



City of Hallandale Beach

JUNE 5, 2013

# LIEN MITIGATION REPORT YEAR 2008-2012



## **Background**

The purpose of this report is to provide an analysis of the city's current lien mitigation policy, a summary on staff's research on best practices in the area, and a staff's recommendation moving forward.

On March 7, 2006, the City Commission approved Ordinance No. 2006-06 amending Chapter 9 to empower a Special Magistrate to hear and determine Code Compliance matters in place of the Code Enforcement Board. The intent of the Ordinance was to improve efficiency concerning code compliance matters and to allow a qualified person to serve as the Special Magistrate. Said Ordinance also authorized the City Manager to waive an accumulated fine or to settle and compromise the fine for a lesser amount or otherwise amend or modify the order, subject to ratification or rejection by the City Commission to mitigate code compliance matters. The specific City Code provision that references this ordinance is attached as Exhibit 1.

Since approval of Ordinance No. 2006-06, staff has been following City Administrative Policy No. 2004.002, which gave the City Manager the authority to mitigate such code compliance issues. This policy was formally adopted as part of Resolution No. 2013-17 by the City Commission on February 6, 2013 (Exhibit 2).

The City Commission on March 20, 2013, requested information on: (1) best practices related to lien mitigation; and (2) a summary of the lien mitigation authorized by the City Manager's Office for the past five years. (A detailed list of lien mitigation activities for the past five years is attached as Exhibit 3.)

## **Current Lien Mitigation Policy**

Staff is currently operating under the following policy:

- The purpose of this policy is to provide a procedure for Mitigation of Special Magistrate fines and liens. Requests for mitigation of liens are processed by the Code Compliance Division and the recommendation may be approved or denied by the City Manager in accordance with Chapter 9, Section 9-50, of the City Code.
- The Code Compliance Division submits a Mitigation Memo to the City Manager to include a recommended mitigation amount, brief summary of violations, reason for recommendation, brief summary of costs incurred by the City and listing of actual costs. Recommendations are calculated using the following criteria:
  1. Non-Homestead property may be reduced to actual costs or 10% of total fine amount, whichever is greater.
  2. Homestead property may be reduced to actual costs or 5% of total fine amount, whichever is greater.

3. Participants in the Community Redevelopment Agency (CRA) Neighborhood Improvement Program (NIP) and/or if mitigated amount and/or calculated costs are less than \$500.00, amount recommended will be \$500.00 to cover minimum costs.
  4. Hardship cases such as death, illness, elderly, financial, and/or catastrophe may be reduced to 100%.
  5. Owners who have demonstrated lack of attempt to comply and/or due to severity of violation may be subject to an above standard amount of fine.
- Once the City Manager approves the recommended amounts in the Mitigation Memo, an Agreement Letter is sent via U.S. regular mail to the person who submitted the request. The letter must be signed and returned with payment of the mitigated amount within thirty (30) days for the agreement to be valid. If payment is received, the Release of Lien will be prepared after the check clears, in approximately two (2) weeks. A Thank-you Letter is sent to the Property Owner when payment is received. Once the Release of Lien is signed by the City Clerk and the City Manager, the original Release of Lien will be recorded in Broward County and a copy of the recorded Release of Lien will be given to the person who requested mitigation of the fines.

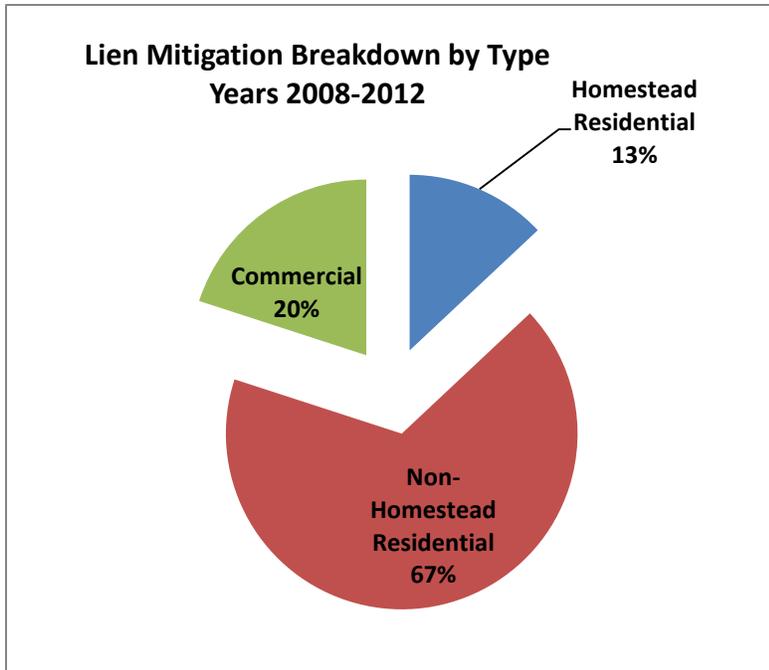
## Analysis

The Code Compliance Division, through the City Manager's Office, mitigates approximately 53 cases a year. The Code Compliance Division has collected on average over the past five years approximately \$150,000 per year.

| Year    | Number of Cases | Total Original Fine | Total Mitigated Fine |
|---------|-----------------|---------------------|----------------------|
| 2008    | 60              | \$1,628,400.00      | \$129,730.00         |
| 2009    | 57              | \$2,060,550.00      | \$120,195.00         |
| 2010    | 49              | \$2,179,300.00      | \$160,860.00         |
| 2011    | 46              | \$2,567,650.00      | \$206,930.00         |
| 2012    | 52              | \$3,138,250.00      | \$137,385.00         |
| Average | 53              | \$2,314,830.00      | \$151,020.00         |

**Table: Summary of Lien Mitigation Activities in City of Hallandale Beach, Years 2008-2012**

Source: Hallandale Beach Devt. Services Dept. Code Compliance Division



Of all the lien mitigation cases, **13%** are homestead residential, **67%** are non-homestead residential and **20%** are commercial cases. Approximately **35%** of the cases requesting mitigation are foreclosure properties and/or are in the process of selling the property and require mitigation and payment of fines in order to obtain a clear title that accompanies the sale of the property. Staff also estimates that about **30%** of all lien mitigation cases exceed \$50,000. The City has collected **91%** of all the liens mitigated to date.

### Impacts on Commission’s Approval for Lien Mitigation

Should a lien mitigation request over \$50,000 require City Commission’s approval, such action will have the following consequences:

1. **Unknown Costs:** Oftentimes, the lien shows up unexpectedly during a title search as part of a real estate transition with a specified closing date. The lien mitigation will become an unknown number, which will place great uncertainty on the prospective buyer of the property when doing his or her due diligence as part of the pro forma. This uncertainty of the lien mitigation may negatively impact the real estate transaction. The current policy of mitigating up to 10% for non-homestead property and 5% for homestead property allows greater certainty to the buyer on what costs will be incurred for the real estate transaction to occur. In this case, the prospective buyer knows what to budget and has certain expectation on the final outcome.
2. **Unanticipated Delay:** The process to mitigate the lien will be prolonged by at least four to six weeks, placing additional hardship on both the seller and buyer, adding greater uncertainty for a favorable outcome. (In the summer months, this delay may be over eight weeks.) In this case, staff would suggest the implementation of an application fee as more staff time will be involved in processing such an application from Development Services, City Attorney’s Office, and the City Manager’s Office. (For example, the City of Wilton Manors requires an application fee of \$200 for such a lien mitigation request before the City Commission.)

In short, the uncertainty of time and costs resulting from a policy that fine mitigation cases over \$50,000 be approved by the City Commission disincentives redevelopment opportunities for both residential and commercial properties. Consequently, property values will continue to be distressed until the lien mitigation is ultimately resolved by the property owner, who in most cases is not in the position to pay more than the percentage specified in the current policy.

Staff has inquired with other cities within Miami-Dade and Broward Counties as to their processes for lien mitigation. (Please see the table below.) The majority of the cities authorize the City Manager or the Director of Financial Services to negotiate and settle all fines and liens. Some cities require ratification or specific approval by the Special Magistrate. Staff's analysis shows that out of the 10 cities surveyed, only two cities require Commission's approval for lien mitigation: Wilton Manors for all lien mitigation cases; and Oakland Park for liens over \$25,000.

**Table: Summary of Sample Broward and Miami-Dade Cities on Lien Mitigation Practices**

| City                       | Application Fee      | Director of Financial Ser. | City Manager  | Special Magistrate | City Commission |
|----------------------------|----------------------|----------------------------|---------------|--------------------|-----------------|
| Hallandale Bch.            | \$0                  |                            | X             |                    |                 |
| Hollywood <sup>1</sup>     | \$0                  | X                          |               |                    |                 |
| Tamarac                    | \$75                 |                            |               | X                  |                 |
| Miami Gardens <sup>2</sup> | \$250 (\$75 amnesty) |                            | X (amnesty)   | X                  |                 |
| Wilton Manors              | \$200                |                            |               |                    | X               |
| West Park <sup>3</sup>     | \$50                 |                            | X             |                    |                 |
| Sunrise <sup>4</sup>       | \$100                |                            | X (amnesty)   | X                  |                 |
| North Miami                | \$0                  |                            | X             |                    |                 |
| Oakland Park <sup>5</sup>  | \$0                  |                            | X (<\$25,000) |                    | X (>\$25,000)   |
| Coral Springs <sup>6</sup> | \$300                | X (short sale)             |               | X                  |                 |
| Miramar                    | \$0                  |                            |               | X                  |                 |

Notes:

1. Hollywood: Dir. of Financial Services negotiates/settles all liens; Special Magistrate ratifies settlement.
2. Miami Gardens: Staff has the authority to negotiate reduction of 15%, which is required to be approved by the Special Master. The City also has an amnesty program to reduce liens to 5% (Homestead: \$500 to \$7,500; Non homestead: \$1,000 to \$10,000; Commercial \$1,500 to \$15,000), processed by the Code Clerk.
3. West Park: City Administrator negotiates and settles all fines; Special Magistrate ratifies settlement.
4. Sunrise: Amnesty program period ends Sep. 30, 2013, to allow 15% reduction of liens.
5. Oakland Park: Liens over \$25,000 require City Commission approval.
6. Coral Springs: Directors of Financial Services and Development Services have the authority to make the final decision where another legal transaction (short sale) is pending and timely resolution is required.

Source: City of Hallandale Beach Development Services Dept., Code Compliance Div., May 2013.

In fact, of the cities surveyed, two cities provide even further incentive by instituting an amnesty program along with the existing Special Magistrate's authority to mitigate liens: Miami Gardens and Sunrise. Further, the City of Coral Springs expressly authorizes the Financial Services and Development Services Directors to mitigate liens when a legal transaction such as a foreclosure or short sale is involved. It is staff's opinion that the best practices involve either the City Manager or Special Magistrate the authority to mitigate the fines. Staff also concludes that cities are increasingly taking action to

further *streamline* their processes for lien mitigation to address the real estate foreclosure crisis.

## **Summary and Recommendation**

The intent of Code Compliance is to encourage property owners to maintain their properties in accordance to city standards. If there are code violations, it is in the interest of the city and the adjacent property owners that the code violations are remedied in an expeditious manner.

The policy outlined in Res. No. 2013-17 encourages property owners to abate code violations and have the fines reduced to a reasonable amount. Some of these cases involve the infirmed, the disabled and the elderly population, which staff has mitigated with the City Manager's Office support. The policy criteria for lien mitigation are objective, compassionate and consistent with the prevailing practices and policies of the cities in the survey.

The policy encourages foreclosure properties to be purchased, violations abated and fines mitigated under certain circumstances. When these code violations are corrected, the positive effect on the surrounding neighborhood is immediate, raising the property values in return. It is the staff's opinion that the existing policy, instituted since 2006, provides these incentives for code violators to take more immediate action to improve distressed properties. Without these incentives and with the uncertainties explained above if lien mitigation cases over \$50,000 are decided by the City Commission, staff anticipates code violations to take much longer to be corrected, prolonging the distressed condition of the property, which negatively affects the surrounding neighborhood and property values.

The goal of Code Compliance is to seek timely remedy of the code violations, abatement of the slum and blighted conditions, so the public health, safety and welfare of the city's residents is maintained. The existing policy provides the necessary tools for property owners to accomplish that goal.

Based on the concerns raised regarding streamlining the process for applicants requesting lien mitigation, staff recommends that the City Commission give consideration to the following two options:

1. Enforce the current lien mitigation process as approved and adopted in Resolution No. 2013-17; or
2. Establish a policy that would provide for liens over \$50,000 to be mitigated by the Special Magistrate, with the adoption of an application fee.

### **List of Exhibits**

Exhibit 1 – City Code Sec. 9-50

Exhibit 2 – Resolution No. 2013-17

Exhibit 3 – List of Liens Mitigated, Years 2008-2012

## **EXHIBIT 1**

### **Sec. 9-50. Mitigation or amendment of an order.**

An aggrieved party may by written application submitted to the city manager within six months of the date of service of the final order of the special magistrate may petition the city manager to waive an accumulated fine or to settle and compromise the fine for a lesser amount or otherwise amend or modify the order, subject to ratification or rejection by the city commission. Such application shall set forth such fact and circumstances in favor of the application as the petitioner shall deem appropriate, as well as the amount, if any, offered in such compromise or settlement. A copy of such application shall be served on the city attorney at the time the original is filed. At the time of hearing, the city manager shall consider such application, sworn testimony and information or documents submitted by either party and after due deliberation, the city manager shall have the right, duty, power, authority and jurisdiction to make such other order of compromise, mitigation, amendment or modification as appropriate.

(Ord. No. 2006-06, § 3, 3-7-2006)

## RESOLUTION NO. 2013 - 17

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3           **A RESOLUTION OF THE MAYOR AND CITY**  
4           **COMMISSION OF THE CITY OF HALLANDALE BEACH,**  
5           **FLORIDA, ADOPTING POLICIES AND PROCEDURES, AS**  
6           **SET FORTH IN EXHIBIT A, GOVERNING THE**  
7           **MITIGATION PROCESS FOR CODE ENFORCEMENT**  
8           **FINES AND LIENS; AND PROVIDING AN EFFECTIVE**  
9           **DATE.**

10  
11  
12           **WHEREAS**, Ordinance No. 2006-06, which is codified in section 9-50 of the  
13 City's Code of Ordinance authorizes a Special Magistrate to preside over and determine  
14 code enforcement violations for the City; and

15  
16           **WHEREAS**, section 9-50 also authorizes the City Manager to waive accumulated  
17 fines or settle and compromise accumulated fines to a lesser amount; and

18  
19           **WHEREAS**, since the adoption of Ordinance No. 2006-06, staff has administered  
20 City Administrative Policy No. 2004-002 Mitigation of Fines and Liens as a guideline for  
21 governing mitigation process; and

22  
23           **WHEREAS**, City Administration desires to streamline the process in accordance  
24 with best practice models; and

25  
26           **WHEREAS**, City Administration has researched the best practice model for  
27 governing the mitigation of fine and lien process and recommends approval of the  
28 Policies and Procedures set forth in attached Exhibit A; and

29  
30           **WHEREAS**, the Mayor and City Commission have determined that it is in the  
31 best interest of the City to adopt the Policies and Procedures governing the City's  
32 mitigation of code compliance fines and liens process.

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34           **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY**  
35 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

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**SECTION 1. City Commission Action.** The Mayor and City Commission hereby ratify and approve City Administrative Policy No. 2004-002/R5 Mitigation of Fines and Liens, as may be further amended as attached in Exhibit 4

**SECTION 2. Effective Date.** This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this 6<sup>th</sup> day of February, 2013.

  
\_\_\_\_\_  
JOY F. COOPER  
MAYOR

SPONSORED BY: CITY ADMINISTRATION

ATTEST  
  
\_\_\_\_\_  
SHEENA JAMES  
CITY CLERK

Sponsored by City Administration

APPROVED AS TO LEGAL SUFFICIENCY AND FORM

  
\_\_\_\_\_  
V. LYNN WHITFIELD  
CITY ATTORNEY

VOTE  
AYE/NAY

|                 |                                     |                                     |
|-----------------|-------------------------------------|-------------------------------------|
| Mayor Cooper    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Vice Mayor Lewy | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Comm. Julian    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Comm. Lazarow   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Comm. Sanders   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

## EXHIBIT "A"

### POLICIES AND PROCEDURES FOR MITIGATION OF FINES AND LIENS

#### I. PURPOSE/INTENT

The purpose of this policy is to provide a procedure for Mitigation of Special Magistrate and/or Code Enforcement Board Fines and Liens, as well as mitigation of Lot Mowing, Lot Clearing, Demolition and Utility Accounts <sup>lien</sup>(s).

#### II. DEFINITIONS

Lien - A claim, encumbrance, or charge on property for payment of some debt, obligation or duty. Accounts Receivables of the City in which lien rights exist to affect collection and/or a deposit is held. Examples are Utility Accounts in the owner's name, Lot Mowing and Clearing, Demolitions, Code Enforcement Board Actions, Code Enforcement Fines/Liens and Special Assessments.

Mitigation - To make less severe. Alleviation, reduction, abatement, or diminution of a penalty or punishment imposed by law.

Neighborhood Improvement Program (NIP) - assists property owners to achieve parking, roof, drainage and property maintenance improvements by offering no interest loans and other incentives.

Special Magistrate - Person who shall conduct Code Enforcement hearings pursuant to Chapter 162, Municipal Code Enforcement, of the Florida Statutes and Chapter 9, of the City's Code of Ordinances.

#### III. POLICY/PROCEDURES

Requests for Mitigation of Special Magistrate and/or Code Enforcement Board liens(s) shall be processed by the Development Services Department, Code Compliance Division and the recommendation may be approved or denied by the City Manager in accordance with Chapter 9, Section 9-50, of the City of Hallandale Beach's Code of Ordinances.

The process is as follows:

- 1) The property owner and/or representative shall submit a completed Mitigation Request Form (Attachment 1) including any documentation to support the Mitigation Request, to the Code Compliance Supervisor. No requests will be considered for the Mitigation process until all violations have been corrected.
- 2) The Development Services Department, Code Compliance Division will review the file and complete a Summary Form (Attachment 2) which will include the following:
  - a) Owner name, address, folio number and case number;
  - b) List of violations;
  - c) Original date cited, final order date to comply and compliance date;
  - d) Fine amount that was assessed per day and amount owed;

- e) Homestead Status;
  - f) Reason owner requests Mitigation of Fines; and
  - g) Cost incurred by the City.
- 3) The Development Services Department, Code Compliance Division, will submit a Mitigation Memo (Attachment 3) to the City Manager to include a recommended mitigation amount, brief summary of violations and reason for recommendation, brief summary of costs incurred by the City and listing of actual costs. Recommendations will be calculated using the following Criteria:
- a) Non-Homestead property may be reduced to actual costs or 10 % of total fine amount, whichever is greater.
  - b) Homestead property may be reduced to actual costs or 5 % of total fine amount, whichever is greater.
  - c) Participants in the Neighborhood Improvement Program (NIP) program may be reduced to costs incurred by the City and/or if mitigated amount and/or calculated costs are less than \$500.00, amount recommended will be \$500.00 to cover minimum costs.
  - d) Hardship cases such as death, illness, elderly, financial, and/or catastrophe may be reduced 100%.
  - e) Owners who have demonstrated lack of attempt to comply and/or due to severity of violation may be subject to an above standard amount of fine.
- 4) Once the City Manager approves the recommended amounts on the Mitigation Memo, an Agreement Letter (Attachment 4) is sent via U.S. regular mail to the person who submitted the request. The letter must be signed and returned with payment of the mitigated amount within (30) days for the agreement to be valid. If the agreement is not signed, the Mitigation request will not be processed. Payment can be made in cash or Certified Bank Check for the Release of Lien document to be prepared. If payment is received in the form of a personal check, the Release of Lien will be prepared after the check clears in approximately (2) weeks. A Thank-you Letter (Attachment 5) is sent to the Property Owner when payment is received. Once the Release of Lien is signed by the City Clerk and the City Manager, the original Release of Lien will be recorded in Broward County and a copy of the recorded Release of Lien will be given to the person who requested Mitigation of the fines.
- 5) Request for mitigation of Lot Mowing, Lot Clearing, Demolition and Utility Accounts lien(s) shall be processed to the City Commission.
- a) A request for mitigation of a lien(s) before the City Commission shall be submitted to the City Manager's office in writing, describing the reasons for the request. A filing fee in the amount of \$150.00 must be paid to the City before the mitigation is processed and placed on the City Commission agenda. The City Manager shall have the authority to waive the filing fee if the applicant demonstrates a hardship.
  - b) The City Manager shall transmit the request for mitigation to the appropriate City department for the preparation of a staff report and agenda item.

IV. **ADDITIONAL INFORMATION, REQUIREMENTS, AND RESPONSIBILITIES**

It shall be the responsibility of the Development Services Department, Code Compliance Division, to update this Administrative Policy.

# Exhibit 3

| <b>Mitigations 2008</b> |                          |                      |                       |  |
|-------------------------|--------------------------|----------------------|-----------------------|--|
| <b>Case Number</b>      | <b>Address</b>           | <b>Original Fine</b> | <b>Mitigated Fine</b> |  |
| # 07-1703               | 309 NW 7 Court           | \$13,350.00          | \$1,335.00            |  |
| # 06-3253               | 315 NW 11 Street         | \$34,200.00          | \$3,420.00            |  |
| # 07-551                | 601 NW 3 Avenue          | \$14,800.00          | \$1,480.00            |  |
| # 07-120                | 226 NE 3 Street          | \$10,600.00          | \$1,060.00            |  |
| # 06-774                | 918 NE 4 Court           | \$15,200.00          | \$1,520.00            |  |
| # 06-2970               | 721 NE 5 Street          | \$20,700.00          | \$2,070.00            |  |
| # 05-804                | 707 NW 10 Court          | \$36,400.00          | \$500.00              |  |
| # 05-2126               | 902 NW 6 Terrace         | \$101,600.00         | \$500.00              |  |
| # 07-705                | 517 NE 2 Avenue          | \$2,100.00           | \$0                   |  |
| # 06-2013               | 717 NE 1 Street          | \$52,300.00          | \$0                   |  |
| # 06-1409               | 325 W HBB                | \$90,450.00          | \$9,045.00            |  |
| # 07-1122               | 708 Moffett Street       | \$25,800.00          | \$2,580.00            |  |
| # 07-2068               | 616 SW 6 Street          | \$9,700.00           | \$970.00              |  |
| # 07-1345               | 704 NE 8 Street          | \$24,300.00          | \$2,430.00            |  |
| # 07-366                | 620 Atlantic Shores Blvd | \$12,600.00          | \$1,260.00            |  |
| # 07-556                | 716 NE 8 Street          | \$15,100.00          | \$1,510.00            |  |
| # 07-1368               | 309 NW 2 Avenue          | \$19,100.00          | \$1,910.00            |  |
| # 06-1588               | 203 NE 2 Avenue          | \$64,200.00          | \$6,420.00            |  |
| # 06-2238               | 410 E HBB                | \$5,700.00           | \$570.00              |  |
| # 07-1609               | 209-211 NE 4 Street      | \$11,000.00          | \$1,100.00            |  |
| # 07-2135               | 637 NW 5 Court           | \$16,800.00          | \$840.00              |  |
| # 07-236                | 1000 NE 7 Street         | \$8,400.00           | \$500.00              |  |
| # 06-3701               | 550 NE 1 Avenue          | \$2,600.00           | \$500.00              |  |
| # 07-1889               | 210 NE 2 Street          | \$2,800.00           | \$500.00              |  |
| # 07-1685               | 227-229 N Fed Hwy        | \$2,200.00           | \$500.00              |  |
| # 05-3663               | 623 SW 2 Street          | \$5,100.00           | \$500.00              |  |
| # 06-763                | 1019 NW 1 Avenue         | \$78,200.00          | \$0                   |  |
| # 07-344                | 117 NE 2 Avenue          | \$19,600.00          | \$1,960.00            |  |
| # 08-4524               | 631 SW 8 Avenue          | \$11,200.00          | \$1,120.00            |  |
| # 03-1506               | 19 SW 8 Street           | \$84,400.00          | \$8,440.00            |  |
| # 07-1454               | 329 NE 1 Street          | \$27,800.00          | \$1,390.00            |  |
| # 08-1472               | 1010 N Fed Hwy           | \$20,300.00          | \$500.00              |  |
| # 07-1503               | 622 NE 7 Street          | \$4,900.00           | \$500.00              |  |
| # 08-4732               | 830 S Dixie Hwy          | \$1,200.00           | \$500.00              |  |
| # 08-4662               | 927 W HBB                | \$3,700.00           | \$500.00              |  |
| # 06-3562               | 208 NW 7 Street          | \$16,600.00          | 1,660.00              |  |
| # 07-695                | 700 NE 1 Avenue          | \$12,300.00          | \$1,230.00            |  |
| # 06-4060               | 539 NW 1 Avenue          | \$52,900.00          | \$5,290.00            |  |
| # 08-162                | 434 SW 11 Avenue         | \$16,100.00          | \$1,610.00            |  |
| # 07-677                | 649 NW 6 Court           | \$45,400.00          | \$4,540.00            |  |
| # 08-231                | 637 SW 2 Court           | \$13,800.00          | \$1,380.00            |  |
| # 06-3892               | 1030 W HBB               | \$41,900.00          | \$4,190.00            |  |
| # 07-2173               | 1818 E HBB               | \$29,850.00          | \$2,985.00            |  |
| # 08-464                | 629 NW 5 Avenue          | \$10,300.00          | \$515.00              |  |

|               |                      |                |              |  |
|---------------|----------------------|----------------|--------------|--|
| # 06-3788     | 203 SE 9 Court       | \$2,700.00     | \$500.00     |  |
| # 06-3804     | 221-223 SE 10 Street | \$3,500.00     | \$500.00     |  |
| # 06-3797     | 229 SE 10 Street     | \$4,000.00     | \$500.00     |  |
| # 07-2656     | 619 NE 5 Street      | \$21,600.00    | \$0          |  |
| # 08-478      | 316 NE 4 Court       | \$4,500.00     | \$0          |  |
| # 07-2778     | 611 NE 5 Street      | \$23,000.00    | \$2,300.00   |  |
| # 06-1743     | 424 N Fed Hwy        | \$34,500.00    | \$3,450.00   |  |
| # 07-2799     | 430 Ansin Blvd 430C  | \$28,700.00    | \$2,870.00   |  |
| # 06-3806     | 205 NE 1 Avenue      | \$11,200.00    | \$1,120.00   |  |
| # 08-440      | 621 W HBB            | \$8,900.00     | \$890.00     |  |
| # 08-4725     | 701 SW 8 Avenue      | \$20,000.00    | \$2,000.00   |  |
| # 06-3326     | 710 NW 7 Avenue      | \$175,000.00   | \$17,500.00  |  |
| # 06-358      | 701 NW 7 Avenue      | \$141,450.00   | \$14,145.00  |  |
| # 07-2687     | 708 NW 9 Court       | \$22,500.00    | \$1,125.00   |  |
| # 07-2929     | 313 SW 7 Court       | \$15,300.00    | \$500.00     |  |
| # 08-4937     | 233 SW 4 Street      | \$1,900.00     | \$500.00     |  |
| # 07-1427     | 713 NE 7 Street      | \$2,100.00     | \$500.00     |  |
|               |                      |                |              |  |
| <b>TOTALS</b> |                      | \$1,628,400.00 | \$129,730.00 |  |

| <b>Mitigations 2009</b> |                           |                      |                       |  |
|-------------------------|---------------------------|----------------------|-----------------------|--|
| <b>Case Number</b>      | <b>Address</b>            | <b>Original Fine</b> | <b>Mitigated Fine</b> |  |
| # 07-2179               | 1818 E HBB                | \$29,850.00          | \$2,985.00            |  |
| # 07-677                | 649 NW 6 Court            | \$45,400.00          | \$4,540.00            |  |
| # 06-3603               | 1453 Atlantic Shores Blvd | \$50,300.00          | \$5,030.00            |  |
| # 04-1949               | 700 Old Fed Hwy           | \$123,100.00         | \$12,310.00           |  |
| # 06-1688               | 1201 E HBB                | \$55,800.00          | \$5,580.00            |  |
| # 08-4979               | 33 SW 8 Court             | \$20,900.00          | \$2,090.00            |  |
| # 08-5167               | 213 SE 4 Street           | \$11,400.00          | \$1,140.00            |  |
| # 06-336                | 100 NE 3 Street           | \$1,300.00           | \$500.00              |  |
| # 06-3284               | 221 NE 4 Court            | \$48,000.00          | \$500.00              |  |
| # 07-2969               | 101 NE 3 Street           | \$1,800.00           | \$0                   |  |
| # 07-821                | 700 NE 7 Street           | \$58,800.00          | \$5,880.00            |  |
| # 08-5166               | 214 SE 4 Street           | \$17,400.00          | \$1,740.00            |  |
| # 07-2972               | 105 NW 9 Terrace          | \$17,200.00          | \$1,720.00            |  |
| # 06-1987               | 201 W HBB                 | \$86,200.00          | \$8,620.00            |  |
| # 06-2629               | 301 Ansin Blvd            | \$7,650.00           | \$765.00              |  |
| # 05-116                | 615 NW 3 Avenue           | \$37,700.00          | \$1,885.00            |  |
| # 06-3753               | 1021 NE 10 Street         | \$7,000.00           | \$700.00              |  |
| # 07-945                | 616 NW 1 Avenue           | \$59,400.00          | \$5,940.00            |  |
| # 06-3760               | 1019 NE 10 Street         | \$7,000.00           | \$500.00              |  |
| # 07-1970               | 913 Foster Road           | \$118,500.00         | \$500.00              |  |
| # 07-2430               | 910 SW 5 Street           | \$26,700.00          | \$0                   |  |
| # 06-1409               | 325 E HBB                 | \$90,450.00          | \$0                   |  |
| # 08-2039               | 817 NE 5 Street           | \$7,300.00           | \$0                   |  |
| # 06-3929               | 623 NE 2 Street           | \$20,400.00          | \$2,040.00            |  |
| # 08-5744               | 15 N Fed Hwy              | \$10,800.00          | \$1,080.00            |  |
| # 07-2709               | 632 W HBB                 | \$43,700.00          | \$4,370.00            |  |
| # 07-2882               | 600 E HBB                 | \$1,500.00           | \$500.00              |  |
| # 08-5734               | 701 NE 1 Street           | \$1,500.00           | \$500.00              |  |
| # 08-4595               | 110 NE 2 Avenue           | \$5,500.00           | \$500.00              |  |
| # 06-3189               | 915 NW 2 Avenue           | \$134,250.00         | \$0                   |  |
| # 07-2390               | 826 NW 9 Street           | \$52,900.00          | \$5,290.00            |  |
| # 07-1678               | 431 Layne Blvd            | \$50,200.00          | \$5,020.00            |  |
| # 08-5162               | 2030 S Ocean Dr # 416     | \$20,100.00          | \$1,005.00            |  |
| # 08-5329               | 2200 Diana Dr # 101       | \$22,400.00          | \$1,120.00            |  |
| # 07-2815               | 209 NE 2 Avenue           | \$22,800.00          | \$1,140.00            |  |
| # 08-5033               | 201 NE 14 Avenue # 4B     | \$11,300.00          | \$1,130.00            |  |
| # 07-2967               | 834 W HBB                 | \$6,900.00           | \$690.00              |  |
| # 07- 2552              | 611 NE 2 Street           | \$7,000.00           | \$700.00              |  |
| # 06-3294               | 1123 NE 10 Street         | \$55,100.00          | \$2,755.00            |  |
| # 08-4611               | 115-117 NW 2 Street       | \$35,800.00          | \$3,580.00            |  |
| # 09-169                | 405 SW 8 Street           | \$19,500.00          | \$1,950.00            |  |
| # 07-1521               | 421 NW 6 Street           | \$73,900.00          | \$7,390.00            |  |
| # 07-2748               | 1013 NE 6 Street          | \$6,100.00           | \$610.00              |  |
| # 07-2691               | 305 SW 5 Street           | \$34,100.00          | \$3,410.00            |  |

|               |                        |                       |                     |  |
|---------------|------------------------|-----------------------|---------------------|--|
| # 08-5691     | 512 NE 1 Court         | \$14,600.00           | \$1,460.00          |  |
| # 08-24       | 423 NE 2 Avenue        | \$51,100.00           | \$2,555.00          |  |
| # 07-2311     | 709 NE 5 Street        | \$27,300.00           | \$1,365.00          |  |
| # 08-5310     | 616 Moffett Street     | \$3,900.00            | \$500.00            |  |
| # 06-3326     | 701 NW 7 Avenue        | \$175,000.00          | \$0                 |  |
| # 06-358      | 701 NW 7 Avenue        | \$141,450.00          | \$0                 |  |
| # 08-5421     | 1101 NE 4 Street       | \$2,600.00            | \$0                 |  |
| # 09-795      | 206 NE 2 Avenue        | \$5,800.00            | \$580.00            |  |
| # 09-1038     | 213 SW 3 Avenue        | \$6,200.00            | \$620.00            |  |
| # 08-5525     | 1102 NE 10 Street      | \$18,700.00           | \$1,870.00          |  |
| # 08-5957     | 251 SW 10 Avenue       | \$35,400.00           | \$3,540.00          |  |
| # 06-2993     | 800 N Fed Hwy          | \$6,400.00            | \$0                 |  |
| # 06-2991     | 800 N Fed Hwy          | \$6,400.00            | \$0                 |  |
| # 09-1123     | 2717 Parkview Dr South | \$800.00              | \$0                 |  |
|               |                        |                       |                     |  |
| <b>TOTALS</b> |                        | <b>\$2,060,550.00</b> | <b>\$120,195.00</b> |  |

| <b>Mitigations 2010</b> |                              |                      |                       |  |
|-------------------------|------------------------------|----------------------|-----------------------|--|
| <b>Case Number</b>      | <b>Address</b>               | <b>Original Fine</b> | <b>Mitigated Fine</b> |  |
| # 08-5460               | 635 NW 3 Court               | \$38,500.00          | \$3,850.00            |  |
| # 09-360                | 22 NE 1 Avenue               | \$25,800.00          | \$2,580.00            |  |
| # 08-6133               | 970 Pembroke Road            | \$30,100.00          | \$3,010.00            |  |
| # 09-1131               | 321 NE 1 Court               | \$8,000.00           | \$800.00              |  |
| # 07-2289               | 107 NE 4 Avenue              | \$35,700.00          | \$3,570.00            |  |
| # 08-4776               | 200 NE 1 Avenue              | \$32,200.00          | \$3,220.00            |  |
| # 09-798                | 180 NE 12 Avenue # 17A       | \$18,600.00          | \$500.00              |  |
| # 08-5252               | 128 NE 1 Avenue              | \$42,000.00          | \$500.00              |  |
| # 09-1098               | 907 NE 4 Street              | \$2,500.00           | \$500.00              |  |
| # 08-241                | 1000 Moffett Street          | \$700.00             | \$500.00              |  |
| # 09-208                | 622 NE 7 Street              | \$1,200.00           | \$0                   |  |
| # 08-440                | 645 NW 5 Court               | \$66,900.00          | \$6,690.00            |  |
| # 09-833                | 701 NW 7 Avenue              | \$5,000.00           | \$500.00              |  |
| # 09-1088               | 221 NW 1 Avenue              | \$8,400.00           | \$840.00              |  |
| # 09-13                 | 321 NE 1 Court # 109         | \$43,400.00          | \$4,340.00            |  |
| # 07-110                | 232 NE 3 Street              | \$43,300.00          | \$4,330.00            |  |
| # 06-3660               | 741 SW 4 Street              | \$117,400.00         | \$5,870.00            |  |
| # 08-5037               | 26 SW 2 Avenue               | \$51,200.00          | \$2,560.00            |  |
| # 08-339                | 200 S Old Fed Hwy            | \$4,600.00           | \$500.00              |  |
| # 07-2970               | 19 NE 1 Avenue               | \$2,000.00           | \$500.00              |  |
| # 09-286                | 206 SE 9 Court               | \$107,500.00         | \$10,750.00           |  |
| # 07-647                | 321 NE 1 Court               | \$95,600.00          | \$9,560.00            |  |
| # 07-2857               | 411 SE 10 Street             | \$61,900.00          | \$6,190.00            |  |
| # 07-110                | 232 NE 3 Street              | \$43,300.00          | \$2,165.00            |  |
| # 09-11                 | 310 SW 9 Terrace             | \$44,600.00          | \$1,000.00            |  |
| # 09-1206               | 511 NW 4 Avenue              | \$12,400.00          | \$1,240.00            |  |
| # 08-5613               | 17 SW 6 Street               | \$28,600.00          | \$2,860.00            |  |
| # 08-5217               | 26 SW 10 Street              | \$65,800.00          | \$6,580.00            |  |
| # 08-333                | 708-716 S Dixie Hwy          | \$8,100.00           | \$810.00              |  |
| # 08-6179               | 219 Holiday Drive            | \$58,600.00          | \$5,860.00            |  |
| # 05-539                | 747 NW 5 Court               | \$176,300.00         | \$17,630.00           |  |
| # 08-4823               | 901 NW 6 Terrace             | \$22,500.00          | \$0                   |  |
| # 09-595                | 600 E HBB                    | \$61,800.00          | \$6,180.00            |  |
| # 09-667                | 1042 Foster Road             | \$25,700.00          | \$2,570.00            |  |
| # 07-241                | 321 NE 1 Court               | \$72,200.00          | \$7,220.00            |  |
| # 06-2570               | 321 NE 1 Court               | \$136,800.00         | \$6,840.00            |  |
| # 08-5530               | 330 SW 2 Avenue              | \$12,600.00          | \$500.00              |  |
| # 10-214                | 105 SW 6 Street              | \$3,200.00           | \$500.00              |  |
| # 09-720                | 600 E HBB                    | \$29,900.00          | \$2,990.00            |  |
| # 10-411                | 610-614 NE 2 Court           | \$23,800.00          | \$2,380.00            |  |
| # 09-139                | 105 SW 9 Street              | \$58,700.00          | \$5,870.00            |  |
| # 06-3660               | 747 SW 4 Street              | \$117,400.00         | \$11,740.00           |  |
| # 10-720                | 737 SW 4 Court               | \$2,700.00           | \$500.00              |  |
| # 09-1211               | 714-722 Atlantic Shores Blvd | \$3,300.00           | \$500.00              |  |

|               |                  |                |              |  |
|---------------|------------------|----------------|--------------|--|
| # 09-755      | 1007 NE 8 Street | \$10,200.00    | \$510.00     |  |
| # 09-351      | 1119 NE 6 Street | \$15,100.00    | \$755.00     |  |
| # 08-4939     | 5 Avocado Lane   | \$131,800.00   | \$500.00     |  |
| # 09-1437     | 822 NW 6 Avenue  | \$23,000.00    | \$500.00     |  |
| # 08-4607     | 119 NW 2 Street  | \$80,200.00    | \$500.00     |  |
| # 08-5688     | 811 N Fed Hwy    | \$68,200.00    | \$500.00     |  |
|               |                  |                |              |  |
| <b>TOTALS</b> |                  | \$2,179,300.00 | \$160,860.00 |  |

| <b>Mitigations 2011</b> |                              |                      |                       |
|-------------------------|------------------------------|----------------------|-----------------------|
| <b>Case Number</b>      | <b>Address</b>               | <b>Original Fine</b> | <b>Mitigated Fine</b> |
| # 08-6248               | 801 NE 10 Street             | \$28,500.00          | \$2,850.00            |
| # 08-4769               | 421 NE 1 Street              | \$5,400.00           | \$540.00              |
| # 10-506                | 917 E HBB                    | \$4,200.00           | \$500.00              |
| # 10-139                | 111 SE 5 Street              | \$9,100.00           | \$1,105.00            |
| # 08-4821               | 905 NW 26 Avenue             | \$4,700.00           | \$1,005.00            |
| # 07-176                | 813 NW 7 Avenue              | \$141,500.00         | \$14,150.00           |
| # 08-5446               | 804 NE 6 Street              | \$65,900.00          | \$6,590.00            |
| # 10-330                | 507 NW 9 Street              | \$36,100.00          | \$3,610.00            |
| # 06-1961               | 108 NW 1 Avenue              | \$263,750.00         | \$26,375.00           |
| # 10-464                | 833 SW 8 Street              | \$6,900.00           | \$990.00              |
| # 09-350                | 823 NE 10 Street             | \$20,200.00          | \$1,335.00            |
| # 09-1309               | 1043 SW 3 Street             | \$32,000.00          | \$3,200.00            |
| # 11-158                | 714 Atlantic Shores Blvd     | \$2,700.00           | \$660.00              |
| # 08-5552               | 822 NE 25 Avenue             | \$44,000.00          | \$4,400.00            |
| # 10-545                | 817 NE 2 Street              | \$8,500.00           | \$1,405.00            |
| # 10-1041               | 806 NW 7 Terrace             | \$8,100.00           | \$1,370.00            |
| # 10-1051               | 838 W HBB                    | \$9,900.00           | \$1,205.00            |
| # 09-871                | 807 NE 2 Court               | \$9,600.00           | \$1,650.00            |
| # 08-5613               | 17 SW 6 Street               | \$28,600.00          | \$2,860.00            |
| # 07-1120               | 900 Moffett                  | \$64,400.00          | \$6,440.00            |
| # 07-2233               | 728 SW 2 Avenue              | \$104,300.00         | \$1,455.00            |
| # 11-818                | 1333 E HBB                   | \$4,800.00           | \$1,635.00            |
| # 07-61                 | 1112 NE 8 Street             | \$82,300.00          | \$8,230.00            |
| # 11-328                | 1112 NE 8 Street             | \$5,500.00           | \$955.00              |
| # 11-583                | 200 SW 8 Avenue              | \$5,400.00           | \$1,205.00            |
| # 09-359                | 851 Three Islands Blvd # 506 | \$9,000.00           | \$1,605.00            |
| # 08-5250               | 733 NW 4 Street              | \$92,500.00          | \$1,570.00            |
| # 10-150                | 118 Holiday Drive            | \$7,700.00           | \$995.00              |
| # 10-1793               | 704 N Fed Hwy                | \$8,200.00           | \$1,165.00            |
| # 06-1049               | 305 NE 7 Street              | \$99,400.00          | \$9,940.00            |
| # 10-473                | 2380 Diana Drive             | \$108,500.00         | \$10,850.00           |
| # 09-1491               | 521 NW 6 Street              | \$44,800.00          | \$4,480.00            |
| # 09-762                | 521 NW 6 Street              | \$5,900.00           | \$1,255.00            |
| # 07-2275               | 512 NW 9 Street              | \$127,500.00         | \$1,055.00            |
| # 06-1805               | 803 NE 8 Street              | \$179,000.00         | \$1,105.00            |
| # 07-2800               | 803 NE 8 Street              | \$101,400.00         | \$955.00              |
| # 09-807                | 803 NE 8 Street              | \$53,200.00          | \$1,255.00            |
| # 10-325                | 825 SW 6 Street              | \$56,400.00          | \$5,640.00            |
| # 10-888                | 825 SW 6 Street              | \$38,200.00          | \$3,820.00            |
| # 07-2896               | 700 SW 7 Terrace             | \$117,600.00         | \$11,760.00           |
| # 09-1028               | 818 NE 2 Court               | \$60,800.00          | \$6,080.00            |
| # 10-1147               | 725 NW 7 Avenue              | \$8,500.00           | \$1,265.00            |
| # 07-2822               | 113 SW 2 Street              | \$114,000.00         | \$11,400.00           |
| # 07-2804               | 302 NW 7 Court               | \$103,400.00         | \$1,485.00            |

|               |                 |                       |                     |
|---------------|-----------------|-----------------------|---------------------|
| # 08-303      | 818 SW 5 Avenue | \$124,500.00          | \$12,450.00         |
| # 08-6083     | 600 SW 5 Court  | \$100,100.00          | \$10,010.00         |
| # 08-4895     | 120 NW 5 Avenue | \$10,700.00           | \$11,070.00         |
|               |                 |                       |                     |
| <b>TOTALS</b> |                 | <b>\$2,567,650.00</b> | <b>\$206,930.00</b> |

| <b>Mitigations 2012</b> |                        |                      |                       |
|-------------------------|------------------------|----------------------|-----------------------|
| <b>Case Number</b>      | <b>Address</b>         | <b>Original Fine</b> | <b>Mitigated Fine</b> |
| # 09-392                | 504 SW 5 Avenue        | \$91,100.00          | \$9,110.00            |
| # 06-2890               | 437 Golden Isles Dr    | \$30,200.00          | \$3,020.00            |
| # 10-1073               | 437 Golden Isles Dr    | \$36,300.00          | \$3,630.00            |
| # 10-957                | 724 SW 7 Avenue        | \$46,600.00          | \$4,660.00            |
| # 10-76                 | 1118 NE 2 Court        | \$60,100.00          | \$6,010.00            |
| # 07-2143               | 2500 Parkview Dr # 620 | \$18,300.00          | \$1,155.00            |
| # 11-288                | 896 NW 9 Street        | \$13,900.00          | \$1,390.00            |
| # 11-177                | 105 NE 12 Avenue # 9   | \$33,500.00          | \$3,350.00            |
| # 06-1961               | 108 NW 1 Avenue        | \$263,750.00         | \$1,715.00            |
| # 07-2174               | 108 NW 1 Avenue        | \$133,500.00         | \$1,205.00            |
| # 11-867                | 108 NW 1 Avenue        | \$9,100.00           | \$1,305.00            |
| # 11-1096               | 1009 NE 2 Street       | \$7,600.00           | \$1,120.00            |
| # 11-967                | 22 NE 1 Avenue         | \$5,900.00           | \$905.00              |
| # 11-891                | 805 NW 10 Street       | \$13,800.00          | \$1,380.00            |
| # 11-570                | 622 NE 7 Street        | \$18,900.00          | \$1,890.00            |
| # 10-1138               | 829 NW 10 Street       | \$9,200.00           | \$1,055.00            |
| # 10-1117               | 808 NW 7 Terrace       | \$6,800.00           | \$1,055.00            |
| # 11-1092               | 209 NE 2 Avenue        | \$11,300.00          | \$1,005.00            |
| # 06-2518               | 201 NE 14 Avenue # 10A | \$198,600.00         | \$0                   |
| # 07-1313               | 646 NW 4 Court         | \$172,300.00         | \$17,230.00           |
| # 11-948                | 701 NW 7 Avenue        | \$14,600.00          | \$1,460.00            |
| # 11-517                | 727 W HBB              | \$7,600.00           | \$1,780.00            |
| # 11-1650               | 811 NW 5 Avenue        | \$9,700.00           | \$1,035.00            |
| # 06-3890               | 437 Golden Isles Dr    | \$30,200.00          | \$1,450.00            |
| # 10-1073               | 437 Golden Isles Dr    | \$36,300.00          | \$1,450.00            |
| # 12-404                | 821 NW 7 Avenue        | \$13,500.00          | \$1,350.00            |
| # 06-3284               | 221 NE 4 Court         | \$48,000.00          | \$4,800.00            |
| # 11-882                | 817 NW 10 Street       | \$21,000.00          | \$2,100.00            |
| # 08-5195               | 3140 S Ocean Dr # 1410 | \$6,500.00           | \$990.00              |
| # 10-177                | 911 NE 3 Street        | \$85,100.00          | \$1,755.00            |
| # 07-1358               | 415 NW 10 Terrace      | \$175,400.00         | \$1,020.00            |
| # 11-450                | 608 NW 5 Avenue        | \$11,800.00          | \$1,965.00            |
| # 08-1940               | 608 NW 5 Avenue        | \$185,200.00         | \$1,155.00            |
| # 07-689                | 26 Diplomat Parkway    | \$56,800.00          | \$5,680.00            |
| # 11-1645               | 801 NE 2 Court         | \$9,900.00           | \$1,105.00            |
| # 11-138                | 309-311 NE 4 Street    | \$9,000.00           | \$1,170.00            |
| # 07-2053               | 417-419 SW 8 Street    | \$161,100.00         | \$16,110.00           |
| # 11-1007               | 405 SW 4 Terrace       | \$29,400.00          | \$2,940.00            |
| # 10-1827               | 330 SE 2 Street # 205  | \$31,400.00          | \$3,140.00            |
| # 05-2805               | 704 NW 3 Court         | \$18,700.00          | \$1,870.00            |
| # 12-314                | 520 NW 2 Avenue        | \$3,000.00           | \$955.00              |
| # 11-181                | 319 NE 14 Avenue       | \$2,000.00           | \$1,240.00            |
| # 10-1262               | 725 SW 4 Court         | \$18,800.00          | \$970.00              |
| # 12-272                | 1100 NE 1 Court        | \$6,400.00           | \$825.00              |

|               |                        |                       |                     |
|---------------|------------------------|-----------------------|---------------------|
| # 05-213      | 800 SW 5 Court         | \$310,800.00          | \$0                 |
| # 05-862      | 800 SW 5 Court         | \$194,800.00          | \$0                 |
| # 09-978      | 520 W HBB              | \$90,800.00           | \$2,840.00          |
| # 09-1320     | 112 SE 3 Street        | \$104,800.00          | \$10,480.00         |
| # 12-255      | 735 SW 9 Street        | \$10,400.00           | \$1,355.00          |
| # 12-1002     | 350 NE 7 Street        | \$2,700.00            | \$1,000.00          |
| # 11-180      | 320 NE 12 Avenue       | \$49,800.00           | \$1,205.00          |
| # 07-2052     | 1301 NE 7 Street # 513 | \$156,800.00          | \$0                 |
| # 11-913      | 208 NE 2 Avenue        | \$45,200.00           | \$0                 |
|               |                        |                       |                     |
| <b>TOTALS</b> |                        | <b>\$3,138,250.00</b> | <b>\$137,385.00</b> |