




CAO 2017-041

To: Craig E. Leen, City Attorney for the City of Coral Gables 

From: Cristina M. Suárez, Assistant City Attorney for the City of Coral Gables

RE: Legal Opinion Regarding Code Enforcement Liens on Other Property Owned by Violator

Date: August 16, 2017

Consistent with our prior review and discussion of the subject liens, you have asked me to formalize an opinion as to whether the Code Enforcement Board liens stemming from violations that occurred at 1400 Agua Avenue apply to other property owned by one of the violators, Soraya Ghodrati. The liens, recorded at Official Records Book 26334, Page 2740 and Official Records Book 26337, Page 0592 of the Public Records of Miami-Dade County, Florida, were recorded on April 21, 2008 and April 22, 2008, respectively, when the City Code provided that such liens “shall constitute a lien against the land on which the violation exists or, if the violator does not own the land, upon any other real or personal property owned by the violator.” See Ord. No. 2016-11, February 23, 2016 (amending section 101-168(c) to provide that such liens “shall constitute a lien against the land on which the violation exists or existed and upon any other real or personal property owned by the violator.”). Soraya Ghodrati, one of the violators, was also an owner of the land located at 1400 Agua Avenue on which the violation existed. Thus, the liens do not apply to the following property owned by Soraya Ghodrati:

Unit No. 305 of The Gardens of Kendall South Condominium No. 7, a Condominium, according to the Declaration of Condominium recorded in Official Records Book 12148, Page 2409, and all exhibits and amendments thereof, Public Records of Miami-Dade County, Florida.

Property Address: 10815 SW 112 Avenue, Unit 305, Miami, FL 33176.

This opinion is issued pursuant to section 2-201(e)(1) and (8) of the City Code.

From: [Suarez, Cristina](#)
To: [Paulk, Enga](#)
Subject: Legal Opinion
Date: Wednesday, August 16, 2017 5:51:13 PM
Attachments: [Legal Opinion re 1400 Agua.docx](#)
[image001.png](#)

Enga:

Please finalize and print the attached opinion for Craig's signature. He has already approved it.

Thanks,
Crisitna

Cristina M. Suárez

Assistant City Attorney

City of Coral Gables

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To: Craig E. Leen, City Attorney for the City of Coral Gables

From: Cristina M. Suárez, Assistant City Attorney for the City of Coral Gables

Re: Legal Opinion Regarding Code Enforcement Liens on Other Property Owned by Violator

Date: August 14, 2017

Consistent with our prior review and discussion of the subject liens, you have asked me to formalize an opinion as to whether the Code Enforcement Board liens stemming from violations that occurred at 1400 Agua Avenue apply to other property owned by one of the violators, Soraya Ghodrati. The liens, recorded at Official Records Book 26334, Page 2740 and Official Records Book 26337, Page 0592 of the Public Records of Miami-Dade County, Florida, were recorded on April 21, 2008 and April 22, 2008, respectively, when the City Code provided that such liens “shall constitute a lien against the land on which the violation exists or, if the violator does not own the land, upon any other real or personal property owned by the violator.” See Ord. No. 2016-11, February 23, 2016 (amending section 101-168(c) to provide that such liens “shall constitute a lien against the land on which the violation exists or existed and upon any other real or personal property owned by the violator.”). Soraya Ghodrati, one of the violators, was also an owner of the land located at 1400 Agua Avenue on which the violation existed. Thus, the liens do not apply to the following property owned by Soraya Ghodrati:

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