



CITY OF CALLAWAY MORTGAGE FORECLOSURE REGISTRATION INSTRUCTIONS

Many neighborhoods are being affected by homes left abandoned, vacant, in disrepair, or vandalized as a result of foreclosure. The City of Callaway has established a Mortgage Foreclosure Registry to address the lack of maintenance on these properties. By sharing the burden with lenders foreclosing homes or any other real property, the program creates the necessary monitoring system to anticipate and quickly address any maintenance problem that may arise on the property as a result of it having been left abandoned throughout the entire length of the foreclosure process. The value of the property in our neighborhoods will be preserved.

On February 24, 2015, the City Commission adopted Ordinance No. 954, requiring that all lenders holding mortgages in default on real property within the City of Callaway to register (within 10 days), regardless whether it is residential or commercial after having given the debtor notice of the default, filed a lis pendens, or having taken any other legal action to enforce its right to accelerate the debt. Registration requires that the lender identify the property with a loan in default or in foreclosure, identify a local agent responsible for discharging the lender's obligations established in ordinance, pay the annual registration fee and renew on a yearly basis (if necessary).

In addition to registration, the lender, through its designated agent, must inspect, maintain and secure the property for as long as the mortgage remains in default, whether the mortgage in default has been foreclosed or not and until such time as the default is cured, the property is sold at a foreclosure sale or short sale. There are specific standards for maintaining and securing each property adopted by the ordinance. The lender must notify the City of any changes in local agent or transfer, assignment, or ownership of the debt or property. Failure to register, inspect, maintain, secure the property, or provide notification to the City is a code violation subject to enforcement by any means available to the City, including the recording of a lot clearing lien.

When a property becomes vacant or abandoned, unless prohibited by recorded covenants and restrictions, it shall be posted with the name and (24) hour contact telephone number of the local property manager. (See attached Sec. 9.7-29 for more information)

How to register :

1. Request a Mortgage Foreclosure Registration Packet to email address bpoole@cityofcallaway.com or go online the City of Callaway website www.cityofcallaway.com click on Departments – Planning - Planning Building Applications/ Permits – Mortgage Foreclosure Registration Application
2. Once you have completed the application, submit application and registration fee amount of \$50 for each property to:

**City of Callaway
Mortgage Foreclosure Registration
Code Enforcement Department
6601 E. Hwy 22
Callaway, FL 32404**

3. A renewal application and fee for \$50 is required on each property on a yearly basis.
4. Please allow 5 to 7 business days to process your payment and application. Once your information has been added to the registry, you will receive confirmation through the means you have indicated.
5. Your local agent is required to make an initial inspection within five (5) days of the registration. Property that is occupied while in default shall be inspected quarterly while vacant property will be inspected at least every sixty (60) days.
6. You are required to notify the City of any changes in the information you submit in your application, including changing your local agent, a change in lender or the transfer or sale of the property.

How can I contact the City ?

**City of Callaway
6601 E. Hwy 22
Callaway, FL 32404
(850) 871-4672**

Bonnie Poole – Director of Code Enforcement - bpoole@cityofcallaway.com



CITY OF CALLAWAY
MORTGAGE FORECLOSURE REGISTRATION
FREQUENTLY ASKED QUESTIONS

Q. What type of property is required to be registered?

A. All real property within the city of Callaway, regardless whether it is residential or commercial, including vacant lots, with mortgage debt in default.

Q. Who is required to register and when?

A. A lender who holds a mortgage on any real property that is in default, has issued a notice of default to the borrower, has recorded a lis pendens or taken any other legal action to enforce its right to accelerate the debt or foreclose its interest in the property. The property must be registered within ten (10) days of the date any mortgagee declares its mortgage to be in default.

Q. Is there a registration fee?

A. Yes. There is yearly fee of \$50 for each property registered.

Q. Do I need to renew applications?

A. Yes, renewals are required on a yearly basis. Submit an application for renewal and the fee of \$50 for each property.

Q. Where can I get a registration form?

A. You can access forms online from the City of Callaway website www.cityofcallaway.com or you may also email a request to bpoole@cityofcallaway.com

Q. **What form of payment is accepted?**

A. The fee is payable by personal or business check or money order made out to the City of Callaway. You can mail the check together with a copy of the completed application to:

City of Callaway
Mortgage Foreclosure Registration
Code Enforcement Department
6601 E. Hwy 22
Callaway, FL 32404

Q. **Will I receive a receipt or confirmation that my registration is complete?**

A. Yes. After your application and fee are received, you will receive confirmation by the means you have indicated.

Q. **What if there is a change in local agent, the mortgage is assigned if there is a change in property ownership?**

A. You are required to notify the City of any changes in the information you submit in your application, including changing your local agent, a change in lender or the transfer or sale of the property.

Q. **What is my local agent supposed to do after the property is registered?**

A. Your local agent is required to make an initial inspection within five (5) days from registration to ascertain the property's condition and the property shall be posted with the name and phone number and email of the local property manager. Your local agent is required to conduct follow-up inspections thereafter to make sure the property maintained.

Q. **Will the City inspect the property too?**

A. Yes. The City will conduct an inspection to ensure the property meets the City's standards, e.g. windows and doors are secured, the pool is clean or emptied and secured, and the grass is cut. After the initial inspection, you will be notified of the results through your designated local agent.

Q. **What is the scope of the inspection?**

A. The inspection will identify whether any of the following conditions exist on the property:

- a) Any visible damage to the fences or buildings on the property.
- b) Windows are to be shut to prevent any trespassing or whether they require to be secured or boarded.
- c) The pool to be clean or empty and secure.

- d) Trash, garbage, litter, abandoned property or any other waste that needs to be removed.
- e) Lawn needs cut or trimmed.
- f) Any other conditions that may be considered a nuisance.

Q. **What happens after registration and inspection?**

- A. Once the application has been processed, the Planning and Code Enforcement Department will conduct an inspection to ensure the property meets the City's standards. After the initial inspection, you will be notified of the results through your designated local agent. If there are any violations, you will be afforded a reasonable time period to correct them. It is your obligation to conduct inspections, as required by ordinance, to make certain the property is properly maintained.



CITY OF CALLAWAY
MORTGAGE FORECLOSURE REGISTRATION
APPLICATION

Please allow 5 to 7 business days to process your payment and application. Once your information has been added to the registry, you will receive confirmation through the means you have indicated. **Fill out application and remit with check or money order for the amount of \$50 (for each property) payable to the City of Callaway to:**

City of Callaway
Mortgage Foreclosure Registration
Code Enforcement Department
6601 E. Hwy 22
Callaway, FL 32404

NEW APPLICATION	RENEWAL	CHANGE OF INFORMATION
(PLEASE CIRCLE ONE THAT APPLIES)		
MORTGAGE HOLDER/SERVICING AGENT:		
STREET ADDRESS, CITY, STATE, ZIP:		
EMAIL ADDRESS:		
PHONE NUMBER:		
FORECLOSED PROPERTY: STREET ADDRESS, CITY, STATE, ZIP		(ATTACH LIST IF MORE THAN ONE)
PROPERTY MANAGEMENT INFORMATION:		
STREET ADDRESS, CITY, STATE, ZIP:		
CONTACT NAME:		
PHONE NUMBER:	EMAIL ADDRESS:	

