

STAFF REPORT REGULAR MEETING

AGENDA DATE: October 15, 2024

DEPARTMENT: City Attorney

TITLE:

Settlement Agreement in Case No. 50-2024-CA-001688, City of Lake Worth Beach v 1 Jeanne 923, LLC

SUMMARY:

The City initiated a foreclosure action relative to the property located at 528 S J St for outstanding code compliance liens. The Settlement Agreement proposes that after the Defendant pays the City \$50,000 and the Defendant spends at least \$37,000 to fence and landscape the property; any unexpended funds (from the \$37,000) will be deposited into the City's tree fund. In exchange, the City will dismiss its foreclosure action and release all code liens on the subject property.

BACKGROUND AND JUSTIFICATION:

The current property owner purchased the property in 2014. Prior to that time, there were numerous code compliance cases on the property that were eventually corrected, and any outstanding liens paid through foreclosure and the bank that took ownership after foreclosure. Since 2014, the following is the code compliance case history for this property:

Case 15-893	trash, garbage (mattress in front yard)	complied prior to hearing
Case 16-1360	no business license; abandoned/inoperable vehicle; trash, garbage	complied prior to hearing
Case 16-1593	no business license – need to schedule inspection	closed prior to issuance of formal notice of violation
Case 18-1027	inoperable vehicle	resolved without hearing (may have been red tagged)
Case 19-1120	parking on grass; landscaping; trash, garbage	complied prior to hearing
Case 21-092	multiple, including removal of siding without permit	City foreclosing
Case 23-349	chronic nuisance	complied - active for 1 year of monitoring
Case 23-2268	work without permits	reference 23-2300
Case 23-2300	work without permits	resolved without hearing

There is one lien on the property, related to Case 21-092, which the City is foreclosing.

Shortly after the City filed the foreclosure action, the Defendant indicated its desire to enter into settlement negotiations to resolve the matter. The total amount of the City's lien on the property is \$74,200.00. The property is currently in compliance with the City Code. After several rounds of negotiations and participation in mediation, the Defendant agreed to a payment of \$50,000 to the City,

to be made within thirty days of the effective date of the Settlement Agreement. In addition, Defendant will spend at least \$37,000 to fence and landscape the property; any unexpended funds (from the \$37,000) will be deposited into the City's tree fund. In addition, In return, the City would dismiss the foreclosure action and release all code liens at the subject property.

MOTION:

Move to approve/disapprove the Settlement Agreement with 1 Jeanne 923 LLC.

ATTACHMENT(S):

Settlement Agreement