



General Information About Liens / Fees / Charges against Real Property

When various fines, fees or charges remain unpaid by a property owner, the City can exercise its legal right to place a lien against an owner's property to ensure the eventual collection of an unpaid amount.

The most common types of municipal liens include the following:

1. **Code Enforcement Fines:** When a property owner does not correct an outstanding Code Enforcement violation cited against a property the Board may assess a fine against the property that accrues on a daily basis. The City also records the accruing fine as a lien in the public records of Orange County.
2. **Property Maintenance Liens:** When owners do not maintain their properties and the City must step in and perform services to prevent unsightly or unsafe conditions, the cost of providing these services is billed to the property owner. If the bill is not paid within 20 days, the City records a lien against the property in the public records of Orange County. Property maintenance services provided by a City-approved contractor hired by the City include lot cleaning.
3. **Unsafe Structure/Demolition and Securing Liens:** Under limited and usually urgent circumstances, the City must take action to board up and in some cases even demolish unsafe structures on properties. The City bills the property owner for the cost of demolishing or securing the property which is performed by a City-approved contractor hired by the City. If the bill is not paid within 20 days, the City records a lien against the property in the public records of Orange County.
4. **Utility Liens:** Unpaid charges for utility service including water and sewer service, stormwater drainage, and garbage are liens against the property owner receiving the service(s).

The City records most liens in the public records of Orange County. Pursuant to Florida Statutes, water and sewer service charges become statutory liens against a property upon becoming past due regardless of whether they are formally recorded in Orange County records.

Only property maintenance liens accrue interest daily and Code Enforcement liens not in compliance accrue daily fines. The City utilizes the rate of interest established by the State of Florida pursuant to Section 55.03 of Florida Statutes unless specified otherwise in the City's Code of Ordinances. The City also pays a fee to Orange County to record a lien and to have it removed from public record. When a property owner pays an outstanding lien on a property, the property owner must also pay the applicable accrued interest as well as a \$20.00 fee to cover the City's costs of processing and removing EACH lien from the County's records.

Pending Liens and Violations: As part of the search response, the City will also disclose whether there are pending Code Enforcement violations or Building violations which can become liens against the property. The City will also indicate whether there are any open Building permits on the property signifying there is work in progress at the property that may need to be completed or for which a final inspection must be scheduled.

Requesting a Real Property Record Search

Interested parties, such as title companies, banks, mortgage companies and individuals, can request the City check its records for outstanding liens, fines, and fees against a property. For a fee of \$30.00, the City will search its records and report any liens that appear in the records, as well as any other known outstanding charges or assessments against the property. The accrued interest charges on the liens, as well as the lien fees that must be paid in order to have the liens removed from the public records of Orange County, will also be reported on the Lien Search Report form that the City prepares. Lien searches are usually completed within 5-7 business days of receiving the formal request and payment.

You may submit your request on the attached form to the City in one of the following ways:

Mail or hand deliver it, along with your check or money order for \$30.00 made payable to the City of Winter Garden to:

City Clerk's Office
City of Winter Garden
300 W Plant St
Winter Garden, FL 34787

Attn: Lien Inquiry Division

The City reserves the right to release the results of the lien search contingent on bank clearance of payments made by check.

Pay the \$30.00 lien search fee by cash, check or money order through the Office of the City Clerk.

PLEASE NOTE THAT YOU MUST SUPPLY THE PROPERTY IDENTIFICATION NUMBER FOR EVERY SEARCH THAT YOU REQUEST. The property identification number is also known as the "folio" or "parcel" number.

If you do not know the property identification number for a property, you can go to the Orange County Property Appraiser's website at http://www.ocpaf.org/rec_srch.html#1 and find a property either by the owner name or property address.

Important Note: Issuance of a report of all outstanding fees charged by the City of Winter Garden shall not relieve the requesting party from the responsibility of searching the Public Records of Orange County, Florida, for any and all liens or other documents recorded by the City of Winter Garden, Florida against the property and/or property owner.

Customer Service

If you have questions about liens or on how to request a search, please contact City Clerk's office at **(407) 656-4111 Ext. 2297**. Office hours are Monday through Friday, 8:00 a.m. to 5 p.m., excluding recognized holidays.