



*Office of*  
**INDIAN RIVER COUNTY  
ATTORNEY**

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Dylan Reingold, County Attorney  
William K. DeBaal, Deputy County Attorney  
Susan J. Prado, Assistant County Attorney

**MEMORANDUM**

**TO:** Board of County Commissioners  
**FROM:** Dylan Reingold, County Attorney  
**DATE:** May 9, 2022  
**SUBJECT:** Demolition Lien – 4470 31<sup>st</sup> Avenue

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**BACKGROUND.**

On March 4, 2015, Indian River County recorded a lien for the costs of a demolition at 4470 31<sup>st</sup> Avenue, Vero Beach, Florida, 32967 (the "Property") for \$6,450.72. That lien accrued interest at an interest rate of 5.75%. As of May 17, 2022, the costs of the demolition and the interest will be \$9,657.80. On April 19, 2022, Shirley Nelson spoke on behalf of the property owner Walter C. Hurst concerning the demolition lien. As part of the discussion, I explained that there were also outstanding taxes owed on the property, a utilities lien on the property, and a code enforcement lien on the property. As the Indian River County Board of County Commissioners (the "Board") does not take action under Public Discussion Items, I noted that if Mr. Hurst was able to resolve these other outstanding issues, I would be in a position to bring back an agenda item to the Board concerning the demolition lien.

On April 25, 2022, the Indian River County Code Enforcement Board reduced the Code Enforcement Board fine from \$72,000 to \$1,700. The Indian River County Utilities Department has agreed to waive some of the penalties and interest, thus decreasing the Utilities lien from \$10,144.39 to \$9,228.57. The outstanding property taxes of \$3,168.60 have not been paid, but it is my understanding that these will be paid from the proceeds of a pending closing.

Consistent with recent practice, the County Attorney's Office recommends that the Indian River County Board of County Commissioners waive 90% of the accrued interest, so long as the lien and 10% of the outstanding interest for a total of \$6,771.43 is paid within 60 days and that once paid, the Board authorizes the Chairman to execute a release of the lien.

**FUNDING.**

Lien proceeds will be deposited into MSTU Fund/Building Demolition Liens Revenue account number 004038-369092. The costs of recording the release of the lien will be borne by Walter Hurst.

**RECOMMENDATION.**

The County Attorney's Office recommends that the Indian River County Board of County Commissioners waive 90% of the accrued interest, so long as the lien and 10% of the outstanding interest for a total of \$6,771.43 is paid within 60 days and that once paid, the Board authorizes the Chairman to execute a release of the lien.