



Office of

Attorney's Matters 12/12/2023

**INDIAN RIVER COUNTY
ATTORNEY**

William K. DeBraal, County Attorney
Susan J. Prado, Deputy County Attorney
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MEMORANDUM

TO: Board of County Commissioners

Through: John A. Titkanich, Jr., County Administrator

FROM: Susan Prado, Deputy County Attorney

DATE: December 1, 2023

SUBJECT: Authorization to proceed with foreclosures on Code enforcement case number 2017040073 (Ledford)

Pursuant to Florida Statute Section 162.09, the Code Enforcement Board must give the recommendation to start the foreclosure process. This recommendation was given at the last Code Enforcement Board hearing on November 20, 2023. Staff is now seeking this Board's final approval to move forward with filing foreclosure proceedings on the below listed properties and with working with outside counsel, Dill, Evans and Rhodeback.

Case Number 2017040073 (Ledford), 136 15th Street SW, Vero Beach, Florida: This code enforcement action started in 2017 with a complaint regarding junk, trash, and debris, illegal use of an RV as living quarter, junk vehicles, and weeds in excess of 12 inches. There was an evidentiary hearing on June 26, 2017 at which time the respondents were found in violation of the Indian River County Code of Ordinances (the "IRC Code"). The respondents were given a time frame to correct the violations that were found as well as one extension. At a compliance hearing held on August 28, 2017, the Code Enforcement Board determined that the respondents did not bring the property into compliance and issued an order for a fine in the amount of \$100.00 per day for junk, trash, and debris, use of a recreational vehicle as living quarters, junk vehicles, and weeds in excess of 12 inches. The order is recorded at O.R. Book 3057 and Page 1703.

Funding: Staff estimates outside counsel, filing fees, and costs for the foreclosures detailed above could cost approximately \$7,000. Funding for these expenses are

available in the MSTU Fund /Env. Planning/Legal Services, Account # 00420724-033110.
This funding will be offset by any revenues received through the foreclosure process.

Recommendation: Staff recommends the Board authorize staff to move forward with outside counsel in the filing of foreclosure on the above named code enforcement cases.

Attachments: Order Imposing Fine and Deed for case number 2017040073