

**SPECIAL MASTER HEARING**  
**City Commission Meeting Room**  
**Judge Daniel Futch, Presiding**  
**April 3, 2003**  
**9:00 A.M. – 12:00 P.M.**

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Staff Present:

Susan Batchelder, Administrative Assistant II  
Jennifer Chenault, Secretary  
Assistant City Attorney  
Leonard Ackley, Community Inspections Officer  
Laurie Almy, Community Inspections Officer  
Alberto Benavides, Community Inspections Officer  
Peggy Burks, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
Deborah DiMaggio-Haskins, Community Inspections Officer  
Mike Donovan, Community Inspections Officer  
Burt Fletcher, Community Inspections Officer  
John Gossman, Community Inspections Officer  
Robert Guilford, Community Inspections Officer  
John Hudak, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Dan Mullarkey, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Maria Christine Roque, Community Inspections Officer  
Ursula Thime, Community Inspections Officer

Also Present:

James Burns, CE02121725  
Gary Rappaport, CE03010112  
Scott Campbell, CE01061843  
Gloria Miller, CE01061843  
Peter Arvida, CE01061843  
Markus Champion, CE03010620  
Glen Epstein, CE03030957  
Ramon Elgne, CE03021150  
Sherman Newberry, CE02111073  
Doug Blevins, CE0300112  
Rafiqul Haque, CE02120406  
Dirk Rahim  
Michael Smith, CE02041606

Sylvia Watts, CE03010621  
Rickey Taylor  
Lorene Jones  
Wilfred McKenzie, CE02020465  
Lawrence Wolk, CE02082114  
Patricia Ode, CE02110790  
Jennifer Smith, CE02110819  
Arnold Euramil, CE03022152  
Penny Butler, CE03020145  
Todd Goberville

NOTE: All individuals who presented information to the Special Master during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 9:00 A.M. Judge Futch introduced himself and explained his role in ensuring adherence with the City's codes. He also pointed out that the proceedings were being recorded.

**Reference CE02121725**

Pauline Burns  
3000 south Andrews Avenue

Sec. 47-19.9 A.2.b: Outside storage without screening walls

Ms. Batchelder announced that certified mail had been accepted on March 25, 2003.

John Hudak, Community Inspections Officer, testified that the business was storing vehicles and auto parts outside without the required screening wall. He presented photographs of the violations to Judge Futch. He noted that the business was originally cited on January 7, 2003.

Mr. James Burns, son of the owner, stated that they were unaware of the violation until March 24, 2003. They were in the process of obtaining permits and making plans to build the screening wall. He had questions concerning the construction of the wall. He also wondered why the property had never been cited before, as the tenant had been on the property and had conducted business the same way for over three years. Mr. Hudak explained that a neighbor had called in a complaint. Mr. Burns presented his own photographs of the property, which showed that the tenant had cleared away the garbage. Mr. Hudak clarified the requirements for Mr. Burns. Mr. Hudak suggested 90 days to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 90 days or a fine of \$25.00 per day would be imposed.

**Reference CE02120464**

Wilfred McKenzie & E. Cleare & B. Moore  
837 Northwest 14<sup>th</sup> Way

Sec. 18-27(a): Trash, rubbish and debris  
scattered on property

Ms. Batchelder announced that service was made via posting on the property and at City Hall on March 14 and 24, 2003; personal service was also made by Inspector Paglianit on March 19, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that there was litter and debris scattered on the property. He noted that this was a continuous problem at this property. He presented several photographs of the property, taken on three occasions, and a history of the property, noting that there had been over 50 violations at the property dating back to 1992. Mr. Donovan requested 7 days to comply, or a fine of \$250.00 per day, and an order that the property must be maintained from now on.

Mr. Wilfred McKenzie, respondent, stated that he had cleaned the property, but unknown people kept dumping trash there. He had paid Ft. Lauderdale to clean the property before and stated that he would pay for them to do this again.

Judge Futch found in favor of the City and ordered compliance within 7 days, or a fine of \$250.00 per day would be imposed. He further ordered the property must be continually maintained.

**Reference CE03021100**

Jose Ramon Elgue & Isabel Eiroa  
1525 Northeast 5<sup>th</sup> Avenue

Sec. 18-27(a): Overgrowth & weeds on property;  
Sec. 9-305(b): Required ground cover

Ms. Batchelder announced that service was by personal appearance of the respondent at this proceeding.

Mr. Burt Fletcher, Community Inspections Officer, testified that there were areas of dead and missing ground cover on the property; Section 18-27(a) as now in compliance. He presented photographs of the property to Judge Futch. Mr. Fletcher recommended 30 days, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 30 days, or a fine of \$25.00 per day would be imposed.

**Reference CE03022152**

Arnold & Suzette Euramil  
1119 Northeast 6<sup>th</sup> Avenue

Sec. 9-281(b): Overgrowth of grass and  
weeds, rubbish, trash, and debris  
on property;

Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 9-278(g): Missing/torn screens

Ms. Batchelder announced that service was by personal appearance of the respondent at this proceeding.

Mr. Burt Fletcher, Community Inspections Officer, testified that the parking area lacked the required striping, some windows were missing screens, and Section 9-281(b) was now in compliance. He presented photographs of the property to Judge Futch. He recommended 7 days to comply, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE02120761**

Lorene Jones  
1700 Northwest 10<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 18-27(a): Areas of dead or missing  
ground cover

Ms. Batchelder announced that certified mail had been accepted on March 24, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of peeling paint and stained surfaces on the property; Section 18-27(a) was now in compliance. She presented photographs of the property to Judge Futch.

Ms. Lorene Jones, respondent, requested 60 days to comply. Ms. Pingitore agreed to 60 days, or a fine of \$25.00 per day to comply with Section 9-306(a).

Judge Futch found in favor of the City and ordered compliance within 60 days or a fine of \$25.00 per day would be imposed.

**Reference CE02082114**

Kelli & Lawrence Wolk  
904 South Andrews Avenue

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on October 3, 2002 with compliance ordered by December 30, 2002. On December 19, 2002 the compliance date was extended to March 30, 2003. Fines had accrued in the amount of \$75.00.

Mr. Larry Wolk, respondent, requested an additional 90 days to complete work on the property. The Assistant City Attorney stated that the City supported a 90-day extension.

Judge Futch granted an extension of 90 days.

**Reference CE01061843**

Broward County Commissioners  
2710 Davie Boulevard

Request for Abatement of Fines

Ms. Batchelder announced that this case was originally heard on December 20, 2001 with compliance ordered by February 18, 2002. The property was in compliance on January 14, 2003. Fines had accrued in the amount of \$164,500.00. The City recommended a settlement of \$8,225.00.

Mr. Scott Campbell, Assistant Director of Broward County Facilities Management Division, stated that the County's intent had been to cooperate, but this was a case of a job gone wrong. They had encountered many problems and new requests for changes from the City as the project progressed. He admitted to some miscommunication with Inspector Haskins as well. He reminded Judge Futch that "the money we would be paying the City would be taxpayers' money, and that money would be better spent being reinvested back into county and public facilities."

Judge Futch abated the fines to \$8,225.00.

**Reference CE02110819**

National Association for the  
Advancement of Colored People  
2411 East Las Olas Boulevard

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on January 16, 2003 with compliance ordered by January 26, 2003 and April 16, 2003. There were no fines to date.

Ms. Jennifer Smith, attorney for the respondent, stated that she was working with Inspector Guilford to bring the dock into compliance by the due date. She thought she understood what needed to be done to comply but wanted to be sure. She had also requested an extension of time for the house painting.

Mr. Robert Guilford, Community Inspections Officer, stated the City's objection to an extension for the dock repairs. He presented photographs of the dock to Judge Futch. He had no objection to granting an extension for the house painting. Ms. Smith explained that the dock could not be removed because there was a boat of unknown ownership presently at the dock. She agreed that there were fallen boards in the water that could be removed immediately. She didn't know if removal of the boards was sufficient to comply, or if an extension was needed to allow time for complete removal or renovation of the dock. Mr. Guilford stated that permits were needed to remove pilings, which was the only way to comply. Ms. Smith asked if an extension could be granted for removal of the dock.

Judge Futch granted an extension of 90 days to paint the house and obtain permits for removal or repair of the dock, or a fine of \$25.00 per day, per violation would be imposed. He also ordered that the loose boards and any hazard to navigation must be removed immediately.

**Reference CE03010620**

Markus Champion  
1229 Northeast 3<sup>rd</sup> Avenue

Sec. 9-281(b): Trash, litter and debris on property; Sec. 47-21.8 A: Missing ground cover; Sec. 47-20.13 A: Driveway in disrepair

Ms. Batchelder announced that certified mail had been accepted on March 21, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, rubbish and debris strewn on the property; the lawn consisted mostly of weeds and bare sand, and the driveway was not a well-graded, dust-free surface. She informed Judge Futch that Mr. Champion had been present earlier, and they had agreed to 45 days to comply, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 45 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03010112**

Gary & Ellen Rappaport  
1415 Northeast 4<sup>th</sup> Avenue

Sec. 47-22.6 F: Signs in disrepair;  
Sec. 47-34.1 A.1: Permitted uses-outside storage

Ms. Batchelder announced that certified mail had been accepted on March 18.

Ms. Deborah Haskins, Community Inspections Officer, testified that the storefront sign was broken and had several missing letters, and there were several large containers used for outside storage, which was a non-permitted use in a B-1 zoned property. She presented photographs of the property to Judge Futch. She requested 30 days to comply, or a fine of \$100.00 per day, per violation.

Mr. Gary Rappaport, respondent, stated that he had found someone to fix the sign, which would be accomplished within the next day or so. He had hired a construction company to put an addition on the building, and was using the storage units to make room for the builders while construction was progressing. He stated that the units must remain until construction was begun. The construction company was dragging its feet in obtaining permits and beginning work. He asked if planting trees to camouflage the storage units would be sufficient until he could remove them.

Mr. Doug Blevins, President of the South Bend River Civic Association, felt that the neighborhood was trying to promote a better community, and if the storage units were allowed for this business, others would follow. He also noted that the sign had been in disrepair since 1999. Mr. Rappaport promised that the storage units would be removed when construction began.

The Assistant City Attorney stated that she had spoken with Mr. Rappaport on several occasions, and he had been telling her that he could not find a company to perform the construction. If plans had not been submitted to the City, with permits in the works, the time should not be extended more than 30 days. Mr. Rappaport would need to obtain storage elsewhere. She had informed Mr. Rappaport that planting trees would not bring the property up to code. She recommended 30 days, or a fine of \$100.00 per day, per violation. She added that if Mr. Rappaport had a contract and plans submitted to the Building Department for permits within that 30 days he could call the office and appear before the Special Master to request another extension.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE02071606**

Michael Smith  
1206 Northwest 18<sup>th</sup> Street

Sec. 24-27(c): Garbage carts left out after service; Sec. 25-4: Overgrowth blocking public sidewalk; Sec. 47-21.8: Landscape maintenance; Sec. 9-281(b): Rubbish, trash, and debris on property; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that service was by personal appearance of the respondent at this proceeding.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that garbage carts were left out after service; overgrowth had encroached onto the sidewalk; there were areas of dead and missing ground cover; there was trash, rubbish, and debris scattered on the property, and there were areas of dirty, chipped and mildew-stained paint on the building. She informed Judge Futch that she had started this case on July 18, 2002. She presented photographs of the property taken in September 2002 to Judge Futch, and noted that as of her last inspection, the property remained the same. She recommended 90 days for Sections 47-21.8 and 9-306, and 15 days for Sections 24-27(c), 25-4, and 9-281(b) or a fine of \$25.00 per day, per violation.

Mr. Michael Smith, respondent, stated that the tenants did not return home until after dark, so the carts remained outside after service. Ms. Pingitore informed Judge Futch that the carts were left out next to the chain link fence at other times, not just on collection days.

Judge Futch found in favor of the City and ordered compliance with:

- Sections 24-27(c), 25-4, and 9-281(b) within 15 days;
- Sections 47-21.8 and 9-306 within 90 days,

or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03020145**

Dwight Knowles  
1112 Northwest 11<sup>th</sup> Place

Sec. 6-7(b) (4): Animals kept in unsanitary conditions; Sec. 6-7(b) (1): Dogs barking; Sec. 6-11(a): Dogs inadequately maintained

Ms. Batchelder announced that personal service by Officer Witherspoon had been refused by the owner's sister on March 19, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that dogs were kept on the property in unsanitary conditions, resulting in foul odors; dogs were permitted to bark and whine in a continuous fashion, and dogs were kept without shade from sun and adequate water. Ms. Pingitore presented photographs of the property to Judge Futch and explained that the property was out of compliance from March 5, 2003 until April 2, 2003. When she visited on April 2, the dogs were gone. She requested that a \$250.00 per day fine be imposed for each of Sections 6-7(b)(4) and 6-7(b)(1) for these dates. She also requested a 5-year jurisdiction at \$500.00 per day for those violations. She informed Judge Futch that at the previous Special Master hearing, case CE01080005, there had been 5 violations, and a fine of \$100.00 per day, per violation had been ordered for non-compliance.

Ms. Penny Butler, neighbor, testified that there had been 5-10 Pit Bulls on the premises, and not all had been removed. She had seen Pit Bull puppies on the property the previous evening.

Judge Futch found in favor of the City and ordered fines of \$250.00 per day, per violation be imposed for the period from March 5, 2003 – April 2, 2003. He also ordered jurisdiction maintained for 5 years, or a fine of \$500.00 per day, per violation.

**Reference CE03010621**

Sylvia Watts  
1220 Northeast 3<sup>rd</sup> Avenue  
surfaces

Sec. 9-281(b): Trash, and debris on property;  
Sec. 9-306: Peeling paint/lack of maintenance

Ms. Batchelder announced that certified mail had been accepted on March 18, 2003.



Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, rubbish and debris scattered on the property; there was rotting fascia and wood trim on the structure, and the paint was dirty and peeling. She presented photographs of the property to Judge Futch. She had spoken with the owner and her contractor this morning; the contractor had requested 60 days to complete the repairs and repainting. Ms. Haskins agreed with this, and requested 7 days to comply with Section 9-281(b), or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with Section 9-281(b) within 7 days and with Section 9-306 within 60 days, or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03030957**

Glenn Epstein  
1401 Northeast 1<sup>st</sup> Avenue

Sec. 18-1: Pool filled with stagnant water;  
Sec. 9-281(b): Lawn overgrown with weeds;

Ms. Batchelder announced that certified mail had been accepted on March 22, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the pool was filled with stagnant water, creating a foul odor and providing a breeding ground for mosquitoes; the lawn was overgrown with weeds. She noted that both violations were repeats, the previous order issued in case CE02041107. She presented photographs of the property to Judge Futch, and informed him that because Mr. Epstein had put a tarp over the pool, she needed to make an appointment with him to inspect the pool.

Mr. Glenn Epstein, owner, informed Judge Futch that he had removed the water from the pool. He had also cut the grass and weeds on his swale. Ms. Haskins asked Judge Futch to maintain jurisdiction on the property for 5 years.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$50.00 per day, per violation, would be imposed. He also ordered jurisdiction maintained for 5 years, or a fine of \$100.00 per day, per violation.

**Reference CE02110190**

Patricia Ode  
714 Southwest 20<sup>th</sup> Terrace

Request for Abatement of Fines

Ms. Batchelder announced that this case was originally heard on January 16, 2003 with compliance ordered by January 30, 2003. The property was complied on March 17, 2003. Fines had accrued in the amount of \$1,125.00. The City recommended a settlement of \$600.00.

Ms. Patricia Ode, respondent, stated that she had been unaware that the car on the property was in violation until she received the notice. She informed Judge Futch that she could not afford a \$600.00 fine. Ms. Batchelder informed Ms. Ode that if the fine were not paid within 30 days, the City would begin lien proceedings. Ms. Ode stated that she could not pay the fine within 30 days. Judge Futch suggested allowing 60 days to pay the fine, and Ms. Ode agreed.

Judge Futch abated the fine to \$600.00, and allowed 60 days for payment.

**Reference CE02111073**

Sherman Newberry  
541 East Dayton Circle

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-281(b): Rubbish, debris and an inoperable,  
unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on March 26, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that the fascia board and house had chipped and peeling paint, the property was littered with trash and rubbish, and there was an unlicensed, inoperable vehicle on the property. He presented photographs of the property to Judge Futch.

Mr. Sherman Newberry, respondent, informed Judge Futch that the vehicle had been repaired and registered, he had painted the fascia and cleaned out the yard. He had a few items awaiting bulk garbage pickup on April 14. He added that he had undergone surgery recently, which had affected his ability to perform the repairs sooner. Mr. Fletcher recommended allowing 14 days for him to reinspect, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 14 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE02120406**

R & S Corporation  
800 Northeast 15<sup>th</sup> Street

Request for Abatement of Fine

Ms. Batchelder announced that this case was originally heard on January 16, 2003, with compliance ordered by January 23, 2003. The property was in compliance on February 20, 2003. Fines had accrued in the amount of \$2,700.00. The City did not recommend abatement of fines.

Mr. Rafiqul Haque, owner, stated that the property had been in compliance since January 23, 2003. He informed Judge Futch that neighbors would park a car with a "For Sale" sign in the driveway after the store was closed, unbeknownst to him. He had removed the car

within two days of receiving the notice, but had been unable to reach Mr. Fletcher to have him reinspect. He had sent a letter to Commissioner Tim Smith regarding this. He had also spoken to Mr. Fletcher's Supervisor, who he claimed had told him "we'll be taking care of that." Judge Futch asked Mr. Haque the name of the Supervisor he had spoken to, and Mr. Haque stated that it was Mr. Hutchins or Mr. Hiteshew. Mr. Fletcher knew nothing about any conversation between Mr. Haque and Mr. Hiteshew. The Assistant City Attorney informed Judge Futch that there had been 26 cases against the property under this owner since September 1997; most of these had been trash and litter complaints.

Judge Futch denied abatement of the fines.

**Reference CE03021569**

Glen & Patricia Wright  
1752 Northeast 12<sup>th</sup> Street

Sec. 15-28: Required occupational license;  
Sec. 47-19.7.A.1: Persons conducting  
business at this address do not reside at this  
address; Sec. 47-19.7.A.2: Illegal sign; Sec. 47-  
19.7.A.3: Business conducted at residential  
dwelling; Sec. 47-19.7.A.4: Real estate office  
located at residential dwelling; Sec. 47-19.7.A.5:  
Portions of lawn covered with gravel to  
accommodate business parking; Sec. 47-22.3.U.1:  
Business sign on residential property; Sec. 47-  
22.3.U.4: Signs without permits

Ms. Batchelder announced that certified mail had been accepted on March 20, 2003. Personal service had also been made by Inspector Almy on March 18, 2003.

Ms. Laurie Almy, Community Inspections Officer, testified that the business was operating without the required occupational license; persons conducting business at the address did not live there; there was an illegal, temporary sign in the front yard; real estate business was being conducted at a residential address; the entire dwelling had been converted to a real estate office; there was a constant flow of traffic to the office and a portion of the lawn had been replaced with gravel to accommodate business parking; there was an illegal sign on the property, and a sign had been erected on the property without a permit. She present a packet to Judge Futch containing photographs and a letter from the company that verified they were doing business without an occupational license. She testified that all violations existed as of yesterday afternoon. She had met with a representative of the company and they had agreed to the following timeframes for compliance: 30 days for Section 47-19.7.A.1, 47-19.7.A.3, 47-19.7.A.4 and 47-19.7.A.5; 7 days for Sections 47-19.7.A.2, 47-22.3.U.1 and 47-22.3.U.4; 15 days for Section 15-28. Non-compliance would result in a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with:

- Sections 47-19.7.A.1, 47-19.7.A.3, 47-19.7.A.4 and 47-19.7.A.5 within 30 days;

- Section 47-19.7.A.2, 47-22.3.U.1 and 47-22.3.U.4 within 7 days;
  - Section 15-28 within 15 days,
- or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE02120782**

Dorothy and Zoe Walker  
2630 Southwest 5<sup>th</sup> Street

Sec. 9-281(b): Inoperable, unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on March 19, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property. She recommended 14 days, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 14 days or a fine of \$25.00 per day would be imposed.

**Reference CE03012432**

Benjamin Bogun  
3720 Davie Boulevard

Sec. 9-281(b): Rubbish, trash, and debris on property; Sec. 47-22.3 C: Signs without permits

Ms. Batchelder announced that certified mail had been accepted on March 19, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that all violations still existed as cited, and requested 7 days to comply, or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 7 days, or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE03020310**

Kelly Erin & Ross Jones  
5737 Northeast 17<sup>th</sup> Terrace

Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-306: Peeling paint

Ms. Batchelder announced that there was a stipulated agreement in place for Section 47-21.8 A, which called for compliance within 60 days, or a fine of \$25.00 per day. Section 9-306 was now in compliance.

Judge Futch approved the Stipulated Agreement.

**Reference CE03022182**

Todd & Kristin Hill  
1451 Northeast 53<sup>rd</sup> Court

Sec. 24-7(c): Trash carts not stored in approved location; Sec. 47-34.1 A.1: Permitted uses-outside storage

Ms. Batchelder announced that the City requested a 2-week continuance.

**Reference CE03010351**

Kathleen Murphy & George Schwab  
1106 Southwest 19<sup>th</sup> Street

Sec. 9-280(b): Roof in disrepair;  
Sec. 9-306: Rotten, damaged wood parts;  
Sec. 9-313: Required display of address

Ms. Batchelder announced that certified mail had been accepted on March 19, 2003.

Mr. Alberto Benavides, Community Inspections Officer, testified that the roof was stained and partially covered with plastic; there were rotten wood portions of the structure, and there was no required display of address. He recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE03011623**

Aqua Pro Properties LTD  
610 Southeast 22<sup>nd</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 9-329(a): Required certificate of boarding;  
Sec. 15-28: Required occupational license

Ms. Batchelder announced that certified mail had been accepted on March 19, 2003.

Mr. John Hudak, Community Inspections Officer, testified that there was trash on the property; the building had been boarded for more than 6 months without the required permits, and the building was used for storage without first acquiring an occupational license. He presented photographs of the property to Judge Futch, and advised him that he had spoken with the contractor, who was in the process of obtaining a board-up certificate. He recommended 14 days to comply, or a fine of \$100.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 14 days, or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE03020188**

Jay Lawlor  
1645 Lauderdale Manors Drive

Sec. 47-21.8: Landscape maintenance;  
Sec. 18-27(a): Trash on property

Ms. Batchelder announced that certified mail had been accepted on March 18, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead and missing ground cover, and there was trash and rubbish scattered on the property. He had spoken with the owners, who were in the process of evicting the tenants and requested 60 days to comply. Mr. Cross suggested 60 days to comply, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 60 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03021666**

Shirley Johnson  
935 Northwest 12<sup>th</sup> Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on March 18, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of peeling, chipped, and faded paint on the structure. He had spoken to the owner, who requested 30 days to evict the tenant. Mr. Cross recommended 30 days to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$25.00 per day would be imposed.

**Reference CE02110998**

Stacy & Stephanie McKenzie  
924 Northwest 24<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-281(b): Inoperable, unlicensed vehicle on  
property

Ms. Batchelder announced that certified mail had been accepted on March 25, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that the paint was peeling and chipping on the building, and there were 2 inoperable, unlicensed vehicles on the property. He recommended 30 days to comply with Section 9-306, and 7 days to comply with Section 9-281(b), or a fine of \$50 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with Section 9-306 within 30 days, and with Section 9-281(b) within 7 days, or a fine of \$50 per day, per violation would be imposed.

**Reference CE03011017**

Tonya Savalia & Cynthia Walden  
900 Northwest 24<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that certified mail had been accepted on March 21, 2003; personal service had also been made by Inspector Malik on March 8, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was peeling/chipping paint on the building, and the chain link fence was in disrepair. He recommended 30 days to comply, or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE03011511**

Thomas Palmer  
2301 Northwest 9<sup>th</sup> Court

Sec. 9-281(b): Rubbish, debris and inoperable,  
unlicensed vehicles on property

Ms. Batchelder announced that certified mail had been refused on March 18, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was trash, rubbish, debris, and 2 inoperable, unlicensed vehicles on the property. He recommended 7 days to comply with or a fine of \$100.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$100.00 per day would be imposed.

**Reference CE02111832**

Bobbie Tift & Johnny Wright  
900 Northwest 5<sup>th</sup> Court

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that personal service had been made by Inspector Malik on March 9, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there was mildew and chipping paint on the buildings and fascia board. He recommended 30 days to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered within 30 days, or a fine of \$25.00 per day would be imposed.

**Reference CE03021774**

Florida Houses 4 Cash Inc.  
410 Northwest 14<sup>th</sup> Avenue

Sec. 9-280(b): Broken/inoperable windows;  
Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on March 19, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there were broken inoperable windows in the building, and there was no existing ground cover. He recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE03021966**

Florida Houses 4 Cash Inc.  
414 Northwest 14<sup>th</sup> Avenue

Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-307(a): Broken windows

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on March 19, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there was no existing ground cover, and there were broken, inoperable windows that were not water/weather tight. He recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE03030175**

Denise Brown  
510 Northwest 14<sup>th</sup> Avenue

Sec. 9-281(b): Inoperable, unlicensed vehicle on property;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that personal service had been made by Inspector Donovan on March 22, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that Section 9-281(b) was now in compliance, but the house was mildewed and dirty and required painting. He recommended 30 days to comply with Section 9-306, or a fine of \$25.00 per day.



Judge Futch found in favor of the City and ordered compliance with Section 9-306 within 30 days or a fine of \$25.00 per day would be imposed.

**Reference CE03030436**

Wells Fargo Bank  
1014 Northwest 5<sup>th</sup> Court

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on March 20, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that the building had mildew and peeling paint and was not being maintained. He recommended 30 days to comply, or a fine of \$100.00 per day.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day would be imposed.

**Reference CE02052022**

Carla Knight  
627 Northwest 9<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 47-21.8: Landscape maintenance;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 47-20.13 A: Parking area in disrepair;  
Sec. 9-278(g): Missing/torn screens;  
Sec. 9-280(b): Doors and windows not weather/  
watertight; Sec. 9-280(g): Improperly installed  
A/C units and outside electrical sockets not  
maintained; Sec. 9-281(b): Rubbish, debris and an  
inoperable, unlicensed vehicle on property; Sec. 9-  
308 (a): Roof is dirty and mildewed

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 10 and 24, 2003, and personal service had been made by Inspector Abrams on March 17, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that all violations still existed as cited. He had spoken to the owner, who was in the process of evicting the tenant. He recommended 30 days to comply, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE02091833**

Joseph Vegazo  
729 Northwest 14<sup>th</sup> Terrace

Sec. 9-329(d): Board up certificate has not been renewed, nor has building been repaired, rehabilitated or sold per 9-329(d)

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 10 and 24, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He recommended 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE02091981**

Joseph Vegazo  
717 Northwest 14<sup>th</sup> Terrace

Sec. 9-329(d): Board up certificate has not been renewed, nor has building been repaired, rehabilitated or sold per 9-329(d)

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 10 and 24, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He recommended 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE02120465**

M. Williams Properties Trust  
Howard Kratenstein, Trustee  
1725 Northwest 6<sup>th</sup> Place

Sec. 18-27(a): Trash and overgrowth on property

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 10 and 24, 2003, and certified mail had been accepted on March 19, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He recommended 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE02120467**

Nationscredit Financial Services Corp. Sec. 18-27(a): Trash and overgrowth on property  
1725 Northwest 6<sup>th</sup> Place

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 14 and 24, 2003; certified mail addressed to the registered agent had been accepted on March 19, 2003; certified mail addressed to the owner had been accepted on March 20, 2003, and certified mail addressed to an officer of the company had been accepted on March 20, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He requested 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days, or a fine of \$25.00 per day would be imposed.

**Reference CE02120468**

Nationscredit Financial Services Corp. Sec. 18-27(a): Trash and overgrowth on property  
1717 Northwest 6<sup>th</sup> Place

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 14 and 24, 2003; certified mail addressed to the registered agent had been accepted on March 19, 2003; certified mail addressed to the owner had been accepted on March 20, 2003, and certified mail addressed to an officer of the company had been accepted on March 20, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He requested 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days, or a fine of \$25.00 per day would be imposed.

**Reference CE02120469**

M. Williams Properties Trust  
Howard Kratenstein, Trustee Sec. 18-27(a): Trash and overgrowth on property  
1713 Northwest 6<sup>th</sup> Place

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 14 and 24, 2003, and certified mail had been accepted on March 18, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He recommended 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE03030432**

M. Williams Properties Trust  
Howard Kratenstein, Trustee  
1725 Northwest 6<sup>th</sup> Place

Sec. 9-329(d): Board up certificate has not been renewed, nor has building been repaired, rehabilitated or sold per 9-329(d)

Ms. Batchelder announced that service was made via posting at the property and City Hall on March 14 and 24, 2003, and certified mail had been accepted on March 18, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the violation still existed as cited. He recommended 7 days to comply or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE02110432**

Rodney & Joann Hammes  
531 Southwest 31<sup>st</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 9-280(b): Roof shingles missing, fascia rotten and needs paint

Ms. Batchelder announced that personal service by Inspector Stockinger had been refused on March 29, 2003

Mr. Burt Fletcher, Community Inspections Officer, testified that there was trash on the property and swale; roof shingles were missing, and the fascia was rotten and in need of paint. He had spoken with the owner, who had requested 30 days to comply, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 30 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE02120224**

Lincoln Service Corp.  
568 West Evanston Circle

Sec. 9-281(b): Inoperable, unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on March 21, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property. He recommended 7 days to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE03020067**

Caritina Marin  
1136 Alabama Avenue

Sec. 9-305(b): Required ground cover;  
Sec. 9-306: Fascia and other wood lacks  
paint; Sec. 6-5: Chickens kept on property

Ms. Batchelder announced that certified mail had been accepted on March 21, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that the required ground cover was dead or missing, and fascia and other wood lacked paint. Section 6-5 was now in compliance. He recommended 14 days to comply with Sections 9-305(b) and 9-306, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with Sections 9-305(b) and 9-306 within 14 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03021957**

Kay Sapphire, Inc.  
1225 Northeast 5<sup>th</sup> Avenue

Sec. 9-281(b): Trash and debris on property

Ms. Batchelder announced that certified mail addressed to the registered agent was accepted on March 18, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was trash and debris on the property, including old signs and furniture. He recommended 7 days to comply, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

**Reference CE03011005**

Stuart Pester & Sammy Brown  
1729 Northwest 18<sup>th</sup> Street

Sec. 9-281(b): Trash, debris and inoperable,  
unlicensed vehicles on property; Sec. 18-27(a):  
Swale littered with trash and overgrowth

Ms. Batchelder announced that certified mail had been accepted on March 25, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the violations cited still existed as of her reinspection on April 2. She recommended 7 days to comply or a fine of \$100.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 7 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE03011205**

Maurice Bean  
948 Northwest 14<sup>th</sup> Court

Sec. 47-21.12.D.1.d: Improper tree maintenance

Ms. Batchelder announced that certified mail had been accepted on March 18, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the oak tree on the property had been abused; the natural shape of the tree had been altered. Ms. Pingitore recommended 7 days to comply, or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 7 days, or a fine of \$50.00 per day would be imposed.

**Reference CE03012378**

Alvin Goodwin  
1206 Northwest 19<sup>th</sup> Street

Sec. 24-27(c): Garbage carts left out after service;  
Sec. 9-281(b): Rubbish, trash, and debris  
scattered on property and inoperable, and several  
unlicensed vehicle on property; Sec. 9-306:  
Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on March 18, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that as of her last inspection on April 1, 2003 all violations existed as cited. She recommended 7 days to comply, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City, and ordered compliance within 7 days, or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03020623**

Beverly & Lee Lyles  
1301 Northwest 15<sup>th</sup> Street

Sec. 9-281(b): Trash, rubbish and inoperable, unlicensed vehicles on property; Sec. 18-27(a): Overgrowth, litter, and trash on swale; Sec. 25-7(a): Overgrowth encroaching on sidewalk; Sec. 9-280(h)(1): Fence in disrepair; Sec. 47-34.4 B.3.a: Commercial vehicle parked/stored on property

Ms. Batchelder announced that certified mail had been accepted on March 19, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that as of her last inspection on March 31, all violations still existed as cited. She recommended 7 days to comply, or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 7 days, or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE03022108**

Miller Lee Smith  
1113 Northwest 18<sup>th</sup> Street

Sec. 9-281(b): Trash, rubbish, and inoperable, unlicensed vehicle on property; Sec. 47-34.1 A.1: Non-Permitted uses-vehicle repairs on property; Sec. 9-280(g): Broken, inoperable electrical fixtures on property

Ms. Batchelder announced that certified mail had been accepted on March 20, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified:

- Section 9-281(b): There was trash, rubbish and debris scattered on the property, but the unlicensed vehicles had been removed as of her last inspection. This was a repeat violation per CE02050868 Special Master ordered on June 20, 2002.
- Section 9-280(g): Several inoperable, broken electrical fixtures on the building.
- Section 47-34.1.A.1 was now in compliance. This was a repeat violation per CE02050868.

She requested:

- Section 9-281(b): 7 days to comply or a fine of \$250.00 per day, and 5 years jurisdiction at \$250.00 per day
- Section 9-280(g): 7 days to comply or a fine of \$50.00 per day
- Section 47-34.1.A.1: 5 years jurisdiction at \$250.00 per day

Judge Futch found in favor of the City and ordered compliance with:

- Sections 9-281(b) and 9-280(g) within 7 days, or a fine of \$250.00 per day;
- 5 years jurisdiction for Sections 9-281(b) and 47-34.1.A.1 at \$250.00 per day.

**Reference CE03010619**

Roswell Robertson  
1228 Northeast 3<sup>rd</sup> Avenue

Sec. 9-281(b): Trash, debris and inoperable,  
unlicensed, vehicles on the property;  
Sec. 47-20.13 A: Driveway not maintained;  
Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail had been accepted on March 29, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the owner had been present earlier and had agreed to all the violations as listed. He had requested 45 days to comply or a fine of \$25.00 per day, per violation, which Ms. Haskins recommended.

Judge Futch found in favor of the City and ordered compliance within 45 days or a fine of \$25.00 per day, per violation would be imposed.

**Cases Complied**

Ms. Batchelder announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02082102	CE03011320	CE03020510	CE03021656
CE02100222	CE03011640	CE03020563	CE03021674
CE02100330	CE03011849	CE03020577	CE03021829
CE02101584	CE03011851	CE03020731	CE03021962
CE02101986	CE03011852	CE03020763	CE03022213
CE03010797	CE03011962	CE03020944	CE03030140
CE03010820	CE03011973	CE03021109	CE03030160
CE03010852	CE03020004	CE03021297	CE03030364
CE03011251	CE03020215	CE03021463	CE03030434
CE03011315	CE03020440	CE03021534	CE03030497

**Cases Pending Service**

Ms. Batchelder announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02120558	CE03020032	CE03020975	CE03030962
CE03011505	CE03020169	CE03021098	CE03030964
CE03011932	CE03020178	CE03021472	CE03044854
CE03012274	CE03020585	CE03022251	



**Cases Rescheduled**

Ms. Batchelder announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE02091865  
CE02110553

CE03011804  
CE03012018

CE03021493  
CE03030769

**Cases Withdrawn**

Ms. Batchelder announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE03011420

CE03012019

CE03030539

**Approved for Enforcement**

Ms. Batchelder presented Judge Futch with 14 cases that had not been brought into compliance as ordered. Judge Futch approved them for enforcement.

There being no further business, the hearing was adjourned at 12:00 P.M.

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Special Master

ATTEST:

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Clerk, Special Master