

SPECIAL MASTER HEARING
City Commission Meeting Room
Judge Daniel Futch, Presiding
May 15, 2003
9:00 A.M. – 2:00 P.M.

Staff Present:

Susan Batchelder, Administrative Assistant II
Rose Reed, Code Supervisor
Jennifer Chenault, Secretary
Assistant City Attorney
Leonard Ackley, 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
John Hudak, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Skip Margerum, Community Inspections Officer
Dan Mullarkey, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Ken Reardon, Building Inspector
Waynette Smith, Occupational License Inspector
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Kenneth Tyson, Community Inspections Officer

Also Present:

Janice Vaughn, CE03011822
Terrance Mooney, CE01011473
Todd Thomsen, CE03020008
Ernest Carlton, CE03030009
Lorena White, CE03020118
Barry Smith, CE03021170
Pierre Freere, CE00021363
Browne Pearson, CE03040014
Ronnie Rolax, CE02091655
Mary Stephens, CE03030854
John Doyle, CE03021569

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Scott Stringdon, CE03020002
Kethely Louis, CE03030222
Wayne Jones, CE03020819
Basil Wees, CE02060159
Ginnee Hancock, CE03010052
Sam Coffey, CE02071350
Richard Schwartz, CE03040832
Brian Patiullo, CE03030014
Wilson Louigene, CE03021125
Doricles Moreau, CE03030264
Rufus Williams, CE02102327
Thomas Reynolds, CE03032514
Don Griffith, CE02111088
Abdie Lopez, CE01110455
Walter Morgan, CE03010052
Eric Sharpe, CE03031032
Philip Bacigaluppi, CE02100181

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 CE03010052

Philip Hancock
460 Southwest 20th Avenue

Request for Continuance

Ms. Batchelder announced that this case was originally heard on January 16, 2003; it was continued to February 20, 2003 and then to May 15, 2003.

Mr. Walter Morgan, attorney for the respondent, informed Judge Futch that this matter had been resolved, but he did not have paperwork pursuant to the resolution. He requested a continuance until the next Special Master hearing.

Judge Futch granted a continuance to June 5, 2003.

Reference CE02071350

Swiss Beach Holdings, Inc.
229 South Ft. Lauderdale Beach Boulevard

Request for Continuance

Ms. Batchelder announced that this case was continued from March 20, 2003.

Mr. Sam Coffey, attorney for the respondent, informed Judge Futch that he was attempting to conduct discovery in this case. They were waiting for documents to be supplied for their case pursuant to a deposition earlier this week. He was attempting to prove that this ordinance was being selectively enforced by the City. He requested a dismissal. Failing that, he requested a continuance to obtain documents proving his case.

The Assistant City Attorney, stated the City's objection to a continuance or dismissal of this case. She stated that this was a simple, straightforward case. She stated that there was no "selective enforcement" of the ordinance; whether other businesses had violated the ordinance, and whether or not they had been cited was irrelevant to this case.

Judge Futch granted a continuance to June 17, 2003.

Reference CE03032514

American One Inc.
3400 Southwest 12th Place

Sec. 9-280(b): Front door in disrepair, not weather/water tight; Sec. 9-280(g): Electrical components in disrepair

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on May 8, and certified mail addressed to the registered agent had been accepted on May 9, 2003.

Mr. Ken Reardon, Building Inspector, testified that the violations existed as cited. He suggested 7 days to comply, or a fine of \$200.00 per day, per violation.

Mr. Thomas Reynolds, President of the Corporation, testified that a judge had ruled 2 days ago that the tenant was responsible for the violations and the repairs. He presented paperwork to Judge Futch, and noted that the tenant was merely trying to postpone the eviction. He requested a continuance of 60 days for the eviction to be accomplished and repairs to be made. Mr. Reardon noted that the City of Fort Lauderdale expected the owner to make repairs, not the tenant. He felt that 7 days was more than enough time to make repairs.

Judge Futch found in favor of the City and ordered compliance by June 15, or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03021125

Wilson Louigene
1705 Northwest 8th Place

Sec. 9-281(b): Rubbish, debris and an inoperable unlicensed vehicle on property; Sec. 9-278(g): Missing/torn screens; Sec. 47-21.8 A: Missing ground cover; Sec. 9-280(b): Roof tiles in disrepair;

Sec. 9-280(g): Electrical components not maintained; Sec. 47-34.1 A.1: Inoperable, unlicensed vehicles stored on property

Ms. Batchelder announced that certified mail had been accepted on May 12, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the unlicensed vehicle had been removed, and Section 47-34.1 A.1 was now in compliance. He requested 30 days to comply the remaining violations, or a fine of \$25.00 per day, per violation.

Mr. Wilson Louigene, respondent, stated that he was having difficulty maintaining the grass and requested additional time. Mr. Donovan stated that 45 days would be acceptable.

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 CE02111088

Gilles Beliveau
219 Southwest 21st Way

Sec. 9-281(b): Unlicensed, inoperable vehicles property; Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that service was by appearance at this hearing by a representative of the owner.

Ms. Peggy Burks, Community Inspections Officer, testified that there were several inoperable vehicles on the property, and the lawn consisted mostly of bare sand and weeds. She presented photographs of the property to Judge Futch and stated that as of her last inspection, the condition of the property remained the same.

Mr. Don Griffith, representative of the owner, stated that Mr. Beliveau had not received proper notice of the violations because an error had been made recording the property's address on the deed. He claimed that two of the vehicles had been removed already, and the third would be removed immediately. The owner had also been working on the ground cover problem.

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 CE02102327

Rufus Williams
2201 Northwest 9th Place

Sec. 47-21.10: Required ground cover;
Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on May 3, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was bare sand throughout the property; there were 2 unlicensed, inoperable vehicles on the property, and there was trash and debris scattered on the property.

Mr. Rufus Williams, respondent, stated that he had taken care of the grass and debris, and the car would be removed to the repair shop next week.

Mr. Kaplan stated that sod was down now, but he wanted to reinspect in 30 days to be sure it was still there.

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

Reference CE03021118

Lorena White
1706 Northwest 13th Street

Sec. 18-1: Derelict boat and cement trailers on property

Ms. Batchelder announced that personal service had been made by Inspector Pignitaro on May 11, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable boat trailer and an unlicensed, inoperable cement trailer on the property.

Ms. Lorena White, respondent, stated that the cement unit did not require a license; it was meant to be loaded onto a truck. She was in the process of having the boat trailer removed. She requested 10 days to have the boat trailer removed.

Judge Futch found in favor of the City and ordered compliance within 10 days or a fine of \$25.00 per day would be imposed.

Reference CE0030854

Mary Stephens
930 Northwest 13th Street

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

Ms. Batchelder announced that certified mail had been accepted on May 3, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles stored on the property and ground cover was not maintained on a regular basis.

Ms. Mary Stephens, respondent, informed Judge Futch that the car would be removed between the 16th and the 20th of May. She felt 15 days would be sufficient time to comply.

Judge Futch found in favor of the City and ordered compliance within 15 days or a fine of \$50.00 per day would be imposed.

Reference CE03040014

Browne Pearson
823 Southeast 14th Court

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-278(g): Missing/torn screens;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-307(a): Broken windows

Ms. Batchelder announced that certified mail had been accepted on May 7, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that there were areas of dead and missing ground cover; screens were torn and/or missing; paint was peeling and chipping and wood and fascia was rotting, and there were windows which were broken and not weather/watertight. He presented photographs of the property to Judge Futch.

Ms. Browne Pearson, respondent, requested 30 days to meet with her contractor and the Inspector to determine what needed to be done. Mr. Nobles agreed to 30 days, and noted that more time may be allotted depending on the solution they designed.

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 CE03011822

Roger & Janice Vaughn
1117 Northeast 2nd Avenue

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 May 10, 2003.

Ms. Debora Haskins, Community Inspections Officer, testified that the lawn consisted of bare sand and weeds, and the gravel driveway was not in smooth, well-graded condition. She had spoken with the owner, who was planning to pave the driveway and requested time to accomplish this. Ms. Haskins felt that 4 months would be sufficient time.

Ms. Janice Vaughn, owner, informed Judge Futch that she had already obtained two estimates and wanted to get at least one more before choosing a contractor.

Judge Futch found in favor of the City and ordered compliance within 120 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03021170

Barry Smith & Robin Goldberg
801 Northeast 16th Avenue

Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property; Sec. 9-306: Rotting fascia, soffits, and trim, awnings in disrepair; Sec. 47- 20.13 A: Driveway in disrepair; Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that service was by appearance at this hearing by one of the owners.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and rubbish stacked in the carports, including an unlicensed, inoperable vehicle; the fascia, soffits and trim were rotting and awnings were in disrepair; the gravel drive was not maintained, and the lawn consisted mostly of bare sand and weeds. She had spoken with the owner, who was in the process of having a new roof installed. She recommended allowing 60 to comply, or a fine of \$50.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance within 60 days, or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03030264

Joricles Moreau & Dieodonne Avril
1313 Northeast 3rd Avenue

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property; Sec. 9-280(h)(1): Fence in disrepair; Sec. 47-20.20 H: Parking area in disrepair

Ms. Batchelder announced that certified mail had been accepted on May 5, 2003, and personal service had been made by Inspector Donovan on May 3, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the chain link fence was in disrepair, and the driveway had potholes and faded striping. Sections 9-306 and 9-281(b) were now in compliance. She recommended 45 days to comply with the remaining violations, or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with Sections 9-280(h)(1) and 47-20.20 H within 45 days, or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03040832

Andrews / 17 LLC
1720 North Andrews Avenue

Sec. 9-329(d): Required certificate of boarding

Ms. Batchelder announced that certified mail had been accepted on May 8, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the board up certificate had not been renewed, nor had the building been sold or rehabilitated pursuant to 9-329(d). She had spoken to a representative of the owner, who informed her that they were attempting to sell the building. She recommended 60 days to comply, or a fine of \$100.00 per day.

Judge Futch found in favor of the City and ordered compliance within 60 days or a fine of \$100.00 per day would be imposed.

Reference CE03031032

Eric & Clarissa Sharp
3220 Glendale Boulevard

Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property; Sec. 9-305(b): Required ground cover

Ms. Batchelder announced that certified mail had been accepted on May 7, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an inoperable trailer and other trash on the property, and the property was missing the required ground cover. He presented photographs of the property to Judge Futch.

Mr. Eric Sharpe, respondent, informed Judge Futch that he had already removed some of the trash and the trailer, and was going to put sod on the lawn. Mr. Fletcher felt 30 days should be sufficient to bring the property into compliance, 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 CE03020002

Sammatsar Development Corp.
2600 West Broward Boulevard

Request for Abatement

Ms. Batchelder announced that this case was originally heard on March 6, 2003, with compliance ordered by April 5, 2003. The property was complied on April 16, 2003. Fines had accrued in the amount of \$2,500.00. The City was opposed to any abatement of fines.

Mr. Scott Stringdon, tenant of the property, testified that it had taken him additional time to contact the inspector to reinspect the property. Ms. Batchelder noted that the violations at the property were constant; in 2003 there were 7 cases against the property. There had been a total of 24 cases against the current owner.

Mr. Lin Bradley, Code Supervisor, informed Judge Futch that this was a continuous case; he thought this tenant had appeared before.

Judge Futch denied the abatement.

Reference CE00021363

Agape Church of God Inc.
1317 northeast 4th Avenue

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on July 9, 2001 with compliance ordered by September 17, 2001. On October 4, 2001 an extension was granted to November 18, 2001; on April 18, 2002 an extension was granted to June 2, 2002; on July 18, 2002 an extension was granted to September 16 2002; on February 20, 2003 an extension was granted to April 21, 2003. Fines had accrued in the amount of \$9,425.00.

Mr. Pierre Freere, representative of the church, informed Judge Futch that most of the problems had been repaired; he was awaiting additional funds to complete the project and requested 60 more days to comply.

Mr. Karl Lauridsen, Community Landscape Officer, testified that the City had no objection to allowing an additional 60 days.

Judge Futch granted an extension of 60 days.

Reference CE01110455

HRMC Investments Inc.
900 West Sunrise Boulevard

Request for Abatement of Fine

Ms. Batchelder announced that this case was originally heard on January 17, 2002 with compliance ordered by March 18, 2002. On January 16, 2003, the date had been extended to March 17, 2003 and the fines were abated. The property was complied on April 4, 2003. New fines had accrued in the amount of \$425.00. The City recommended abatement of the current fines.

Mr. Abdie Lopez, owner, informed Judge Futch that acquiring the supplies had taken longer than anticipated, and asked Judge Futch to abate the fines.

Judge Futch abated the fines.

Reference CE02091655

Clyde Rolax
427 Northwest 20th Avenue

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on February 6, 2003 with compliance ordered by May 7, 2003. Fines had accrued in the amount of \$175.00.

Mr. Clyde Rolax, respondent, informed Judge Futch that when the boarding was removed, they had discovered additional problems with the property. Mr. Leonard Ackley, Community Inspections Officer, testified that the owners were given much leeway, but the work had not been done. Mr. Ackley opposed allowing any additional time to comply.

Judge Futch granted an extension of 60 days.

Reference CE02100181

Philip Bacigaluppi
1345 Northwest 7th Terrace

Request for Abatement of Fine

Ms. Batchelder announced that this case was originally heard on March 20, 2003 with compliance ordered by March 27, 2003. The property was complied on April 11, 2003. Fines had accrued in the amount of \$2,800.00. The City opposed any abatement of fines.

Mr. Philip Bacigaluppi, owner, informed Judge Futch that most of the violations were in compliance prior to the due date; only the chain link fence was not repaired on time. He had tried to repair the fence several times and finally resorted to removing the fence.

Ms. Deborah Haskins, Community Inspections Officer, testified that there had been 24 quality-of-life cases against this property since April 2002. There had been 10 cases against this owner in the last year. She noted that the tenant frequently had several cars on the property and swale that inspector Haskins had towed. Inspector Thime had visited the property yesterday and there was new trash and household furniture on the lawn. She reiterated the City's opposition to any abatement of the fine. The owner had also ignored or refused service on many occasions.

Judge Futch abated the fines to \$1,400.00.

Reference CE03021569

Glen & Patricia Wright
1752 Northeast 12th Street

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on April 3, 2003 with compliance ordered by April 11, April 18, and May 3, 2003. Three of the violations were complied.

Mr. John Doyle, representative of the owners, informed Judge Futch that the owners were waiting for demolition and construction permits for a number of homes the owners had purchased in the area. He requested additional time to obtain the permits.

Mr. John Gossman, Community Inspections Officer, testified that he had no objection to allowing additional time, but was concerned about how much time would be needed to complete the entire project. There was also concern in the community that the sales office was operating in a residential area.

Judge Futch granted a 60-day extension.

Reference CE03020819

Hyacinth & Wilbert Clarke
1020 Indiana Avenue

Sec. 9-281(b): Rubbish, trash, and debris
on property; Sec. 9-305(b): Required ground cover

Ms. Batchelder announced that personal service was made May 10, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was rubbish and trash scattered on the property and the rear of the property consisted of bare patches of sand weeds.

Mr. Wayne Jones, brother-in-law of the owner, asked Judge Futch for an additional 30 days to bring the property into compliance. Mr. Fletcher agreed to allow 30 days, 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 CE02060159

Basil & Ellen Wees
442 Southwest 22nd Terrace

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on November 7, 2002 with compliance ordered by December 9, 2002 and January 6, 2003. On February 6, 2003, the date had been extended to May 7, 2003. Fines had accrued in the amount of \$2,650.00.

Mr. Basil Wees, owner, informed Judge Futch that he needed a hernia operation and had been physically unable to complete the work. He requested 120 additional days.

Judge Futch granted a 120-day extension.

Reference CE03030004

E.F. & Mary Carlton
1417 Northwest 6th Avenue

Sec. 47-21.8: Landscape maintenance;
Sec. 9-281(b): Inoperable, unlicensed vehicle on
property, rubbish and trash on property

Ms. Batchelder announced that certified mail had been accepted on May 9, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that Section 47-21.8 was now complied. The inoperable vehicle and refrigerator had been removed, but there was still trash on the property.

Mr. Ernest Carlton, respondent, informed Judge Futch that he had asked the tenants to remove some of the rubbish; some the tenants had put there recently. He requested 20 days to complete trash removal. Ms. Thime suggested a \$25.00 per day fine for non-compliance.

Judge Futch found in favor of the City and ordered compliance with Section 9-281(b) within 20 days or a fine of \$25.00 per day would be imposed.

Reference CE03030222

Kethely Louis
1734 Northwest 9th Avenue

Sec. 9-281(b): Rubbish, trash, and debris
on property

Ms. Batchelder announced that certified mail had been accepted on May 6, 2003 and personal service had been made by Inspector Donovan on May 3, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that there was trash, rubbish, and debris on the property, including several inoperable vehicles. She presented photographs of the property to Judge Futch. She recommended 60 days to comply, or a fine of \$25.00 per day.

Ms. Ketheley Louis, respondent, told Judge Futch that she planned to ship the cars to Haiti in August. She stated that she would not have time to bring the cars to be shipped before then as she was a school bus driver. She asked Judge Futch for 90 days to comply. Ms. Thime noted that originally there were several cars; now there were only 2.

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.

Ms. Batchelder announced that there were 13 cases that had come to the point of having a lien recorded. 2 of the 13 respondents were present.

Reference CE01011473

Kilnock Inc.
837 North Ft. Lauderdale Beach Boulevard

Ms. Batchelder announced that on April 9, 2003 Inspector Waynette Smith signed an affidavit of non-compliance. The case was originally heard in February 2001.

The Assistant City Attorney informed Judge Futch that the case was brought to Judge Futch pursuant to a recent case that determined that the City must have a hearing prior to a second order enabling the City to lien the property. The property owners had all been informed of the proceeding and given the opportunity to respond.

The Assistant City Attorney stated that the Special Master had granted several extensions in this case; the ultimate date for compliance was June 19, 2002. Because the property was not in compliance as of the ordered date and was still not in compliance, the City was requesting that Judge Futch record the second order.

Mr. Terrance Mooney, an employee of Banana Bill's, stated that the company had been trying to obtain a permit for 2 years. He had finally obtained plans and needed to reapply for permits. He did not know how long this process would take.

The Assistant City Attorney stated that the property did not meet the date for compliance; that was the only issue before Judge Futch. Once the order was recorded, the owner could appear before the City Commission and request that the lien be settled or reduced.

Judge Futch executed the order.

Reference CE03020008

Todd R Thomsen
146 SW 21 Way

Ms. Batchelder announced that the affidavit of non-compliance was signed by Inspector Burks on April 28, 2003. The Case was originally heard on March 20, 2003 with compliance ordered by April 19, 2003.

The Assistant City Attorney informed Judge Futch that on March 25, 2003 the Special Master ordered compliance by April 19, 2003. The property was not in compliance on April 28, so the City was requesting that Judge Futch execute the order so the City could record it as a lien against the property.

Mr. Todd Thomsen, owner, informed Judge Futch that he had missed the first court date, but had completed much of the work on the property. He was having difficulty removing one of the vehicles because he did not have the title. He requested more time to comply, or some abatement of the fines.

Ms. Batchelder informed Judge Futch that fines had begun on March 20, 2003 and currently stood at \$1,250.00. Judge Futch asked the Assistant City Attorney if he could give Mr. Thomsen more time to comply. The Assistant City Attorney stated that Judge Futch could grant an extension and stop the fines from running, then the case could be brought back before the Special Master. She noted that a supplemental order could be issued to extend the time for 30 days.

Judge Futch granted an extension for 30 days.

Reference CE02120533

Michael Jones
1005 Mandarin Isle

Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail had been re-mailed on April 29, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that there were areas of bare sand on the property. He recommended 30 days to comply or a fine of \$50 per day.

Judge Futch found in favor of the City and ordered compliance within 30 days, or a fine of \$50 per day would be imposed.

Reference CE03031757

Frank, Robert & Suellen Simac
1224 Southwest 29th Terrace

Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that personal service had been made by Inspector Pignitaro on May 11, 2003.

Mr. John Hudak, Community Inspections Officer, testified that the property was overgrown with weeds and had areas of bare sand. He presented photographs of the property to Judge Futch and explained that some of the work had been done. He recommended 21 days to complete the work, or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance within 21 days or a fine of \$25.00 per day would be imposed.

Reference CE03011383

Sudah Investment Company
3401 Davie Boulevard

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

Ms. Batchelder announced that certified mail addressed to the registered agent was accepted on May 7, 2003 and certified mail addressed to the company was accepted on May 9, 2003.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the fence was in need of repair and the building was in need of paint. He pointed out that this building was an eyesore to the community. 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 CE03030978

Park-Am Properties inc.
701 Southwest 14th Avenue

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail addressed to the company had been received back on May 9, 2003.

Mr. Daniel Mullarkey, Community Inspections Officer, testified that the parking area was not being maintained, and the lawn had areas of bare sand. 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 CE02121604

Richard Catania
1530 Northeast 63rd Court

Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that personal service had been made by Inspector Stockinger on May 10, 2003. A stipulated agreement existed to bring the property into compliance by June 15, 2003 or a fine of \$25.00 per day.

Judge Futch accepted the Stipulated Agreement.

Reference CE03032511

George Abou Haidar
1711 Northeast 56th Street

Sec. 24-27(c): Garbage carts continually left in
unapproved location

Ms. Batchelder announced that certified mail had been accepted on May 7, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that the garbage carts were continually left out in an unapproved location. He had met with the owner and they had agreed on how to bring the property into compliance. 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 CE03010119

Joe-Helen Gause
1012 Southwest 22nd Avenue

Sec. 47-21.10: Required ground cover

Ms. Batchelder announced that certified mail had been accepted on May 3, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there were areas of dead or missing ground cover and bare sand. She had visited the property and determined that the work was approximately half completed. She requested 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 CE03020128

Ann Cassel & Ann Candiff
2451 Southwest 9th Street

Sec. 18-27(a): Overgrowth on property

Ms. Batchelder announced that certified mail had been accepted on May 3, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there was overgrowth on the property. She had spoken with the owner, who had requested 14 more days to comply. Ms. Burks recommended 14 days to comply 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 CE03030218

Anthony & Patricia Annattone
6740 Northwest 26th Avenue

Sec. 9-281(b): Inoperable, unlicensed vehicle on property; Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that certified mail had been accepted on May 5, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that there was rubbish, trash, and unlicensed, inoperable vehicles on the property; Section 9-280(h)(1) was now in compliance. He recommended 14 days to comply with Section 9-281(b), or a fine of \$25.00 per day.

Judge Futch found in favor of the City and ordered compliance with Section 9-281(b) within 14 days or a fine of \$25.00 per day would be imposed.

Reference CE03030967

Joyce Healy
6380 Northwest 31st Terrace

Sec. 9-281(b): Trash and debris on property;
Sec. 47-21.8: Landscape maintenance

Ms. Batchelder announced that certified mail had been accepted on May 2, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that there was trash and debris on the property and there were areas of bare sand. He recommended 60 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 60 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03030968

Randall Styczynsky
3210 Northwest 63rd Street

Sec. 9-281(b): Rubbish, trash, and debris scattered on property and inoperable, unlicensed vehicle on property; Sec. 9-305(b): Required ground cover

Ms. Batchelder announced that certified mail had been accepted on May 2, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that there was trash and rubbish scattered on the property, including an inoperable vehicle; there were also areas of bare sand. 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 CE03031066

Tess Gavin
3110 Northwest 63rd Street

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-305(b): Required ground cover

Ms. Batchelder announced that certified mail had been accepted on May 3, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that paint on the building was peeling and chipped and there were areas of bare sand and weeds. He 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 CE02120558

JTBC Inc.
1400 Southwest 13th Street

Sec. 18-1: Pool is half full with stagnant water;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on May 7, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that the house had areas of chipping, peeling paint. Section 18-1 was now in compliance. He recommended 45 days to comply with Section 9-306 or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance with Section 9-306 within 45 days or a fine of \$50.00 per day would be imposed.

Reference CE03030964

Louise Cooper
732 Northwest 19th Avenue

Sec. 9-329(a): Required certificate of boarding

Ms. Batchelder announced that personal service was made by Inspector Pignataro on April 19, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that the property had been boarded for more than 6 months without having obtained the required board-up certificate. He requested 30 days to comply or a fine of \$50.00 per day.

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

Reference CE3022110

Willie McCullough
1107 Northwest 17th Avenue

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

Ms. Batchelder announced that certified mail had been accepted on May 6, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there was trash and debris scattered on the property, including an inoperable vehicle. He recommended 10 days to comply or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 10 days, or a fine of \$50.00 per day would be imposed.

Reference CE03031217

Joy Robinson
1531 Northwest 13th Street

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

Ms. Batchelder announced that certified mail had been accepted on May 2, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles on the property. He recommended 10 days to comply or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 10 days or a fine of \$50.00 per day would be imposed.

Reference CE03040644

Michael Zuro
515 Seabreeze Boulevard

Sec. 15-28: Required occupational license

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on May 9, 2003 and certified mail addressed to the tenant had been accepted on May 9, 2003.

Ms. Waynette Smith, Occupational License Inspector, testified that the company, J-Trex Communications, was engaging in business without first obtaining an occupational license. She recommended 14 days to comply or a fine of \$50.00 per day.

Judge Futch found in favor of the City and ordered compliance within 14 days or a fine of \$50.00 per day would be imposed.

Reference CE03040727

Interevest-Villa Terrace Limited Partnership
427 Northwest 20th Avenue Sec. 15-28: Required occupational license

Ms. Batchelder announced that certified mail addressed to the tenant had been returned on May 9, 2003; certified mail addressed to the registered agent had been accepted on May 8, 2003, and certified mail addressed to the owner had been accepted on May 10, 2003.

Ms. Waynette Smith Occupational License Inspector, testified that the company had engaged in business without first obtaining an occupational license. She recommended 14 days to comply 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 CE03032010

Promotions Incorporated of Broward Sec. 47-21.8: Landscape maintenance;
437 Northwest 15th Way Sec. 9-281(b): Rubbish, trash, and debris
 scattered on property and inoperable, unlicensed
 vehicle on property

Ms. Batchelder announced that certified mail had been accepted on May 7, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there was missing and damaged ground cover, and there was trash, litter and debris on the property including an inoperable, unlicensed vehicle. He 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 CE03040579

Peter & Camille Marchiante Sec. 9-280(g): Exterior light fixtures in disrepair;
1904 Southwest 28th Street Sec. 9-281(b): Rubbish, trash, and overgrowth on
 property; Sec. 9-306: Improperly installed air
 conditioners; Sec. 9-307(a): Windows not
 maintained in weather/watertight condition

Ms. Batchelder announced that certified mail had been accepted on May 3, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that the light fixtures on the exterior of the building were in disrepair; there was trash, rubbish, and overgrowth on the

property; the air conditioning units were not installed in a safe manner, and the windows were not maintained in a weather/watertight manner. 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 CE03040822

Green Arbor Management Corp.
1210 Southwest 26th Street

Sec. 47-19.4 D.4: Open dumpster enclosure gates; Sec. 24-27(f): Dumpster lids left open; Sec. 24-28(a): Garbage accumulated around dumpster

Ms. Batchelder announced that certified mail addressed to an officer of the corporation was accepted on May 7, 2003, and certified mail addressed to the registered agent had been received back on May 13, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that the dumpster enclosure gates and lids were left open on a daily basis, and there was garbage accumulated around the dumpster enclosure. 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 CE03011854

Murales & Anarose Murat
1336 Northeast 1st Avenue

Sec. 47-21.8 A: Landscape maintenance;
Sec. 9-308: Roof in disrepair;
Sec. 9-281(b): Trash, debris and inoperable, unlicensed vehicles on property; Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that personal service had been made by Inspector Donovan on May 4, 2003.

Ms. Debora Haskins, Community Inspections Officer, testified that there were areas of dead and missing ground cover; the roof tiles were dirty and mildew-stained; there was trash, rubbish and debris scattered on the property, including inoperable, unlicensed vehicles; the building had faded and dirty paint, and the fence was in disrepair. She recommended 30 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 30 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE03030488

Trinity Realty Inc.
1317 Northeast 3rd Avenue

Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 47-20.20 H: Parking area in disrepair; Sec. 9-313(a): Required display of address; Sec. 47-21.8 A: Landscape maintenance

Ms. Batchelder announced that certified mail had been accepted on May 8, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and litter scattered on the property, including an unlicensed, inoperable vehicle; there were areas of rotting fascia and paint was dirty and peeling; the parking area had faded striping and the wheel stops were not anchored, and the address was not visible from the roadway. Section 47-21.8 A was now in compliance. She recommended 30 days to comply with the remaining 4 violations, or a fine of \$100.00 per day, per violation.

Judge Futch found in favor of the City and ordered compliance with Sections 9-281(b), 9-306, 47-20.20 H, and 9-313 within 30 days, or a fine of \$100.00 per day, per violation would be imposed.

Reference CE03031033

Robert Mills
1228 Northeast 5th Avenue

Sec. 9-280(h)(1): Fence in disrepair;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-280(b): Structure or Fixtures in disrepair;
Sec. 9-278(d): Outside lighting fixtures inoperable;
Sec. 9-278(g): Missing/torn screens

Ms. Batchelder announced that certified mail had been accepted on May 7, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that required ground cover was dead or missing; there was a hole in an exterior wall and several exterior doors and frames were rotting and not weather-tight, and some windows had torn or missing screens. Sections 9-280(h)(1) and 9-278(d) were now in compliance. He recommended 30 days to comply with the remaining violations or a fine of \$25.00 per day, per violation.

Judge Futch found in favor of the City, and ordered compliance with Sections 47-21.8 A, 9-280(b) and 9-278(d) within 30 days, or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03040590

Eagle Land Properties LLC
500 Northeast 16th Street

Sec. 9-278(d): Outside lighting fixtures inoperable;
Sec. 9-278(g): Missing/torn screens;
Sec. 9-281(b): Unlicensed, inoperable vehicle
on property; Sec. 9-305(b): Required ground cover

Ms. Batchelder announced that certified mail had been accepted on May 2, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that some outside lighting fixtures were inoperable; some windows had torn or missing screens, and there was an unlicensed, inoperable vehicle on the property. He recommended 14 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 14 days, or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03020487

Judith Meadvin Revocable Trust
1206 Northwest 7th Terrace

Sec. 47-20.20 H: Parking area in disrepair
Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail had been accepted on May 8, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that the parking area was in disrepair; the pavement was deteriorated and prone to flooding, wheel stops were not anchored, and the yard had large areas of bare sand. She recommended 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 CE03020951

Earl & Mary Rachel
1637 Northwest 7th Terrace

Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Trash, debris and unlicensed,
inoperable vehicles on property

Ms. Batchelder announced that personal service had been made by Inspector Donovan on May 3, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that the fence was in disrepair and there was trash, rubbish, and debris scattered on the property, including inoperable, unlicensed vehicles. She 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 CE03021925

Anthony Evans
1324 Northwest 5th Avenue

Sec. 9-308 (a): Roof shingles in disrepair; Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 9-304(b): Maintenance of parking area

Ms. Batchelder announced that personal service had been made by Inspector Malik on May 4, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that the roof leaked and was in disrepair; there was an unlicensed, inoperable vehicle on the property, and the parking lot did not consist of a clean, dust-free surface. She recommended 30 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 30 days or a fine of \$100.00 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:

CE03010626	CE03031264	CE03040352	CE03040725
CE03012101	CE03031428	CE03040357	CE03040914
CE03020615	CE03031858	CE03040538	CE03040935
CE03030014	CE03032208	CE03040642	CE03041027
CE03030587	CE03032234	CE03040643	CE03041317
CE03030601	CE03032254	CE03040647	CE03041569
CE03031067	CE03040064	CE03040706	

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:

CE02111484	CE03020960	CE03032008	CE03040915
CE02121840	CE03020975	CE03032276	CE03041020
CE03010629	CE03021122	CE03040243	CE03041643
CE03020032	CE03030962	CE03040671	
CE03020495	CE03031851	CE03040912	

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:

CE03012018	CE03020585	CE03022120
CE03020416	CE03021493	CE03030402

There being no further business, the hearing was adjourned at 2:00 P.M.

Special Master

ATTEST:

Clerk, Special Master