



Legislation Details (With Text)

File #: 13195

Type: Agenda Item **Status:** Agenda Ready

File created: 11/13/2023 **In control:** Board of County Commissioners

On agenda: 12/12/2023 **Final action:**

Enactment date: **Enactment #:**

Title: Consideration of Request to Forgive Outstanding Civil Restitution Lien Order Filed Against Timothy David Martin

Sponsors:

Indexes:

Code sections:

Attachments: 1. Martin Request for Forgiveness, 2. Martin Civil Restitution Lien Order, 3. Martin 2011-CF-1793 Docket, 4. Martin Hernando County Court Activity, 5. Martin Amended Affidavit Violation of Probation, 6. Martin Order Denying Motion to Convert CRLO, 7. Martin Interest Calculation, 8. CRLO Discharge in Full

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

TITLE

Consideration of Request to Forgive Outstanding Civil Restitution Lien Order Filed Against Timothy David Martin

BRIEF OVERVIEW

On September 7, 2012, a Civil Restitution Lien Order (CRLO) was recorded in Book 2933, Page 74 of the Official Records of Hernando County, Florida against Timothy David Martin. Said lien was in the amount of \$9,000.00 and has been accruing judgment interest pursuant to Florida law since that time. The interest owed to date is \$4,844.98, bringing the total amount due to \$13,854.98.

On November 3, 2023, Mr. Martin asked that the CRLO be forgiven, including all accrued interest because of financial hardship. Additionally, he states that he cannot register to vote as a convicted felon because the CRLO has not been paid. In researching the request, it was discovered that the CRLO stems from Mr. Martin’s violation of his probation for the offense of Grand Theft from a Dwelling. His repeated petitions to the Court to convert the state mandated CRLO to community service hours were all denied.

Should the Board vote to grant the request, the Clerk’s Finance Division will be directed to issue Mr. Martin a United States Internal Revenue Service Form 1099 in the amount forgiven and the County Attorney’s Office will record the attached Discharge of Lien.

Neither the Board nor staff will need to take any further action should it vote to deny Mr. Martin’s request for forgiveness.

FINANCIAL IMPACT

N/A

LEGAL NOTE

The Board is authorized to act on this matter pursuant to Chapter 125, Florida Statutes.

RECOMMENDATION

The County Attorney's Office makes no recommendation. This agenda item presents purely a public policy matter, and the Board should determine whether or not it wishes to approve the request with the terms outlined above.