

Bachteler, James J

BCC 10.11.16

From: Loy, Norman
Sent: Thursday, October 06, 2016 3:01 PM
To: Bachteler, James J
Cc: Young, Bernie C
Subject: FW: Possible Ordinance on Foreclosed Properties. Respectfully-submitted Comments from Kitty Grubb

Jim:

Please add the below citizen comment to the respective agenda item for October 11.

Norm

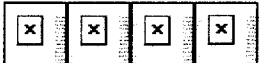
Norman D. Loy
Manager, Board Records Department
Office of Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County, Florida
315 Court St., 5th Floor, Clearwater, FL 33756
(727) 464-3463 | Fax (727) 464-4716
nloy@pinellascounty.org | www.mypinellasclerk.org

From: Klug, Della
Sent: Thursday, October 06, 2016 2:36 PM
To: Loy, Norman <nloy@co.pinellas.fl.us>
Subject: FW: Possible Ordinance on Foreclosed Properties. Respectfully-submitted Comments from Kitty Grubb

FYI.

Della Klug
Senior Executive Assistant to
Mark S. Woodard, Pinellas County Administrator
315 Court Street, 6th Floor, Clearwater, FL 33756
Phone (727) 453-3089
Fax (727) 464-4384
dklug@pinellascounty.org

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From: Stowers, Jake
Sent: Thursday, October 06, 2016 2:23 PM
To: Klug, Della <dklug@co.pinellas.fl.us>
Subject: RE: Possible Ordinance on Foreclosed Properties. Respectfully-submitted Comments from Kitty Grubb

This should be sent to the Clerk to include in the file at the hearing.

2016 OCT -6 PM 3:00
CLERK OF THE CIRCUIT COURT
PINELLAS COUNTY, FLORIDA

Jake Stowers
Assistant County Administrator

From: Klug, Della
Sent: Thursday, October 06, 2016 11:47 AM
To: Stowers, Jake <jstowers@co.pinellas.fl.us>
Subject: FW: Possible Ordinance on Foreclosed Properties. Respectfully-submitted Comments from Kitty Grubb

FYI.

Della Klug
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From: Greenleaf, Kim
Sent: Thursday, October 06, 2016 11:33 AM
To: Woodard, Mark S <mwoodard@co.pinellas.fl.us>; Bennett, Jim L <jbennett@co.pinellas.fl.us>
Subject: Possible Ordinance on Foreclosed Properties. Respectfully-submitted Comments from Kitty Grubb

See email below regarding the proposed Foreclosed Property Ordinance as discussed during our briefing today.

Kimberly H. Greenleaf

Executive Aide to Commissioner Dave Eggers
Pinellas Board of County Commissioners, District 4
315 Court Street, Clearwater, FL 33756
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From: kgrubblaw24@aol.com [mailto:kgrubblaw24@aol.com]
Sent: Monday, October 03, 2016 3:44 PM
To: Long, Janet C <JanetCLong@co.pinellas.fl.us>; Gerard, Pat <pgerard@co.pinellas.fl.us>; Justice, Charlie <cjustice@co.pinellas.fl.us>; Eggers, Dave <deggers@co.pinellas.fl.us>; Seel, Karen <kseel@co.pinellas.fl.us>; Morroni, John <jmorroni@co.pinellas.fl.us>; Welch, Kenneth <kwelch@co.pinellas.fl.us>
Subject: Possible Ordinance on Foreclosed Properties. Respectfully-submitted Comments from Kitty Grubb

Dear Honorable Commissioners:

Greetings. This letter is sent to each of you concerning the *Seminole Beacon's* September 22, 2016 article, p. 5A, sharing you would entertain public comments on Oct. 11 concerning a possible ordinance regarding abandoned property registration and inspection; the intent of such an ordinance would be to eliminate/minimize the negative impact of foreclosed properties.

Inability to Attend Oct. 11-Public-Comment Forum. Due to a previously-scheduled matter, regrettably, I can not then-attend such public-comment forum on Oct. 11. So, in lieu of same, please allow me to respectfully-submit the following comments:

1. Sadly, "1 rotten apple can indeed spoil the barrel". Neglected, abandoned properties are an invitation to rats, mosquitoes, snakes, etc.; such varmints are all of course not "tied down" to 1 locale, but move, fly, slither, etc. to other adjoining and neighborhoods' properties, thereby constituting a danger to the public health and welfare.
2. "There are no free lunches". So, for example, governmental units must work overtime, doing the ground-work (literally and figuratively - slight pun, intended) which should have been done by the property owners. I recently spoke in-person with personnel in your Mosquito Unit, who shared with me how pressed they are work-wise, due to the high volume of work, much of it involving abandoned, foreclosed properties.
3. No one is better/more equal than others. In our system of government, there is equality. So, how and why do foreclosing-large institutional entities, such as banks, get a different governmental code of land-enforcement and -regulation than you or I?
4. According to that cited *Seminole Beacon* newspaper article of Sept. 22, 2016, this Commission began "talking about the problem as early as 2007". After almost 9 years of "talking", do you think it's time for action? How would "talking" any further, much less, for example, another 9 years of "talking", help the situation, shed new light, provide new clarity, etc.?
5. Neighbors, and also neighborhoods, can not self-help about these problems. For example, I spoke with my lawn-service owner about just going over and cutting the high, high grass growing on the foreclosed and longer-vacant property. The lawn-service owner's reply was, "I (He) couldn't send his workers over there, as he had no lawful right to be on that foreclosed and longer-vacant property." This example is illustrative of how neighbors and neighborhoods just can not self-help, but need the benefit of your passing an ordinance, whereby the owners of such property, whether a bank, an individual, a partnership, a, etc., are legally responsible for its upkeep and maintenance, legally responsible for notifying the government timely concerning such property's status, legally responsible for monitoring, and registering, etc.
6. Banks and other institutional lenders who foreclose: exercise and chose to whom they would/would not loan money; can demand greater collateral and escrows; control as to whom they will/will not foreclose - and when; etc. In stark contrast, neighbors and neighborhoods can not control who buys property in their neighborhood, nor can neighbors and neighborhoods set any other financial term(s) and condition(s) concerning loans, loan-extensions, loan-repayment, events of default, nor can neighbors and neighborhoods control the term(s) and condition(s) related to foreclosure, including, but not limited to, a

total inability to name the trustee in default, nor can they determine the course of what occurs thereafter to such foreclosed property, either.

Additionally, banks and other institutional lenders can - and should - employ economies of scale not otherwise available to neighbors and neighborhoods concerning such entities' respective foreclosed and longer-vacant properties. In negotiating with lawn-mowing services, one would expect a larger entity having many foreclosed-properties/lawns to mow would get a much, much better (lower) price than what we pay for our 1 yard to be mowed.

Merely 1 Personal Story with a Foreclosed and Longer-Vacant Property. Please allow me to share merely 1 personal story of a foreclosed and longer-vacant property in our neighborhood. During our recent scare with Hurricane Hermine, regrettably, but factually, the foreclosed and longer-vacant property's burglar alarm went off. Almost needless to write, but please allow us to so do, such alarm sounded and sounded and sounded for hours and hours and hours. Finally, in sheer frustration, and despite the torrential rain and wind, I got the name and phone number of the realty company now-listing such property for sale off off its for-sale sign.

I immediately called such number, but got no answer. So, I left a voicemail message, sharing in detail of the imperative need to turn-off the burglar alarm, sharing how such alarm had been sounding and sounding for hours and disturbing the neighborhood's quiet enjoyment and use of their respective neighboring property, etc.

Well, time marched on. The burglar alarm continued to sound and sound. And, after the passage of even more hours, I called yet-again that phone number, and was this time able to reach the listing agent. He immediately informed me he was then-in Colorado and couldn't attend to the problem, personally.

In reply, I forthwith shared with him, we-that property's neighbors were not in Colorado - but were being subjected to that alarm's constantly sounding and sounding - which it had then-done for many hours - and we in the neighborhood needed it turned off!

Later, apparently yet-another neighbor called the county police; a sheriff's deputy had to come out in the torrential rain and wind, to inspect and ascertain if it were a burglar/vagrant/vandal, or just the alarm going off. That was and remains a total misuse and waste of our valuable and important police/law-enforcement personnel and of our related tax dollars, as well.

Further Respectfully-submitted Suggestions:

A. When enacting such an ordinance, have such alternatively couched in terms of a **tax, also**. As you know, the powers to tax and to collect such tax are often broader powers than merely the power to legislate for this or that *bona fide* public-safety/public-health reason.

B. Modify/Lower the permissible grass-growth/grass-height rules, to required shorter grass than a cornfield or some such being permitted, before the County can and will become involved and mow.

C. Include in any such ordinance the mandatory need to keep the Sheriff's Burglar Alarm Detection and Registration Department constantly notified of someone with 24/7-availability to monitor and also turn off foreclosed-properties' respective burglar alarms.

D. Include in any ordinance the mandatory need to have someone with 24/7-availability to allow Mosquito-Unit spray-personnel access into all areas with water-containment vessels, be it a swimming pool, fish-pond, bird-bath, etc.

Conclusion. Expression of Thanks. We thank you for allowing us to publically comment on these long-standing and as of yet, never effectively addressed, serious problems. If you have any questions or need further information, then please do not hesitate to contact us.

Any and all consideration given our comments are of course most appreciated.

Continuing regards,

Kitty Grubb, J.D. *cum laude* and 4 LL. M.'s

7631 Carver Ct.
Seminole, FL 33772-4948

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