



AGENDA REPORT
April 24, 2018

SUBJECT:

Restoration of 661 Altura Drive (Fire damaged home)

FISCAL IMPACT:

Brevard County will lose Productive property tax income from this home and the neighborhood values will be impacted.

DEPT/OFFICE:

Agenda Coordinator

REQUESTED ACTION:

It is requested the Board of County Commissioners provide relief from previous home owners code violations in order to obtain needed financing required to restore home.

SUMMARY EXPLANATION and BACKGROUND:

The former owners code violations 16CE-00058 and -00060 against 661 Altura Dr. requires repair of all fire damaged areas including the roof in order to satisfy the violation. The County's requirements for a restoration of this scope means a complete General Contractors permit package requiring considerable time and effort. The county's code violation liens against this property is preventing the owner from obtaining the needed financing, since any new lender would fall into 2nd position. Lenders will not take a 2nd position when there exists an open and accruing code lien in 1st position, since the daily fines make it highly likely they would lose all investment.

ATTACHMENTS:

Description

- ▣ **online agenda request**
- ▣ **Board Memo**



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

April 25, 2018

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item VI.F.3., Citizen's Request for Code Violation Lien Prevention of Financing

The Board of County Commissioners, in regular session on April 24, 2018, acknowledged the Citizen's Request for Code Violation Lien Prevention of Financing, but took no formal action.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

Tammy Rowe, Deputy Clerk

/cmw

cc: Planning and Development Director



AGENDA REPORT

Meeting Date

Category:	<input type="text" value="New Business"/>
Title:	<input type="text" value="Code Violation Lien prevention of financing"/>
Subject:	<input type="text" value="Restoration of 661 Altura Drive (fire damaged home)"/>
Fiscal Impact:	<input type="text" value="Brevard county will loose productive property tax income from this home and the neighborhood values will be impacted"/>
Dept/Office:	<input type="text" value="Citizen Request / Curtis Loucks"/>
Requested Action:	<input type="text" value="Relief from previous home owners code violations in order to obtain needed financing required to restore home."/>
Summary Explanation and Background:	<input type="text" value="The former owners code violations 16CE-00058 and -00060 against 661 Altura Dr. requires repair of all fire damaged areas including the roof in order to satisfy the violation. The Country's requirements for a restoration of this scope means a complete General Contractors permit package requiring considerable time and effort. The county's code violation liens against this property is preventing the owner from obtaining the needed financing, since any new lender would fall into 2nd position. Lenders will not take a 2nd position when there exists an open and accruing code lien in 1st position, since the daily fines make it highly likely they would loose all investment."/>
Clerk to the Board Instructions:	<input type="text"/>
Attachment Descriptions:	<input type="text" value="Information packets will be provided prior to the meeting"/>
Department Reviewer:	<input type="text"/>
ACM Reviewer:	<input type="text"/>
County Manager Reviewer:	<input type="text"/>
County Attorney Reviewer:	<input type="text"/>



Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

To: Brevard County Board of County Commissioners
From: Tad Calkins, Planning & Development Director
Date: April 18, 2018
Subject: Board Meeting Agenda Item VI.F.3. Citizen's Request, RE: Code Violation Lien Prevention of Financing

The purpose of this memorandum is to provide the Board with some additional information regarding Allegro Property Trading, LLC's request for the Board to provide relief from previous owner's code violations in order to obtain financing to restore the home. The previous owners were found to be in violation of Sec. 22-178(e), Building and Structure Requirements, which stipulate that buildings and structures shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety or welfare. On February 16, 2017, the County imposed a lien. Since the property is not in compliance, fines are accruing at \$25 per day and as of today total \$13,650.

Allegro Property Trading, LLC purchased the property (661 Altura Drive) through bankruptcy sale January 25th, 2018, for the purchase price of \$17,500. The lien was recorded in the Public Record (Clerk of Court) prior to them obtaining the Trustee's Deed to the property. Mr. Loucks of Allegro Property Trading, LLC, was informed of past Board direction which provides the process in which the Board could consider a fine reduction. The process for consideration included the following criteria:

- The violations must be corrected
- The Enforcement costs paid
- The owner would request that the Magistrate recommend a reduction

However, he has decided to bring the matter before the Board without achieving the aforementioned criteria.

If you have any questions, or if I may be of further assistance, please let me know.