



**MAGISTRATE HEARING DOCKET
CITY OF STUART, FLORIDA
121 SW FLAFLER AVENUE
STUART, FLORIDA 34994
April 16, 2019 AT 1:00 PM
Commission Chambers**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

VIOLATION HEARINGS

1. Case No. CE18030017
CITY OF STUART vs. ROSLYN HALL ESTATE
10-83 UNSFAE STRUCTURE

ADJOURNMENT

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No. CE18030017

CITY OF STUART, FLORIDA
Petitioner,

v.

Roslyn Hall Estate
836 SE Central Ave
Stuart, FL 34994
and
Celink Reverse Mortgage
3900 Capital City Blvd
Lansing, MI 48906

Respondent(s).

PCN# 04-38-41-013-011-00130-10000

ORDER FINDING VIOLATION

THIS MATTER having come before the Code Enforcement Magistrate on **April 16th, 2019** and having heard the testimony of the parties, and having considered the evidence presented by the parties; and having been fully apprised of the circumstances, does find as follows:

FINDINGS OF FACT

1. The above Respondent(s) is the owner(s) of the property located at **836 SE Central Avenue, Stuart Florida**, and legal description attached as Exhibit "A."
2. On **December 14, 2017** an inspection of the property was performed by a **City of Stuart Code/Building Inspector**, and at that time, and continuing until the date of this hearing, the Respondents did maintain conditions on the property as cited in the Notice of Violation and Notice of Hearing, issued in this case.

CONCLUSIONS OF LAW

3. The Findings of Fact support, by a preponderance of the evidence, that Respondents have violated **10-83** of the City of Stuart Code of Ordinances, or other code cited.

COMPLIANCE

IT IS HEREBY ORDERED, that Respondents shall comply with the above code section as follows:

- A. On or before **May 17th 2019** Respondent(s) shall come into compliance with the above cited Code section by: **obtaining a permit for all required work and/or demolish structure.** On or before **June 17th, 2019** Respondent(s) shall come into compliance by: **having all permitted work completed.** Upon compliance the Respondent(s) shall request an inspection by contacting the City's Code Compliance Office at the address next below, or by calling (772)287-1122. A request for inspection must be made at least 1 day(s) prior to the requested inspection. If Respondent(s) fails to comply with the requirements of this subsection, there is hereby levied a fine in the amount of **\$100.00** per day thereafter, for **Sec.10-83** each and every day of non-compliance, and administrative costs in enforcing this action. Pursuant to City ordinance and Chapter 162, Florida Statutes, no further hearing shall be required for the entry of such fine and costs. In addition, all fines and costs become liens on the property of the Respondents.
- B. If the property doesn't come into compliance the City will retain its right to demolish the house and file a lien on the property for the costs involved, per city ordinances 10-87 and 10-88. Additionally per ord. 10-84 the house cannot be occupied until compliance has been met or an inspection by the building official has been done to insure the building is safe to occupy while work continues. Additionally water and power will need to be restored.
- C. Should the Respondents come into compliance in accordance with this Order Finding Violation, and subsequently violate the same code section, such reoccurrence shall subject the Respondents to an administrative fine of up to **\$500.00** per day for every day of violation.

D. Respondents are assessed the costs of this action in the amount of **\$300.00** as provided by law, and shall pay the same to the City at 121 SW Flagler Avenue, Stuart, FL 34994, **on or before May 17th, 2019.**

The City, its' agents, officers, and employees are authorized to enter the property during daylight hours to inspect and monitor compliance with this Order.

DONE AND ORDERED this **16th** day of **April, 2019.**

Paul J. Nicoletti, Magistrate

Copies furnished to the Parties, BY _____



Site Provided by..
governmax.com

Summary

Address
1 of 1

Tabs

Summary

Print View

Land

Improvements

Assessments &

Exemptions

Sales

Taxes →

NEW: MC Maps

Parcel Map →

Notice of Prop.

Taxes →

Parcel ID

04-38-41-013-011-
00130-1

Account #

21595

Unit Address

836 CENTRAL AV 1, STUART

Market Total
Value

\$44,450

Website
Updated

3/30/2019

Owner Information

Owner(Current)

HALL ROSLYN ESTATE

Owner/Mail Address

836 SE CENTRAL AVE
STUART FL 34994

Sale Date

9/23/1974

Document Book/Page

0378 0665

Document No.

Sale Price

100

Searches

Parcel ID

Owner

Address

Account #

Use Code

Legal Description

Neighborhood

Sales

MC Maps →

Location/Description

Account #

21595

Tax District

3100

Parcel Address

836 CENTRAL AV 1, STUART

Acres

.0930

Map Page No.

0-04B

Legal Description

MC DONALD'S LOT 13 (LESS N
30') BLK 11

Parcel Type

Use Code

0100 Single Family

Neighborhood

343840 Lincoln Pk, Mcdonalds, Ruffs

Functions

Property Search

Contact Us

On-Line Help

Assessment Information

Market Land Value

\$11,480

Market Improvement Value

\$32,970

CITY EXHIBIT 1



Recorded in Martin County, FL 7/12/2017 10:15 AM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: \$5.00
CFN#2644777 BK 2936 PG 1797 PAGE 1 of 2

Filing # 57202332 E-Filed 06/01/2017 05:20:13 PM

This space is for recording purposes only

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR MARTIN COUNTY, FLORIDA

James B. Nutter & Company,

GENERAL JURISDICTION DIVISION

Plaintiff,

Case No.

vs.

17-605-CA

The Unknown Spouse, Heirs, devisees, Grantees,
Assignees, Lienors, Creditors, Trustees, and all other
parties claiming an interest by, through, under or
against the Estate of Roslyn H. Hall a/k/a Roselyn
H. Hall a/k/a Roselyn Hall, Deceased; United States
of America on behalf of the Secretary of Housing
and Urban Development,

Defendants.

NOTICE OF LIS PENDENS

TO THE ABOVE NAMED DEFENDANTS, AND ALL OTHERS WHOM IT MAY
CONCERN:

YOU ARE NOTIFIED OF THE FOLLOWING:

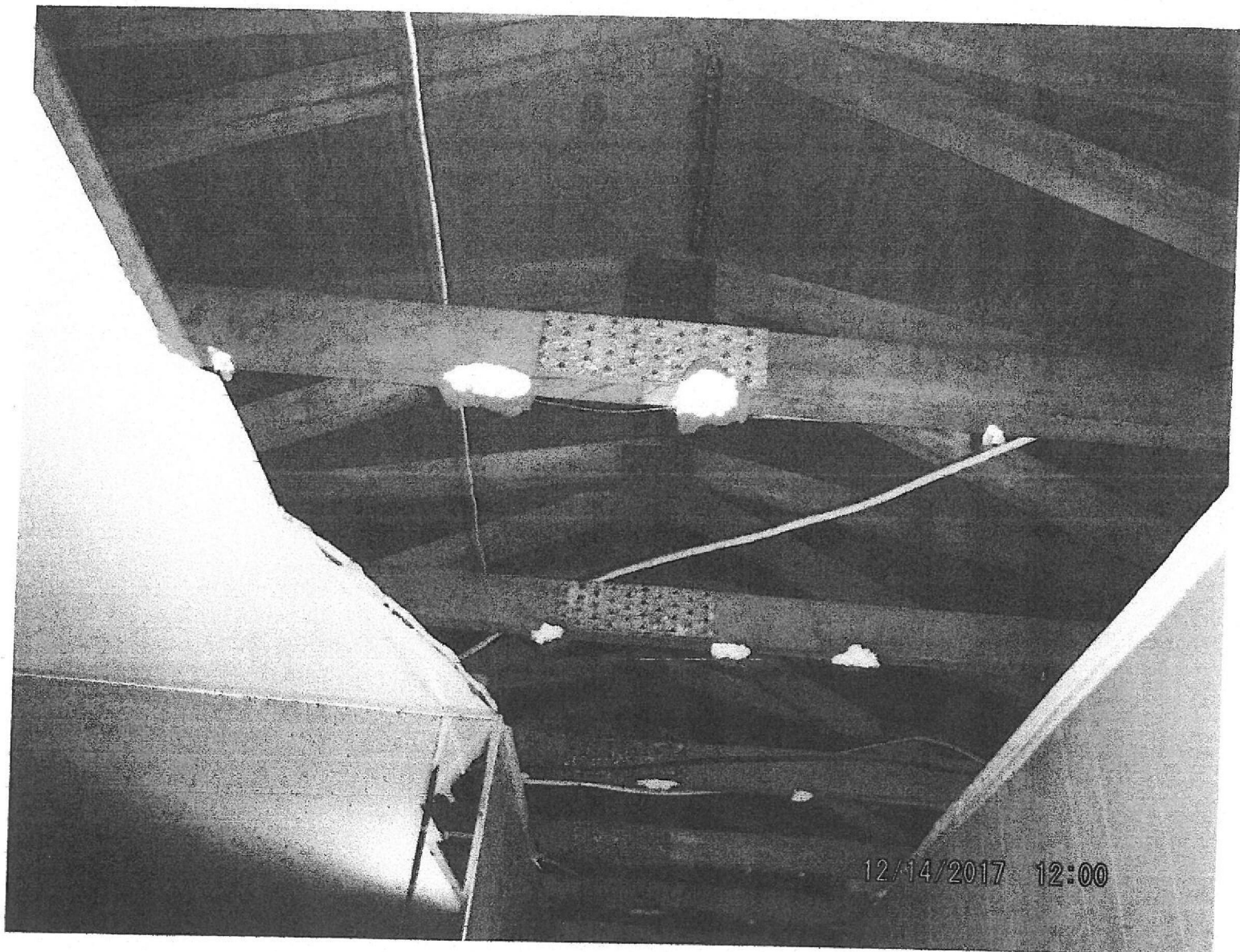
The Plaintiff has instituted this action against you seeking to foreclose a Mortgage,
recorded in Official Records Book 2298 at Page 1829 of the Public Records of Martin County,
Florida, encumbering the following described property in Martin County, Florida:

LOT 13, LESS THE NORTH 30 FEET THEREOF, BLOCK 11, AMENDED
PLAT OF MCDONALDS SUBDIVISION OF BLOCK 8, OF LINCOLN PARK
ADDITION TO THE TOWN OF STUART, FLORIDA, ACCORDING TO THE

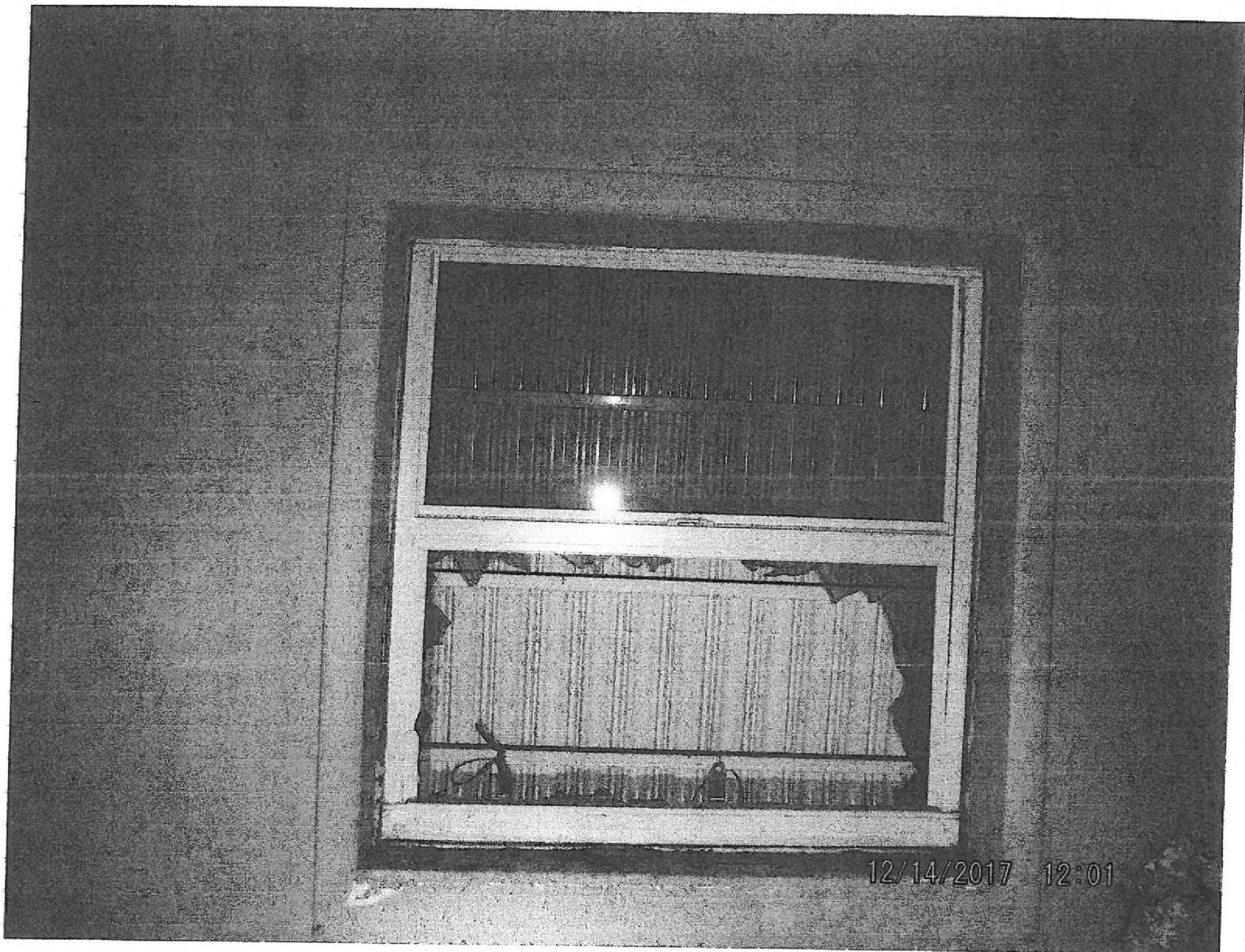
Electronically Filed Martin Case # 17000605CAAXMX 06/01/2017 05:20:13 PM

File # 17-F02466

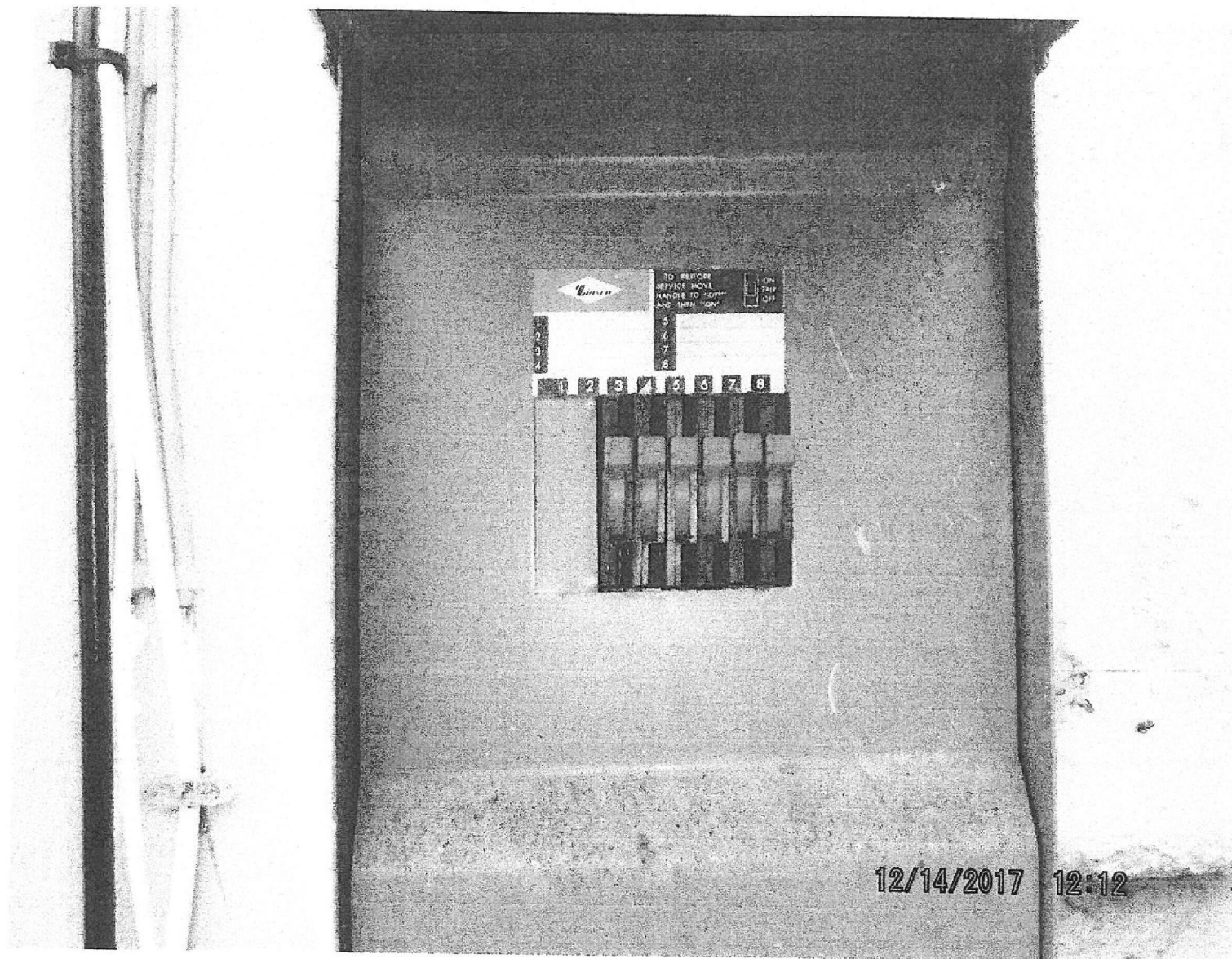
CITY EXHIBIT 1A



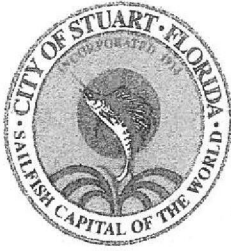
CITY EXHIBIT 2



CITY EXHIBIT 3



CITY EXHIBIT 4



City of Stuart

CITY DEVELOPMENT DEPARTMENT
121 S.W. FLAGLER AVENUE, STUART FLORIDA 34994
OFFICE: 772/288-5326, FAX: 772/288-5388

11/9/2018

Reverse Mortgage Funding, LLC
PO Box 40724
Lansing, MI 48901-7924

Re: 836 SE Central Ave, Stuart, FL 34994

To Whom It May Concern:

Please be advised approximately a year ago this property was deemed unsafe by the Building Official per city ordinance 10-86. The property has gotten worse since this report. Our police department has been finding people inside the house and the yard is in need of maintenance. I have contacted the property management company originally handling this property but was told they are no longer servicing it. James B. Nutter and Company has informed me you are now servicing this loan. Enclosed is the original Notice.

Please provide me with a timetable of when repairs are going to be made. Failure to do so will result in a notice of violation to be issued. The fine is \$100.00 per day for each and every day the house remains in an unsafe condition. I will expect to hear from you within 10 days.

Thank you for your cooperation.

Steve Nicolosi, CBO, BCA
Building Code Administrator
snicolosi@ci.stuart.fl.us
772-600-1273

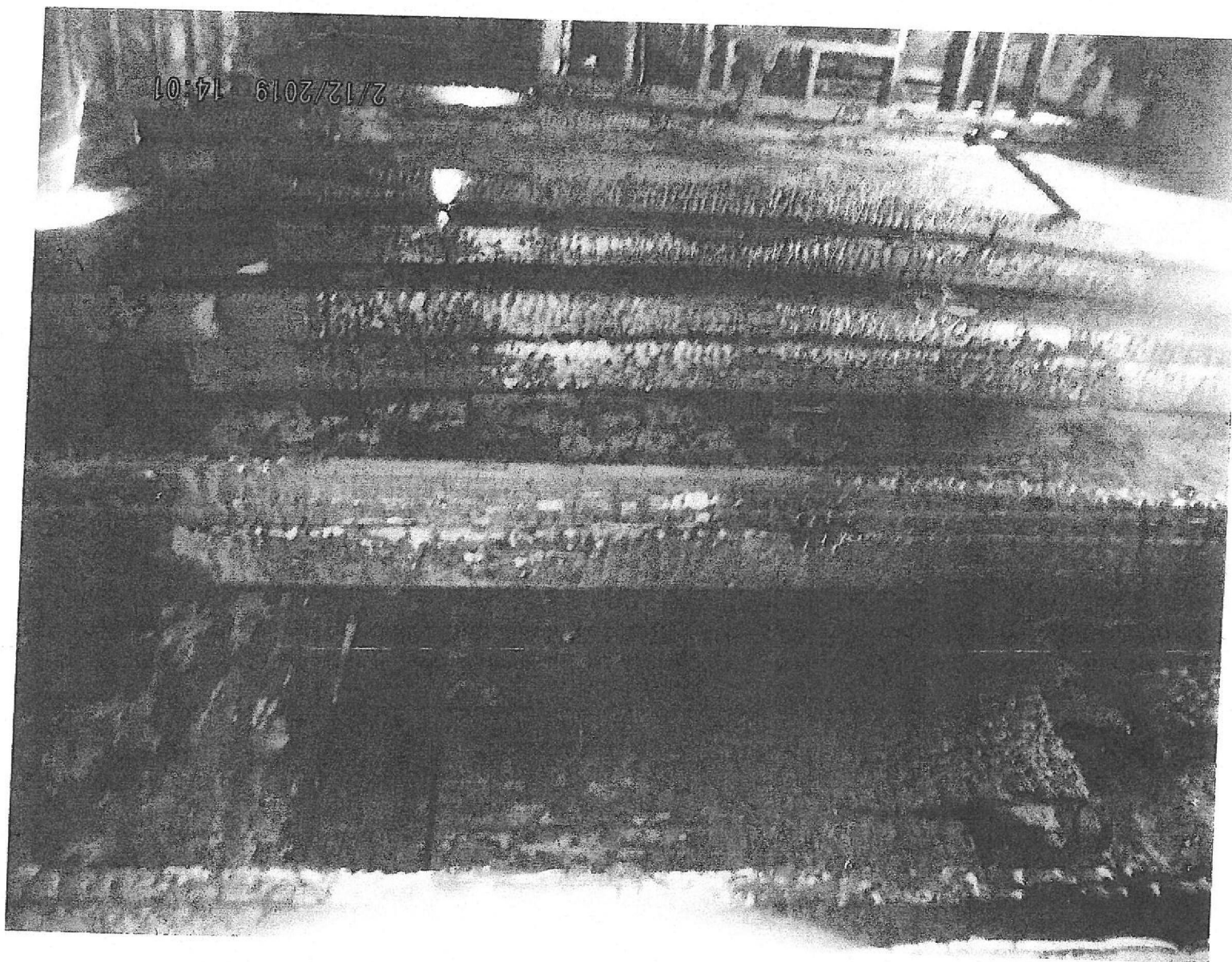
CITY EXHIBIT 5

Sent certified and email 11/9/18



2/12/2019 14:01

CITY EXHIBIT 6



CITY EXHIBIT 7



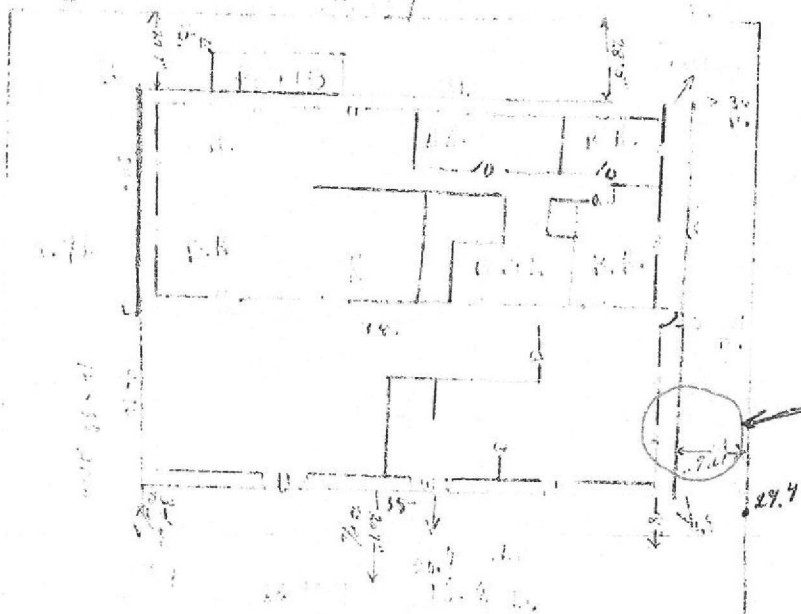
CITY EXHIBIT 8

SURVEY MAP
Showing Lot 13, Blk. 11, Less the N. 30', Mrs. Donalds &
Flat E&K, P. 77, Public Records of Martin County, Florida.



CITY EXHIBIT EX9

From T. Brown Road
SSE corner



CITY EXHIBIT 10



Serving with *Pride*
Protecting with *Dignity*

STUART POLICE DEPARTMENT
Joseph Tumminelli, Chief of Police

CODE ENFORCEMENT DIVISION
830 SE Martin L. King Blvd. Stuart, FL 34994
Telephone: 772 - 600 - 1254 Fax: 772 - 600 - 1211



March 8, 2019

Roslyn Hall Estate
836 SE Central Ave
Stuart, FL 34994

Celink Reverse Mortgage
3900 Capital City Blvd.
Lansing, MI 48906

Reena Patel Sanders, Esq. Partner
8201 Peters Road | Suite 4000
Fort Lauderdale | FL 33324

Re: NOV Notice for 10-83-Unsafe Building and Public Nuisance
836 SE Central, Stuart, FL
PCN: 04-38-41-013-011-001 30-1-0000

To whom it may concern:

Please be advised you are in violation of the City of Stuart Code of Ordinances; specifically, Section 10-83-Unsafe Building and Public Nuisance. A copy of the Ordinance is enclosed.

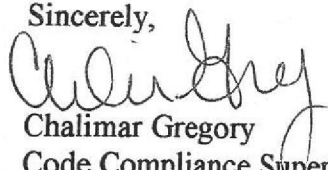
Remedy: As an interested party, you have **thirty (30) days** to provide the city with rehabilitation plans, procure a Building Permit and begin the construction of the necessary repairs to bring the Building into compliance with the City of Stuart Code of Ordinances and the Florida Building Code. Further, you have **sixty (60) days** from your receipt of this notice to complete this construction. Alternatively, you may simply obtain a permit and demolish the Building and remove the demolition debris in a manner approved by the Building Official.

**Additionally, part of the structure may be on Florida East Coast Railroad property. Provide a current survey with your application for a permit.*

CITY EXHIBIT 11

If compliance is not met, please be advised that this violation carries a fine in the amount of \$100.00 per day, plus court costs.

Sincerely,



Chalimar Gregory
Code Compliance Supervisor

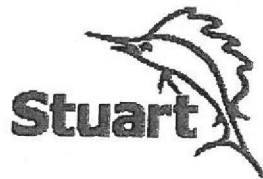
Encl.

CITY EXHIBIT 11A

Sec. 10-83. - Unsafe buildings and unsafe systems a public nuisance.

All buildings in the city that are unsafe because of structural, electrical, gas, mechanical or plumbing deficiencies, or that are unsanitary, or do not provide adequate egress, or constitute a fire hazard, or constitute an attractive nuisance or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, will be considered unsafe buildings. Unsafe buildings are a public nuisance because of the danger they pose to the public. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the code and the provisions of this article.

(Code 1981, § 6-510; Code 1995, § 18-256; Ord. No. 1905, § 1, 12-9-2002)



original

**CITY OF STUART
CODE ENFORCEMENT**
830 SE MARTIN LUTHER KING, JR. BLVD
STUART, FL 34994-2139

NOTICE OF VIOLATION

Feb 22, 2019

**HALL ROSLYN ESTATE
836 SE CENTRAL AVE
STUART, FL 34994**

Case #: CE18030017

You are hereby notified that the following violation(s) of the Code of Ordinances and/or the Land Development Regulations of the City of Stuart exists on the property listed:

**ADDRESS: 836 SE CENTRAL AVE
PARCEL ID #: 0438410130110013010000**

**OBSERVATION DATE: 01/25/18
CORRECTION DATE: 03/24/2019**

**VIOLATION(S) 10-83
 UNSAFE STRUCTURE A PUBLIC NUISANCE
 Correction: 10-83
 REPAIR OR DEMOLISH WITHIN TEN (10) DAYS
AND
CORRECTIVE
ACTIONS:**

NOTICE OF HEARING SUMMONS

Failure to correct the violation(s) by the above date will result in a presentation of this matter at a hearing before the Code Enforcement Magistrate on **04/16/2019 at 1:00PM** in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, Florida. The violation charged is a civil infraction and subjects you to a maximum civil penalty of up to \$250 per offense, per day, for repeat violations.

The Code Enforcement Magistrate will receive testimony and evidence at said Hearing and make Findings of Fact, as supported by the testimony and evidence pertaining to matters alleged in the Notice of Violation. You are entitled to present evidence and witnesses at the Hearing.

FAILURE to appear will result in the Magistrate proceeding in your absence. All fines constitute liens against the Real and Personal Property of the Respondent. Please govern yourself accordingly

An administrative fee of \$300.00 will be assessed if you should fail to comply by the correction date above.

Should you require additional information regarding this notice, please contact the Code Enforcement Division at (772) 288-5325 or (772) 600-1254.

Code Enforcement Officer
Chalimar Gregory / Vito Lorenzo / Deborah Carrasco / Breana Jines

Certified Mail # _____

CITY EXHIBIT 11C

Roslyn Hall Estate

836 SE Central Ave

Stuart, FL 34994

Celink Reverse Mortgage

3900 Capital City Blvd.

Lansing, MI 48906

C/O: Reena Patel Sanders, Esq. Partner

8201 Peters Road | Suite 4000

Fort Lauderdale | FL 33324

CITY EXHIBIT 11D

U.S. Postal Service™
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 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Postmark Here
 2-22-19

Sent To Roslyn Hall Estate
 Street and Apt. No., or PO Box No. 836 SE Central Ave
 City, State, ZIP+4® Stuart, FL 34994

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™
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OFFICIAL USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Postmark Here
 2-22-19

Sent To Amanda Simmons
 Street and Apt. No., or PO Box No. Five Brothers Asset Management Solutions
 City, State, ZIP+4® 1230 E 13 mile RD, suite 100
Warren, MI 48093

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal Service™
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OFFICIAL USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$

Postmark Here
 2-22-19

Sent To Reverse Mortgage Funding, LLC
 Street and Apt. No., or PO Box No. PO Box 40724
 City, State, ZIP+4® Lansing MI 48901

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Amanda Simmons
 Five Brothers Asset Management Solutions
 1230 E 13 mile RD, suite 100
 Warren, MI 48093 CITY OF STUART

2. Article Number (transfer from service label)
 9590 9402 2298 6225 2391 69
 7017 1000 0000 3163 0524

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature DELO, INC.
 X Authorized Agents
☐ Agent
☐ Addressee
 B. Received by Feb 28 2019
 C. Date of Delivery
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Restricted Delivery
☐ Priority Mail Express
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

Domestic Return Rec

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Reverse Mortgage Funding, LLC
 PO Box 40724
 Lansing, MI 48901

2. Article Number (transfer from service label)
 9590 9402 2298 6225 2391 90
 7017 1000 0000 3163 0531

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Stark Whiteley
 B. Received by (Printed Name) PAUL WOLFSCHLAGE
 C. Date of Delivery
 D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Restricted Delivery
☐ Priority Mail Express
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation
☐ Signature Confirmation Restricted Delivery

Domestic

CODE ENFORCEMENT
 MAR 08 2019

9450 97E 0000 000T 2T02

4250 97E 0000 000T 2T02

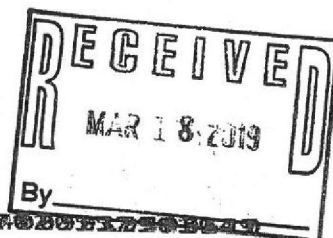
TE50 97E 0000 000T 2T02

POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION

City of Stuart

830 MARTIN LUTHER KING, JR. BOULEVARD
STUART, FL 34994-2408

VAC



9327020712303549

*

CERTIFIED MAIL



7017 1000 0000 3163 0548

ROSLYN HALL ESTATE
836 SE CENTRAL AVE
STUART FL 34994

NIXIE

VAC

34994240830

NEOPOST

02/22/2019

US POSTAGE \$006.80

FIRST-CLASS M



ZIP 34994
041L104065

RECEIVED

MAR 19 2019

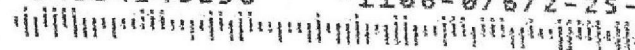
CODE ENFORCEMENT
CITY OF STUART

0003/10/19

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

BC: 34994240830

*1106-07672-25-42



7017 1000 0000 3163 0401

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee \$ _____	3-11-19 Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$ _____	
☐ Return Receipt (electronic) \$ _____	
☐ Certified Mail Restricted Delivery \$ _____ ☐ Adult Signature Required \$ _____ ☐ Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
Total Postage and Fees \$ _____	
Sent To <u>Celink Reverse Mortgage</u> Street and Apt. No., or PO Box No. <u>3900 Capital City Blvd</u> City, State, ZIP+4® <u>Lansing, MI 48906</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <u>[Signature]</u> ☐ Agent ☐ Addressee
1. Article Addressed to: <u>Celink Reverse Mortgage</u> <u>3900 Capital City Blvd.</u> <u>Lansing, MI 48906</u>	B. Received by (Printed Name) <u>MARTIN C HARRIS</u> C. Date of Delivery <u>3-18-2019</u>
	D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:
	RECEIVED MAR 22 2019 CODE ENFORCEMENT CITY OF STUART
2. Article Number (Transfer from service label) <u>7017 1000 0000 3163 0401</u>	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☒ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery
	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise ☐ Signature Confirmation™ ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt	

CITY EXHIBIT 11F

POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
City of Stuart
830 MARTIN LUTHER KING, JR. BOULEVARD
STUART, FL 34994-2408

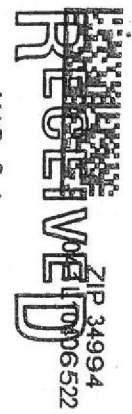


334
MAR 19
1.1

NEOPOST
03/11/2019
US POSTAGE \$006.80
FIRST-CLASS MAIL

7017 1000 0000 3163 0395

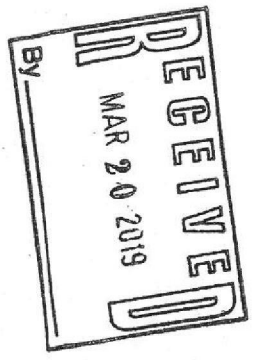
KOSLYN HALL ESTATE



MAR 21 2019

830 SE Central Ave
Stuart, FL 34994

CODE ENFORCEMENT
CITY OF STUART



NIXIE 331 DE 1 0003/17/19

RETURN TO SENDER
VACANT
UNABLE TO FORWARD

VAC BC: 34994240830 *0175-11140-11-42

34994240830



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Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage

Total Postage and Fees

Sent To Roslyn Hall Estate
 Street and Apt. No., or PO Box No. 830 SE Central Ave
 City, State, ZIP+4® Stuart, FL 34994

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

3.11.19
Postmark
Here

5BED E9TE 0000 000T 2T02

CITY EXHIBIT 116

2017 1000 0000 3163 0418

3.11.19
Postmark
Here



FAQs :

Remove X

CITY EXHIBIT 11 H