attached in couple days, I spent around \$10k to fix the problem please help me to relief the huge liens from the house I bought that doesn't even cause by us. I appreciate your help. Thanks.

Best regards

Prepared by and return to:

Timothy A. Knowles
Porges, Hamlin, Knowles & Hawk, P.A.
1205 Manatee Avenue West
Bradenton, FL 34205
941-748-3770
File Number: 12456-03
Sale Price: \$150,000.00

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made as of the 27th day of June, 2017 between Bradford B. Blair, an unmarried man, individually and as Trustee of the Bradford B. Blair Living Trust, U.A.D. 1/1/94 whose post office address is 6705 2nd Avenue Circle West, Bradenton, FL 34209, grantor, and Qingli Long, a single woman and Many Long, a married woman, as joint tenants with the right of survivorship, and not as tenants in common whose post office address is 3943 Bellwood Drive, Sarasota, FL 34243, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Manatee County, Florida to-wit:

Lot 2077, MILL CREEK SUBDIVISION, PHASE II, according to the Plat thereof, as recorded in Plat Book 24, Pages 80 through 88, inclusive, of the Public Records of Manatee County, Florida.

Parcel Identification Number: 564108454

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property. Grantor's residence and homestead address is: 6705 2nd Avenue Circle West, Bradenton, Florida 34209.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2016, and all valid easements, restrictions and reservations of record.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness Name: Cathy Quinn
[Signature]
Witness Name: Tracy L. Judy

[Signature]
Bradford B. Blair Trustee

State of Florida
County of Manatee

The foregoing instrument was acknowledged before me this 20 day of June, 2017 by Bradford B. Blair, as Trustee of the Bradford B. Blair Living Trust, U.A.D. 1/1/94, who is personally known or has produced a ~~driver's license~~ Florida ID card as identification.

[Notary Seal]



[Signature]
Notary Public
Printed Name: Tracy L. Judy
My Commission Expires: _____

Proposal/Contract

RIM Express, Inc



License: CGC1525344

3934 Marlborough Place, Sarasota, FL 34241

Cell: 1(941)275-8056 / Phone: 1 (941) 888-4434

Email: info@rim-express.com Web: www.rim-express.com

Proposal/Contract submitted to:	Phone#
Address:	Cell# 941-210-2934
	Email: angelnikki88@gmail.com
Job location: 13709 3 rd Avenue East, Bradenton, FL 34212	Date of proposal: 07/27/2017

We hereby submit specifications and estimate for:

- Replace five supporting posts at front of the house for \$1,400.00 including labor, material and disposal of job related debris. Remove and dispose old posts and railing. Installation of new railings is not included in price and will be charged additionally in case new railings are desired.
- Remove old posts in back of the house and install eight new supporting posts for \$2,400.00 including labor, material and disposal of job related debris. The old screen will have to be removed in order to replace supporting posts and installation of new screen or aluminum frame is not included in given price.
- Replace existing siding where necessary with new plywood. Minimum charge of \$1,500.00 is for up to 10 sheets of 4' x 8' plywood. Each additional sheet of plywood replaced will be charged \$100.00 per sheet for labor and material. New plywood may or may not match the rest of existing wood siding and it is intended to serve as support for stucco installation which will be installed at later time.

AMENDMENT: In case that we fail inspection due to insufficient workmanship of contractor or contractor's subcontractors, it will be responsibility of contractor, Ivan Radosavljevic, to bear the cost of new inspection.

NOTE: Given price includes all listed work description. If you believe that anything is missing, please let me know immediately so I could adjust price and description. Any additional work required, but not included above as well as deliveries of selective materials (unless I offer free delivery) will be charged in addition to given price per job or per hourly rate. My hourly rate is \$85.00 per hour and my workers hourly rate is \$40.00 per hour. I prefer to supply all building materials but not selective materials.

NOTE: Permits, inspections, surveys, architect's drawings, floor plans as well as fines and fees caused by owners acts, are not included in given price and will become additional charge above this proposal/contract, in case such occur or in case such are required.

We propose hereby to furnish material and labor – complete in accordance with the above specifications for the sum of:

\$ 5,300.00 (Five Thousand Three Hundred) US Dollars

With payments to be made as follows: \$2,000.00 on acceptance of proposal/contract,

Draw in the amount of \$ 1,500.00 plus cost of obtaining the permit, upon issuance of permit but prior to starting work,

and balance of \$1,800.00 immediately upon completion.

Any alteration or deviation from above specifications involving extra costs will Be executed only upon written order and will become an extra charge over and Above the estimate-contract. All agreements contingent upon strikes, accidents, Or delays beyond our control.

Respectfully submitted:

Ivan Radosavljevic

NOTE- This proposal may be withdrawn by us if not accepted within 7 days

Acceptance of proposal / contract

The above prices, specifications and conditions are satisfactory And are hereby accepted. You are authorized to do the work As specified. Payments will be made as outlined above.

Print name: [Signature]

Signature: [Signature]

Date of acceptance: 6-15-17

NOTICE TO THE OWNER

I, [Signature] understand that any work done to the property which is related to the permit for which RIM Express, Inc. has responsibility, must go through RIM Express, Inc. and be approved in writing by it's officer, Ivan Radosavljevic. If any work to the property is commenced without written approval, then the owner should bare the cost of all fees and fines that may occur as well as 15% profit to RIM Express, Inc. which should be calculated from reasonable market value of proposed labor and materials on work which was not approved by RIM Express, Inc. In case that contractor is obligated to dedicate time to resolving unapproved work done to the property, owner shall pay to the contractor compensation for time at rate of \$125.00 per hour.

I read, understood and agreed to the above

[Signature]
Owners Signature

MANATEE COUNTY CONSTRUCTION PERMIT
1112 Manatee Avenue West Bradenton, Florida 34206
07/12/2017 Permit Number 17062297

Project Address: 13709 3RD AVE E SCT
Type of Permit: RESIDENTIAL - ALT/ADD
Setbacks (Feet): Front-NA Rear-NA Left-NA Right-NA
**Subdivision: MILL CREEK PH II PB24/80

OWNER INFORMATION

Owner: LONG, MANYU
Address: 3943 BELLWOOD DR
City: SARASOTA
State: FL
Zip: 34243
Phone: 9412102934

PARCEL INFORMATION

Parcel ID No: 564108454
Sec Twn Rge: S27 T34S R19E
LOT: 2077
Block:
Floor Elev:
Impact Area: DSE
Zoning: PDR
Overlay: NONE/NONE
Flood Zone: X
Flood Eleva: 00000
Fire District: EMFD

CONTRACTOR INFORMATION

Contractor: RADOSAVLJEVIC, IVAN
License No: CGC1525344
Lic. Type : GEN
DBA: RIM EXPRESS INC
Address: 3934 MARLBOROUGH PL
C/S/Z: SARASOTA, FL 34241

PROJECT INFORMATION

Square Footage: 726
Declared Value: 5300

Telephone: (941) 888-4434

PROJECT INFORMATION/NOTES/CONDITIONS

NCRQD:RPLC ROTTEN SUPPORT POSTS ON FRONT & BACK PORCH/
RPLC DMGD OR ROTTEN SIDING WTH PLYWOOD/ CE2016100231

LOT 2077 MILL CREEK PHII

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

FAILURE TO COMPLY WITH THE MECHANICS' LIEN LAW CAN RESULT IN THE PROPERTY OWNER PAYING TWICE FOR BUILDING IMPROVEMENTS.

This permit shall become void if work has not started within six months from the above date, or if work has been suspended longer than six months.

BUILDING DEPARTMENT

MANATEE COUNTY, FLORIDA

INSPECTION REQUESTS: 749-3047 PERMITTING FAX: 742-5887

Permit issued by: malbritt


Representative of: Carroll J. Dupre', CBO
County Building Official

CALL BEFORE YOU DIG: 1-800-432-4770

TO RETRIEVE BUILDING PERMIT DATA AND DOWNLOAD BUILDING DEPARTMENT FORMS GO TO:
WWW.MYMANATEE.ORG



10/18/2016

13709 3RD AVE E, BRADENTON

2016100285

VD



10/18/2016

13709 3RD AVE E, BRADENTON

2016100285

VD

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA
Petitioner,

CASE NO. CE2016100285

vs.

BRADFORD B BLAIR AND BRADFORD B BLAIR LIVING TRUST
Respondent

COMPLIANCE ORDER

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 Compliance Order as follows:

I. FINDINGS OF FACT:

Respondent, BRADFORD B BLAIR AND BRADFORD B BLAIR LIVING TRUST, whose mailing address is 4485 GULD OF MEXICO DR APT 504, LONGBOAT KEY, FL 34228, is the owner or person in charge of the property located at 13709 3RD AVE E, BRADENTON, FL, and described as follows: Parcel Identification Number 564108454.

Respondent received Letter of Violation and Notice of Hearing. Respondent was not present at the hearing.

The violation of holes in the siding of the house was observed at the subject property and constituted a violation of Section 2-9-106(b)(1) Structural Standards of the Manatee County Code of Ordinances and was to be corrected.

II. CONCLUSIONS OF LAW:

Respondent, BRADFORD B BLAIR AND BRADFORD B BLAIR LIVING TRUST, by reason of the foregoing, is in violation of Section 2-9-106(b)(1) Structural Standards of the Manatee County Code of Ordinances, 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 2-9 of the Manatee County Code of Ordinances.

III. ORDER:

Respondent is ordered to correct the aforesaid violation by: repairing and maintaining the siding. In the event that the aforesaid violation is not corrected on or before February 17, 2017, a fine of \$75 shall be imposed against the Respondent for each day the violation has continued past the compliance date ordered.

DONE AND ORDERED this 25 day of January, 2017.

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

By: Amanda Council
Deputy Clerk

Jared Carney
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, BRADFORD B BLAIR AND BRADFORD B BLAIR LIVING TRUST at 4485 GULD OF MEXICO DR APT 504, LONGBOAT KEY, FL 34228 by hand or U.S. mail and to the Manatee County Code Enforcement Division, this 25 day of January, 2017.

Angelina Colonnese, Clerk of the Circuit Court
Manatee County, Florida

By: Amanda Council
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.