

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

3G-1

AGENDA ITEM SUMMARY

Meeting Date: November 15, 2022

Consent
 Workshop

Regular
 Public Hearing

Department: Office of Financial Management and Budget

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a negotiated settlement offer in the amount of \$16,769 for the full satisfaction of a code enforcement lien that was entered against Gregory Altman on September 6, 2017.

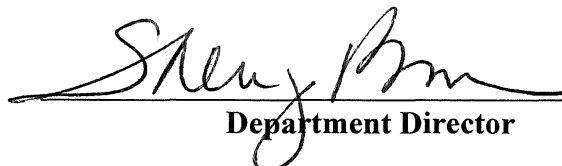
Summary: The Code Enforcement Special Magistrate (CESM) entered an Order on March 1, 2017 for the property owned by Gregory Altman giving him until June 29, 2017 to bring his property located at 2641 Hinda Rd, West Palm Beach, FL into full code compliance. The property was cited for a fence, shed, and dock installed without first obtaining required building permits. Additionally, three expired building permits needed to be reactivated in order to have final inspections performed. Compliance with the CESM's Order was not achieved by the ordered compliance date, and a fine of \$75 per day was imposed. The CESM then entered a claim of lien against Gregory Altman on September 6, 2017. The Code Enforcement Division issued an affidavit of compliance for the property on May 9, 2019 stating that as of February 21, 2019 the cited code violations were fully corrected. The total accrued lien amount on September 6, 2022, the date on which settlement discussions began, totaled \$55,895.72, of which Gregory Altman has agreed to pay Palm Beach County \$16,769 (30%) for full settlement of his outstanding code enforcement lien. District 1 (SF).

Background and Justification: The initial violations that gave rise to this code enforcement lien were for structures installed without first obtaining required building permits and three expired building permits that needed to be reactivated in order to have final inspections performed. The Special Magistrate gave Gregory Altman until June 29, 2017 to bring the property into full code compliance or a fine of \$75 per day would begin to accrue. A follow-up inspection by the Code Enforcement Division on July 6, 2017 confirmed that the property was still not in compliance. A code lien was then entered against Gregory Altman on September 6, 2017. The Code Enforcement Division issued an affidavit of compliance for the property stating that as of February 21, 2019 the cited code violations had been corrected. On September 6, 2022, Gregory Altman contacted the Collections Section of the Office of Financial Management & Budget to discuss settlement of the code lien. Collections, after extensive review, evaluation, and discussions with the Code Enforcement Division and County's Attorney's office, has agreed to present a proposed settlement offer in the amount of \$16,769 to the Board for approval.

(Continued on page 3)

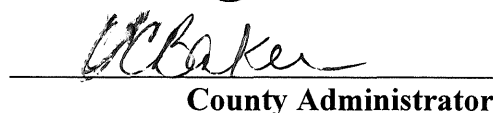
Attachments: none

Recommended by:


Department Director

10/18/2022
Date

Approved by:


County Administrator

11/1/22
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs					
External Revenues	(\$16,769)				
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	(\$16,769)				
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included In Current Budget? Yes _____ No X
 Does this item include the use of federal funds? Yes _____ No X

Budget Account No.: Fund 0001 Department 600 Unit 6241 Object 5900

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

See Memo 10/21/2022
AT 10/19 OFMB (RD) MB 10/21
myj 10/19/22

N/A
Contract Dev. and Control

B. Legal Sufficiency:

[Signature]

 Assistant County Attorney

C. Other Department Review:

N/A

Department Director

Background and Justification: (continued from page 1)

The factors considered during staff's review and evaluation of this settlement are as follows:

1. The violations that resulted in a lien being placed against Greg Altman were for erecting/installing structures without first obtaining required building permits and inactive building permits. Initially, Mr. Altman had applied for the building permits and had already reactivated two of the expired permits, but he was unable to complete the process in a timely manner.
2. Around April of 2016, Mr. Altman requested an extension from the Code Enforcement Division in order to complete the work and eventually reach compliance. He was granted a 30-day extension to correct the violations. He reported that the major contributing factor in the delay for obtaining compliance was his personal financial hardship. He hired an engineer to help with the project, obtained building permits and materials, but he became ill and could not complete the work. The 30-day extension expired, and the property was not in compliance.
3. Mr. Altman was in constant communication with the Code Enforcement and Building Divisions regarding the violations. Finally, on May 9, 2019, an affidavit of compliance was issued by the Code Enforcement Division stating the cited code violations were fully corrected as of February 21, 2019 and the property was in full compliance with the CESM's Order.
4. The cited violations did not involve any life/safety issues.
5. Mr. Altman is dealing with health challenges at this time that have left him with extensive medical bills. Mr. Altman owns a rental property that he is trying to sell to cover his medical expenses. In order to provide the buyer a clear title, he wants to settle with Palm Beach County to release the lien on his homestead property. The settlement will be paid from the proceeds of the sale transaction.

In light of the above stated circumstances, Staff believes that the proposed settlement is fair and in the best interest of Palm Beach County.

Settlement offers that reduce any debt amount due to Palm Beach County by more than \$2,500 require the approval of the Board of County Commissioners, per Countywide PPM# CW-F-048.