

**CERTIFIED**

**BEFORE THE SPECIAL MAGISTRATE  
OF THE CITY OF DELTONA, FLORIDA**

**CITY OF DELTONA**  
FLORIDA, a municipal corporation,

Petitioner,

vs.

**DEL 22 – 241 MASSEY**

**SFR JV-HD Property LLC, CO: Ticon American Homes LLC**  
**15771 Red Hill Ave. Ste. 100**  
**Tustin, CA 92780**

**Respondent.**

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**ORDER IMPOSING FINE AND LIEN (MASSEY)**  
**Findings of Fact and Conclusions of Law**

**THIS CAUSE** was heard on January 25, 2023 before the undersigned Special Magistrate, after being duly noticed, to determine whether the previously-determined violation was timely corrected. The undersigned Special Magistrate having heard the arguments of the parties and the evidence presented and having reviewed the record and being otherwise fully advised, makes the following Findings of Fact and Conclusions of Law:

**Findings of Fact and Conclusions of Law**

Based upon the evidence and testimony presented at this hearing, the Code Enforcement Special Magistrate finds:

1. The property which is the subject of this code enforcement action is described as **813021080060** with physical address **541 Battersea Ave., Deltona, FL 32738**.

2. The Respondent was properly provided a Notice of Hearing (Massey) in accordance with Section 2-112 of the City of Deltona Code of Ordinances ("City Code") and consistent with Sections 162.06 and 162.12 of the Florida Statutes; and

3. That on August 24, 2022 the Special Magistrate found the Respondent in Violation of Section 18-3 of the City Code adopting the latest edition of the Florida Building Code, Section 105.1 and;

4. The Respondent was ordered to correct the violation by September 23, 2022, which required the Respondent to obtain a permit; and

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5. The Code Enforcement Officer Todd Meade testified that he re-inspected the property for compliance on January 25, 2023 and testified and presented photographs of the following conditions that remain on the property, which constitute continuing non-compliance with the Order: Respondent had not obtained a permit for the fence.

6. The Respondent was not present at the hearing.

7. The Respondent either failed or refused to correct the violation of Section 18-3 of the City Code adopting the latest edition of the Florida Building Code, Section 105.1, within the time frame ordered as no permit was issued.

**BASED ON THE FOREGOING FACTS AND CONCLUSIONS, IT IS HEREBY ORDERED:**

1. Respondent, SFR JV-HD Property LLC, failed to correct the violation and comply with Section 18-3 of the City Code adopting the latest edition of the Florida Building Code, Section 105.1, within the time frame.

2. A fine is hereby imposed in the amount of **\$9,925** as of the hearing date, January 25, 2023, which shall continue to accrue at a rate of \$75 per day and shall continue each and every day until the violation is corrected and full compliance is confirmed by the Code Enforcement Officer.

3. The Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with the Order, on/at the property described as Parcel No.: **813021080060**, physical address: **541 Battersea Ave., Deltona, FL 32738**

4. Any and all future recurrences of the violation addressed herein after same has been corrected shall necessitate further proceedings before the Code Enforcement Special Magistrate without necessarily providing Respondent an opportunity to correct such violation. The Code Enforcement Special Magistrate, upon finding such repeat violation exists may impose a fine not to exceed five hundred dollars (\$500.00) per day for each repeat violation, beginning on the first day the repeat violation is found to exist.

5. A Certified copy of this Order may be recorded in the Public Records of Volusia County and thereafter shall constitute a lien against the subject property on which the violation exists and upon any other real or personal property owned by the Respondent. This recorded Order shall constitute notice of the lien to any subsequent purchasers, successors in interest, or assigns of all real and personal property owned by the Respondent, and the findings herein shall be binding upon the Respondent and any subsequent purchasers, successors in interest, or assigns.

6. This Order may be appealed to the Circuit Court within thirty (30) days of its execution.



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DONE AND ORDERED at City of Deltona, Florida on 31<sup>st</sup> January, 2023.

*Kristin N. Eick*

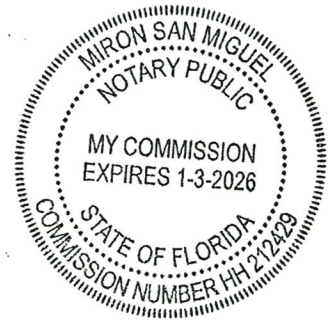
Special Magistrate Kristin N. Eick

WITNESS my hand and official seal, this 31 day of January, 2023.

*Miron San Miguel*

Notary Public, Miron San Miguel  
My Commission Expires: January 3, 2026

Seal



I HEREBY CERTIFY that a true and correct copy of the above and foregoing ORDER IMPOSING FINE AND LIEN (MASSEY) has been furnished by mail to: **SFR JV-HD Property LLC, 15771 Red Hill Ave., Ste. 100 Tustin, CA 92870**, this 31 day of January, 2023.

*Miron San Miguel*

Miron San Miguel Hearing Clerk

STATE OF FLORIDA  
COUNTY OF VOLUSIA  
This is to certify that the  
foregoing is a true and correct copy of  
Order imposing Fine and Lien (Massey)  
witness my hand and official Seal this  
2nd day of February 2023  
Elizabeth Keys  
Elizabeth Keys