



T R A S K
 D A I G N E A U L T
 ————LLP————
 A T T O R N E Y S

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 DAVID PLATTE
 JEREMY SIMON
 NANCY S. MEYER*
 MEGAN R. HAMISEVICZ

** Board Certified by the Florida Bar in
 City, County and Local Government Law*

MEMORANDUM

.....

DATE: August 5, 2022

TO: Mayor Costa Vatikiotis
 Vice Mayor Craig Lunt
 Commissioner Jacob Karr
 Commissioner Michael Eisner
 Commissioner Panagiotis (Peter) Koulias

FROM: Thomas J. Trask, Esquire *[Signature]*

RE: Code Enforcement Lien at 714 North Avenue, Tarpon Springs
 CEB Case No. 19-80000768 (Lee/Ellsworth/Jones)
 Settlement Offer

.....

The purpose of this memorandum is to obtain your authorization to accept a \$1,000.00 settlement offer from Nicole Lee (n/k/a Nicole Talley), one of the owners of the above-referenced property, in exchange for a Release of the above Code Enforcement Board Lien on the property located at 714 North Avenue, Tarpon Springs.

BACKGROUND

In 2019 the Code Enforcement Board found the subject property in violation of (3) code violations (consisting of inoperable vehicles located on the property, operating a business within the city without a local Business Tax Receipt, and using residential property for the business of car sales) and a lien was placed on the property. The property came into compliance on September 24, 2021. Recently I was contacted by Nicole Lee (n/k/a Nicole Talley) regarding the assessed fines. Settlement negotiations ensued and on July 2, 2022, Ms. Lee made a settlement offer in the amount of \$1,000.00 in exchange for a Release of the above-referenced Code Enforcement Board lien. The total amount due the City on this lien will be \$61,676.79 as of August 31, 2022. Copies of the settlement offer and the City's Case History Report are attached hereto.

RECOMMENDATION

Based upon the facts of this case and to avoid incurring additional attorney's fees, it is my recommendation that the Board of Commissioners accept this Settlement offer of \$1,000.00 in exchange for a Release of the above-referenced CEB lien. The City Manager and the Code Enforcement Dept. agree with this recommendation.

Respectfully submitted.

TJT/kt

cc: Mark LeCouris, City Manager
Irene S. Jacobs, City Clerk
Ed Miller, Detective Sergeant
Lisa Mercier, Code Enforcement Dept.

Thomas Trask

From: nicole talley <nicoletalley55@gmail.com>
Sent: Tuesday, August 2, 2022 4:06 PM
To: Thomas Trask
Subject: Re: Automatic reply: City of Tarpon Springs CEB lien

Thank you attorney Trask. I accept \$1,000 lean pay off agreement. Please tell me who I make my payment payable too, and in what form. Thanks for all your help.

Sincerely,

Nicole Talley

On Tue, Aug 2, 2022, 2:57 PM Thomas Trask <tom@cityattorneys.legal> wrote:

Nicole,

The City Manager and City staff will support a settlement offer of \$1,000.00. If that is acceptable, I will need for you to send me an email wherein you agree to pay \$1,000 in full settlement of the outstanding CEB lien. Tom

From: nicole talley <nicoletalley55@gmail.com>
Sent: Wednesday, July 27, 2022 1:54 PM
To: Thomas Trask <tom@cityattorneys.legal>
Subject: Re: Automatic reply: City of Tarpon Springs CEB lien

Oh okay I understand. Thanks Attorney Trask. Ttyl.

Sincerely,

Nicole Talley

On Wed, Jul 27, 2022, 11:20 AM Thomas Trask <tom@cityattorneys.legal> wrote:

Nicole,

Thank you for your emails. I have been receiving them. I have been working with city staff and the city manager on a possible resolution. I will be in touch soon. Tom

Thomas J. Trask, Esquire

Board Certified in City, County and Local Government Law

AV Preeminent® Rated Attorney

Tom@cityattorneys.legal

TRASK DAIGNEAULT, LLP

Harbor Oaks Professional Center

1001 South Fort Harrison Avenue, Suite 201

Clearwater, FL 33756

(727) 733-0494 (Ext. 103) Phone

(727) 733-2991 Fax

CONFIDENTIALITY, DISCLOSURE, AND WIRING INSTRUCTION NOTICES

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Wiring Instruction Notice. FURTHER, WE DO NOT ACCEPT OR REQUEST CHANGES TO WIRING INSTRUCTIONS VIA EMAIL OR FACSIMILE, PLEASE CALL TO VERIFY. IF YOU RECEIVE AN EMAIL CONTAINING WIRE TRANSFER INSTRUCTIONS, CALL OUR OFFICE IMMEDIATELY TO VERIFY THE INFORMATION PRIOR TO SENDING FUNDS.

CASE TYPE: Parcel Number
 DISPOSITION: Public
 DATE ESTABLISHED: 10/25/19
 INSPECTOR: Ofc. Steve Gassen
 TENANT NAME: Compiled-Fines Still Owed
 STATUS: Public
 STATUS DATE: 11/10/21

40.00 PKG/STRG ABANDONED VEH Public
 18.27 16 91080 002 0180
 714 NORTH AVE
 TARPON SPRINGS FL 346894542 Ofc. Steve Gassen

CASE DATA:
 Date of Initial Inspection: October 25th, 2019
 Violation Codes: 40.00, 8-52, 57.00, 25.03
 CEI Compliance Deadline: February 10, 2020
 Complaintant: Gassen
 Miscellaneous Information: Gassen
 Phone Numbers: January 9, 2020
 CEI Hearing Date: September 24, 2021
 Deferred Notice Date:
 Date Completed:
 Date Closed:

NOTICE NAMES: NICOLE LEB, GRACIE ELLSWORTH, OWNER 727-943-0427 Public PRINT PIN# IN LETTERS: Yes

HISTORY: SCHEDULED ACTION STATUS RESULTED DISPOSITION INSPECTOR TIME
 10/25/19 Initial Inspection COMPLETED 10/25/19 Private Ofc: Steve Gassen .10
 ROST TEXT: While conducting inspections on neighboring properties I observed violation on the property.
 Property has 2 vehicles with no tags
 2 vehicles with dealer tags coming back to a business with the same address
 No local business tax receipt exists in the city
 Property is residentially zoned and cannot be used as a car sales lot.
 10/25/2019, 10:00:27 AM SGASSEN
 Two vehicles with no tags on the property
 Two vehicles with dealer tags with he address to the dealer returning to the same address
 Tags, PH052Z and PH055Z are both registered to West Coast Credit and Auto Sales LLC at 714 North Ave
 There is no local business tax receipt for the address for any business.
 Property is zoned residential and cannot be used as a car sales lot, parking lot, or operate the business as an address of convenience unless a LBRR is obtained. Then storage of work related vehicles cannot occur on the property.

10/29/19 Code Notice of Violation ISSUED 10/29/19 Private
 Respond to: Officer S Gassen
 Send to: Owner Name
 Mail tracking #: 70191640000183076898
 Date: 10/29/19

CASE TYPE: DISPOSITION DATE ESTABLISHED STATUS STATUS DATE
Parcel Number INSPECTOR TENANT NAME TENANT NBR

40.00 PKG/STRG ABANDONED VEH Public 10/25/19 Completed-Fines Still Owed 11/10/21
18 27 16 91080 002 0180 Ofc. Steve Gassen
714 NORTH AVE
TARPON SPRINGS FL 346894542
Name/address: NOEL L JONES
714 NORTH AVE
TARPON SPRINGS, FL 34689
(727) 943-0427

Telephone: (727) 943-0427
Fax: (727) 943-0427

11/08/19 Reinspection Car sales business? COMPLETED 11/25/19 Private Ofc. Steve Gassen 10/29/19
RSLT TEXT: 11/25/2019, 10:28:56 AM SGASSEN 10/29/19
RSLT TEXT: No change, actually more vehicles with no tags on property. 3/31/21

11/25/19 Code Notice of Hearing ISSUED 11/25/19 Private
Respond to: Officer S Gassen Date: 1/07/20
Send to: Owner Name
Mail Tracking #: 70191640000183086361
Name/address: NICOLE LEE, GRACIE ELLISWORTH,
NOEL L JONES
714 NORTH AVE
TARPON SPRINGS, FL 34689
Telephone: (727) 943-0427
Fax: (727) 943-0427
Email:

1/08/20 CEB Pre-Board Inspection COMPLETED 1/08/20 Private Ofc. Steve Gassen 11/25/19
RSLT TEXT: Cars removed, LBTA obtained? 11/25/19
RSLT TEXT: 1/8/2020, 7:58:45 AM SGASSEN 1/08/20
No change, numerous unregistered cars on property 1/08/20
No LBTR on file and 2 cars with dealer tags 1/08/20

1/09/20 Code Board Meeting COMPLETED 1/09/20 Private 3/31/21
NARRATIVE: CEB: Present: No 3/31/21
IV: 40.00, 11-3, 25.03 3/31/21
Deadline: 02/10/2020 3/31/21
Fines: \$100 3/31/21

12/02/19 Phone Call COMPLETED 12/02/19 Private 12/02/19
NARRATIVE: Received call from PO, 813-508-0180. Left a message that I
returned his call. 12/02/19

12/05/19 Document Returned COMPLETED 12/05/19 Private 12/05/19
NARRATIVE: DR Tracking #701916400001830768898 12/05/19
NV Addressed to: LEE, NICOLE 12/05/19
Returned to CE on: 11/21/2019 12/05/19
Marked by post office: RETURN TO SENDER UNCLAIMED UNABLE TO 12/05/19
FORWARD 12/05/19

 CASE TYPE: DISPOSITION DATE ESTABLISHED TENANT NAME STATUS INSPECTOR TENANT NBR STATUS DATE
 Parcel Number: INSPECTOR
 40 00 PKG/STRG ABANDONED VEH Public 10/25/19 Ofc. Steve Gassen
 18 27 16 91080 002 0180
 714 NORTH AVE
 TARPON SPRINGS FL 346894542 Ofc. Steve Gassen

HISTORY: SCHEDULED ACTION STATUS RESULTED DISPOSITION INSPECTOR TIME

12/18/19 Code NOH Sign to Post ISSUED 12/18/19 Private
 Respond to: Officer S Gassen Date: 1/07/20
 Send to: Owner Name
 Mail tracking #: NICOLE LEE, GRACIE ELLSWORTH,
 Name/address: NOEL I JONES
 714 NORTH AVE
 TARPON SPRINGS, FL 34689
 (727) 943-0427

Telephone: Telephone: 12/18/19 Affidavit of Posting Notice ISSUED 12/18/19 Private
 Fax: 12/18/19 Officer S Gassen Date: 12/27/19
 Email: Owner Name
 Respond to: NICOLE LEE, GRACIE ELLSWORTH,
 Send to: NOEL I JONES
 Mail tracking: 714 NORTH AVE
 Name/address: TARPON SPRINGS, FL 34689
 (727) 943-0427

12/27/19 Post Property COMPLETED 12/27/19 Private Ofc. Steve Gassen
 ROST TEXT: 12/18/19
 Document Returned COMPLETED 12/17/19 Private
 NARRATIVE: DR Tracking #70191640000183086361
 12/30/19
 12/30/19
 12/30/19
 12/30/19
 12/30/19
 12/30/19

1/08/20 Further Information COMPLETED 1/08/20 Private
 NARRATIVE: As of 01/08/2020, the only LBTA is for Contractor/Trimming
 service under JCM Trim Carpentry, Inc. 1/08/20

2/10/20 CFB Compliance Deadline COMPLETED 2/10/20 Private
 NARRATIVE: CFB: 01/09/2020
 Present: NO
 IV: 40.00, 11-3, 25.03
 Deadline: 02/10/2020
 Fines: \$100
 1/10/20
 1/10/20
 1/10/20
 1/10/20

2/11/20 CFB Deadline Inspection COMPLETED 2/13/20 Private Ofc. Steve Gassen

DISPOSITION DATE ESTABLISHED STATUS
 INSPECTOR TENANT NAME STATUS DATE
 Public 10/25/19 Completed-Fines Still Owed 11/10/21
 Ofc. Steve Gassen

Case Type: PARCEL NUMBER: 40.00 PKG/STREG ABANDONED VEH
 Address: 18 27 16 91080 002 0180
 714 NORTH AVE
 TARPON SPRINGS
 FL 346894542
 CEB Deadline: 01/09/2020
 ROST TEXT: CEB: 01/09/2020
 Present: No
 IV: 40.00, 11-3, 25.03
 Deadline: 02/10/2020
 Fines: \$100
 2/13/2020, 8:15:49 AM SGASSEN
 No change

2/14/20 Affidavit of Non-Compliance ISSUED 2/14/20 Private
 Officer S Gassen Date: 2/14/20
 Owner Name
 Send to: 7019164000183087504
 Mail tracking #: NICOLE LEE, GRACIE ELLSWORTH,
 Name/address: NOEL L JONES
 714 NORTH AVE
 TARPON SPRINGS, FL 34689
 Telephone: (727) 943-0427
 Fax:
 Email:

2/14/20 Affidavit of Costs ISSUED 2/14/20 Private
 Officer S Gassen Date: 2/14/20
 Owner Name
 Send to: NICOLE LEE, GRACIE ELLSWORTH,
 Mail tracking #: NOEL L JONES
 Name/address: 714 NORTH AVE
 TARPON SPRINGS, FL 34689
 Telephone: (727) 943-0427
 Fax:
 Email:

3/12/20 Code Board Meeting COMPLETED 3/12/20 Private
 NARRATIVE: APF of NC 3/31/21
 Prosecution Costs: \$118.00 3/31/21
 CEB 03/12/2020
 3/12/20 Board Accepts Prosecution Cost COMPLETED 3/12/20 Private
 NARRATIVE: APF of NC 3/12/20
 CEB 03/12/2020
 Prosecution Costs: \$118.00 3/12/20

3/12/20 Board Accepts Aff Non-Comply COMPLETED 3/12/20 Private
 NARRATIVE: APF of NC 3/12/20
 CEB 03/12/2020
 Prosecution Costs: \$118.00 3/12/20

9/18/20 Fine Status Reinspection COMPLETED 9/29/20 Private
 ROST TEXT: Fine status RI. Ofc. Steve Gassen 3/12/20

 CASE TYPE
 Parcel Number
 ADDRESS
 DISPOSITION
 DATE ESTABLISHED
 INSPECTOR
 STATUS
 TENANT NAME
 TENANT NBR
 STATUS DATE

40.00 PKG/STRG ABANDONED VEH Public 10/25/19 Ofc. Steve Gassen
 18 27 16 91080 002 0180
 714 NORTH AVE
 TARPON SPRINGS

FL 346894542
 9/18/20 Fine Status Reinspection 9/29/2020, 8:02:43 AM SGASSEN 9/29/20 Private Ofc. Steve Gassen
 RSLT TEXT: No Change

4/05/21 Fine Status Reinspection 4/26/21 Private Beth Hughes
 ROST TEXT: See it in compliance. There was a lady present at the address and possibly only one vehicle left without tags. She said it should be gone by next week. The PO passed away and they are removing/selling all the vehicles.
 RSLT TEXT: 4/26/2021, 2:01:12 PM BHUGHES
 Only two vehicles remain on the property, but one had a dealer tag and the property address is still active in Sunbiz as WESTCOAST CREDIT AND AUTO SALES LLC. Not in compliance.

10/19/21 Fine Status Reinspection 10/20/21 Private Beth Hughes
 ROST TEXT: Still storing inoperable or dealer tagged vehicles? Car
 Dealership in Sunbiz is inactive and the only active business is Talley Armed and Secured LLC, filed 8/16/2021.
 10/20/2021, 11:15:26 AM BHUGHES
 The car business is no longer active in Sunbiz and all the vehicles parked on the property have current registrations. In compliance as of 9/24/2021, date of dissolution.

Detail by Street Address
 Florida Limited Liability Company
 WESTCOAST CREDIT AND AUTO SALES LLC

Filing Information
 Document Number 114000166986
 FBI/EIN Number 47-2175877
 Date Filed 10/27/2014
 Effective Date 11/07/2014
 State FL
 Status INACTIVE
 Last Event ADMTN DISSOLUTION FOR ANNUAL REPORT
 Event Date Filed 09/24/2021
 Event Effective Date 10/20/21

PREPARED 4/19/22, 9:24:05
PROGRAM CE200L
City of Tarpon Springs

CASE HISTORY REPORT
CASE NUMBER 19-80000768

PAGE 6

CASE TYPE	DISPOSITION	DATE ESTABLISHED	TENANT NAME	STATUS	TENANT NBR	STATUS DATE
40.00 PKG/STRG ABANDONED VEH	Public	10/25/19		Completed-Fines Still Owed		11/10/21
18 27 16 91080 002 0180 714 NORTH AVE TARPON SPRINGS	FL 346894542 Fine Status Reinspection RSLT TEXT: NONE Principal Address	10/20/21	Beth Hughes	Private		10/20/21

10/20/21 Affidavit of Compliance ISSUED 10/20/21 Private
Respond to: INSPECTOR HUGHES Date: 10/20/21
Send to: Owner Name
Mail tracking #: 70203160000152436073
Name/address: NICOLE LEE, GRACIE ELLSWORTH,
NOEL L JONES
714 NORTH AVE
TARPON SPRINGS, FL 34689
Telephone: (727) 943-0427

11/04/21 Code Board Meeting COMPLETED 11/04/21 Private
Respond to: CEB 11/4/21
Send to: BOARD ACCEPTS AOC
Mail tracking # 70203160000152436073
Name/address: Addressed to: NICOLE LEE, GRACIE ELLSWORTH, NOEL L JONES
Returned to CE on: 10-25-21
Signature appears to be: COVID-19
10/25/21
10/25/21
10/25/21
10/25/21
10/25/21

10/29/21 Affidavit of Compliance ISSUED 10/29/21 Private
Respond to: INSPECTOR HUGHES Date: 10/29/21
Send to: Owner Name
Mail tracking #: NICOLE LEE, GRACIE ELLSWORTH,
Name/address: NOEL L JONES
714 NORTH AVE
TARPON SPRINGS, FL 34689
Telephone: (727) 943-0427

11/02/21 Document Returned COMPLETED 11/02/21 Private
Respond to: DR AOC
Send to: DR AOC
Mail tracking # 70203160000152436073
Name/address: Addressed to: NICOLE LEE, GRACIE ELLSWORTH, NOEL L JONES
Returned to CE on: 11-2-21
Signature appears to be: COVID 19
11/09/21
11/09/21
11/09/21
11/09/21

11/04/21 Board Accepts Aff of Compl COMPLETED 11/04/21 Private
Respond to: CEB 11/4/21

CASE TYPE: DISPOSITION DATE ESTABLISHED STATUS
 Parcel Number: INSPECTOR TENANT NAME
 ADDRESS: Public 10/25/19 Completed-Fines Still Owed
 40.00 PKG/STRG ABANDONED VEH Public Ofc. Steve Gassen
 18 27 16 91080 002 0180
 714 NORTH AVE
 TARPON SPRINGS
 11/04/21 Board Accepts Aff of Compl COMPLETED 11/04/21 Private
 NARRATIVE: BOARD ACCEPTS AFF OF COMPL

TOTAL TIME: 1.10
 11/10/21

VIOLATIONS: DATE DESCRIPTION QTY CODE STATUS RESOLVED
 10/25/19 40.00 Inoperable Vehicles 1 40.00 ACTIVE

NARRATIVE: Two vehicles on the property with no tags
 Black Ford and Blue SUV in back of lot
 Vehicles must have current, valid registration AND operable.
 OR
 They must be stored in a completely enclosed structure (car covers do NOT satisfy this requirement).
 OR
 Removed from the property and stored elsewhere.
 Please provide proof of valid registration and the vehicle is operable to the Code Enforcement Office.
 BUSINESS TAX RECEIPT 1 11-3 IBTR
 ACTIVE

10/25/19 11-3 LOCAL BUSINESS TAX RECEIPT 1 11-3 IBTR ACTIVE
 NARRATIVE: Operating a business within the city without a local business tax receipt.
 WestCoast Credit and Auto Sales LLC is operating out of the address
 Sundiz shows the LLC to be Active and the mailing address for the business is 714 North Ave.
 The property appears to be used for the business and storage of vehicles related to the business.
 1 25.03 R-60, R-70 1&2 FAM RES
 ACTIVE

10/25/19 25.03 R-60, R-70 1&2 FAM RES ACTIVE
 NARRATIVE: Residentially Zoned property being used for the business of car sales.
 DHSWV has the registration address for the business to be 714 North Ave
 WestCoast Credit and Auto Sales LLC
 The zoning does not allow the property to be used as a car sales lot, parking lot or salvage yard. There is not address of convenience filed with the city.
 Property cannot be used to store equipment or vehicles related to the business in violation of the zoning restriction.
 Please remove and refrain from using the property for work related activity unless the zoning is changed or the address of convenience has been filed. When that occurs not vehicles related to the business can be stored on the property.

DESCRIPTION	CHARGE	PAID	BILLED	LIEN AMT	LIEN PAID
AFRIDAVIDIT OF COST	118.00	.00	.00	118.00	.00

FINES:

CASE HISTORY REPORT
 CASE NUMBER 19-80000768

 CASE TYPE Parcel Number DISPOSITION DATE ESTABLISHED STATUS
 ADDRESS
 40.00 PKG/STRG ABANDONED VEH Public 10/25/19
 18 27 16 91080 002 0180
 714 NORTH AVE
 TARPON SPRINGS FL 346894542 Ofc. Steve Gassen

 INSPECTOR
 TENANT NAME
 STATUS
 Completed-Fines Still Owed
 TENANT NBR
 STATUS DATE
 11/10/21

FINES:

DESCRIPTION	DAILY CODE	ENF.	CHARGE	PAID	BILLED	LIEN AMT	LIEN PAID
SATISFACTION FEE			59100.00	.00	.00	10.00	.00
			10.00	.00	.00	10.00	.00



City of Tarpon Springs, Florida

City Clerk & Collector

P.O. Box 5004
410 North Ring Avenue
Tarpon Springs, Florida 34688-5004
(727) 942-5614
Fax (727) 942-5619

August 5, 2022

Trask Daigneault, LLP
c/o Kathy Tokos
1001 South Fort Harrison Avenue, Suite 201
Clearwater, Florida 33756
e-mail address: kathy@cityattorneys.legal

LEGAL DESCRIPTION: Lot 18
 Toby's Acres, Block 2
 18/27/16/91080/002/0180

PROPERTY ADDRESS: 714 North Avenue
 Tarpon Springs, Florida 34689

(X) There is currently a Code Enforcement lien against the real property as follows:
 In the name of Nicole Lee, Gracie Ellsworth and Noel L. Jones, Citation Number 19-80000768,
 \$61,676.79 is the pay-off amount effective thru August 31, 2022.

Breakdown:	Principle	\$59,100.00
	Prosecution Cost	\$118.00
	Interest	\$2,396.29
	Administrative fee	\$25.00
	Recording fees	\$27.50
	Satisfaction fee	\$10.00

Sincerely,
CITY OF TARPON SPRINGS

K .Michele Manousos, CMC
Deputy City Clerk & Collector