



LIEN REDUCTION APPLICATION

**Cocoa Police Department
Code Enforcement Division
1226 W King Street
Cocoa, Florida 32922
Phone; (321) 433-8508**

This application must be completed entirely. The property must be in compliance per the City Code Section 6-707(d), if the property does not meet the guidelines of the City Code the Lien Reduction Application and pass a full inspection it will not be scheduled for a hearing before the Code Enforcement Board.

This form is divided into steps which will help you prepare your request, provide the necessary information, and prepare for the Code Enforcement Board and City Council hearing.

For Office Use Only - Date Received

RECEIVED
DEC 31 2020
BY: [Signature]

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Date: 12/23/2020

2. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting.

Company (if applicable): _____

Name: LARRY CURVIN

Mailing Address: 409 CENTER STREET

City: COCOA State: FL Zip Code: 32922

Phone #: 321-632-0276 Fax #: 321-632-2638

Mobile #: 321-403-2024 E-mail: larry.curvin@atlanticac.com

3. Property Owner Information:

* Check here if same as Applicant → ☒

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): _____

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Fax #: _____

Mobile #: _____ E-mail: _____

4. Information for property on which lien occurs:

Street Address and Location: 2610 N Cocoa Blvd. Cocoa Fl. 32922

Parcel ID:

24-36-17-55-20-5

Tax Account Number:

2414010

Existing Use(s) on Property: VACANT NO CURRENT USEAGE

Proposed Use(s) on Property: PROPERTY UNDER CONTRACT

(If residential – (circle one) **owner occupied** or **rental**), if rental does property owner anticipate accepting any state or federal rental subsidies? NO

Nature of Violation(s): PAINT BLDG, WEEDS, ROOF AND DRAINAGE, GRAFFITI

Date Fine or Lien Imposed: 07/16/2018 Amount of Fine: \$100
per day

Have the violation(s) on the subject property been corrected: Yes / No (Circle one)

Date upon which the subject property was brought into compliance: 04/19/2019

5. Please provide the following information:

Code enforcement case number: 17-594

Were you the property owner at the time the lien was imposed? Yes / No (Circle one) If so, how many days did it take from the board order to the date compliance was achieved? 277 days ?

If you were not the property at the time the violation occurred, were you aware of the lien when you purchased the property? Yes / No / NA (Circle one) If the property was not in compliance at the time you purchased the property how many days from the time of purchase did it take for you to come into compliance? _____

Did you receive the Notice of Violation issued by the Code Enforcement Division: Yes / No (Circle one)

Did you receive the Finding of Facts issued by the Code Enforcement Board: Yes / No (Circle one)

The factual basis upon which the application for reduction of the lien should be granted:

I have a hearing issue I was born with known medically as a hearing drop that kept me from serving in the United States Military. Hearing aids do not help my situation so I will confess that I did not hear or understand much of what was said at the Code Enforcement Hearing. Assuming that the board would follow the law and be fair, I did not believe that I would need an attorney to accompany me at the hearing for me to agree to simply cut the grass and clean up the items on the violation at the property.

I had fully intended to comply with the violations and take care of the issues. What I should have realized was that, due to the low sound level in the Chamber, I should have taken someone who could keep me informed as to what was being said and was being put into the records.

I do know that I tried to find contractors who would comply with the stringent requirements of Mr. Scott Davis on repair the soffits. He stated that we needed a permit to cover the soffits to which later we found out that we did not need a permit. However, that process caused a waste of valuable time.

Eleven days on July 05, 2018, before the start of the date for the fee (07/16/2018), I wrote a letter to Mr. Steven Murdick (copy attached) explaining the hardship I was having in getting contractors who would comply with Mr. Davis requirements. I also included pictures of the property showing the improvements that had been made. Eventually, I received approval to use aluminum fascia to cover the soffits to which we applied immediately. Therefore, I was under the impression that we were in compliance.

After many years of trying to sell the place, I finally have a buyer and was shocked to find there was a \$27,700 lien on the property. One would certainly have to believe that I did not know of the lien. It does not seem logical that I would do all of that work and ignore the fact that I still did not satisfy the violations.

Therefore, as a businessman of 50 years in the City of Cocoa, I respectfully request that the Board free my property of this lien and let me sell the property and move on.

Thank You

The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded:

To the best of my knowledge, I thought that I had brought the property into compliance I did not know the fine had been running for 277 days at \$100 per day or I can assure the Board that I would have done whatever it took to alleviate the fine.

Amount you are requesting that the lien be reduced to: \$1500.00 OR LESS RESPECTFULLY
Please provide any other information deemed pertinent to this request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine. Include documentation of any financial investment made to physically improve the property:

The repairs to the property were considered minor. I could not find a contractor interested in doing the work so, since I am a sheet metal contractor, I done the work repairing the soffits myself with my own manpower. I have hired a lawn cutter to keep the grass mowed and hired a painter to paint the building and paint over the graffiti. I did not keep accurate documentation of the financial investment to complete the work.

I have spent around \$4,800.00 for the soffit material to go around the structure. There is free paint at the Brevard County Waste Site. I paid a few hundred dollars to the painter and grass cutter.to keep the grass mowed.

Are there any other properties within the jurisdictional limits of the City of Cocoa owned by the applicant and/or owners of the subject property on which code violations have been alleged, of which the case is still active, or a Finding of Facts has been entered by the Code Enforcement Board, if so please provide the address, the nature of violation and the status of such:

6. Please submit the following items in order complete the application:

- a. ☒ **Notarized application.**
- b. ☒ **Reimbursement to City for recording costs at time of application.** Pursuant to Section 6-707(c), Code of the City of Cocoa, at the time of application, payment to the city in the amount necessary to reimburse the City for its costs associated with processing and recording the order imposing a penalty or fine and the requested satisfaction or release of lien. Please make checks payable to the 'City of Cocoa' and submit payment ONLY to the Community Services Department. Please note that these costs are non-refundable without regard for the final disposition of the application for satisfaction or release of lien. **The application fee is \$20.00 and will need to be paid at the time the application is submitted.**

- c. ☐ **Letter of authorization.** If the applicant is not the property owner, a notarized letter of authorization or agent affidavit is required, unless the applicant is the Attorney of the owner. Each property owner must complete a separate authorization form or other suitable documentation to allow the agent to act upon his/her behalf.
- d. ☐ **Corporate documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
- e. ☐ **Additional information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, elevations, or letters from adjoining property owners.
7. **Application Filing Procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Code Enforcement Division by the third Friday of each month at 5:00 pm in order to be scheduled for public hearing for the following month.
8. **Procedure per City Code.** Section 6-707 states the City Lien Reduction rules and procedures for applying for a reduction. It is the applicant's responsibility to read and understand the rules and procedures that are located on page 6 of the Lien Reduction Application
9. **Board Action.** An Inspection of the property must be performed to be scheduled at the Code Board. Following a presentation by staff and testimony offered by the applicant, the Code Enforcement Board will formulate a recommendation to City Council.
10. **City Council Action.** An Inspection of the property must be performed to be scheduled before council. Following the Code Enforcement Board making a recommendation to the City Council, staff will schedule the item for the next available City Council regular meeting.
11. **Inspections.** I agree to allow Code Enforcement to inspect my property and give consent to walk the property before proceeding with this reduction ☒ YES ☐ NO

Signature below will also show that consent to inspect was given by the property owner or representative.

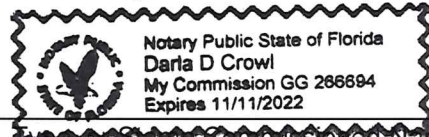
12. Signatures and Notarization.

STATE OF Florida COUNTY OF Brevard. I, Larry Curvin being first duly sworn, depose and say that:

- ☒ I am the applicant, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the applicant of this application and a notarized Letter of Authorization form or agent affidavit accompanies this application giving written, unless the applicant is the Attorney representing the owner.

I hereby certify that I have read, completed and understand this Application and understand that if my application and all associated attachments are not complete and accurate in all respects, the application will not be scheduled for a public hearing. I further understand that this application must be complete and accurate prior to the advertising of a public hearing.


(APPLICANT SIGNATURE)
Public)



(Print, Type, or Stamp Commissioned Name of Notary

Personally Known ☒ OR Produced Identification ☐

Type of I.D. Produced DRIVERS LICENSE


(NOTARY PUBLIC SIGNATURE)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 30 day of December, 20 20