NOTICE OF HEARING MUNICIPAL CODE ENFORCEMENT BOARD CITY OF CLEARWATER, FLORIDA Case 74-25

Certified Mail July 18, 2025

Owner: Trung Phan

12727 Blue Ridge Grace Way Houston, TX 77089-1588

Violation Address: 1408 Rogers St., Clearwater

14-29-15-10854-005-0130

Dear Sir/Madam:

You are hereby formally notified that on **Wednesday**, **August 27**, **2025**, at **1:30 p.m.** there will be a public hearing before the Municipal Code Enforcement Board in the Council Chambers, Clearwater Main Library at 100 North Osceola Avenue, Clearwater, Florida, concerning violation of Section(s) **1-104.B**, **3-919**, **& 3-2302** of the Clearwater City Code. (See attached Affidavit(s) of Violation).

You are hereby ordered to appear before the Municipal Code Enforcement Board on the hearing date to answer these charges and to present your side of the case. Failure to appear may result in the Board proceeding in your absence. You have the right to obtain an attorney, at your own expense, to represent you before the Board. If you are absent but represented at the hearing, your representative must present to the Board your letter authorizing your representative to speak on your behalf. You will have the opportunity to present witnesses as well as question witnesses against you prior to the Board making a determination. Please be prepared to present evidence at the hearing concerning the amount of time necessary to correct the alleged violations should you be found to be in violation of the City Code.

The case shall be presented to the Board even if the violations described in the attached Affidavit(s) of Violation are corrected prior to the Board hearing.

Should you be found in violation of the City Code, the Municipal Code Enforcement Board has the power by law to levy fines of up to \$250 a day per violation against you and your property for every day each violation continues beyond the date set for compliance in an Order of the Board.

If you wish to have any witnesses subpoenaed, please contact the Secretary of the Municipal Code Enforcement Board within five (5) days at 727-444-7155. If you have any questions regarding the cited violations or if the violations are corrected prior to the hearing, please contact the Inspector whose name appears on the Affidavit(s) of Violation.

Sincerely,

SECRETARY TO THE MUNICIPAL CODE ENFORCEMENT BOARD

The Municipal Code Enforcement Board was created pursuant to General Act 80-300, General Laws of Florida, 1979, and Ordinance 2169-80 of the City of Clearwater.

The City of Clearwater strongly supports and fully complies with the Americans with Disabilities Act (ADA). Please advise us at least 48 hours prior to the hearing if you require special accommodations at 727-562-4090. Assisted Listening Devices are available. **Kindly refrain from private conversations, cellular phone use, etc. that distract meeting participants.**

Any party may appeal a final order of this Board by filing an appeal with the Circuit Court within 30 days of entry of the order. Appellants need a record of proceedings; a verbatim record of testimony and evidence that is the basis for the appeal may be required. F.S. § 286.0105, CDC Sec 7-104

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

12727 BLUE RIDGE GRACE WAY

CITY CASE#: CDC2025-00953

Affiday f. Violetion

TRUNG PHAN

NAME OF VIOLATOR:

MAILING ADDRESS:

HOUSTON, TX 77089 **VIOLATION ADDRESS:** 1408 ROGERS ST CLEARWATER, FL DATE OF OFFICIAL NOTICE OF VIOLATION: 5/28/2025 LEGAL DESCRIPTION OF PROPERTY: BREEZE HILL BLK E, LOT 13 PARCEL #: 14-29-15-10854-005-0130 DATE OF INSPECTION: 6/12/2025 12:41:00 PM SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE SECTION VIOLATED 1-104.B. - **DEVELOPMENT CODE VIOLATION** No building, structure, water or land shall be used or occupied, and no building, structure, or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all applicable regulations, and all development approvals. 3-919. - **PRIMA FACIE EVIDENCE OF CERTAIN USES IN RESIDENTIAL ZONING DISTRICT** Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than 31 days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less shall include but not be limited to one or more of the following: (1) Registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act and 509 (Public Lodging Establishments) _(2) Advertising or holding out a dwelling unit for tourist housing or vacation rental use. (3) Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than 31 days or one calendar month. whichever is less; or ___(4) Use of an agent or other third person to make reservations or booking arrangements. SPECIFICALLY. The City of Clearwater's Code Compliance office has identified that this property is being illegally rented out and/or advertised as being available for rent for less than the 31 day or 1 calendar month requirement. This was verified on the internet and is a violation of the City of Clearwater's ordinance prohibiting short term rentals. Please bring your property and websites advertising your property into compliance by the compliance date. If you have any questions feel free to contact me directly. Thank you! A violation exists and a request for hearing is being made. John Stephens SWORN AND SUBSCRIBED before me by means of physical presence or notarization on this 12th day of June, 2025, by John Stephens. STATE OF FLORIDA **COUNTY OF PINELLAS**

PERSONALLY KNOWN TO ME	
PRODUCED AS IDENTIFICATION	Type of Identification
Offary S DONALD CEMBRALE III LIV COMMISSION # HH 350436 EXPIRES: January 17, 2027	
Name of Notary (typed, printed, stamped)	
FILED THIS 16th DAY OF July	. 20
9	MCEB CASE NO. 14.25
	Becore Grague
	Secretary, Municipal Code Enforcement Board

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA AFFIDAVIT OF VIOLATION AND REQUEST FOR HEARING

NAME OF VIOLATOR: TRUNG PHAN
MAILING ADDRESS: 12727 BLUE RIDGE GRACE WAY

CITY CASE#: BIZ2025-00266

HOUSTON, TX 77089

VIOLATION ADDRESS: 1408 ROGERS ST

CLEARWATER, FL

DATE OF OFFICIAL NOTICE OF VIOLATION: 5/28/2025

LEGAL DESCRIPTION OF PROPERTY: BREEZE HILL BLK E, LOT 13

PARCEL #: 14-29-15-10854-005-0130

FILED THIS 16th DAY OF \ \ \ LELL

DATE OF INSPECTION: 6/12/2025 12:52:00 PM

SECTION(S) OF THE CITY CODE WHICH HAVE BEEN VIOLATED: CODE SECTION VIOLATED

3-2302. - **RESIDENTIAL RENTAL BUSINESS TAX RECEIPT** A business tax receipt shall be required for all rentals as set forth in Section 3-2301. Business tax procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such business tax shall be as set forth in Code of Ordinances Appendix A, Division XVIII. Property described in this notice is being rented without a business tax receipt.

SPECIFICALLY.

: A search of public records has found this non-homesteaded property to be a possible rental. All rental properties inside the city limits of Clearwater are required to obtain a Residential Rental Business Tax Receipt. To comply with City Code, please complete and return the enclosed application by the correction date. Completed applications can be emailed to btr@myclearwater.com Once received, an email will be sent out to you with a link to pay for the license. All residential rental properties over 5 units that are contiguous are required to obtain a state license through the Department of Business and Professional Regulations. For more information or questions, please contact us at 727-562-4005 or btr@myclearwater.com. We are open Monday-Friday from 8:00 A.M. to 5:00 P.M.

A violation exists and a request for hearing is being made.
John Stephens
SWORN AND SUBSCRIBED before me by means of physical presence or online notarization on this 12th day of June, 2025, by John Stephens.
STATE OF FLORIDA COUNTY OF PINELLAS
PERSONALLY KNOWN TO ME
PRODUCED AS IDENTIFICATION Type of Identification
MY COMMISSION # HH 350436 EXPIRES: January 17, 2027
Name of Notary (typed, printed, stamped)

Secretary, Municipal Code Enforcement Board

CITY OF CLEARWATER
PLANNING & DEVELOPMENT DEPARTMENT
PO BOX 4748
CLEARWATER, FL 33758-4748



CITY OF CLEARWATER
Planning & Development Department
PO Box 4748, Clearwater, FL 33758-4748

Municipal Service Building, 100 South Myrtle Ave., Clearwater, FL 33756 Telephone (727) 562-4720 | Fax (727) 562-4735

XXXXXXX

NOTICE OF VIOLATION

ADDRESS OR LOCATION OF VIOLATION: 1408 Rogers St, Clearwater, FL 33756

PARCEL: 142915108540050130

Dear PHAN, TRUNG:

Section of City Code Violated:

1-104.B. - **DEVELOPMENT CODE VIOLATION** No building, structure, water or land shall be used or occupied, and no building, structure, or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all applicable regulations, and all development approvals.

3-919. - **PRIMA FACIE EVIDENCE OF CERTAIN USES IN RESIDENTIAL ZONING DISTRICT**

Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than 31 days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less shall include but not be limited to one or more of the following:

(1) Registration or licensing for short-term or transient rental use by the state under Florida Statuto	es,
Chapters 212 (Florida Tax and Revenue Act and 509 (Public Lodging Establishments)	

- ____(3) Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than 31 days or one calendar month, whichever is less; or
- (4) Use of an agent or other third person to make reservations or booking arrangements.

(2) Advertising or holding out a dwelling unit for tourist housing or vacation rental use.



Specifically: Our office has investigated and found that this property is being illegally rented out and/or advertised as being available for less than the 31 day or one calendar month requirement. This was verified on the internet. This is a violation of the City of Clearwater ordinance prohibiting short term rentals.

Please bring your property and websites advertising your property into compliance by the compliance date. If you have any questions feel free to contact me directly. Thank you!

THIS VIOLATION CITED ABOVE MUST BE CORRECTED WITHIN THIRTY (30) DAYS. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

Please contact Code Compliance regarding this notice: 727-562-4720

Date Printed: April 30, 2025



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
TELEPHONE (727) 562-4720
FAX (727) 562-4735

Notice of Violation

TRUNG PHAN 12727 BLUE RIDGE GRACE WAY HOUSTON, TX 77089

CDC2025-00953

ADDRESS OR LOCATION OF VIOLATION: 1408 ROGERS ST

LEGAL DESCRIPTION: BREEZE HILL BLK E, LOT 13

DATE OF INSPECTION: 5/28/2025 PARCEL: 14-29-15-10854-005-0130

Section of City Code Violated:

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(3) Reservations, booking arrangements or more than one signed lease, sublease, assignme any other occupancy agreement for compensation, trade, or other legal consideration addressing overlapping any period of less than 31 days or one calendar month, whichever is less; or	ent o g or
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Specifically: The City of Clearwater's Code Compliance office has identified that this property is being illegally rented out and/or advertised as being available for rent for less than the 31 day or 1 calendar month requirement. This was verified on the internet and is a violation of the City of Clearwater's ordinance prohibiting short term rentals. Please bring your property and websites advertising your property into compliance by the compliance date. If you have any questions feel free to contact me directly. Thank you!

THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 6/11/2025. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.



CITY OF CLEARWATER

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MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4720 FAX (727) 562-4735

Su Su

Code inspector

Date Printed: 5/28/2025

John Stephens 727-444-8719

john.stephens@myclearwater.com

CITY OF CLEARWATER PLANNING & DEVELOPMENT DEPARTMENT PO BOX 4748 CLEARWATER, FL 33758-4748



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Planning & Development Department
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XXXXXXX

NOTICE OF VIOLATION

ADDRESS OR LOCATION OF VIOLATION: 1408 Rogers St, Clearwater, FL 33756

PARCEL: 142915108540050130

Dear PHAN, TRUNG:

Section of City Code Violated:

3-2302. - **RESIDENTIAL RENTAL BUSINESS TAX RECEIPT** A business tax receipt shall be required for all rentals as set forth in Section 3-2301. Business tax procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such business tax shall be as set forth in Code of Ordinances Appendix A, Division XVIII. Property described in this notice is being rented without a business tax receipt.

Specifically: A search of public records has found this non-homesteaded property to be a rental. To comply with city code, please complete and return the enclosed application with a money order or check payable to City of Clearwater in the amount of \$31.50 to cover the fee for the fiscal year.

THIS VIOLATION CITED ABOVE MUST BE CORRECTED WITHIN THIRTY (30) DAYS. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

Please contact Code Compliance regarding this notice: 727-562-4720

Date Printed: April 30, 2025





CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4720

FAX (727) 562-4735

Notice of Violation

TRUNG PHAN 12727 BLUE RIDGE GRACE WAY HOUSTON, TX 77089

BIZ2025-00266

ADDRESS OR LOCATION OF VIOLATION: 1408 ROGERS ST

LEGAL DESCRIPTION: BREEZE HILL BLK E, LOT 13

DATE OF INSPECTION: 5/28/2025 PARCEL: 14-29-15-10854-005-0130

Section of City Code Violated:

3-2302. - **RESIDENTIAL RENTAL BUSINESS TAX RECEIPT** A business tax receipt shall be required for all rentals as set forth in Section 3-2301. Business tax procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such business tax shall be as set forth in Code of Ordinances Appendix A, Division XVIII. Property described in this notice is being rented without a business tax receipt.

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THIS VIOLATION CITED ABOVE MUST BE CORRECTED PRIOR TO 6/11/2025. FAILURE TO CORRECT THE ABOVE LISTED VIOLATION BY THE DATE INDICATED, OR RECURRENCE OF THE VIOLATION AFTER CORRECTION, WILL RESULT IN A LEGAL ACTION BY THE CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER OR BY THE PINELLAS COUNTY COURT. SUCH ACTION MAY RESULT IN A FINE. THE ALLEGED VIOLATOR MAY BE LIABLE FOR THE REASONABLE COSTS OF THE INVESTIGATION, PROSECUTION AND THE ADMINISTRATIVE HEARING SHOULD THIS PERSON BE FOUND GUILTY OF THE VIOLATION.

John Stephens Code inspector

727-444-8719

john.stephens@myclearwater.com

Date Printed: 5/28/2025

Section 1-104. - Jurisdiction and applicability.

- A. This Development Code shall govern the development and use of land and structures within the corporate limits of the city.
- B. No building, structure, water or land shall be used or occupied, and no building, structure, or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all applicable regulations, and all development approvals.

Section 3-919. - Prima facie evidence of certain uses in residential zoning district.

Prima facie evidence of certain uses located in any residential zoning district, consisting of rentals for periods of less than 31 days or one calendar month, whichever is less, and advertising or holding out to the public as a place rented for periods of less than 31 days or one calendar month, whichever is less, shall include but not be limited to one or more of the following:

- (1) Registration or licensing for short-term or transient rental use by the state under Florida Statutes, Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments);
- (2) Advertising or holding out a dwelling unit for tourist housing or vacation rental use;
- (3) Reservations, booking arrangements or more than one signed lease, sublease, assignment or any other occupancy agreement for compensation, trade, or other legal consideration addressing or overlapping any period of less than 31 days or one calendar month, whichever is less; or
- (4) Use of an agent or other third person to make reservations or booking arrangements. (Ord. No. 7105-03, \S 1, 4-17-03; Ord. No. 8042-09, \S 3, 6-4-09)

Section 3-2302. - Business tax receipt required.

A business tax receipt shall be required for all rentals set forth in <u>Section 3-2301</u>. Business tax receipt procedures and requirements shall be as set forth in Code of Ordinances Chapter 29. The fee charged for such business tax receipt shall be as set forth in the Code of Ordinances Appendix A, Division XVIII.

(Ord. No. 6932-02, § 1, 4-4-02; Ord. No. 7725-07, § 1, 2-15-07)

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA

AFFIDAVIT OF POSTING

City Case Number: CDC2025-00953

Site of Violation: 1408 ROGERS ST

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• •	*****	-	Make:	₹ ₹		_

1. John Stephens, being first duly sworn, deposes and says:

MAY 2 8 2025

2. That I am a Code Inspector employed by the City of Clearwater.

CITY CLERK DEPARTMENT

That on the 28th day of May, 2025, a copy of the attached Notice of Violation was posted at City of Clearwater Offices, 600 Cleveland St., 6th Floor, Clearwater, Florida and at 1408 ROGERS ST, Clearwater, Florida.

John Stephens 727-444-8719

Code Inspector

john.stephens@myclearwater.com

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of ______ physical presence or _____ online
notarization on this 28th day of May, 2025, by John Stephens.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

INDEDITED TO MAN OF CENTRE STATE OF THE ST

Name of Notary (typed, printed, stamped)

MUNICIPAL CODE ENFORCEMENT BOARD OF THE CITY OF CLEARWATER, FLORIDA <u>AFFIDAVIT OF POSTING</u>

City Case Number: BIZ2025-00266

Site of Violation: 1408 ROGERS ST

RECEIVED

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MAY 2 8 2025

2. That I am a Code inspector employed by the City of Clearwater.

CITY CLERK DEPARTMENT

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John Stephens 727-444-8719

Code Inspector

john.stephens@myclearwater.com

STATE OF FLORIDA
COUNTY OF PINELLAS

SWORN AND SUBSCRIBED before me by means of _____ physical presence or ____ online
notarization on this 28th day of May, 2025, by John Stephens.

PERSONALLY KNOWN TO ME

PRODUCED AS IDENTIFICATION

Type of Identification

(Notary Signature)

PONALD CEMBRALE III
MY COMMISSION # HH 350436
EXPIRES: January 17, 2027



Parcel Summary (as of 12-Jun-2025)

Parcel Number

14-29-15-10854-005-0130

Owner Name PHAN, TRUNG

Property Use 0110 Single Family Home

Site Address 1408 ROGERS ST CLEARWATER, FL 33756

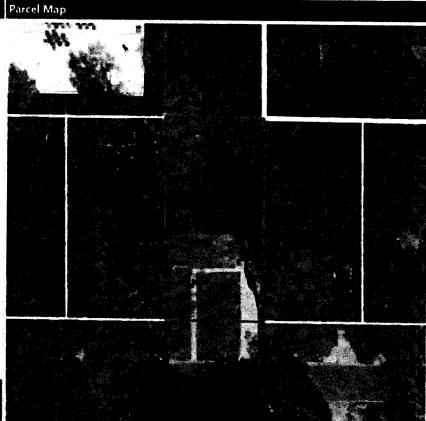
Mailing Address 12727 BLUE RIDGE GRACE WAY HOUSTON, TX 77089

Legal Description BREEZE HILL BLK E, LOT 13

Current Tax District CLEARWATER (CW)

Year Built 1952

Living SF Gross SF Living Units Buildings
1,560 1,849 1 1



			Exemptions	
Yes	Homestead	Use %	Status	Property Exemptions & Classifications
2026	No	0%		No Property Exemptions or Classifications
2025	No	0%		found. Please note that Ownership
2024	No	0%		Exemptions (Homestead, Senior, Widow/Widower, Veterans, First Responder, etc will not display here).
				• •

			Miscellaneou	is Parcel Info			
Last Recorded	Sales		Evacuation		Elevation		
Ded	Compartson	Census Tract	Zone	Flood Zone	Certificate	Zoning	Plat Bk/Pg
2040-1		aming the second of the second se	F IF TO THE	Current FEMA	#	: Manneng Sig. > S. Aggle ne William & Now Million	Printage Commence Commen
23167/1055	\$394,400	<u> 264.01</u>	NON EVAC	Maps	Check for EC	Zoning Map	13/66
				TAIGNS			

			2024 Final Values		
Year	Just/Market Value	Assessed Value/SOH Cap	County Texable Value	School Taxable Value	Municipal Taxable Value
2024	\$335,368	\$335,368	\$335,368	\$335,368	\$335,368

Value History (yellow indicates corrected value)							
Year	Homesteed Examplion	Just/Market Value	Assessed Vales/SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value	
2023	N	\$335,858	\$335,858	\$335,858	\$335,858	\$335,858	
2022	N	\$265,847	\$132,436	\$132,436	\$265,847	\$132,436	
2021	N	\$130,661	\$120,396	\$120,396	\$130,661	\$120,396	
2020	N	\$112,577	\$109,451	\$109,451	\$112,577	\$109,451	
2019	N	\$99,501	\$99,501	\$99,501	\$99,501	\$99,501	