



MEMORANDUM

Development Services

ADMINISTRATIVE MEMORANDUM NO. 17-012

DATE: January 9, 2017
TO: Dennis W. Beach, City Attorney
CC: Asceleta Hammond, City Clerk
VIA: Robin M. Bird, Director of Development Services
FROM: Karen Friedman, Principal Planner *KBF*
RE: Second Reading of an Ordinance Amending §96.58
Revision explanation
January 10, 2017 City Commission Hearing

A minor revision to page two of the ordinance amending §96.58 has been prepared.

The regulations require mortgage companies which are located "out of area" to hire a local property management company. The minor revision is to add in a definition for "out of area". The proposed definition is "Not located in Broward, Dade or Palm Beach Counties".

A copy of page 2, with the added definition highlighted in yellow, is attached.

ENFORCEMENT OFFICER. Any full-time law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector employed within the city.

EVIDENCE OF VACANCY. ~~Any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, overgrown and/or dead vegetation, accumulation of abandoned personal real property, stagnant swimming pool, lack of utility service, statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.~~

FORECLOSURE. The process by which a property, placed as security for a real estate loan, is sold at public sale to satisfy the debt if the borrower defaults.

NOTICE OF DEFAULT. A written notice of default and acceleration sent to the borrower (aka Mortgagor) from a mortgage holder/lender (aka Mortgagee) as required by law.

OUT OF AREA. Not located in Broward, Dade or Palm Beach Counties.

PROPERTY MANAGEMENT COMPANY. A local property manager, property maintenance company or similar entity responsible for the maintenance of abandoned real property.

RESPONSIBLE PARTY. The mortgage holder/lender (aka Mortgagee) which has sent a Notice of Default to a borrower (aka Mortgagor).

...

(C) *Registration of ~~vacant~~ foreclosure real property.*

(1) ~~Any mortgagee~~ responsible party who holds a mortgage ~~has issued a Notice of Default on real property located within the city shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, or upon the issuance of a notice of default, within ten days of issuing the Notice of Default, register the property with the Director of Development Services, or his designee, on forms provided by the City. A registration shall be provided for each such property whether occupied or vacant.~~

(a) — If the property is found to be vacant or shows evidence of vacancy, the mortgagee shall, within ten days of the inspection, register the property with the Director of Development Services or his designee, on forms provided by the city. A registration is required for each such vacant property.