

**City of Safety Harbor Application For
PETITION FOR REDUCTION OR WAIVER
OF CODE ENFORCEMENT LIEN**

Date Received:	
Accepted by (initial):	
Case Number:	

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 2011-18, Resolution 2021-02, and the Procedure for Lien Reduction or Waiver attached to this application prior to submitting your petition.**

1. CONTACT INFORMATION:

Applicant's Name:	
Representative's Name:	
Mailing Address:	
Telephone:	E-Mail:

2. LIEN INFORMATION:

Lien Address:		Parcel ID#:
Has the Applicant previously applied for lien reduction for this property?		
<input type="checkbox"/> Yes	<input type="checkbox"/> 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. CASE INFORMATION:

Code Enforcement Case #:
Description of Code Violation(s):
Date found in Violation by the Code Enforcement Board:
Date ordered by the Code Enforcement Board to Come into Compliance:
Date property was found in compliance by Code Enforcement Officer on Affidavit of Compliance:

4. REQUEST:

LIEN AMOUNT	LIEN REDUCTION REQUEST	FILE 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 for Petition for Reduction of Code Enforcement Lien is true and correct;
- ❖ acknowledges that he/she has read Resolution 2011-18, Resolution 2021-02, and the Procedure for Lien Reduction or Waiver; and
- ❖ further acknowledges that he/she was given an opportunity to ask questions regarding the Procedure for Lien Reduction or Waiver.

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
STAMP**

FOR SAFETY HARBOR USE ONLY:

- APPLICATION COMPLETED IN ITS ENTIRETY
- APPLICATION PROPERLY NOTARIZED
- VERIFICATION MADE OF NO ACTIVE CODE CASES AT LIEN ADDRESS
- COPY OF LIEN ATTACHED

SCHEDULED FOR CITY COMMISSION CONSIDERATION ON:

PROCEDURE FOR LIEN REDUCTION OR WAIVER

The Safety Harbor City Commission has the discretionary authority to reduce, waive, or otherwise compromise code enforcement liens. The City Commission has prescribed its procedures for doing so in in Resolution 2011-18 as amended by Resolution 2021-02. A person or entity requesting a reduction or waiver has no right to the reduction or waiver of any fine or lien. **Applications will not be accepted if the Lien Address (property subject to the lien) has any active codes 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 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 or consider the lien, a waiver or reduction in lien shall not be granted.,
- (3) a request for waiver or reduction in lien shall not be granted if the City Commission previously has reduced the amount of the lien whether or not the request is received from the original applicant for reduction or a subsequent applicant.

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 on 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 two years	0%
(3) Previous Code Violations	
(a) No previous case history	20%
(b) Repeat Violator	0%
<i>Total Possible Lien Reduction</i>	<i>100%</i>

DECISION PROCESS

- ❖ The City Manager, or his/her designee, is authorized to approve requests for code enforcement lien reductions up to a total maximum of \$25,000, 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 \$25,000 less administrative expenses. Any requests for reduction in a greater amount shall require approval by the City Commission in accordance with the procedures below:
- ❖ The City Manager will place the application for reduction upon the agenda of a City Commission meeting. The City Manager will prepare a recommendation to the City Commission and the 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 or waiver of lien in considering the application for satisfaction or release of lien.
- ❖ The City Commission may reduce the amount of the lien, waive the full amount of the lien 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 City 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.