



**Cocoa Police Department
Code Enforcement
Lien Reduction Staff Report**



Case No. 23-767

Site Address: 215 Riverside Dr

Staff: Augusto Gonzalez | Code Manager

I. PROPERTY INFORMATION:

Property Owner: Parkside Properties LLC
 Mailing Address: PO BOX 10250
 Portland ME 04104

II. CASE FACTS:

FINE AMT:
\$87,510.00

OWNER REQUEST AMT:
Cost of Staff

CE BOARD RECOMMENDATION:
\$50,000.00

NOTICES:

Notice of Violation:
7/5/2023

Notice of Hearing:
7/5/2023

Certified Mail:
7/5/2023

Posted (to property) Notice:
7/5/2023

INSPECTIONS:

Initial Inspection:
7/5/2023

Last Inspection:
5/23/2024

Total Inspections:
17

Severity:
Unsafe

OTHER FACTS:

Rental/Homestead:
Rental – Low Rise Apts

Extension(s):
No; Repeat Offense

Date of Compliance:
12/27/2023

Length of Non-Compliance:
175 Days

Summary:

After considering several factors, on **March 21, 2024** the Code Enforcement Board voted to **reduce** the current lien for the property located at **215 Riverside Dr, Cocoa FL 32922** to **\$50,000.00**.

All notices were sent to the mailing address on file with the Brevard County Property Appraiser's Office (BCPAO) and posted to the property in violation. The *fine period* was from **July 5, 2023** to **December 27, 2023** (175 Days) and the lien ran at **\$500.00** per day leaving a total fine balance of: **\$87,510.00**.

III. VIOLATIONS:

On **August 17, 2023** the property owner was found to be in repeat violation of:

- **Permit Required, App. A Art. XV Sec. 2 (a)**; For unpermitted alterations to windows, exterior wall, and plumbing.
-

VI. BACKGROUND INFORMATION:

The property was found in violation of the above noted items and the presumption of service has been met pursuant to FS. 162.

The current property owner *Parkside Properties LLC* purchased the property on *May 14, 2018* and was the *violation/property owner* when this property was cited. This case was cited during a follow-up for a rental inspection case at the same property. The unpermitted work was observed and a repeat violation notice of hearing case was generated.

The property/property owner has been cited on four (4) separate occasions for violations including permit required (CE 18-620). That case received a lien reduction in 2021 for **\$2,247.39**.

On April 23, 2024 City Council voted to table the case until further information was obtained by staff regarding the BCPAO's changing of property owner's mailing address. After speaking with Esq, Trizia Eavenson who has been retained as General Counsel for the BCPAO, it was revealed that in acting on good faith effort; "The BCPAO changed the listed mailing address on September 9, 2021 after all the Office's mail was *returned from 2018 through 2021*." This was stated to be common practice when the BCPAO receives returned mail to ensure the property owner received the Office's mail.

There is a total of: four (4) *Parkside Properties LLC*, two (2) *Parkside Properties INC* listed on Sunbiz. The subject property owner's listing on Sunbiz is "*Parkside Properties (FL), LLC*".

After speaking in *August 2023* regarding the Code Board hearing, I educated Esq. Thakkar of the violations, corrective actions and issues with mailing address. The mailing address was changed/corrected by the property owner on *September 15, 2023*, 29 days after the Code Board hearing. The alteration/renovation permit was issued on *November 6, 2023* and approved/closed on *December 27, 2023* at which point the running lien was stopped.

Communication and supporting documents with the BCPAO are attached to this summary. Supporting documents creating a presumption of service in accordance with F.S. 162 are uploaded/attached with the legislative files (agenda).

Per conversations I (Augusto Gonzalez) have had with Esq. Thakkar and Mr. Dale O'Connor, during the lien reduction application, future plans for the property include: *selling the subject property after the lien is released*.



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PARKSIDE PROPERTIES LI

Entity Name List

Corporate Name	Document Number	Status
PARKSIDE PROPERTIES INC	268488	INACT
PARKSIDE PROPERTIES, INC.	584872	INACT
PARKSIDE PROPERTIES, LTD.	A07677	INACT
PARKSIDE PROPERTIES, INC.	F30022	INACT
PARKSIDE PROPERTIES LLC	L04000004328	INACT
PARKSIDE PROPERTIES LLC.	L04000077310	Active
PARKSIDE PROPERTIES, LLC	M18000010671	CROSS RF
PARKSIDE PROPERTIES, LLC	W18000101839	Active
PARKSIDE PROPERTIES (FL), LLC	M18000010671	Active
PARKSIDE PROPERTIES GROUP, LLC	L13000095761	INACT/UA
PARKSIDE PROPERTY HOLDINGS, LLC	L17000204019	Active
PARKSIDE PROPERTY MANAGEMENT L.L.C.	L13000035682	Active
PARKSIDE PROPERTY OWNERS ASSOCIATION, INC.	N04000006435	Active
PARKSIDE PUB, INC.	J56117	INACT
PARKSIDE PUBLISHING LLC	L17000159730	INACT/UA
PARKSIDE PUNTA GORDA, LLC	M20000009480	Active
PARKSIDE QUALIFIED OPPORTUNITY ZONE LLC	P19000001358	INACT
PARKSIDE REAL ESTATE LLC	L21000061674	Active
PARKSIDE REAL ESTATE OF VENICE, LLC	L21000110689	Active
PARKSIDE REALTY, INC.	656313	INACT

[Next List](#)

PARKSIDE PROPERTIES LI

6767 North Wickham Road
Suite 400
Melbourne, Florida 32940
Telephone: 321.241.4777
Facsimile: 321.821.1881
Trizia@TGElawfirm.com

Visit us at www.TGElawfirm.com and www.DiversityPlease.com

Hablo su idioma y entiendo su cultura.



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From: Augusto Gonzalez-Ruiz <aruiz@cocoapolice.com>
Sent: Wednesday, April 24, 2024 3:20 PM
To: Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>
Subject: Parkside Properties - Cocoa Code Enforcement

Good Afternoon

My name is Augusto Gonzalez, Code Enforcement Manager for the city of Cocoa. Our staff is reaching out regarding a conversation recently had by you and Mr. Thakkar. I firstly just wanted to confirm your position with the Brevard County Property Appraisers Office? and can you confirm the date the property owner updated their property appraiser mailing address to Portland ME?

Between the months of August 2023 and December of 2023 the mailing address changed, the same time our code enforcement case had already been accruing fines and our governing body has requested for staff to look in to this. Thank you in advance for any assistance.

V/R,



Augusto Gonzalez
Code Enforcement Manager
1226 W. King St. • Cocoa, FL 32922
O: (321) 433-8544 M: (321) 482-4608
aruiz@cocoapolice.com www.CocoaPolice.com



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From: Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>
Sent: Monday, April 29, 2024 1:55 AM
To: Augusto Gonzalez-Ruiz <aruiz@cocoapolice.com>
Cc: Carol F. Smith, Paralegal <Carol@tgelawfirm.com>
Subject: RE: Parkside Properties - Cocoa Code Enforcement

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

Hi Augusto...

I appreciate you reaching out. In response to your request to confirm my position with the Brevard County Property Appraiser's Office, my I have been retained as General Counsel for the Brevard County Property Appraiser (and the Tax Collector as well) since Dana Blickley took office (January 2013). Accordingly, I do not work "for" the Property Appraiser (or Tax Collector), but am instead retained as her attorney with a private law firm. Please let me know if you need further clarification on that subject, as I am happy to assist the City of Cocoa.

I have forwarded your email to Chief Deputy Property Appraiser, George Mascellino, for him to respond to inquiries with precision. Upon receipt of that information from George, I will follow up with you shortly thereafter.

In the meantime, if you have any other questions, please do not hesitate to contact me at your earliest convenience. Also, please CC my Paralegal, Carol Smith, as your email went into my quarantine and I don't want to miss any future communications from you or anyone else with the City.

Thank you so much and have a great Monday.

Trizia G. Eavenson

Trizia G. Eavenson, Esquire
Eavenson Law, LLC
Attorney and Counselor at Law
Florida Supreme Court Certified Circuit Civil Mediator
Florida Supreme Court Qualified Arbitrator
Founder of Your Diversity University, LLC
Founder of Be The Diamond Leadership Academy
Executive Life Coach

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EAVENSON LAW, LLC



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From: Augusto Gonzalez-Ruiz <aruiz@cocoapolice.com>
Sent: Monday, April 29, 2024 8:06 AM
To: Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>
Cc: Carol F. Smith, Paralegal <Carol@tgelawfirm.com>
Subject: RE: Parkside Properties - Cocoa Code Enforcement

Good Morning Trizia,

Thank you for the response, if possible I also wanted to confirm if the good-faith effort of looking up the property owner's LLC on Sunbiz after receiving returned mail and changing the mailing address is normal practice? In looking further into the matter I noticed the owner actually has the incorrect LLC listed as the property owner on the BCPAO site. There is a cross referenced name of 'Parkside Properties LLC' but the listed entity name on Sunbiz is "Parkside Properties (FL), LLC".

Thank you in advance for any assistance!

V/R,



Augusto Gonzalez

Code Enforcement Manager

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aruiz@cocoapolice.com

www.CocoaPolice.com

Augusto Gonzalez-Ruiz

From: Augusto Gonzalez-Ruiz
Sent: Monday, April 29, 2024 7:34 PM
To: Trizia Ginarella Eavenson, Esquire
Cc: Carol F. Smith, Paralegal
Subject: Re: Parkside Properties - Cocoa Code Enforcement

Good Evening Trizia,

Thank you for your time, response and education! I believe this answers our councils concerns/questions. I appreciate the detailed information and timeline, have a good evening.

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From: Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>
Sent: Monday, April 29, 2024 7:28:53 PM
To: Augusto Gonzalez-Ruiz <aruiz@cocoapolice.com>
Cc: Carol F. Smith, Paralegal <Carol@tgelawfirm.com>
Subject: RE: Parkside Properties - Cocoa Code Enforcement

Hi Augusto...

I called you this AM and left you a message. Now that I have some additional information relative to this property, I am going to respond to each of your inquiries to make it easier to follow.

Can you confirm the date the property owner updated their property appraiser mailing address to Portland ME?

- The property owner did not update their mailing address with the Property Appraiser's Office ("Office"). As you will see below, the Office updated the property owner's mailing address upon review of a February 16, 2022 Quit Claim Deed.

Here is a timeline of Events:

- **May 15, 2018:** Warranty Deed from WMWFT, LLC, as Grantor, to Parkside Properties, LLC, Grantee, whose PO Box address is 215 Riverside Drive, Cocoa, FL. *I have attached this Warranty Deed.*

WARRANTY DEED

THIS WARRANTY DEED dated May 14, 2018, by WMWFT, LLC, a Florida Limited Liability Company, existing under the laws of Florida, and having its principal place of business at P.O. Box 427, Cocoa, Florida 32923 (the "Grantor"), to Parkside Properties, LLC, whose post office address is 215 Riverside Drive, Cocoa, Florida, 32923 (the "Grantee").

- **September 9, 2021:** Despite using the Riverside Drive address, all the Office's mail was returned from 2018 through 2021. In a good faith effort to ensure a correct address, in 2021, the Office researched "Parkside Properties, LLC" on the Florida Division of Corporations website (SunBiz). The Office located a "Parkside Properties, LLC" on SunBiz, which it assumed was the same LLC owning the subject property. The Office then changed the mailing address for subject property to 3133 Corrine Drive, Orlando, FL.

Detail by Entity Name

Florida Limited Liability Company
PARKSIDE PROPERTIES LLC.

Filing Information

Document Number	L04000077310
FEI/EIN Number	20-1815909
Date Filed	10/25/2004
Effective Date	01/01/2005
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	03/02/2005
Event Effective Date	NONE

Principal Address

3133 CORRINE DRIVE
ORLANDO, FL 32803

- **February 16, 2022:** Parkside Properties sold a portion of the subject property in February 2022 via Quit Claim Deed. The Deed reflects Parkside Properties, LLC, as a "Florida Limited Liability Company" (Grantor) conveying a portion of the subject property to Daniel R. Kirk (Grantee). This Quit Claim

Deed provided a new/updated address for Parkside Properties, LLC: PO Box 10250, Portland, ME 04104. The Office then updated/corrected the address on file, removing the Orlando address and replacing it with the Portland address. *I have attached this Quit Claim Deed.*

Quit Claim Deed

THIS QUIT-CLAIM DEED is made as of this 16th day of February LLC, a Florida Limited Liability Company ("Grantor"), whose post office address is P.O given to second party, Daniel R. Kirk, a single man, whose post office address is 2835 N. H 32903 ("Grantee").

- **September 15, 2023**: The mailing address for the subject property was changed to PO Box 10250, Portland, ME 04104 based on the correct use of Sunbiz with that additional information.

Between the months of August 2023 and December of 2023 the mailing address changed, the same time our code enforcement case had already been accruing fines.

- This appears to be a coincidence from when the Office updated the address to when code enforcement's fines were owed and accruing interest. Generally, when handling any deed, the Office verifies only the Grantor's title (and not the address) when processing the deed.

Confirm if the good-faith effort of looking up the property owner's LLC on Sunbiz after receiving returned mail and changing the mailing address is normal practice?

- It has been common practice for the Office to research a company and/or homeowner's address to ensure the property owner receives the Office's mail, i.e., to stay informed of their property status and rights. While the Office researching on SunBiz was a common practice to assist and protect property owners, the Office no longer engages in this practice.

In looking further into the matter, I noticed the owner actually has the incorrect LLC listed as the property owner on the BCPAO site. There is a cross referenced name of 'Parkside Properties LLC' but the listed entity name on Sunbiz is "Parkside Properties (FL), LLC".

Residential Building Permit



CITY OF COCOA BUILDING DIVISION
BUILDING PERMIT & RECEIPT
 65 STONE STREET
 COCOA, FL 32922
 (321) 433 - 8501

Permit Number: BR23-001292
Permit Subtype: Alteration/Renovation
Date Issued: 11/06/2023
Date Expire: 05/06/2024
Parcel #: 2426376
Site Address: 215 RIVERSIDE DR
Subdivision Name:
Property Use:
Property Zoning:
Property Use:
Application Valuation: \$0.00

Property Owner: PARKSIDE PROPERTIES LLC

Contractor: Ernie Hardy

Mailing Address: 215 RIVERSIDE DR
 COCOA, FL 32922-7870

Mailing Address: 210 Hardee Lane

Phone Number:

Phone Number: (321) 637-7909

Description of Work: Remodel

Fee Summary	FEE ITEMS	Amount
	Convenience Fee	\$2.99
	Misc Fee	\$150.00
	Convenience Fee	\$25.26
	Application Fee (\$25.00)	\$25.00
	Alteration/Renovation - Residential Occupancy Fee (\$75, plus \$4.00/\$1,000)	\$159.00
	Work without a permit	\$636.00
	Code FBC 1% - Florida Building Commission Surcharge	\$2.00
	Code BCAIF 1.5% - Florida Building Code Administrators and Inspectors Fund Surcharge	\$2.39
	Total	\$1002.64

Contractor/Agent/Owner

Building Division Official