

City of Coral Gables City Commission Meeting
Agenda Item I-3
April 8, 2014
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Pat Keon

Commissioner Vince Lago

Commissioner Frank Quesada

City Staff

City Manager, Patrick Salerno

Assistant City Manager, Carmen Olazabal

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item I-3 [Start: 12:39:42 p.m.]

Update regarding Abandoned Property Ordinance and vacant properties.

Mayor Cason: Let's move to Item I-3.

City Attorney Leen: Thank you Mr. Mayor. Item I-3 relates to the Abandoned Property Ordinance which was passed by the City Commission. I'll keep it brief. I just wanted to update you that regarding 1044 Cotorro, which is a house in the French Village that's been abandoned for a long time. It is basically a vacant shell of a house; it is a historic property though. We have taken action related to 1044 Cotorro based on this Commission's amendment of that ordinance. We have sent a letter, which I've circulated to each of you, which basically asserts all of our rights against that property and I'm seeing immediate action by the bank, Deutsche Bank in that case, to elevate that to a higher level and to try to work it out with our outside counsel. We are planning to do that with every property that's a problem property, where it's causing decrease in property values or increased public safety issues in that neighborhood. So if people are aware of

these types of houses, I'd like to know. I know Code Enforcement is also identifying a list of properties and Commissioners you hear from the public, as to what are the properties. That's how 1044 Cotorro came to my attention, so I just ask that you continue letting me know. All of them are priority for us, it's not – I want to make it clear, it is not that expensive for us. We have forms we are able to do this to initiate these actions against these properties, but it serves a tremendous public benefit. Each time we bring these complaint letters or demand letters because I do believe we will see action from the banks and I think they will work with us and I'm hopeful we will not have to file complaints or foreclose...

Mayor Cason: Are you finding most of these are people that you deal with are outside of Coral Gables, it's not somewhere you can knock on the door and say, I'd like to talk to you about this?

City Attorney Leen: What happen is the properties that are the real concern no one is living there, so they are outside Coral Gables; these are often banks or entities outside of Coral Gables. It's not affecting residents who are living in their home, that's a different issue. If they are living in the house we treat it like a Code Enforcement matter, it may still be under...

Mayor Cason: I'm talking about the banks that hold some of these, are any of these in the Gables where we can go if need be at a certain point and talk to the President of the bank saying, you're in Coral Gables, this is one of your properties that you are not taking care of.

City Attorney Leen: Not the specific ones. I mean some of the banks do have offices in Coral Gables, but you know Mr. Mayor, let me look at it and I can let you know because that could be helpful too.

Mayor Cason: Do you recall we talked at one point about going to the bank...

City Attorney Leen: Yes, I remember, with Bank of America, a long time.

Commissioner Keon: But is it...

City Attorney Leen: It's moved from between different banks, 1044 Cotorro, and in fact my recollection is that there are three different entities which may have a mortgage there according to the Abandoned Property Registry, but we have determined through outside counsel that the property party is Deutsche Bank. They need to update the registry, we are taking action related to them. We are also taking action related to the other entities because they need to update the registry too and we are going to be doing this across the board. I've had full support from the City Manager's office, from the Code Enforcement, and obviously from the Commission who did this to begin with, who initiated this ordinance.

Commissioner Keon: I am really pleased to see this go into effect and to see that it seems to be working because I think a lot of times what happens, these are assets that are on the bank's books that they really have no interest in dealing with. They don't want to write them off as liabilities or whatever, they want to keep them as assets, it looks better on the bank, but they are really a detriment to our community. So it forces them to look at actually who has the mortgage on this bank, one; and that it has been abandoned and that we are going to take action if they don't move this forward, so I think it's probably the strongest tool that we have in order to cure this problem in our City.

Mayor Cason: Update it in the future if you see anything significant in these cases.

City Attorney Leen: I'm going to try to keep you updated at least once every couple of months on what we are doing so that you are aware of it. I would say, a few months ago I went out to a house where there was a squatter and the police informed me and Code Enforcement and we all went out there and he just left, he just left. He knew that we could enforce our law against him. There was no, well are you the right person?- is there this?- it was clear he was a squatter, he didn't have the right to be there. We have the legal authority now because of this Commission's actions to basically say look, you are going to have to leave or you at most have 3 days or 5 days to be here and then you are going to be forcibly removed, and I'll tell you we've never had to do it because of that.

Mayor Cason: OK. Thank you very much for that.

[End: 12:44:28 p.m.]