

CITY OF COCOA  
CODE ENFORCEMENT  
STAFF REPORT  
5/16/2024

LIEN REDUCTION REQUEST FOR  
3629 E Malory Ct

**CASE # 22-503**

The Code Enforcement Board held a public hearing on **1/19/2023**, at which time the Board found the owner, **Resicap Florida Owner II LLC** in violation of the following:

- **Accum. Of Trash and Litter, Sec. 6-900 (b)(1)(a-d)**
- **Landscape Requirements, App. A Art. XIII Sec. 22 (a-i)**
- **Permit Required (fences), App. A Art. XIII Sec.5 (c)**
- **Protective Treatment, Sec. 6-1003 (b)**
- **Storing Outdoors, Sec. 6-900 (b)(11)**
- **Clearance of Land Required, Sec. 6-901**
- **Permit Required, App. A Art. XV Sec. 2 (a)**
- **Storing Vehicles, Sec. 6-900 (b)(8)**

The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a Non-Compliance Hearing was held on **3/16/2023**.

The lien ran at **\$200.00** per day from **2/18/2023** until compliance was achieved on **6/7/2023**. Code records show onsite inspections were conducted by **Officer Buonocore and myself**. The case was closed leaving a fine of **\$21,810.00**. The current owner, **Resicap Florida Owner II LLC**, is requesting that the lien be reduced to **No greater than \$5,000.00**.

Staff utilized the following factors in making its recommendation to reduce the lien:

- Whether the current owner owned the property at the time the violation(s) occurred; **Yes**
- Applicant resides at the property: **No, this is a rental property**
- The number of violations related to the subject lien; **Eight**
- Number of Inspections performed: **21**
- Property Taxes: **Property taxes are current**
- Other Liens: **Records show no outstanding liens on the property. No water liens**
- Property Inspection: **The property was inspected this morning, May 16, 2024 and was in-compliance before the Code Board Hearing. An inspection will also occur prior to the Council Meeting**

The current market value of the subject property; the current market value is **\$233,940** according the Brevard County Property Appraiser as a **Single-Family Residence**.

Staff submits their cost sheet and the in the total amount of **\$3,078.65**

Staff's recommendation is that the fine/lien be reduced to **\$3,078.65** which is the cost of staff to prosecute this case. This reduction is based on the gravity of the violations, the length of time it took the property to come into compliance, and the total amount of the City's Cost.