



PINECREST

Building and Planning Department

DATE: July 9, 2025

TO: Yocelyn Galiano, ICMA-CM
Village Manager

FROM: Stephen Olmsted, AICP, LEED-GA
Planning Director

RE: Unpaid Code Enforcement Fines – Options for Collection

There are currently sixteen (16) properties in the Village of Pinecrest that have outstanding code enforcement fines that exceed \$100,000.00. While most code enforcement fines are paid on a timely basis, thereby limiting the accrual of additional daily penalties and interest, other fines remain unpaid. These cases will continue to accrue daily fines until the original code enforcement violation is resolved and will continue to accrue interest daily until outstanding fines are paid. The Village allows mitigation of fines by the Special Magistrate for fines less than \$100,000.00, or by the Village Council for fines of \$100,000.00 or more when requested by the property owner for good cause so long as the violation has been cured. The Village's Finance Department sends invoices quarterly to all property owners that have outstanding code enforcement fines, and the Village Attorney has sent collection letters to property owners with unpaid fines more than \$10,000.00.

Staff have recently consulted with the Village Attorney regarding the issue of unpaid fines and have reviewed additional options for collection including: 1) Filing a lawsuit on the special magistrate's order to obtain a money judgement for the current amount of the fines due, and 2) Referral of the unpaid fines to a collection agency. The advantages of a money judgment are primarily the remedies that are available to collect a civil court judgement, including garnishment of wages and seizure of assets. Staff have been informed that a collection agency would charge a fee between 20 percent and 40 percent of the amount collected.

At this juncture, I respectfully recommend that outstanding code enforcement fines between \$50,000.00 and \$200,000.00 be referred to a collection agency for those properties that are now in compliance; and further recommend that the Village Council consider authorizing the Village Attorney to file a suit for a money judgment for code enforcement fines more than \$200,000.00. The Village Attorney will be available at the Village Council meeting on July 8, 2025 for further discussion of these options and recommendations.
