

August 11, 2015

SUBJECT:**ORIGINATING DEPARTMENT:****Policies and Procedures for Release of Lien
for Building Division****Planning and Development**

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POLICY:

The following guidelines and procedures are designed to facilitate the release of Building Division related liens. For the purposes of this document, the term "Division" shall mean the Citrus County Building Division. "Special Master" shall mean the regular Special Master or any alternate Special Master appointed by the Board of County Commissioners; "County Administrator" shall mean the currently appointed County Administrator of Citrus County; "Board" shall mean the Citrus County Board of County Commissioners; and "Secretary" shall mean the Building Division Secretary.

Pursuant to Chapter 18, Citrus County Code, Section 18-55 of Article II. Contractor Licensing, and Chapter 489, Florida Statutes, the Special Master may impose a citation fine upon formal determination of a violation of said Article. If such fines go unpaid the County may record those fines as a lien against the respondent's real or personal property. The release of such liens is requested on occasion due to extenuating circumstances or also upon payment and receipt of such lien. The Special Master cannot release or recommend release of any lien once it has been recorded. Only the Board in its discretion may release a lien once it has been recorded. The Board may delegate its authority to release liens to the County Administrator or his or her designee. There is no entitlement to the release of a lien that has not been fully satisfied.

PROCEDURE:

1. Upon proof of payment of the citation fine, the respondent or their legal designee shall submit a written request for release of the lien. The request shall include the reason behind the request. Such requests shall be submitted to the Building Division Director.
2. Upon receipt, the Secretary shall calculate the administrative costs incurred including but not limited to the Clerk of the Court recording costs, and include them with the request for release and forward to the County Administrator.
3. The County Administrator shall consider requests for release. The County Administrator shall render a decision on the request. However, at no time shall the release include the amount necessary to cover the costs of prosecution.
4. A request for release may NOT be accepted if the citation fine has not been paid in full.

5. After the County Administrator renders a decision, the respondent shall pay the administrative costs incurred and the Clerk of Court recording costs within 30 days. Failure to pay the costs shall negate the release of lien.
6. Upon payment of the costs, the Building Division or its designee shall prepare a Release of Lien agreement. The agreement shall include the details of the lien, the proof of payment of the penalty assessed, the written request for release, the calculated costs, along with the decision of the County Administrator.
7. Upon review by the County Attorney's Office, a Release of Lien shall be generated by the Secretary and transmitted to the Clerk for final action.

FOOTNOTES & REFERENCES TO RELATED AR's: