

Law Offices of
Alexander L. Palenzuela, P.A.

1200 Brickell Avenue
Suite 1440
Miami, FL 33131-3205
www.alp-law.com

Main (305) 375-9510 ext. 303
Direct +1 (305) 417-9007
Fax (305) 375-9511
alp@alp-law.com

July 2, 2019

***Posted at the Property and
Sent via First Class and Certified Mail,
Return Receipt Requested
(Receipt No. 7018 1830 0000 5805 0543)***

Sean Coutts
1172 S. Dixie Hwy, Unit 453
Miami, FL 33146-2918

**Re: Notice of violations and further enforcement action regarding real property
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 (“Property”)**

Dear Mr. Coutts:

This office represents the City of Coral Gables, Florida (“City”). You are listed as the owner of the Property in the records of Miami-Dade County Property Appraiser and in the public records of Miami-Dade County.

As such, the City has brought or is bringing code enforcement actions against you for failure to maintain the Property. In spite of the City’s efforts, the Property remains in violation of the City Code and constitutes a public nuisance. Specifically, the Property is in violation of the City Code for reasons including, but not limited to, those set forth in the list of violations attached to the attached cease and desist letter.

You are hereby notified that the City will file a lawsuit or otherwise pursue further enforcement action, which may include any or all of the following: 1) an injunction requiring that the responsible parties maintain the Property in compliance with the City Code; 2) the appointment of a receiver at the expense of the responsible parties; 3) foreclosure on the City’s code enforcement and special assessments liens, if any; 4) forfeiture pursuant to applicable law; 5) the issuance of a code enforcement citation imposing a fine of \$500 per day, as stated in the attached cease and desist letter, pursuant to §§ 2-252 (e)(11) and 2-254 of the City Code; or 6) an unsafe structures proceeding, as applicable. Please be advised that the City’s code enforcement liens attach to all non-exempt real and personal property of the violator(s) named in the code enforcement order and that the City will seek its attorneys’ fees and costs.

If the violations pertain to failure to maintain a historic structure, please be advised that:

- **You may be subject to substantial fines that may not be mitigated.**
- **You may also be required to repair or restore the historic structure.**

Mr. Sean Coutts

July 2, 2019

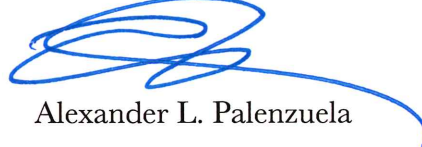
Page 2 of 2

- **If the historic structure is allowed to deteriorate to the point where it must be demolished:**
 - **the City Code requires that you replace the structure with a similar historically-appropriate structure; and**
 - **the property will no longer qualify for an historic preservation tax exemption.**

Should you wish to bring this property into compliance voluntarily and possibly avoid further enforcement action, you must contact me within seven days of the date of this letter. Please provide a plan of action and a timeline, including how you intend to obtain any necessary development approvals and commence and complete the work.

Please govern yourself accordingly.

Very truly yours,



Alexander L. Palenzuela

cc: Miriam Soler Ramos
City Attorney
City of Coral Gables

THE CITY OF CORAL GABLES

OFFICE OF
THE CITY ATTORNEY



The City Beautiful

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

July 1, 2019

***Posted at the Property and
Sent via First Class and Certified Mail,
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Sean Coutts
1172 S. Dixie Hwy, Unit 453
Miami, FL 33146-2918

**Re: Cease and desist demand regarding violations of the City Code at the premises
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 ("Property")**

Dear Mr. Coutts:

This office represents the City of Coral Gables ("City"). You are hereby notified, as set forth below, that, as the owner of the Property (hereinafter referred to as "You"), you are in violation of the City Code and other applicable law for failure to register and maintain an accessory structure to the single-family home ("Structure") on the Property that is in default of a mortgage.

Violations of the City Code

An inspection of the premises and review of City records, conducted on or about May 13, 2019, revealed that you committed the violations of the City Code set forth in the attached List of Violations ("Violations").

In order to correct these Violations, you must take the corrective action described in the attached List of Violations, within seven days of the date of this letter.

Cease and Desist Order

In light of the Violations, we hereby demand, pursuant to §§ 2-252(e)(11) and 2-254 of the City Code, that you correct all of the above-described violations within seven days of the date of this letter. Failure to comply with this cease and desist letter shall result in the issuance of an additional code enforcement citation punishable by a fine of \$500 per day.

Please note that, if you do not correct the Violations, the City will have no choice but to pursue further enforcement action, which may also include, but is not limited to, corrective action, including an action for a court injunction, the appointment of a receiver, or forfeiture; additional code enforcement actions, fines, and liens, including assessment liens; and foreclosure

Mr. Sean Coutts

July 1, 2019

Page 2 of 3

on any City liens; including any applicable attorneys' fees and costs. Please contact me no later than seven days of the date of this letter, to confirm that you will cease violating the City Code.

Nothing herein is intended to be a waiver of any of the City's rights and remedies which are expressly reserved, including, but not limited to, the right to issue citations for violations of additional provisions of the City Code.

Sincerely,



Cristina M. Suárez
Deputy City Attorney and
City Prosecutor

cc: Miriam Soler Ramos, City Attorney
William Ortiz, Code Enforcement Division Manager
Suramy Cabrera, Development Services Director
Charles Wu, Assistant Development Services Director
Peter J. Iglesias, Assistant City Manager

List of Violations for 535 Caligula Ave

	Code Section	Description of Violation	Corrective Action Required
1.	Sections 34-202 and 203 of the City Code	Failure to register the Property as being in default of the mortgage and failure to maintain the Property	Register the Property on the correct registry for properties in default of the mortgage and correct all code violations as set forth herein
2.	Sections 226 and 255 of Chapter 105, Minimum Housing Code, of the City Code	Failure to maintain an accessory structure by allowing the following: fence/wall is in disrepair, section of wall is missing	Apply for, obtain, and pass final inspection on all permits to repair or demolish the fence/wall
3.	Section 3-108 of the City Zoning Code	Please note that, while this does not currently constitute a violation, the temporary wire fence, that the neighbor put to cover the gap in the fence/wall where the fence/wall is in disrepair and a section of the fence/wall is missing, must not be removed or it will constitute a failure to provide a protective wall or fence 4 feet in height	Maintain in place a protective wall or fence 4 feet in height at all times or repair perimeter wall

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***Posted at the Property and
Sent via First Class and Certified Mail,
Return Receipt Requested
(Receipt No. 7018 1830 0000 5805 0550
and 7018 1830 0000 5805 0567)***

Bank of New York Mellon, as Trustee
800 Brickell Ave, #300
Miami, FL 33131-2974

and

Bank of New York Mellon, as Trustee
240 Greenwich Street
New York, NY 10007-2470

**Re: Notice of violations and further enforcement action regarding real property
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 (“Property”)**

Dear Sir/Madame:

This office represents the City of Coral Gables, Florida (“City”). Bank of New York Mellon, as Trustee for the certificate holders CWALT, Inc. Alternative Loan Trust 2006-OA8 Mortgage Pass Through Certificates Series 2006-OA8 (hereinafter referred to as “You”) is listed as the mortgagee in the public records of Miami-Dade County.

As such, the City has brought or is bringing code enforcement actions against you for failure to maintain the Property. In spite of the City’s efforts, the Property remains in violation of the City Code and constitutes a public nuisance. Specifically, the Property is in violation of the City Code for reasons including, but not limited to, those set forth in the list of violations attached to the attached cease and desist letter.

You are hereby notified that the City will file a lawsuit or otherwise pursue further enforcement action, which may include any or all of the following: 1) an injunction requiring that the responsible parties maintain the Property in compliance with the City Code; 2) the appointment of a receiver at the expense of the responsible parties; 3) foreclosure on the City’s code enforcement and special assessments liens, if any; 4) forfeiture pursuant to applicable law; 5) the issuance of a code enforcement citation imposing a fine of \$500 per day, as stated in the attached cease and desist letter, pursuant to §§ 2-252 (e)(11) and 2-254 of the City Code; or 6) an unsafe structures proceeding, as applicable. Please be advised that the City’s code enforcement

Bank of New York Mellon, as Trustee

July 2, 2019

Page 2 of 2

liens attach to all non-exempt real and personal property of the violator(s) named in the code enforcement order and that the City will seek its attorneys' fees and costs.

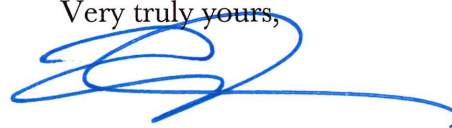
If the violations pertain to failure to maintain a historic structure, please be advised that:

- **You may be subject to substantial fines that may not be mitigated.**
- **You may also be required to repair or restore the historic structure.**
- **If the historic structure is allowed to deteriorate to the point where it must be demolished:**
 - **the City Code requires that you replace the structure with a similar historically-appropriate structure; and**
 - **the property will no longer qualify for an historic preservation tax exemption.**

Should you wish to bring this property into compliance voluntarily and possibly avoid further enforcement action, you must contact me within seven days of the date of this letter. Please provide a plan of action and a timeline, including how you intend to obtain any necessary development approvals and commence and complete the work.

Please govern yourself accordingly.

Very truly yours,



Alexander L. Palenzuela

cc: Miriam Soler Ramos
City Attorney
City of Coral Gables

THE CITY OF CORAL GABLES

OFFICE OF
THE CITY ATTORNEY



The City Beautiful

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

July 1, 2019

***Posted at the Property and
Sent via First Class and Certified Mail,
Return Receipt Requested***

Bank of New York Mellon, as Trustee
800 Brickell Ave, #300
Miami, FL 33131-2974

and

Bank of New York Mellon, as Trustee
240 Greenwich Street
New York, NY 10007-2470

**Re: Cease and desist demand regarding violations of the City Code at the premises
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 ("Property")**

Dear Sir/Madame:

This office represents the City of Coral Gables ("City"). You are hereby notified, as set forth below, that, as the mortgagee of the Property, Bank of New York Mellon, as Trustee for the certificate holders CWALT, Inc. Alternative Loan Trust 2006-OA8 Mortgage Pass Through Certificates Series 2006-OA8 (hereinafter referred to as "You"), is in violation of the City Code and other applicable law for failure to register and maintain an accessory structure to the single-family home ("Structure") on the Property that is in default of a mortgage.

Violations of the City Code

An inspection of the premises and review of City records, conducted on or about May 13, 2019, revealed that you committed the violations of the City Code set forth in the attached List of Violations ("Violations").

In order to correct these Violations, you must take the corrective action described in the attached List of Violations, within seven days of the date of this letter.

Cease and Desist Order

In light of the Violations, we hereby demand, pursuant to §§ 2-252(e)(11) and 2-254 of the City Code, that you correct all of the above-described violations within seven days of the

Bank of New York Mellon, as Trustee
July 1, 2019
Page 2 of 3

date of this letter. Failure to comply with this cease and desist letter shall result in the issuance of an additional code enforcement citation punishable by a fine of \$500 per day.

Please note that, if you do not correct the Violations, the City will have no choice but to pursue further enforcement action, which may also include, but is not limited to, corrective action, including an action for a court injunction, the appointment of a receiver, or forfeiture; additional code enforcement actions, fines, and liens, including assessment liens; and foreclosure on any City liens; including any applicable attorneys' fees and costs. Please contact me no later than seven days of the date of this letter, to confirm that you will cease violating the City Code.

Nothing herein is intended to be a waiver of any of the City's rights and remedies which are expressly reserved, including, but not limited to, the right to issue citations for violations of additional provisions of the City Code.

Sincerely,



Cristina M. Suárez
Deputy City Attorney and
City Prosecutor

cc: Miriam Soler Ramos, City Attorney
William Ortiz, Code Enforcement Division Manager
Suramy Cabrera, Development Services Director
Charles Wu, Assistant Development Services Director
Peter J. Iglesias, Assistant City Manager

List of Violations for 535 Caligula Ave

	Code Section	Description of Violation	Corrective Action Required
1.	Sections 34-202 and 203 of the City Code	Failure to register the Property as being in default of the mortgage and failure to maintain the Property	Register the Property on the correct registry for properties in default of the mortgage and correct all code violations as set forth herein
2.	Sections 226 and 255 of Chapter 105, Minimum Housing Code, of the City Code	Failure to maintain an accessory structure by allowing the following: fence/wall is in disrepair, section of wall is missing	Apply for, obtain, and pass final inspection on all permits to repair or demolish the fence/wall
3.	Section 3-108 of the City Zoning Code	Please note that, while this does not currently constitute a violation, the temporary wire fence, that the neighbor put to cover the gap in the fence/wall where the fence/wall is in disrepair and a section of the fence/wall is missing, must not be removed or it will constitute a failure to provide a protective wall or fence 4 feet in height	Maintain in place a protective wall or fence 4 feet in height at all times or repair perimeter wall

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July 2, 2019

***Posted at the Property and
Sent via First Class and Certified Mail,
Return Receipt Requested
(Receipt No. 7018 1830 0000 5805 0574
and 7018 1830 0000 5805 0581)***

Bayview Loan Servicing, LLC
4425 Ponce de Leon Blvd, 4th Floor
Coral Gables, FL 33146

and

Bayview Loan Servicing, LLC
c/o Corporation Service Company
Registered Agent
1201 Hays Street
Tallahassee, FL 32301

**Re: Notice of violations and further enforcement action regarding real property
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 (“Property”)**

Dear Sir/Madame:

This office represents the City of Coral Gables, Florida (“City”). Bayview Loan Servicing, LLC, (hereinafter referred to as “You”) is listed as the servicer of the mortgage on the Property.

As such, the City has brought or is bringing code enforcement actions against you for failure to maintain the Property. In spite of the City’s efforts, the Property remains in violation of the City Code and constitutes a public nuisance. Specifically, the Property is in violation of the City Code for reasons including, but not limited to, those set forth in the list of violations attached to the attached cease and desist letter.

You are hereby notified that the City will file a lawsuit or otherwise pursue further enforcement action, which may include any or all of the following: 1) an injunction requiring that the responsible parties maintain the Property in compliance with the City Code; 2) the appointment of a receiver at the expense of the responsible parties; 3) foreclosure on the City’s code enforcement and special assessments liens, if any; 4) forfeiture pursuant to applicable law; 5) the issuance of a code enforcement citation imposing a fine of \$500 per day, as stated in the attached cease and desist letter, pursuant to §§ 2-252 (e)(11) and 2-254 of the City Code; or 6) an unsafe structures proceeding, as applicable. Please be advised that the City’s code enforcement

Bayview Loan Servicing, LLC

July 2, 2019

Page 2 of 2

liens attach to all non-exempt real and personal property of the violator(s) named in the code enforcement order and that the City will seek its attorneys' fees and costs.

If the violations pertain to failure to maintain a historic structure, please be advised that:

- **You may be subject to substantial fines that may not be mitigated.**
- **You may also be required to repair or restore the historic structure.**
- **If the historic structure is allowed to deteriorate to the point where it must be demolished:**
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 - **the property will no longer qualify for an historic preservation tax exemption.**

Should you wish to bring this property into compliance voluntarily and possibly avoid further enforcement action, you must contact me within seven days of the date of this letter. Please provide a plan of action and a timeline, including how you intend to obtain any necessary development approvals and commence and complete the work.

Please govern yourself accordingly.

Very truly yours,



Alexander L. Palenzuela

cc: Miriam Soler Ramos
City Attorney
City of Coral Gables

THE CITY OF CORAL GABLES

OFFICE OF
THE CITY ATTORNEY



The City Beautiful

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

July 1, 2019

***Posted at the Property and
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Bayview Loan Servicing, LLC
4425 Ponce de Leon Blvd, 4th Floor
Coral Gables, FL 33146

and

Bayview Loan Servicing, LLC
c/o Corporation Service Company
Registered Agent
1201 Hays Street
Tallahassee, FL 32301

Re: Cease and desist demand regarding violations of the City Code at the premises located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 ("Property")

Dear Sir/Madame:

This office represents the City of Coral Gables ("City"). You are hereby notified, as set forth below, that, as the servicer of the first mortgage on the Property, Bayview Loan Servicing, LLC (hereinafter referred to as "You"), is violation of the City Code and other applicable law for failure to register and maintain an accessory structure to the single-family home ("Structure") on the Property that is in default of a mortgage.

Violations of the City Code

An inspection of the premises and review of City records, conducted on or about May 13, 2019, revealed that you committed the violations of the City Code set forth in the attached List of Violations ("Violations").

In order to correct these Violations, you must take the corrective action described in the attached List of Violations, within seven days of the date of this letter.

Cease and Desist Order

In light of the Violations, we hereby demand, pursuant to §§ 2-252(e)(11) and 2-254 of the City Code, that you correct all of the above-described violations within seven days of the

Bayview Loan Servicing, LLC

July 1, 2019

Page 2 of 3

date of this letter. Failure to comply with this cease and desist letter shall result in the issuance of an additional code enforcement citation punishable by a fine of \$500 per day.

Please note that, if you do not correct the Violations, the City will have no choice but to pursue further enforcement action, which may also include, but is not limited to, corrective action, including an action for a court injunction, the appointment of a receiver, or forfeiture; additional code enforcement actions, fines, and liens, including assessment liens; and foreclosure on any City liens; including any applicable attorneys' fees and costs. Please contact me no later than seven days of the date of this letter, to confirm that you will cease violating the City Code.

Nothing herein is intended to be a waiver of any of the City's rights and remedies which are expressly reserved, including, but not limited to, the right to issue citations for violations of additional provisions of the City Code.

Sincerely,



Cristina M. Suárez
Deputy City Attorney and
City Prosecutor

cc: Miriam Soler Ramos, City Attorney
William Ortiz, Code Enforcement Division Manager
Suramy Cabrera, Development Services Director
Charles Wu, Assistant Development Services Director
Peter J. Iglesias, Assistant City Manager

List of Violations for 535 Caligula Ave

	Code Section	Description of Violation	Corrective Action Required
1.	Sections 34-202 and 203 of the City Code	Failure to register the Property as being in default of the mortgage and failure to maintain the Property	Register the Property on the correct registry for properties in default of the mortgage and correct all code violations as set forth herein
2.	Sections 226 and 255 of Chapter 105, Minimum Housing Code, of the City Code	Failure to maintain an accessory structure by allowing the following: fence/wall is in disrepair, section of wall is missing	Apply for, obtain, and pass final inspection on all permits to repair or demolish the fence/wall
3.	Section 3-108 of the City Zoning Code	Please note that, while this does not currently constitute a violation, the temporary wire fence, that the neighbor put to cover the gap in the fence/wall where the fence/wall is in disrepair and a section of the fence/wall is missing, must not be removed or it will constitute a failure to provide a protective wall or fence 4 feet in height	Maintain in place a protective wall or fence 4 feet in height at all times or repair perimeter wall

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July 2, 2019

***Posted at the Property and
Sent via First Class and Certified Mail,
Return Receipt Requested
(Receipt No. 7018 1830 0000 5805 0598)***

RRA CP Opportunity Trust I
712 5th Ave., 5th Floor
New York, NY 10019-4108

**Re: Notice of violations and further enforcement action regarding real property
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 (“Property”)**

Dear Sir/Madame:

This office represents the City of Coral Gables, Florida (“City”). Bayview Loan Servicing, LLC, (hereinafter referred to as “You”) is listed as the mortgagee of the Property in the public records of Miami-Dade County.

As such, the City has brought or is bringing code enforcement actions against you for failure to maintain the Property. In spite of the City’s efforts, the Property remains in violation of the City Code and constitutes a public nuisance. Specifically, the Property is in violation of the City Code for reasons including, but not limited to, those set forth in the list of violations attached to the attached cease and desist letter.

You are hereby notified that the City will file a lawsuit or otherwise pursue further enforcement action, which may include any or all of the following: 1) an injunction requiring that the responsible parties maintain the Property in compliance with the City Code; 2) the appointment of a receiver at the expense of the responsible parties; 3) foreclosure on the City’s code enforcement and special assessments liens, if any; 4) forfeiture pursuant to applicable law; 5) the issuance of a code enforcement citation imposing a fine of \$500 per day, as stated in the attached cease and desist letter, pursuant to §§ 2-252 (e)(11) and 2-254 of the City Code; or 6) an unsafe structures proceeding, as applicable. Please be advised that the City’s code enforcement liens attach to all non-exempt real and personal property of the violator(s) named in the code enforcement order and that the City will seek its attorneys’ fees and costs.

If the violations pertain to failure to maintain a historic structure, please be advised that:

- **You may be subject to substantial fines that may not be mitigated.**
- **You may also be required to repair or restore the historic structure.**

- **If the historic structure is allowed to deteriorate to the point where it must be demolished:**
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Should you wish to bring this property into compliance voluntarily and possibly avoid further enforcement action, you must contact me within seven days of the date of this letter. Please provide a plan of action and a timeline, including how you intend to obtain any necessary development approvals and commence and complete the work.

Please govern yourself accordingly.

Very truly yours,



Alexander L. Palenzuela

cc: Miriam Soler Ramos
City Attorney
City of Coral Gables

THE CITY OF CORAL GABLES

OFFICE OF
THE CITY ATTORNEY



The City Beautiful

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

July 1, 2019

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Sent via First Class and Certified Mail,
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RRA CP Opportunity Trust I
712 5th Ave., 5th Floor
New York, NY 10019-4108

**Re: Cease and desist demand regarding violations of the City Code at the premises
located at 535 Caligula Avenue, Coral Gables, FL 33146-2710 ("Property")**

Dear Sir/Madame:

This office represents the City of Coral Gables ("City"). You are hereby notified, as set forth below, that, as the second mortgagee on the Property, RRA CP Opportunity Trust I (hereinafter referred to as "You"), is in violation of the City Code and other applicable law for failure to register and maintain an accessory structure to the single-family home ("Structure") on the Property that is in default of a mortgage.

Violations of the City Code

An inspection of the premises and review of City records, conducted on or about May 13, 2019, revealed that you committed the violations of the City Code set forth in the attached List of Violations ("Violations").

In order to correct these Violations, you must take the corrective action described in the attached List of Violations, within seven days of the date of this letter.

Cease and Desist Order

In light of the Violations, we hereby demand, pursuant to §§ 2-252(e)(11) and 2-254 of the City Code, that you correct all of the above-described violations within seven days of the date of this letter. Failure to comply with this cease and desist letter shall result in the issuance of an additional code enforcement citation punishable by a fine of \$500 per day.

Please note that, if you do not correct the Violations, the City will have no choice but to pursue further enforcement action, which may also include, but is not limited to, corrective action, including an action for a court injunction, the appointment of a receiver, or forfeiture; additional code enforcement actions, fines, and liens, including assessment liens; and foreclosure

RRA CP Opportunity Trust I

July 1, 2019

Page 2 of 3

on any City liens; including any applicable attorneys' fees and costs. Please contact me no later than seven days of the date of this letter, to confirm that you will cease violating the City Code.

Nothing herein is intended to be a waiver of any of the City's rights and remedies which are expressly reserved, including, but not limited to, the right to issue citations for violations of additional provisions of the City Code.

Sincerely,



Cristina M. Suárez
Deputy City Attorney and
City Prosecutor

cc: Miriam Soler Ramos, City Attorney
William Ortiz, Code Enforcement Division Manager
Suramy Cabrera, Development Services Director
Charles Wu, Assistant Development Services Director
Peter J. Iglesias, Assistant City Manager

List of Violations for 535 Caligula Ave

	Code Section	Description of Violation	Corrective Action Required
1.	Sections 34-202 and 203 of the City Code	Failure to register the Property as being in default of the mortgage and failure to maintain the Property	Register the Property on the correct registry for properties in default of the mortgage and correct all code violations as set forth herein
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