



CASE NO. NOH - 17-0586; 17-3668

CODE ENFORCEMENT HEARING

REQUEST FOR REDUCTION OF FINE

IF THE PROPERTY IS NOT IN COMPLIANCE, THE SPECIAL MAGISTRATE WILL NOT CONSIDER A REQUEST FOR REDUCTION.

INSTRUCTIONS: Please fill in all of the pages of this form completely. Be specific when writing your statement. Please return it to the Clerk of the Special Magistrate at 12300 Forest Hill Boulevard, Wellington, FL 33414. **The Clerk must receive the request at least 30 days prior to a scheduled Code Enforcement hearing in order for your case to be scheduled for the hearing.** You will be notified in writing of the Special Magistrate's decision within 10 days after the hearing. If you are claiming medical or financial hardship, attach supporting documentation (i.e. a doctor's statement or proof of income). If you have any questions, please call the Clerk of the Special Magistrate at (561) 753-2565. **The Special Magistrate will consider requests for reduction of fine only one time for each case. The Special Magistrate's decision shall be the final action on the case.**

Property Owner's Name Florida Financial Holdings Inc.

Property Owner's Email KatieEdwards@beckerlawyers.com

Property Address 2740 Danforth Terrace, Wellington, FL

Daytime telephone number Katie Edwards-Walpole - 305-281-7323

Hardship claimed? ☐ medical ☒ financial ☐ other (specify) _____

If the property owner is unable to complete this form, list the name of the person who is authorized to act for the property owner and their relationship. Attach a notarized affidavit from the property owner authorizing the representation.

Name Katie Edwards-Walpole, Esq. Relationship Attorney

YOU SHOULD BE PRESENT AT THE HEARING TO ANSWER ANY QUESTIONS THE SPECIAL MAGISTRATE MAY HAVE CONCERNING THIS REQUEST. YOUR ONLY OPPORTUNITY TO ADDRESS THE SPECIAL MAGISTRATE WILL BE IN RESPONSE TO THEIR QUESTIONS. IT IS IN YOUR BEST INTEREST TO MAKE CERTAIN THAT THIS FORM AND ANY ATTACHMENTS COMPLETELY SET FORTH YOUR POSITION.

Complete statements on pages 2-4. You should include the reasons why you did not comply with the Special Magistrate's Original Order within the time specified.

1. Explain how you have attempted to cooperate with Wellington personnel to achieve compliance of the Special Magistrate's Order.

See Attached.

2. Did you or your representative appear at the Special Magistrate's previous hearing(s) concerning this matter? ☐ YES ☒ NO

If no, please state the specific reasons why you did not appear at the hearing(s) and whether you notified Wellington personnel of the fact that you would not be present.

See Attached.

3. Have you ever been (previous to this case) found by the Special Magistrate/Code Enforcement Board to be in violation of the Code, which is the subject matter of the present case?

☐ YES ☒ NO If yes, please advise what your response to the previous violation was.

4. Do you claim a homestead exemption on the property that is the subject of this case?

☐ YES ☒ NO

5. Were you the owner of the property at the time the Code Enforcement case against the property began? YES ☐ NO ☒ If no, did you become aware of the Code Enforcement proceedings, Order, or Lien prior to recording title to the property?

See Attached.

6. What other liens exist against the property which is the subject matter of this Special Magistrate's case?

None.

7. Has the property been abandoned? YES ☐ NO ☒

8. Is the property in need of rehabilitation? YES ☐ NO ☒ If yes, explain.

9. Is Wellington's lien interfering with the sale or rehabilitation of the property or will the lien prevent the property from being conveyed to a new owner? YES ☒ NO ☐

See Attached.

10. Provide your suggestion for an amount you would like the fine/lien reduced to

\$ 1,500.00.

In a statement below, please provide your justification for requesting the fine/lien reduction.

I, Katie Edwards-Walpole, Esq., do hereby submit this petition in request for a reduction in the fine imposed and in support offer the following statement:

Date: 4/8/2021

Signed: _____

Katie Edwards-Walpole

Printed Name: Katie Edwards-Walpole

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was sworn to (affirmed), subscribed, and acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 8th day of April, 2021 (year), by _____ (name of person making statement), who is personally known to me or has produced _____ (type of identification) as identification.

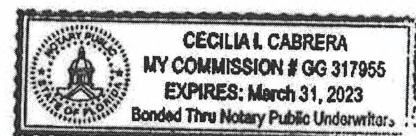
Cecilia I. Cabrera

Notary Public

Cecilia I. Cabrera

Printed Signature

My commission expires:



Katie A. Edwards-Walpole
Attorney
Phone: 561.820.2877 Fax: 561.832.8987
KatieEdwards@beckerlawyers.com

Becker

Becker & Poliakoff
625 N. Flagler Drive
7th Floor
West Palm Beach, FL 33401

SUPPLEMENTAL RESPONSES TO REQUEST FOR REDUCTION OF FINE

Property Address: 2740 Danforth Terrace
Property Owner: Florida Financial Holdings, INC.

Question 1: This property has been an issue for the Village since 2016. This matter came before the Magistrate in May 2017 against former owners Taru-Johanna and Christian Scholin who had failed to comply with Code according to a previous Order from January 2017. Daily fines and costs were assessed for the multiple Code violations that went largely ignored by the previous owners. Now, the current owner, Florida Financial Holdings has finally rectified the violations, spending nearly \$8,000 on exterior improvements alone to bring the property into compliance and remedy the unsightly nuisance that has plagued this neighborhood for the past 5 years.

Question 2: As evidenced by the attached Special Warranty Deed, Florida Financial Holdings, INC. took ownership of the Property in November 2020. The previous Special Magistrate hearings and efforts on behalf of the Village of Wellington to notify owner(s) and provide an opportunity to correct and comply predate the Florida Financial Holdings' ownership.

Question 5: Expanding on the response above, Florida Financial Holdings became aware of the code enforcement action that resulted in the present liens on the Property during its due diligence period. Despite best efforts, it was not possible for the Seller (a financial institution) to resolve the outstanding violations and liens as a condition to closing. To its credit, Florida Financial Holdings made the investment and quickly went to work to remedy the violations and work with the Town on a request for a lien reduction in response. A summary of the exterior improvements and corresponding financial investment is included along with the before and after photos of the Property.

Code enforcement staff notes that the property has achieved compliance. The remaining issue is the payment of the fines and release of associated lien, an obligation that Florida Financial Holdings assumed as the new property owner.

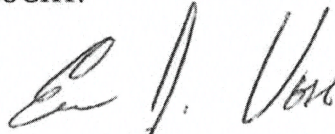
Question 9: Florida Financial Holdings, unlike a mortgagor/lender or traditional single family home buyer, buys distressed homes, invests in their rehabilitation, and returns them to the market so a family make take ownership of a move-in ready home without the headaches that come with remedying violations or paying off liens from the actions of a previous owner. Here, the Property was acquired with \$58,944.65 in liens and a corresponding \$8,000 in work to the exterior of the Property. Understanding that most, if not all single-family home buyers would not be able to assume- or even want- that type of obligation, Florida Financial Holdings still closed on the Property and again, went to work to bring the Property into compliance.

Florida Financial Holdings, Inc.
Page 2

Offering any single-family home for sale with nearly \$60,000 in liens and capital investment would definitely deter and prevent sale to a new owner.

AFFIDAVIT OF ERIC J. VOSS

1. My name is Eric J. Voss.
2. I am the President of Florida Financial Holdings, Inc. ("FFH").
3. FFH is the owner of certain real property located at 2740 Danforth Terrace in Wellington, Florida (the "Property.")
4. I am authorizing Katie-Edwards Walpole to represent FFH before the Village of Wellington on all matters related to the Property.
5. FURTHER AFFIANT SAYETH NAUGHT.


Eric J. Voss

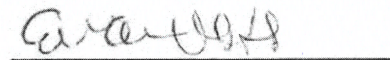
STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

BEFORE ME, the undersigned authority, personally appeared Eric J. Voss. on this ____ day of April, 2021, who is personally known to me and who, after being duly sworn, acknowledged before me that the statements contained in the foregoing Affidavit are within his personal knowledge and are true and correct.

NOTARY PUBLIC:



EVAN ROBERT VOSS
Commission # GG 316008
Expires March 25, 2023
Bonded Thru Budget Notary Services


Signature

Evan Robert Voss
Printed Name

My Commission Expires: 3/25/2023

LAW OFFICES
BECKER & POLIAKOFF, P.A.
625 N. FLAGLER DR., 7TH FLOOR, WEST PALM BEACH, FL 33401
TELEPHONE (561) 655-5444

This Document Prepared By:
William E. Curphey
c/o National Deed Network, Inc.
36181 East Lake Road #382
Palm Harbor, FL 34685

**After Recording Return To/
Mail Tax Statements To:**
Florida Financial Holdings, Inc.
3564 Avalon Park Blvd. E. Ste. 1, 226
Orlando, FL 32828

Order #: 101-10268506
Parcel ID #: 73-42-44-17-02-001-3870

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED, executed this 17 day of _Nov., 2020, by, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF HARBORVIEW 2005-08, whose address is 8950 Cypress Waters Blvd, Coppell, TX 75019, hereinafter referred to as GRANTOR, grants to FLORIDA FINANCIAL HOLDINGS, INC., whose address is 3564 Avalon Park Blvd. E. Ste. 1, 226 Orlando, FL 32828, is hereinafter referred to as GRANTEE.

Wherever used herein the terms "GRANTOR" AND "GRANTEE" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.

Witnessed: That GRANTOR, for and in consideration of the sum of THREE HUNDRED SEVENTY EIGHT THOUSAND AND DOLLARDS and 00/100 (\$378,000.00) DOLLARS, and other valuable considerations, receipt whereof is hereby acknowledged, hereby conveys and confirms unto the GRANTEE, in fee simple, all that certain land, situated in Palm Beach County, Florida, viz:

LOT 1387, BLOCK E, OLYMPIA-PLAT II, ACCORDING TO THE PLAT THEREOF,
RECORDED IN PLAT BOOK 98, PAGE 1, OF THE PUBLIC RECORDS OF PALM BEACH
COUNTY, FLORIDA.

Property Address: 2740 Danforth Terrace, Wellington, FL 33414

SUBJECT TO TAXES ACCRUING FOR 2020 AND SUBSEQUENT YEARS.

The legal description was obtained from a previously recorded instrument or was provided by agent for grantor.

This deed warrants title only against claims held by, through, or under the Grantor, or against encumbrances made or suffered by the Grantor, and it cannot be held to warrant title generally against all persons.

TO HAVE AND TO HOLD, the same in fee simple forever.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

*This corrective deed is made to correct the Special Warranty deed recorded 01/26/2020, as Book 32128 Page 1369 in Official Records of Palm Beach County Florida to add the witness signatures.

Grantor does further covenant and bind itself, and its successors and assigns, to warrant and forever defend the title to the property to the said Grantee against the lawful claims of all persons claiming by through or under the grantor but no further or otherwise.

The undersigned persons executing this Deed on behalf of said Grantor corporation/government entity represent and certify that they are duly elected officer or other corporate official of said entity and have been fully empowered by proper resolution to execute and deliver this deed; that the Grantor has full corporate capacity to convey the real estate described herein, and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has hereunto set a hand and seal the day and year first written above.

Signed, sealed and delivered in our presence

Witnesses:

William B Smith

Witness

William Smith
Print Name

[Signature]
Witness

Dral Cory
Print Name

STATE OF CA

COUNTY OF Orange

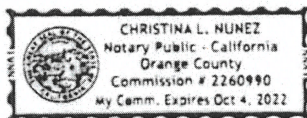
U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE BENEFIT OF
HARBORVIEW 2005-08 By: NATIONSTAR
MORTGAGE LLC, as attorney in fact

By: [Signature]

Title: Assistant Secretary

Printed Name: Sergio Montelongo

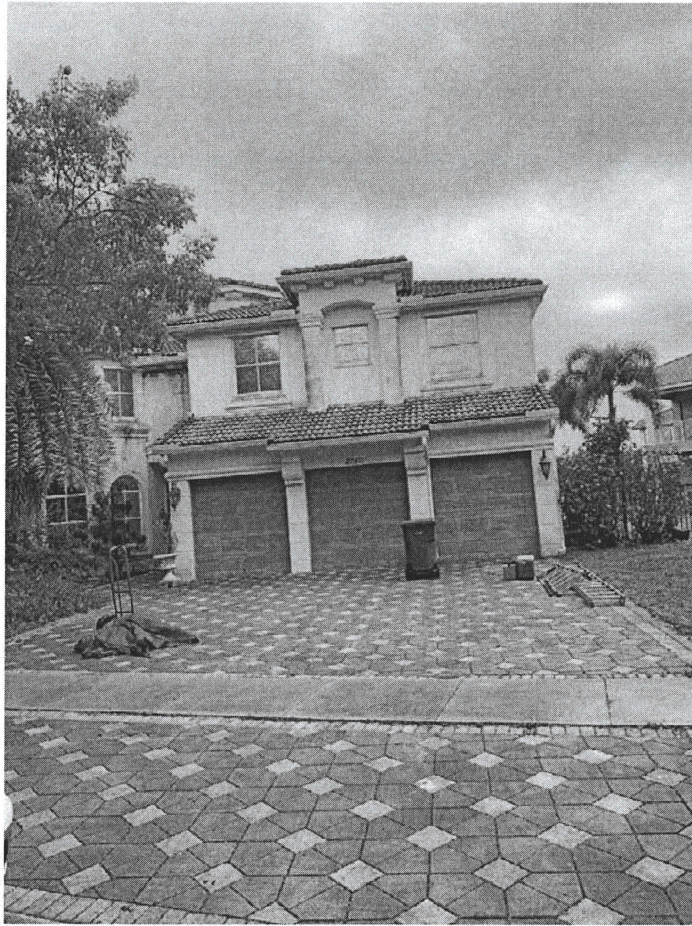
The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 22nd day of October, 2020, by Sergio Assistant who is the/a Assistant Secretary of NATIONSTAR MORTGAGE LLC, as attorney in fact for U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF HARBORVIEW 2005-08, on behalf of the company. He/she is personally known to me or has produced Driver's License as identification.



[Signature]
Notary Public
My commission expires: Oct. 4, 2022

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and /or their agents; no boundary survey was made at the time of this conveyance.

BEFORE FLORIDA FINANCIAL HOLDINGS PROPERTY OWNERSHIP



AFTER FLORIDA FINANCIAL HOLDINGS PROPERTY OWNERSHIP



2740 Danforth Terrace - Exterior Expenditures

Vendor	Job Description/Material Description	Amount
Martin Miguel Landscaping	Landscape Clean up	\$ 1,300.00
No Pressure Roof Cleaning	Roof Cleaning	\$ 317.00
Cash to No Pressure workers - Elbaz paid	clean driveway and back patio area	\$ 80.00
Amazon	New House Address #'s	\$ 33.10
Sherwin Williams	Exterior Paint	\$ 716.82
Sherwin Williams	Exterior Paint	\$ 295.11
Home Depot	Exterior Door and Lock	\$ 264.13
Sherwin Williams	Exterior Paint	\$ 156.12
Michael Rios Drywall Specialist	Exterior Painting - Labor	\$ 3,000.00
Michael Rios Drywall Specialist	Exterior Painting - Labor	\$ 1,000.00
	Total:	\$ 7,162.28