



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 6756, **Version:** 1

Subject:

Approval of Settlement Agreement - Brevard County v. Eric and Amanda Obloy

Fiscal Impact:

The County will receive \$290,000 cash in satisfaction of six code enforcement liens totaling \$350,350 and unliquidated claims for interest, attorney's fees and costs.

Dept/Office:

County Attorney's Office / Planning and Development Department

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chair to sign the attached settlement agreement.

Summary Explanation and Background:

Between 2015 and 2019, six separate code enforcement liens were imposed because of violations on property owned by Eric and Amanda Obloy at 165 Gator Drive, Merritt Island (the "Property"). As of July 2021, all related code violations had been complied, and the accrued fines on the six cases totaled \$350,350. In order for the Obloys to sell the Property free and clear of the liens, they were required to deposit cash in the amount of the liens plus accrued interest into the registry of court. The code enforcement liens were then transferred from the Property to the deposited funds, which now secure the liens in the manner of a cash bond.

The County brought a lawsuit seeking to have the funds currently held in the court registry disbursed in satisfaction of the liens. The Obloys dispute the validity and amount of the liens. Recently, County staff and the Obloys mediated the case, with former judge Charles Roberts serving as the mediator. At the conclusion of the mediation, County staff agreed to a tentative settlement, subject to Board approval. The tentative settlement provides that the court will disburse the amount of \$290,000 to the County from the funds currently held in the registry of court, with the remainder to be disbursed to the Obloys.

Clerk to the Board Instructions:

Please provide a copy of the Clerk to the Board's Memorandum and executed Settlement Agreement to the County Attorney and the Planning and Development Department Director.