

Reduction of Code Enforcement Lien(s) Request

Application

A request for a reduction of a Code Enforcement lien cannot be considered until the property is in full compliance. Before the application is processed, the property will be inspected to determine compliance. A request for reduction of a Code Enforcement lien also will not be considered if the applicant has any code violations on any other property they hold an interest in and is located within the unincorporated area of Nassau County.

Requests are not scheduled for the Code Enforcement Board hearing until the application has been reviewed for completeness. Along with the application, you must prepare a statement explaining why the lien should be reduced. If you wish to address the Board of County Commissioners during its hearing for lien reduction, you will be allowed to present a three-minute statement to the Board. This hearing is not a re-hearing of the case. The Code Enforcement Board was presented evidence and heard testimony regarding the alleged violation(s) prior to issuing a "Finding of Facts" as established in Florida Statutes 162. There is no evidence an appeal has been filed regarding the property/properties listed in this application.

Requests for reduction of a code enforcement lien go through a two-hearing process. The Code Enforcement Board will hear a request and will make a recommendation only as to whether or not a lien should be reduced, released or whether any action should be taken. The Code Enforcement Board's recommendation and the Application Request for the Lien Reduction will then be heard by the Nassau County Board of County Commissioners, who will make the final determination.

Date of last inspection: February 13, 2018 Compliant? X Yes _____ No _____

Nassau County Florida – Code Enforcement Lien Reduction Procedures

The Code Enforcement Board has the authority to recommend a reduction or release of fines and liens. The Nassau County Board of County Commissioners has the authority to reduce fines and liens, pursuant to Florida Statutes Chapter 162 as amended. **An entity requesting a release of lien has no right to the reduction or release of a fine or lien.** In evaluating requests for liens to be released or reduced, the Board of County Commissioners and Code enforcement Board may consider the following:

1. The length of time the property was in violation prior to the lien being placed;
2. Whether the entity requesting the reduction owns other properties in Nassau County and how many have active code enforcement cases or code enforcement liens;
3. Whether the property owner, if different from the entity requesting the release, owns other properties in the County and how many have active code enforcement cases or code enforcement liens;
4. Whether the entity requesting the reduction owned the property for which the lien was placed at the time the lien was placed;
5. Whether the entity requesting the reduction acted promptly to correct the violations for which the lien was placed and the length of time taken to correct the violation(s);
6. Any other specific information which is available about the property or the entity request;
7. Any other factor which may show a hardship on the entity requesting the reduction or which may provide a reasonable basis for the requested relief.

Lien reduction requests already heard by the Code Enforcement Board and the Board of County Commissioners will not be reheard for 180-day period, unless the property ownership changes or unless there is sufficient documentation of new information not previously available.

To be placed on the Code Enforcement Board hearing agenda, an applicant makes a request by submitting the Application for Reduction of Code Enforcement Lien to the Code Enforcement Secretary (Code Enforcement, Attention: J. Wylie, 96161 Nassau Place, Yulee, FL 32097). The Code Enforcement Board secretary will mail a confirmation letter to the applicant confirming the meeting date and time. Staff will prepare a report which is provided to the Code Enforcement Board and Board of County Commissioners prior to the meeting.

Lien reduction applications should be submitted at least fifteen (15) days prior to the Code Enforcement Board hearing, scheduled for the second Tuesday of every month, beginning in January each year. The hearing before the Board of County Commissioners shall be scheduled at least thirty (30) days prior to the Board of County Commissioners meeting. A letter will be mailed to the applicant confirming the meeting dates. Those who have requested a lien reduction hearing but are unable to attend the scheduled meeting must notify code enforcement they need to reschedule since **your presence is required for the case to be heard.**

Code Enforcement Board hearing — Applicants must check in with staff. When the case is called, staff will read its report. The applicant will be invited to speak about the request and the status of the property. The Code Enforcement Board may ask questions and will then make a **recommendation only as to whether to reduce, remove or leave the lien in place.**

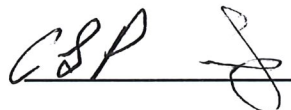
Board of County Commissioners hearing — Applicants must check in with staff. When the case is called, staff will read its report. The applicant may speak and present information regarding the request to the Board. The applicant will need to be available to answer questions from staff or the Board. The Board will decide whether to reduce the lien or take no action, thus leaving the lien in place.

If the Board of County Commissioners approves the reduction of a lien, the applicant shall have no more than ten (10) working days from the date of the hearing to make full payment of the reduced lien. Payment shall be in form of cash, cashier's check or money order only. If the lien is not paid within the time allowed, the lien will revert back to the original amount placed on the property by the Code Enforcement Board.

If the Board approves the reduction of a lien and the entity pays the reduced lien, the Code Enforcement Board secretary will complete paperwork to release the lien. The release-of-lien document will be mailed to the applicant after it has been recorded at the Nassau County Clerk of Court.

For additional information, contact the Code Enforcement Board secretary at (904) 530-6200.

I have read and understand the policies and procedures for requesting a lien reduction.

 Initials

Case Number(s) CEB # 04-406	Lien Address (Property Subject to the Lien(s)) 45364 Bismark Road, Callahan
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Applicant's name: Charles L & Sherry E Padgett	Phone number: 904-583-8827
Mailing Address: 45364 Bismark Rd Callahan, FL 32011	
Authorized representative's name: Wesley Padgett	Written and notarized authorization from owner: <input checked="" type="radio"/> Yes <input type="radio"/> No
Name of owner of lien address when lien(s) were placed on the property: Charles L. & Sherry Padgett	
Current owner of lien address: Charles L & Sherry E Padgett	
Current owner's relationship or affiliation with entity/person named in lien(s): 	
Other property located in Nassau County belonging to current owner – Parcel Numbers and Address: Attach a separate sheet if necessary ND	
What were the violations at lien address when lien(s) was/were placed? Unserviceable vehicles and trash, litter and debris	
Who lived at the property when the lien(s) went into effect: Charles L Padgett & Sherry E Padgett	

To obtain information on liens, contact the Nassau County Clerk of Court at 904-548-4600 or 800-958-3496, visit the Official Records Department, Robert M. Foster Justice Center, 76347 Veterans Way, Yulee, FL 32097 or go to www.nassauclerk.com.

Note: The Code Enforcement Department does not perform title or lien searches but will try to identify any additional liens that may pertain to this request based on the case number(s) provided in this application. The Department is not responsible for outstanding liens omitted from this application.

Applicant is requesting the below lien(s) be reduced to: \$ 144.98 Balance of payment of admin fees

Under penalty of perjury, the undersigned:

- swears or affirms that the information provided on this Application for Reduction of Code Enforcement Lien(s) is true and correct;
- acknowledges he or she has read the Lien Reduction Procedures;
- acknowledges he or she was given an opportunity to ask questions regarding the procedures.

Applicant must provide an initialed copy of the Lien Reduction Procedures as acknowledgement of the above for application to be accepted.

Applicant's signature: Sherry Padgett & Charles Gary Padgett Date: 3-5-2018

The foregoing was sworn and subscribed before me this 5 day of March 20 18. He or she is personally known to me or provided _____ as identification at the time of notarization.

Stamp:

Notary Public:



Shanna Marie Wofford

Reasons violations not corrected before lien(s) placed:

Husband's Health Issue Back - Heart
myself back issues

Is money held in escrow pending the lien release hearing? Yes
If yes, who will receive escrow money if the lien(s) is/are reduced?

No

Explain why you believe a lien reduction is appropriate:

Medical Problems and Extenuating
Circumstances, were major factors in
Property not being put back into
Compliance.

Has the applicant applied for lien reduction for this property before? Yes _____ No X
If yes, when? (month/year) _____

Has the applicant applied for lien reduction for another property before? Yes _____ No X
If yes, what property and when? (month/year) _____