



**CODE COMPLIANCE  
SPECIAL MAGISTRATE HEARING**

Marathon Council Chambers  
9805 Overseas Highway, Marathon  
Thursday, October 21, 2021, at 2:00 P.M.

**Minutes**

**A. CALL TO ORDER**

The Code Compliance Special Magistrate Hearing of October 21, 2021 was called to Order by Special Magistrate, Dirk M. Smits, Esq. at 2:00 P.M., at the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida.

**Staff Present:**

Code Director Theodore Lozier  
City Attorney Steven Williams  
Code Compliance Officer Don Law  
Code Administrative Assistant Maria Thorley

Members of the public present.

**B. PLEDGE OF ALLEGIANCE** - The Pledge of Allegiance was recited.

**C. ADDITIONS/DELETIONS/CORRECTIONS/ANNOUNCEMENTS**

1. C-20-242 (C2020-0247) withdrawn by compliance

**D. APPROVAL OF MINUTES**

- Minutes of September 16, 2021 was approved by the Special Magistrate.

**E. SWEARING IN OF WITNESSES TO TESTIFY**

- Special Magistrate Smits called for witnesses to be sworn in and administered the Oath.

**F. NOTICES**

- Notices were read into the record.
- There were no Ex-Parte Communications.

**G. CASES FOR PUBLIC HEARING:**

**CODE OFFICER, DON LAW**

**3. C-13-218 (C2013-0221) (New Case)**

RMTP Trust c/o Ruishmore Loan Management Services LLC  
1021 27th St, Marathon, FL 33050 (RE#00323050-000000)

This case came before the Special Magistrate for a Final Order to transfer imposition of lien in the name of the now current owner(s) of record.

Subject to the entry of the Order filed on November 6, 2013, and recorded at Book #2666, Page #312 of the Public Records of Monroe County and through foreclosure, RMTP Trust C/O Ruishmore Loan

Management Services LLC took Title of the Property in violation on September 15, 2021, and recorded at Book #3125, Page #1797 in Official Records of Monroe County.

RMTP Trust C/O Ruishmore Loan Management Services LLC (the Respondent) was present at the hearing through their local liaison Hanna Fields, Coco Plum Realty, and was properly noticed of the hearing by certified mail and afforded the opportunity to appear and speak.

The Property has an existing violation of §34-35 of the City of Marathon Code as set forth in the Notice of Violation/Notice of Hearing served upon the Respondent(s) for failure to connect to the Central Wastewater System.

Exhibits A was entered and accepted into evidence by Special Master Smits.

**RECOMMENDATION(S):** The Special Magistrate heard the testimony and granted the request to transfer the lien to new owner(s) of record. A Findings of Fact, Conclusion of Law and Order was entered and the Special Magistrate Ordered the Respondent(s) to apply for and obtain a building permit for sewer lateral installation and connecting to the Central Wastewater System with final inspections approved and permit closed out, within ninety (90) days of the date of the Order October 21, 2021. Respondent(s) shall pay an Administrative Fee in the amount of Three Hundred Dollars (\$300.00) within thirty (30) days from the date of the Order, October 21, 2021. In the event the violation(s) is/are not corrected by the date set for compliance, January 19, 2022, Respondent(s) shall pay a fine in the amount of One Hundred Dollars (\$100.00) per day, which shall accrue for each day the violation(s) continues to exist past the compliance date set forth herein. This fine is calculated by taking into consideration: the gravity of the violation; the steps taken by the Respondent to correct the violation; and any previous violations, pursuant to Chapter 162.09 (2) (b) (1) - (3), F.S.

**H. OLD BUSINESS** - None

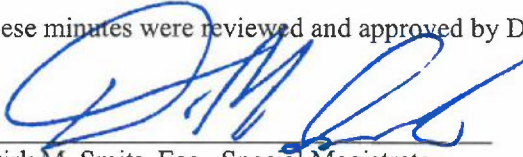
**I. NEW BUSINESS** - Next Special Magistrate meeting November 18, 2021 at 2:00pm.

**J. DISCUSSION ITEMS** - None

**K. ADJOURNMENT** - With no further business to come before the Special Magistrate, the meeting was adjourned at 2:30P.M.

The above represents a summary of the Code Compliance Hearing held October 21, 2021. This is not a verbatim record. A recorded disc is available upon request.

These minutes were reviewed and approved by Dirk M. Smits, Esq., Special Magistrate.

  
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Dirk M. Smits, Esq., Special Magistrate

11/15/21  
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Date