



LEGAL REQUEST MEMORANDUM (LRM)

From: (Name) Hough Robin (Dept) Code Enforcement - 3440
 Last First
 (Title) Code Enforcement Manager (Phone) 352-671-8916
 Signature Robin Hough Date Wednesday, February 4, 2026

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for: Draft Document Approve as to Form RESUBMIT LRM No. _____
 Legal Opinion Other

Description of Request

Case 962103; Code Enforcement is seeking an injunction for the removal of unsafe building(s), junk and unserviceable vehicle(s) on the property at 20085 SE 140TH ST, UMATILLA, folio 5020-002-009, owned by James Travis & Peggy Travis. The property is being occupied by people that cannot clear the unsafe bldg violation by obtaining the necessary permit to repair, replace or demolish the burnt primary residential structure. The same occupant(s) built structures without permits. Copies of all the code case records are available on the Public drive:
 "\\mcbcc1\dfs\Public\Code Enforcement Injunction Cases\5020-002-009 James & Peggy Travis"

For more information or discussion, contact: Same as above
 (Name) _____ (Title) _____ (Phone) _____
 Last First

Agenda Item? Yes No Agenda Date: TBD
 Agenda Deadline Date for Legal: _____ Agenda Deadline Date for Admin: _____

Note: Please allow a MINIMUM of 5 working days BEFORE deadlines for LRM to be completed.

DO NOT COMPLETE - Office of the County Attorney use ONLY

LRM No. 2026-103

Assigned to: Matthew Guy Minter, County Attorney Dana E. Olesky, Chief Asst. County Attorney Linda Blackburn, Asst. County Attorney Thomas Schwartz, Asst. County Attorney Valdoston Shealey, Asst. County Attorney

Outcome:

Approved as to form and legal sufficiency
 Approved with revisions: Suggested Completed
 Other:

See attached memorandum recommending BCC approval to proceed with abatement of nuisance legal action.

Date Received:

RECEIVED
 By Marion County Attorney-HF at Feb 05, 2026

Attorney Signature: Linda J. Blackburn Date February 23, 2026

Staff Signature: [Signature] Date: 02/23/26 Returned: Department Admin _____
 Completed



Marion County Board of County Commissioners

County Attorney

601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2330
Fax: 352-438-2331

LRM OUTCOME MEMORANDUM

TO: Robin Hough, Code Enforcement Manager

FROM: Linda G. Blackburn, Assistant County Attorney

DATE: February 23, 2026

SUBJECT: LRM 2026-103 (received February 5, 2023)

You have requested the institution of an action sounding in the enjoinder of a nuisance pursuant to Fla. Stat. §§ 60.05, 60.06 and 823.05, and more specifically a judicially approved injunction to remove unsafe buildings and junk on property located at 20085 SE 140th Street, Umatilla FL (Parcel ID 5020-002-009), as all known owners are either deceased or their whereabouts are unknown.

Factual Background:

Pursuant to the Property Appraisers records, the Property is currently owned by James Travis and Peggy Travis, for whom no contact has been able to be obtained. It is believed that Peggy Travis may be deceased and James Travis may be residing in Georgia. Neither owner has responded to any notices provided concerning the property. Pursuant to Code Enforcement Records, the property is currently being occupied by individuals who have no ownership rights in the property, cause continued code violations and cannot clear certain violations because they lack the ability to obtain proper permitting to repair, replace or demolish the structures on the property deemed unsafe.

This property and the unsafe structures upon it came to Code Enforcement's attention upon CEO Thomas Sapp conducting an investigation of property to the immediate west of this property which has a similar parcel owner (James Edwin Travis). Upon the initial inspection in August 2024, it was immediately apparent that there existed unsafe structures on the property that were missing walls and windows, as well as an accumulation of junk and litter.

The Unsafe Structure Affidavit was immediately generated and signed on August 13, 2024, and notices of the unsafe structure and the junk and litter violation were mailed and posted to the property on August 14, 2024. Following no response from any owner or occupant, Code Enforcement published in the paper its proposal for destruction of the unsafe structures on September 11, 18, 25, and October 2, 2024. Again, no response was received from any owner or occupant. On January 27, 2025, the property was again inspected and the unsafe structures remained, as well as dogs on the property heard to be barking and loud music coming from within one of the structures; however, tarps had been placed over the fence making observation difficult. On February 3, 2025, this matter was referred to Building Safety for their inspection and permitting violations.

On December 9, 2025, a complaint was received from “Chris” advising that he was concerned about the unauthorized inhabitants on the property. Thereafter, December 16, 2025, the property was posted (and mailed) the 10-day notice for abatement of the nuisance. On December 23, 2025, the property was posted (and certified mail sent) with the 15-day notice of abatement of the nuisance. Finally, on January 27, 2026, the property was posted (and certified mail sent) with its final notice for abatement of the nuisance.

This community has other properties that suffer from unauthorized occupants and resulting code violations and criminal conduct, the accumulation of junk, as well as other issues. It is known that at least one of the individuals on this property, Amberlee Thomas, was found squatting on another property (20121 SE 141st Street, before being found on the subject property.

Legal Considerations:

Section 5.5-31, Marion County Code of Ordinances, adopts section 116, Florida Building Code, and provides that “*Unsafe building abatement.* All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems. All such unsafe buildings, structures or service systems are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of the Marion County Code.

Section 16-92, Marion County Code of Ordinances, prohibits the maintenance of unserviceable vehicles and the accumulation of junk except for junk stored in enclosed litter receptacles or collection containers, or completely enclosed buildings; junk which will not fit into standard-sized litter receptacles or curbside containers and which is set out at curbside for no more than ninety-six (96) hours for collection and removal; junk stored in a lawfully established and maintained junkyard or solid waste management facility; and accumulations of vegetative wastes in an agricultural zoning district.

In as much as the owners are either deceased or otherwise unreachable and the current occupants are continuing to occupy the unsafe structures on the property and are continuing to violate Marion County Code of Ordinances, thereby creating a danger to the health and safety of the surrounding community, as well as annoying, disturbing and injuring the surrounding residential community, there exists a nuisance on this property (as defined in Fla. Stat. § 823.05), and the County stands in a position to be able to request judicial action to enjoin the nuisance.

Conclusion:

I share staff’s assessment that until the County removes the unsafe structures which are attracting non-owner occupants and other negative elements, the property and the surrounding residential community will continue to deteriorate. I also agree that due to there being no known living property owners, the additional safeguard of having judicial oversight to enjoining the nuisance is preferable to simple abatement.

Accordingly, and in conformance with prior and similar legal actions, I recommend the matter be placed on BCC’s agenda for review of the matter and approval of this specific type of action being allowed to proceed through the court to remedy the nuisance.