

**CITY OF FORT LAUDERDALE  
NUISANCE ABATEMENT BOARD MINUTES  
CITY HALL, CITY COMMISSION CHAMBERS, 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
THURSDAY, NOVEMBER 10, 2011, 7:00 P.M.**

<b><u>Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 3/2011 through 2/2012</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
D. Ryan Saunders, Chair	P	7	1
Sal Gatanio, Vice Chair	P	6	2
Louise Dowdy	P	8	0
Dale Hoover	P	7	0
Tom Wolf	P	7	1

**Alternates**

Cindy Smith	P	6	1
Richard Schulze	A	2	1

**Staff Present**

Joyce Hair, Board Clerk  
Bruce Jolly, Board Attorney  
Det. Paul Maniates  
Scott Walker, Assistant Attorney  
Brigitte Chiappetta, Recording Clerk, Prototype Inc.

**Communication to the City Commission**

None

**Index**

	<b><u>Case Number</u></b>	<b><u>Respondent</u></b>	<b><u>Page</u></b>
1.	10-09-05	217 Southwest 19 Avenue – Luby & Bruce Hargrett	<a href="#">2</a>
2.	11-03-03	426 Northwest 14 <sup>th</sup> Avenue - Lewis Tunnage	<a href="#">3</a>
3.	11-03-02	414 Northwest 15 <sup>th</sup> Way - Rosa and Ventura Sorto	<a href="#">3</a>
4.	11-08-05	1704 Northwest 8 <sup>th</sup> Court – George Peter	<a href="#">3</a>
5.	11-09-07	804 Northwest 4 <sup>th</sup> Avenue - Derynda	<a href="#">5</a>
6.	11-09-06	2621 N Ocean Boulevard – Hurricane Motel	<a href="#">5</a>
		Board Discussion	<a href="#">6</a>
		Communication to the City Commission	<a href="#">6</a>

**Purpose:** Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending or repeated violation continues to exist.

**1. Call meeting to order; Pledge of Allegiance**

The meeting was called to order at 7:00 p.m.

**2. Roll call; witnesses sign log; swearing in**

Ms. Chiappetta called roll and determined a quorum was present.

**Witnesses were sworn in.**

**3. Approval of minutes for September 2011**

**Motion** made by Mr. Hoover, seconded by Mr. Wolf, to approve the minutes of the Board's October 2011 meeting. In a voice vote, the motion passed unanimously.

**Cases:**

- 4. Case Number 10-09-05**  
**217 Southwest 19<sup>th</sup> Avenue**  
**Residence**  
**Owner: Luby and Bruce Hargrett**
  - **Notice of Status Hearing**

[Index](#)

Det. Maniates stated the property owners had received notice of the meeting on 10/21/11.

Det. Maniates announced that in the past 30 days there had been no calls for service to the property. Det. Maniates said all fees were paid in full and jurisdiction would end on December 16, 2011. He did not recommend a status hearing for December 2011.

5. **Case Number 11-03-03**  
**426 Northwest 14<sup>th</sup> Avenue**  
**Residence**  
**Owner: Lewis Tunnage**

[Index](#)

- **Notice of Status Hearing**

Det. Maniates stated the property owner, Lewis Tunnage, had received notice of this meeting on 10/20/11.

Det. Maniates announced that in the past 30 days there had been three calls for service to the property, none of which was nuisance related. Det. Maniates had received the tenants list he had requested from the owner. He had visited the property and found it to be in compliance and recommended a status hearing in December 2011.

6. **Case Number 11-03-02**  
**414 Northwest 15<sup>th</sup> Way**  
**Owner: Rosa and Ventura Sorto**

[Index](#)

- **Notice of Status Hearing**

Det. Maniates stated the property owner, Ventura Sorto, was in attendance.

Det. Maniates announced that in the past 30 days there had been no calls for service to the property. The owner had received notice of this hearing on 10/31/11.

Det. Maniates reported the property was in compliance and recommended a status hearing in January 2012.

7. **Case Number 11-08-05**  
**1704 Northwest 8<sup>th</sup> Court**  
**Owner: George Peter**

[Index](#)

- **Notice of Status Hearing**

Det. Maniates stated the property owner, George Peter, had received notice of this meeting on 10/24/11 and was in attendance.

Det. Maniates announced that in the past 30 days there had been one call for service to the property, which was not nuisance related. He had met with the owner after the last meeting and the owner had stated he was not aware of the meeting. Det. Maniates said the delivery receipt showed the owner had received the notice on September 19, 2011. Mr. Peter said he had given the trespass signs to his maintenance worker to install, and

the worker had informed him the signs were lost. Det. Maniates had provided new signs and Mr. Peter promised these would be installed on October 21. Det. Maniates had confirmed this had been done. The owner had re-wired the lights to make them operational as well.

Det. Maniates said the fees and fines had not been paid yet. Aside from the financial requirement, the property was in compliance and Det. Maniates recommended a status hearing for December 2011. He showed the Board photos of the property and described work done to comply. Det. Maniates remarked that the owner had been very cooperative and had evicted the occupant of the first apartment.

George Peter, owner, said he had evicted the tenant within one week of the meeting. He had filed the eviction himself, at a cost of \$500. Installation of the signs and the new wiring had cost him \$200. Mr. Peter explained that the exterior lights were controlled from one of the apartments and he had offered the tenant a discount on the rent to leave the lights on. If the apartment became vacant, he would put the electric service in his name.

Chair Saunders stated at the previous meeting, the Board had assessed the owner 100% of the investigative costs, \$1,835.13 and agreed to fine the owner \$100 per day for not being in compliance. The property had been out of compliance 16 days for a total of \$1,600 in fines.

Mr. Wolf said it appeared the owner was being cooperative now, and had spent money to comply the violations.

Mr. Gatania was a bit hesitant, and asked what the Board would do the following month if the property was out of compliance again. Mr. Jolly confirmed that the Board could re-impose the fees and begin the fine.

Ms. Smith suggested Mr. Peter visit the property once or twice per week and not take the maintenance person's word for the status of the property.

**Motion** made by Mr. Wolf, seconded by Mr. Hoover, to waive the fines and half of the investigative costs. In a roll call vote, motion passed unanimously.

Chair Saunders confirmed that the \$1,600 fines had been waived, and the investigative fees cut in half to \$917.57.

**Motion** made by Mr. Wolf, seconded by Mr. Gatania, to spread the payments of the investigative costs over a ten-month period. In a roll call vote, motion passed 4-1 with Chair Saunders opposed.

**8. Case Number 11-09-07**  
**804 Northwest 4<sup>th</sup> Avenue**  
**Owner: John Derynda**

[Index](#)

- **Notice of Evidentiary Hearing**

This item was heard out of order.

Det. Maniates stated the property owner, John Derynda, had received notice of this meeting on 10/24/11.

Det. Maniates announced that in the past 30 days there had been one call for service to the property, which was not nuisance related.

Det. Maniates had inspected the property several times and found it to be in compliance. He presented photos of the property to the Board and described improvements to the property.

Det. Maniates recommended a status hearing in January 2012.

John Derynda, owner, stated he had not heard from the previous tenant regarding re-occupying the property.

**9. Case Number 11-09-06**  
**2621 North Ocean Boulevard**  
**Hurricane Motel**  
**Owner: Ghulam Usman**

[Index](#)

- **Notice of Evidentiary Hearing**

Det. Maniates stated the property owner, Ghulam Usman, had received notice of this meeting on 10/20/11 and the manager had received notice on 10/20/11; both were in attendance.

Det. Maniates reported that in the past 30 days there had been six calls for service to the property, none of which was nuisance related. A payment had been made toward investigative costs. The manager had taken receipt of the invoice and had provided copies of the identifications of all tenants.

Det. Maniates stated the property was in compliance and commended the manager on the great job he had done. Det. Maniates displayed photos of the property and described work done.

Det. Maniates stated the owner was working to get the cameras installed within the time specified in the order. He recommended a status hearing in December 2011.

**Board Discussion**

[Index](#)

None.

**Communication to the City Commission**

None.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:27 PM.

[Minutes prepared by Jamie Opperee, Prototype, Inc.]