

**APPLICATION FOR REDUCTION OR WAIVER OF CODE LIENS**

All information fields must be completed before this application can be processed. Requests are not accepted until the application has been reviewed for completeness and all application criteria have been met. **You are required to read City Commission Resolution 22-16 and the procedures attached to this application prior to submitting your petition.**

Date Received  
Accepted by (initials)  
Case Number

**1. CONTACT INFORMATION**

Applicant Name: \_\_\_\_\_  
Representative Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**2. LIEN INFORMATION**

Lien Address: \_\_\_\_\_ Parcel ID: \_\_\_\_\_  
Has the Applicant previously applied for lien reduction for this property?      YES      NO  
If Yes, when? \_\_\_\_\_  
Owner of Lien Address when lien was placed: \_\_\_\_\_  
Current Owner of Lien Address: \_\_\_\_\_  
Current Owner's relationship or affiliation with entity/person named in the lien:  
\_\_\_\_\_  
Other property located in Pinellas County belonging to the current owner:  
\_\_\_\_\_

**3. CODE COMPLIANCE CASE INFORMATION**

Case Number \_\_\_\_\_  
Description of Code Violation(s): \_\_\_\_\_  
\_\_\_\_\_  
Date found in violation by Code Enforcement Board: \_\_\_\_\_  
Date ordered by the Code Enforcement Board to come into compliance: \_\_\_\_\_  
Date property was found in compliance by Code Compliance Inspector on Affidavit of Compliance:  
\_\_\_\_\_

**4. REQUEST:**

LIEN AMOUNT	LIEN REDUCTION REQUEST	LIEN RECORDING DATE	OR BOOK	OR PAGE

*Please attach a copy of the order imposing a lien upon the property (must be included for your application to be considered).*

**5. STATE THE REASONS, IF ANY, COMPLIANCE WAS NOT OBTAINED PRIOR TO THE RECORDING OF THE ORDER IMPOSING THE FINE (Attach additional sheets if necessary):**

**6. STATE ANY FACTS THAT SHOULD BE CONSIDERED IN SUPPORT OF YOUR PETITION (Attach additional sheets if necessary):**

Under the penalty of perjury, the undersigns:

- Swears or affirms that the information provided on this Application is true and correct;
- Acknowledges that he/she has read Resolution 22-16 and the procedures attached; and
- Further acknowledges that he/she was given an opportunity to ask questions of staff regarding the procedures.

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
PRINTED NAME

STATE OF FLORIDA  
COUNTY OF PINELLAS

Sworn to (or affirmed) and subscribed before me by means of *physical presence or* *online notarization*, this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.

They are *Personally known or* *Produced Identification* \_\_\_\_\_.

Type of Identification: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

\_\_\_\_\_  
NAME OF NOTARY (TYPED OR PRINTED)  
NOTARY SEAL

FOR CITY USE ONLY:

APPLICATION COMPLETED IN ITS ENTIRETY

APPLICATION PROPERLY NOTARIZED

VERIFICATION MADE OF NO ACTIVE CODE ACTIVITY AT LIEN ADDRESS

COPY OF LIEN ATTACHED

## **PROCEDURE FOR LIEN REDUCTION OR WAIVER**

The City Commission has the discretionary authority to reduce, waive or otherwise compromise code liens. The City Commission has prescribed its procedures for doing so in Resolution 22-16. A person or entity requesting a reduction or waiver has no right to the reduction or waiver of a fine or lien. Applications will not be accepted if the lien address (property subject to the lien) has any active code cases.

### **SCREENING PROCESS**

Once an application is received, the City Manager or his/her designee will confirm that the violation has been brought into compliance, then the City Manager or his/her designee will review and consider the application pursuant to the following threshold criteria:

(1) If a property owner has purchased property on which a lien previously was recorded, a waiver or reduction of lien shall not be granted;

(2) If a title insurance policy is issued upon the purchase of the property and the title insurance policy failed to identify the lien, a waiver or reduction of the lien shall not be granted; or

(3) If the request is for reduction of a previously reduced lien that was not timely paid in accordance with this Resolution or other duly approved written agreement with the City to compromise such lien, a waiver or reduction of the lien shall not be granted.

If the City Manager, or his/her designee, determines that one or more of the above established threshold criteria applies to the request, the City Manager, or his/her designee, shall issue a written denial of the application. If the applicant wishes to appeal the City Manager's threshold determination to the City Commission, the applicant may do so by filing a written appeal with the City Manager asserting why the City Commission should make an exception to its established guidelines and reduce or waive the lien within fifteen (15) calendar days of the issuance of the City Manager's written denial. Upon the receipt of a proper and timely appeal, the City Manager shall present the information to the City Commission for its consideration and final determination.

## EVALUATION PROCESS

If the City Manager, or his/her designee, determines that a request does not involve any of the above established threshold criteria that would warrant immediate dismissal, the City Manager, or designee, shall consider the following factors to determine how much, if any, the lien should be reduced:

FACTOR	MAXIMUM LIEN REDUCTION
(1) Gravity of the violation (impact on the public health, safety, and general welfare of the occupant(s) and surrounding properties.	
(a) Minor	50%
(b) Severe	25%
(2) Time to come into compliance from the date Notice of Violation is issued	
(a) Under 6 months	30%
(b) 6-12 months	20%
(c) 1-2 years	10%
(d) More than 2 years	0%
(3) Previous code violations	
(a) No previous violations found by Code Enforcement Board and/or Magistrate	20%
(b) Repeat violator (as defined in Chapter 162, Florida Statutes) or other prior violations found by Code Enforcement Board	0%
<b>TOTAL POSSIBLE LIEN REDUCTION</b>	<b>100%</b>

In addition to the above stated factors, the City Manager may take into consideration the property owner's financial ability to pay the lien based upon the ratio of property value to outstanding mortgage amount and any pending purchase contracts that could cover all or a portion of the lien.

## DECISION PROCESS

The City Manager, or his/her designee, is authorized to approve requests for code compliance lien reductions up to a total maximum of \$50,000, based on the above stated lien reduction factors. Regardless of the potential percentage reduction, the City Manager may only reduce the amount of the lien by a maximum of \$50,000 less administrative expenses. Any requests for reduction in a greater amount shall require approval by the City Commission in accordance with the procedures below:

- (1) The City Manager will place the applicant for reduction of lien on the agenda of a City Commission meeting. The city Manager's recommendation will set forth the amount of administrative expenses related to the lien. The City Commission may take action based solely upon the sworn application, recommendation of the City Manager, and the applicant's written statements, if any, to the City Commission as to the factors warranting reduction of the lien in considering the application.
- (2) The City Commission may then reduce the amount of the lien, waive the full amount of the lien less administrative expenses, or continue the lien in its full amount.

The applicant has ninety (90) days from the date of approval to pay the reduced amount of the lien. If the applicant fails to pay the reduced amount of the lien and all costs of recording within the time frame set forth in this paragraph, the lien shall revert to the full amount prior to the reduction and shall continue in the full amount until paid in full by or on behalf of the violator/property owner.

When a lien is satisfied as a result of full payment, reduced payment or waiver as ordered by the City Commission, the City Manager may execute implementing documents and the Code Board Clerk shall record the satisfaction/release of lien in the Public Records of Pinellas County, Florida, upon the applicant paying the costs of recording, and provide a copy to the property owner.