

CE2012050395
VIOLATION OF SECTION 703.2.23.1



510 28th Ave. W., Bradenton

BOOK 2439 Page 3344 Rec 10-3-12

MANATEE COUNTY CODE ENFORCEMENT SPECIAL MAGISTRATE
MANATEE COUNTY, FLORIDA

MANATEE COUNTY, a political subdivision
of the State of Florida,
Petitioner,

vs.
HEBER PEREZ,
Respondent.



Case No. CE2012050395

ORDER IMPOSING FINE

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on August 22, 2012, and the Special Magistrate having heard testimony under oath, received evidence, and heard arguments respective to all appropriate matters, and thereupon issues the Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

1. That Heber Perez, hereinafter referred to as the Respondent is the owner of record of the subject property.
2. That notice was served on the Respondent and no one was present at the hearing.
3. That previous notifications of the violation of the Manatee County Land Development Code Section 703.2.23.1 were made and served on the Respondent by posting the property and at the front door of the Manatee County Administrative Center located at 1112 Manatee Avenue West, Bradenton, Florida.
4. That the property located at 510 28th Avenue West, Bradenton, DP 4816010054, has a violation of Manatee County Land Development Code Section 703.2.23.1 because trash and debris (tires) is on the property.
5. That the Respondent is in violation of Section 703.2.23.1 for having trash and debris (tires) on the property.

CONCLUSIONS OF LAW

1. That the Respondent is in violation of Manatee County Land Development Code Section 703.2.23.1.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Manatee County Land Development Code, it is hereby ORDERED:

1. THAT the Respondent corrects the violation of Manatee County Land Development Code Section 703.2.23.1.
2. THAT if this Order is not complied with on or before September 21, 2012, It is hereby ordered that Respondent shall pay a minimum fine of \$100, plus \$50 per day for each and every day any violation described herein continues past September 21, 2012.
3. Failure to Comply with this Order within the specified time will result in the recordation of this Order imposing Fine, which constitutes a lien upon any real or personal property owned by the violators and may be foreclosed, and your property sold to enforce this lien. If such lien is filed, you will be assessed all costs incurred in recording and satisfying this lien.
4. The Code Enforcement Special Magistrate also authorizes the County Attorney or his/her designee to foreclose, collect or settle said lien using any legal or equitable remedies available to collect any liens which remain unpaid.
5. This Order becomes self-executing upon an Affidavit of Non-compliance being filed with the Clerk of Circuit Court Board Records Department, and a hearing shall not be necessary.
6. That pursuant to Section 305 5 7 of the Land Development Code, should a violation exist beyond the date set for compliance, the Special Magistrate shall impose a minimum fine of \$65.

Ordered August 22, 2012, and executed this 29th day of August, 2012

ATTEST: R. B. Shore
Clerk of Circuit Court

Paul Opat
Manatee County Code Enforcement
Special Magistrate

By: *Debi Janner*
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been furnished to the Respondent, HEBER PEREZ, 6324 CORMORANT COURT, BRADENTON, FLORIDA 34203, by U.S. mail and to the Manatee County Code Enforcement Division, this 29th day of August, 2012.

R. B. SHORE
Clerk of Circuit Court
Manatee County, Florida

By: *R. B. Shore*
Deputy Clerk

ATTENTION: It is your responsibility to notify Code Enforcement at 941-748-4501, Extension 6909 and satisfactorily demonstrate that the violation(s) has/have ceased. Release of this lien cannot occur until Code Enforcement verifies that the violation(s) no longer exist(s).



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 29th day of September, 2012.
R.B. SHORE
Clerk of Circuit Court
By: *Debi Janner* D.C.

Instructions for: Code Enforcement Fines/Liens - Application of Relief

Manatee County accepts applications for Code Enforcement fine/lien relief from owners of properties that have corrected ALL of the violations on the subject property.

Notice: The application is available as a WORD document for your convenience.

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 Complaint;
3. Foreclosure Order, with the recording date, book and page shown;
4. Final Summary Judgment of Foreclosure, with the recording date, book and page shown;
5. Certification of Lien Order, with the recording date, book and page shown;
6. New Certificate of Title, with the recording date, book and page shown;
7. County's Compliance Order/Order Imposing Fine/Order Imposing Administrative Fine/Lien; and
8. Claim of Lien(s) with the recording date, book and page shown.

Received

JAN 16 2015

CODE ENFORCEMENT

*rec'd.
certified*

FACTORS RELEVANT TO APPLICATIONS FOR RELIEF:

1. The nature and gravity of the violation(s); Junk, Trash and Debris on the property
2. Any actions you have taken to correct the violation(s); once the foreclosure process was completed we removed the junk, trash and debris on the property.
3. The length of time between the previously ordered compliance date and the date the violation(s) was brought into compliance; Violation was issued in 2012. Foreclosure was completed 9/3/2013. Eviction started 9/20/2013. Property was cleaned 10/08/2014
4. Any actual costs you expended to cure the violation(s), if supported by documentation; \$2617.00 in preservation costs
5. Any other prior or current violations you committed on the subject property or upon any other property you own within the County; None
6. Equitable considerations. Property is currently under contract. When the property was cited in 2012, the lender was not able to correct the issue because the property was occupied.
 - 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.

Why relief should be granted: (When you complete this application, 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 details if this property is involved in litigation.)

Code Enforcement Fines/Liens - Application for Relief

Manatee County Code Enforcement Division

1112 Manatee Avenue West
Bradenton, FL 34205

Tel: (941) 748-2071 e-mail: code.enforcement@mymanatee.org

Received

JAN 16 2015

CODE ENFORCEMENT

*rec'd
cert.*

CASE # CE2012050395 Name of Respondent (s) as listed: Hebert Perez

Amount of fine/lien \$ 17,420 - amount of offer to mitigate this case \$ 2,000 + \$20 Recording Fees = \$2,020 .

Property information:

Current Property Owner: DEUTSCHE BANK TRUST COMPANY AMERICAS

Address of violation: 510-512, 28TH Ave West, Bradenton, FL, 34205

Parcel ID#: 4816010054

Violation information: Trash and Debris

Explanation of why request is being submitted: Once the foreclosure process was completed we removed the junk, trash and debris on the property. Property is currently under contract. When the property was cited in 2012, the lender was not able to correct the issue because the property was occupied.

Property Owner/Representative Contact Information: (If not property owner, provide written documentation allowing representative to act on this matter.)

Property Owner Name/Representative: SEAS (Southeastern Assets Services)

Address: 4510 Oak Fair Blvd, Suite 130, Tampa FL 33610

Phone Number: 813-936-2221 Ext 927

E-Mail Address: s.marin-vargas@seasllc.com / r.barfield@seasllc.com

Alternative Contact: Soreny Marin / Raul Barfield

I certify that I am:

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

Signature of Owner/Representative

Soreny Marin-Vargas

Print Name

Date

01/13/2015

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.

Nov 21, 2014



Altisource

2002 Summit Boulevard, Suite 600

Atlanta, GA 30319

Phone: 877.839.7117

1/06/2015

Altisource Portfolio Solutions manages foreclosed properties for several Financial Institutions in the State of Florida. Due to the high volume of foreclosed properties, our company has contracted several local contractors to help maintain city/county HOA ordinance including code/building violations, permits, and mitigating liens on our behalf.

This is an authorization letter giving authorization to Southeastern Asset Services (SEAS) and their contractor to perform preservation activities, pull permits, mitigate liens and address code violation related issues on behalf of Altisource Portfolio solutions for the property located at 510-512, 28th Ave West, Bradenton, FL, 34205.

If I can be of further assistance or additional information is required, please do not hesitate to contact me at the number listed below.

Sincerely,

Shane Hidle

Regional Field Service Manager

Phone: (770) 612-7007 x254942 | Fax: (770) 671-1088 Mobile: (407) 925-9352

Email: tommy.hidle@altisource.com

Thinking Ahead. Delivering Today.®

Record/Return to:
Ocwen Loan Servicing, LLC
1661 Worthington Rd, Suite 100
West Palm Beach, FL 33409

LIMITED POWER OF ATTORNEY

OCWEN LOAN SERVICING, LLC, hereby appoints Altisource Solutions, Inc. (hereinafter called "Altisource") as its true and lawful attorney-in-fact to act in the name, place and stead of the Ocwen Loan Servicing, LLC for the purposes set forth below. Ocwen Loan Servicing, LLC is the Servicer of many securitizations (the "Agreements" see Exhibit A attached for a listing) now in existence and that will be formed from time to time.

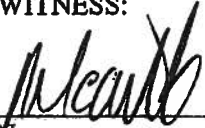
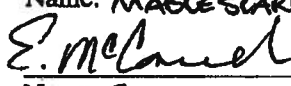
The said attorneys-in-fact, and each of them, are hereby authorized, and empowered, as follows:

1. To execute, acknowledge, seal and deliver tax authority notifications and declarations, bills of sale, and other instruments of sale, conveyance, and transfer, appropriately completed, with all ordinary or necessary endorsements, acknowledgments, affidavits, and supporting documents as may be necessary or appropriate to effect its execution, delivery, conveyance, recordation or filing, including the marketing and sale of real estate owned.

This instrument is to be construed and interpreted as a limited power of attorney and does not empower or authorize said attorneys-in-fact to do any act or execute any document on behalf of Ocwen Loan Servicing, LLC not described herein.

Dated: February 22, 2012

WITNESS:


Name: MABLE SCARLETT

Name: E. McConnell

OCWEN LOAN SERVICING, LLC


Name: Richard Delgado
Title: Senior Vice President and Treasurer

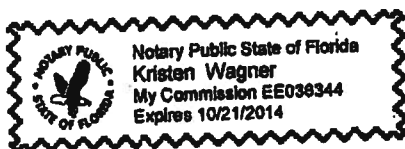
STATE OF FLORIDA)

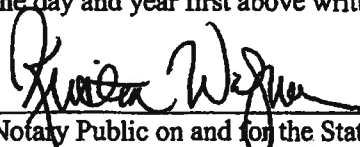
SS)

COUNTY OF PALM BEACH)

On February, 22, 2012, before me, the undersigned, a Notary Public in and for the State of Florida, duly commissioned and sworn, personally appeared, Richard Delgado, to me known to be the Senior Vice President and ~~Secretary~~ ^{Treasurer} of Ocwen Loan Servicing, LLC, the limited liability company that executed the foregoing instrument, and acknowledged that he signed the said instrument of his free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.




Notary Public on and for the State of Florida
Expiration Date:

35,600.00
235.20
DSA

Electronically Filed 06/17/2013 03:02:04 PM ET

IN THE CIRCUIT COURT OF THE 12th
JUDICIAL CIRCUIT, IN AND FOR
MANATEE COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO. 41-2012-CA-000835

DEUTSCHE BANK TRUST COMPANY
AMERICAS AS TRUSTEE FOR RALI
2003QS8,

PLAINTIFF,

VS.

HEBER PEREZ, ET AL.,

DEFENDANT(S).

CLERK OF CIRCUIT COURT
MANATEE CO., FLORIDA

2013 SEP -3 PM 3:13

FILED FOR RECORD
SEP 3 2013

CERTIFICATE OF TITLE

The undersigned clerk of the court certifies that he or she executed and filed a certificate of sale in this action on Aug. 2, 2013, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in Manatee County, Florida:

THE WEST 1/2 OF LOT 10 AND ALL OF LOT 11, BLOCK E, FLORIDA AVENUE PARK,
AS PER PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 8, OF THE PUBLIC
RECORDS OF MANATEE COUNTY, FLORIDA.

was sold to: **DEUTSCHE BANK TRUST COMPANY AMERICAS AS TRUSTEE FOR
RALI 2003QS8, C/O OCWEN LOAN SERVICING, 1100 VIRGINIA AVENUE,
FT. WASHINGTON, PA, 19034.**

WITNESS my hand and the seal of the court on Sept. 3, 2013.



R.B. "Chips" Shore III
Clerk, Circuit Court

By: [Signature]
Deputy Clerk

P.O. BOX 25400
BRADENTON, FL 34208

11-08952 kss_01

Copies furnished to:

L. Virginia Goddard, Esq.
Pendergast & Morgan, P.A.
115 Perimeter Center Place
South Terraces Suite 1000
Atlanta, Georgia 30346

**PREPARED BY &
ATTY. FOR PLAINTIFF**

HEBER PEREZ
6324 Cormorant Ct
Bradenton, FL 34203

Wachovia Bank, National Association
N/K/A Wells Fargo Bank, National Association
1201 Hays Street
Tallahassee, FL 32301

Jane Doe NKA Chris Friday
512 28th Ave West
Bradenton, FL 34205

Jane Doe NKA April Christie
510 28th Ave West
Bradenton, FL 34205

John Doe NKA Michael Friday
512 28th Ave West
Bradenton, FL 34205

John Doe NKA Jacob Ondrovich
510 28th Ave West
Bradenton, FL 34205

11-08952 kss_fl

MANATEE COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

MANATEE COUNTY, FLORIDA,
Petitioner,

vs.
Heber Perez,

Respondent.

CASE NO. CE2012050395

ORDER OF REFERRAL TO THE BOARD OF COUNTY COMMISSIONERS

By letter dated May 17, 2012, Code Enforcement informed the Respondent, Heber Perez hereinafter referred to as Respondent of having a violation of Section 703.2 23.1 (Refused Prohibited) of the Manatee County Land Development Code

The Code Enforcement Officer advised the Special Magistrate on August 22, 2012, that the Respondents had neither corrected the violations nor brought the subject of the violations into compliance with the Manatee County Land Development Code.

At the hearing on January 28, 2015, Code Enforcement staff advised the Special Magistrate that such directives have now been complied and IT IS HEREBY ORDERED by the Special Magistrate:

1. That as of this date, fines imposed against the Respondent(s) total \$17,400.00, for which a notice of lien has been recorded in the public record of Manatee County, Florida.
2. That justification exists for this case to be referred to the Manatee County Board of County Commissioners for a recommended fine reduction to \$2,000.00 plus \$20.00 recording fees.

DONE AND ORDERED this 2 day of February, 2015.

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

Manatee County, Florida

By: _____
Deputy Clerk


Code Enforcement Special Magistrate



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Continuance Order has been furnished to Respondent, Heber Perez, at 6324 Cormorant Ct, Bradenton, FL 34203, by US Mail/Hand Delivery and to the Manatee County Code Enforcement Division, this 2 day of February, 2015.

R.B. Shore, Clerk of the Circuit Court

By: _____
Deputy Clerk

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