

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Karen Zann, Presiding
June 19, 2003
9:00 A.M. – 12:00 Noon

Staff Present:

Todd Hiteshew, Code Supervisor
Rose Reed, Code Supervisor
Jennifer Chenault, Secretary
Assistant City Attorney
Peggy Burks, Community Inspections Officer
Burt Fletcher, Community Inspections Officer
Robert Guilford, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Dan Mullarkey, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Rose Reed, Community Code Supervisor
Maria Christine Roque, Community Inspections Officer
Waynette Smith, Occupational License Inspector
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Kenneth Tyson, Community Inspections Officer

Also Present:

Jose Bautista, CE03050712
Canute Spurgeon, CE03050045
Brian Manning, CE03020960
Rosana Theophin, CE03050530
Antoine Theophin, CE03050530
Tonya Sevalia, CE0311017
David McKenna, CE03041963
David Optekar, CE03032051
Sam Coffey, CE02071350
Ed Toomey, CE02071350
Ruthel Hunter, CE01091614
Doug Fleishman, CE03021493
Randall Klett, CE03021957
Johnnie Wright, CE02111832

Ruth Jackson, CE00071866
Rick Harris, CE02010667
Mervin Weinstein, CE02010667
Stacy McKenzie, CE02110998
Bryant McKenzie, CE02110998

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. Special Master Zann introduced herself and explained her role in ensuring adherence with the City's codes. She also pointed out that the proceedings were being recorded.

Reference CE02010667

L.W. Rozzo Inc.
725 Isle of Palms

Sec. 47-19.1 C: Dock permit variance expired;

Mr. Hiteshow announced that certified mail addressed to the corporation had been accepted on June 4, 2003, and certified mail addressed to an officer of the company had been accepted on June 6, 2003.

Mr. Robert Guilford, Community Inspections Officer, testified that the owner had contracted an architect and builder to repair the dock, and the owner's representative and architect were present and prepared to testify at this proceeding. Mr. Guilford felt that the owner should obtain a construction permit, and compliance would follow. He presented photographs of the property to Ms. Zann. Mr. Guilford felt it would take at least 120 days to comply. Ms. Zann stated that she accepted Mr. Guilford's assessment, and the owner's agreement.

Mr. Mervin Weinstein, the owner's architect, stated that he was creating the drawings for the job and guaranteed that these would be ready within 120 days.

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

Reference CE03020960

Brian Manning
1644 Northwest 8th Avenue

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Rubbish, trash, and debris
scattered on property and inoperable, unlicensed
vehicle on property

Mr. Hiteshew announced that service was by personal appearance of the owner at this proceeding.

Ms. Ursula Thime, Community Inspections Officer, testified that there was missing ground cover on the property; there was also rubbish, trash, and debris on the property. The vehicle had been removed. She presented photographs of the property to Ms. Zann.

Mr. Brian Manning, respondent, stated that he had already planted grass seed, and was having someone go to the property today to clean it up. Ms. Thime recommended 30 days to comply, or a fine of \$25.00 per day, per violation.

Ms. Zann 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 CE02071350

Swiss Beach Holding, Inc. Continued from May 15, 2003
229 South Ft. Lauderdale Beach Boulevard

Mr. Hiteshew announced that this case was continued from May 15, 2003.

Mr. Kenneth Tyson, Community Inspections Officer, testified that moveable signs were displayed on the sidewalk at this property. He presented photographs of the property to Ms. Zann. Mr. Tyson recommended 7 days to comply, or a fine of \$50.00 per day.

Mr. Sam Coffey, attorney for the respondent, claimed that this was a case of "selective enforcement". He was in the process of discovery concerning this case and was having difficulty scheduling depositions. Mr. Coffey stated that Mr. Tyson's supervisor "tells him to only enforce this ordinance on certain city blocks, on certain streets in this town." He felt his client was being singled out for enforcement. He claimed that during a deposition, he displayed his own photographs of businesses on Las Olas Boulevard with similar signs, and Mr. Tyson claimed not to recognize the businesses.

The Assistant City Attorney stated that she objected to Mr. Coffey's remarks as they were irrelevant. She stated that the City Attorney's Office began receiving notices for deposition from Mr. Coffey's law firm concerning this case during this past winter. She noted that Chapter 162 of Florida Statute, which governed these proceedings, made it clear that they were not subject to the rules of civil procedure; the City was not obligated to attend depositions or provide discovery materials. She and Mr. Tyson had visited Mr. Coffey's office as a courtesy. Mr. Coffey's office had "hundreds and hundreds and hundreds of photographs" according to the Assistant City Attorney, each of which they wanted to present to Mr. Tyson and ask him the same series of questions about. The Assistant City Attorney felt that their courtesy intentions had been abused, and left after one hour. During the recorded meeting, the Assistant City Attorney had reminded them that the City was not required to comply with their discovery request. At Mr. Coffey's last appearance before

Judge Futch on this matter, Mr. Coffey had asked Judge Futch to compel the City to attend further depositions and discovery. Judge Futch's response had been "Don't push your luck."

The Assistant City Attorney had since received numerous pieces of correspondence from Mr. Coffey's office concerning depositions, and she advised him that he was free to examine all public records.

As to the selective enforcement issue, the Assistant City Attorney stated that the purpose of this forum was to determine whether or not a violation of the codes occurred on the date the Inspector cited the property. Any other argument was outside the jurisdiction of this proceeding. This had been discussed with Mr. Coffey. She noted that in a selective enforcement case, it must be proven that the property owner was being singled out for an improper reason. This property owner was cited because his signs appeared on the sidewalk day after day.

Mr. Coffey stated that his requests for documents had been ignored. He wished to present photographs of other properties to Ms. Zann. The Assistant City Attorney objected. Ms. Zann noted the objection. Mr. Coffey presented the photographs to Ms. Zann and asked why these businesses were not cited. He reiterated that the codes were enforced only in selective areas. Mr. Coffey also wished to present Ms. Zann with other evidence pursuant to his case. Ms. Zann informed him that she wished to accept any evidence he was offering as a proffer. Mr. Coffey offered and itemized several letters, photographs, and other items.

Ms. Zann stated that she would take this proffer and make it part of the record over the Assistant City Attorney's objection so that a full record would exist in the event that Mr. Coffey appealed. Ms. Zann stated that the statute was clear.

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

Reference CE03050530

Rosana Theophin
1221 Northeast 6th Avenue

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-278(g): Missing/torn screens;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Rubbish, trash, and debris
scattered on property

Mr. Hiteshew announced that certified mail had been accepted on June 10, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that the parking area lacked striping and contained potholes and broken pavement in the swale; some screens were torn or missing; required ground cover was missing, and appliances and other trash were

on the property. He presented photographs of the property to Ms. Zann. Mr. Fletcher recommended 30 days to comply, or a fine of \$25.00 per day, per violation.

Mr. Antoine Theophin, husband of the respondent, stated that they had completed most of the repairs already; they had needed to order windows for the property. Ms. Zann asked if 30 days would be sufficient time to comply. Mr. Theophin felt that it would.

Ms. Zann 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 CE03032051

A.A. & Lorraine Perlick
1635 Northeast 4th Place

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

Mr. Hiteshew announced that certified mail addressed to the owner had been accepted on June 10, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the parking area was in disrepair and ground cover was missing on this property. She had spoken with the new owner, who was now aware of the violations and stated that he would correct them. She recommended 45 days to comply, or a fine of \$25.00 per day, per violation.

Mr. David Optekar, the new property owner, agreed to comply.

Ms. Zann 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 CE03041963

David & Piley McKenna
1434 Southwest 33rd Street

Sec. 9-306: Peeling paint/stained surfaces

Mr. Hiteshew announced that service was by personal appearance of the respondent at this proceeding.

Mr. Todd Nobles, Community Inspections Officer, testified that the building and fascia had chipping, peeling paint. He recommended 30 days to comply, or a fine of \$25.00 per day.

Mr. David McKenna, respondent, agreed to comply.

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

Reference CE03050712

Videona Bautista Revocable Living Trust
1839 Southeast 1st Avenue

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

Mr. Hiteshew announced that service was by personal appearance of the owner's son at this proceeding.

Mr. Todd Nobles, Community Inspections Officer, testified that there were areas of bare sand at this location; Section 9-281(b) was now complied. He recommended 30 days to comply with Section 47-21.8, or a fine of \$25.00 per day would be imposed.

Mr. Jose Bautista, the owner's son, agreed to comply.

Ms. Zann found in favor of the City and ordered compliance with Section 47-21.8 within 30 days or a fine of \$25.00 per day would be imposed.

Reference CE03021493

Douglas Fleishman
1233 Northwest 7th Avenue

Sec. 9-280(b): Windows broken, missing glass;
9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property

Mr. Hiteshew announced that service was by personal appearance of the owner at this proceeding.

Ms. Ursula Thime, Community Inspections Officer, testified that there was rubbish, trash, and debris on the property, including an unlicensed, inoperable vehicle; Section 9-280(b) was now complied. She presented photographs of the property to Ms. Zann. Ms. Thime recommended 30 days to comply, or a fine of \$25.00 per day.

Mr. Douglas Fleishman, respondent, agreed that he would comply within 30 days.

Ms. Zann found in favor of the City and ordered compliance with Section 9-281(b) within 30 days or a fine of \$25.00 per day would be imposed.

Reference CE01091614

John & Ruthel Hunter
1201 Northwest 12th Street

Request for Abatement

Mr. Hiteshew announced that the property was complied on May 21, 2002. Fines had accrued in the amount of \$2,800.00. The City was opposed to any abatement of fines.

Ms. Ruthel Hunter, respondent, stated that she had never received the citation because she had been in the process of moving. Mr. Hiteshew had spoken with Ms. Hunter on the phone concerning this proceeding. Ms. Zann asked if there was any proof that the property was in compliance prior to May 21. Mr. Hiteshew had a history of the property that stated the property was complied on March 22, 2002. The letter Ms. Hunter had received stated that the property was not complied until May 21, 2002. Ms. Zann verified by computer that the fines had only accrued until March 22, 2002, not May 21, 2002; the letter Ms. Hunter had received was incorrect.

Ms. Zann clarified that Ms. Hunter was ordered to comply on November 15, 2001 by November 29, 2001. On November 29, 2001 the fines had started to run until March 22, 2002. Ms. Hunter received the letter notifying her of the \$2,800.00 fine in May, and Ms. Hunter had tried to begin paying the fine in July. Ms. Hunter stated that she just "didn't have that kind of money." Ms. Zann stated that she would cut the fine in half. She informed Ms. Hunter that the City would set up a payment plan.

Ms. Zann abated the fines to \$1,400.

Reference CE03021957

Kay Sapphire Inc.
1225 Northeast 5th Avenue

Request for Abatement of Fines

Mr. Hiteshew announced that fines had accrued in the amount of \$700.00.

Mr. Randall Klett, Vice President of Kay Sapphire, Inc., stated that he was requesting a full abatement because there had been some communication errors. Ms. Zann stated that if everyone agreed, the fine would be abated.

Ms. Zann abated the fines.

Cases for Hearings to Impose the Fine - Massey Hearings

Ms. Zann consulted the information pursuant to Massey hearings and clarified that these hearings were intended to address the following issues: whether the violation continued, how long it continued, and whether there was any reason to reduce the fines imposed in light in the attempts of the respondent to comply. She thought they were to consider not just the time of the violations, but also whether or not there was a reason to reduce the fines.

The Assistant City Attorney noted that these hearings had only recently been instituted, and stated that the City had decided to allow the property owners to appear and challenge the issues concerning compliance.

Cases for Hearings to Impose the Fine – Massey Hearings

Mr. Todd Hiteshew, Code Supervisor, called the following case for consideration.

Reference CE02110998

Stacy & Stephanie McKenzie
924 Northwest 24th Avenue

The property owner, Stacy McKenzie, and her father, Bryan McKenzie offered testimony that the structure had been pressure cleaned but still not painted. They also questioned the service on the original Notice of Violation.

Mr. Lee Kaplan, Community Inspections Officer, stated the property was not in compliance.

Special Master Zann felt since the City did not have the evidence readily available and there did not have a specific policy in place regarding imposition of fines, she granted a 30-day extension to the property owner and did not impose the fine.

Reference CE 03011017

Tonya Sevalia & Cynthia Walden
900 Northwest 24th Avenue

Tonya Sevalia, the property owner, testified that upon receipt of the Notice of Violation, she brought the property into compliance prior to the April 3, 2003 hearing. Therefore she had not attended the hearing when the Special Master found the violation did exist and issued an order for compliance.

Inspector Kaplan indicated that the fence violation was in compliance, but the property still was not painted as required by the order.

Ms. Sevalia presented photos and receipts as proof of compliance in March, 2003. Mr. Kaplan testified that the property was boarded, had areas of missing paint and graffiti. Ms. Sevalia countered that the graffiti had been added after the painting in March and was an ongoing problem. She requested an extension of 120 days as the property was to be completely renovated and the problem would be complied.

Conversation ensued about the clarity of the Notice of Violation for the respondent to contact the Inspector confirming compliance.

The Special Master granted a 14-day extension and did not impose the fine.

Reference CE02111832

Bobbie Gail Le Tift & Johnnie Wright Jr.
900 NW 5th Court

Mr. Hiteshew announced this case was originally heard on April 3, 2003 with compliance ordered by May 3, 2003. He introduced an affidavit from Inspector Leonard Ackley that as of April 30, 2003 the property was not in compliance.

Mr. Johnnie Wright, the property owner, testified this property was commercial and residential and co owned by Ms. Tift who lived on the property. He requested a 30-day extension of time to come into compliance. He stated he had started the work, but financial issues and medical problems of his wife prevented him from correcting the problems.

The Special Master granted a 14-day extension and did not impose the fine.

Reference CE00071869

Ruth Jackson
1530 Northwest 11th Avenue

The Assistant City Attorney announced this case was originally heard on December 7, 2000 with compliance ordered by January 6, 2001. She introduced an affidavit signed by Lee Kaplan on June 2, 2003 stating the property was not in compliance.

Ms. Ruth Jackson, respondent, stated that "the electric company was supposed have gotten all of this corrected before the hearing." And she assumed everything was fine after she had repaired her fence.

There was some discussion between the Assistant City Attorney, Ms. Zann, and Ms. Jackson concerning proper notice. The Assistant City Attorney noted that the property owner was responsible for keeping tax records current as to the owner's actual address when the owner does not reside in property he or she owns. Notices were sent by the City to the owner addresses listed at the County Tax Collector's Office. The Assistant City Attorney stated that six certified letters were sent to Ruth M. Jackson at 1530 Northwest 11th Street, the property address. Of those receipts, not one was returned signed; one had been returned saying "Return to sender – unclaimed – not in directory." The statute was silent as to what should be done when notices were returned unclaimed.

Ms. Zann asked Ms. Jackson where she received the tax bill for this property. Ms. Jackson replied that she received them at her home. The tenant at the property had never informed her about the notices.

Ms. Zann stated that according to the evidence, it appeared Ms. Jackson had first spoken to an inspector concerning the violations, and then hired a contractor to complete the work she thought needed to be done. Then the City sent the notice about the December 7 hearing which never reached Ms. Jackson. She never received a copy of the order either. She wondered if the contractor would be able to get a permit now. Ms. Jackson stated that the contractor had told her that he had spoken with Mr. Kaplan who told him that if braces were installed on the A/C unit, the property would pass.

Ms. Zann asked Mr. Kaplan's opinion of how long it would take for Ms. Jackson to get a permit and perform repairs. He felt 45 days should be sufficient.

Ms. Zann granted an extension of 45 days and did not impose the fine.

End of the Hearings to Impose the Fine - Massey Hearing cases

Reference CE03050073

Tarpon Arms, Inc.
2300 Northwest 9th Place

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

Mr. Hiteshew announced that certified mail addressed to the registered agent had been accepted on June 9, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was trash, debris, and an unlicensed, inoperable vehicle on the property. He presented photographs of the property to Ms. Zann. He recommended 5 days to comply, or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered compliance within 5 days, or a fine of \$50.00 per day would be imposed.

Reference CE02121840

Craig Olsen
506 Southwest 20th Avenue

Sec. 47-34.4 B.3.c: Commercial vehicle parked/stored on property without proper screening

Mr. Hiteshew announced that personal service was made by Inspector Nobles on June 14, 2003.

Mr. Dan Mullarkey, Community Inspections Officer, testified that a bus was being stored on the property without the required screening. He presented photographs of the property to Ms. Zann. Mr. Mullarkey had spoken with the owner, who informed him that tenants were keeping the bus on the property and the owner requested 30 days to remove the tenant.

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

Reference CE03012093

Liberty Management Inc.
15 Southwest 18th Avenue

Sec. 47-21.8 A: Missing ground cover

Mr. Hiteshew announced that certified mail addressed to the company had been accepted on June 4, 2003.

Mr. Dan Mullarkey, Community Inspections Officer, testified that there was missing ground cover on the property. He presented photographs of the property to Ms. Zann. He recommended 30 days to comply, or a fine of \$25.00 per day.

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

Reference CE03012094

Liberty Management Inc.
17 Southwest 18th Avenue

Sec. 47-21.8 A: Missing ground cover

Mr. Hiteshew announced that certified mail addressed to the company had been accepted on June 4, 2003.

Mr. Dan Mullarkey, Community Inspections Officer, testified that there was missing ground cover on the property. He presented photographs of the property to Ms. Zann. He recommended 30 days to comply, or a fine of \$25.00 per day.

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

Reference CE03012097

Liberty Management Inc.
25 Southwest 18th Avenue

Sec. 47-21.8 A: Missing ground cover

Mr. Hiteshew announced that certified mail addressed to the company had been accepted on June 4, 2003.

Mr. Dan Mullarkey, Community Inspections Officer, testified that there was missing ground cover on the property. He presented photographs of the property to Ms. Zann. He recommended 30 days to comply, or a fine of \$25.00 per day.

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

Reference CE03040424

Precious Country LLC
5910 Northeast 18th Avenue

Sec. 9-306: Cracked walls, railings in severe disrepair; Sec. 9-280(b): Broken, missing inoperable windows, screens and doors; Sec. 9-280(a): Exposed electrical components; Sec. 24-28(a): Garbage accumulated around Dumpster, lids missing and in disrepair; Sec. 47-19.4 D.8: Open dumpster enclosure gates; Sec. 9-279(g): Inoperable plumbing, improper drainage; Sec. 9-280(d): Deteriorated interior structure/fixtures

Mr. Hiteshew announced that personal service had been made by Inspector Nobles on June 14, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that walls and railings were in disrepair; doors and windows were broken or missing; dumpster lids were missing and trash was scattered in the dumpster enclosure; the dumpster gates were continuously left open, and numerous kitchen and bath cabinets were in disrepair; Sections 9-280(a) and 9-279(g) were now complied. He presented photographs of the property to Ms. Zann. He had spoken with the owner and informed her of his recommendations. Mr. Stockinger recommended compliance with:

- Sections 24-28(a) and 47-19.4.D.8 within 7 days;
- Section 9-280(d) within 30 days;
- Section 9-280(b) within 60 days;
- Section 9-306 within 90 days,

or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered compliance with:

- Sections 24-28(a) and 47-19.4.D.8 within 7 days;
- Section 9-280(d) within 30 days;
- Section 9-280(b) within 60 days;
- Section 9-306 within 90 days,

or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03052076

Ira Lang & Arnold Schlanger
5425 North Federal Highway

Sec. 18-27(a): Trash on property
Constant and repetitive per SM case
CE02081844

Mr. Hiteshew announced that certified mail had been accepted on June 9, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that there was trash behind the building. He presented photographs of the property to Ms. Zann. Since this was a repeat violation, Mr. Stockinger recommended 7 days to comply, or a fine of \$250.00 per day; he also wished to maintain jurisdiction for 5 years.

Ms. Zann found in favor of the City and ordered compliance within 7 days or a fine of \$250.00 per day would be imposed. She also ordered jurisdiction maintained for 5 years.

Reference CE03040199

Motive Enterprises LLC
2101 Southwest 12th Street

Sec. 18-1: Tires and motorcycles on property

Mr. Hiteshew announced that certified mail addressed to the company had been accepted on June 6, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there were tires and motorcycles kept on the property. She presented photographs of the property to Ms. Zann. Ms. Burks recommended 14 days to comply, or a fine of \$100.00 per day.

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

Reference CE03050346

Fransisco & Maria Uliano
2911 Southwest 13th Court

Sec. 47-34.4 B.3.a: Commercial vehicle
parked/stored on property

Mr. Hiteshew announced that personal service had been made by Inspector Malik on May 31, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there was a commercial vehicle stored on the property. The property had been reinspected twice and the truck was still there. She presented photographs of the property to Ms. Zann. Ms. Burks recommended 7 days to comply, or a fine of \$50.00 per day.

Reference CE03050537

Louis & Albertha Glover
3331 Jackson Boulevard

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

Mr. Hiteshew announced that certified mail had been accepted on June 10, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property. He presented photographs of the property to Ms. Zann. Mr. Fletcher recommended 14 days to comply, or a fine of \$25.00 per day.

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

Reference CE03051258

501 LLC
501 Southeast 12th Street

Sec. 15-28: Required occupational license

Mr. Hiteshew announced that certified mail addressed to the company, tenant, and officer of the corporation had all been accepted on June 4, 2003; certified mail addressed to the registered agent had been accepted on June 5, 2003.

Ms. Waynette Smith, Occupational License Inspector, testified that the company was engaging in business without obtaining a license. She recommended 15 days to comply, or a fine of \$25.00 per day.

Ms. Zann found in favor of the City and ordered compliance within 15 days or a fine of \$25.00 per day would be imposed.

Reference CE03032255

Parc Victoria Inc.
1701 Northeast 5th Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 47-20.20 H: Parking area in disrepair;
Sec. 25-56(a): Sidewalk in disrepair

Mr. Hiteshew announced that certified mail addressed to the company, the registered agent, and an officer of the company had been accepted on June 10, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was missing ground cover on the property; the parking area lacked striping and wheel stops, and the sidewalks were in disrepair. She recommended 30 days to comply, or a fine of \$100.00 per day, per violation.

Ms. Zann 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 CE03032521

Olive Services Inc.
2960 North Federal Highway

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

Mr. Hiteshew announced that certified mail addressed to the owner, the corporation, and the registered agent had been accepted on June 10, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and overgrowth on the property and swale. She presented photographs of the property to Ms. Zann. She recommended 7 days to comply, or a fine of \$50.00 per day.

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

Reference CE03042118

Nancy Gracely
800 State Road 84

Sec. 47-34.1 A.1: Outside storage of new and used tires

Mr. Hiteshew announced that certified mail had been accepted on June 8, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that there was outside storage of new and used tires on this property. He recommended 30 days to comply, or a fine of \$25.00 per day.

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

Reference CE03051098

Howard Sloman
3115 Southwest 2nd Avenue

Sec. 18-1: Derelict vehicles on property;
Sec. 18-27(a): Trash on property

Mr. Hiteshew announced that personal service had been made by Inspector Nobles on June 17, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that there were several unlicensed, inoperable vehicles on the property; Section 18-27(a) was now complied. He presented photographs of the property to Ms. Zann. Mr. Nobles had spoken with the owner on several occasions and noted that he was experiencing some hardships right now. He recommended 120 days to comply with Section 18-1, or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered compliance with Section 18-1 within 120 days or a fine of \$50.00 per day would be imposed.

Reference CE03042206

James & Marta Bastmasian
279 Southwest 27th Avenue

Sec. 15-28: Required occupational license

Mr. Hiteshew announced that certified mail addressed to the owner and the tenant had both been accepted on June 4, 2003.

Ms. Maria Christine Roque, Community Inspections Officer, testified that the company was engaging in business without obtaining a license. She recommended 14 days to comply, or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered within 14 days, or a fine of \$50.00 per day would be imposed.

Reference CE03042218

Neloms Auto Repair Inc.
844 Northwest 10th Terrace

Sec. 15-28: Required occupational license

Mr. Hiteshew announced that certified mail addressed to the tenant was accepted (no date on card).

Ms. Maria Christine Roque, Community Inspections Officer, testified that the company was engaging in business without obtaining a license. She recommended 14 days to comply, or a fine of \$50.00 per day.

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

Cases Complied

Mr. Hiteshew 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:

CE03010629	CE03042243	CE03042408	CE03051079
CE03012274	CE03042246	CE03042410	CE03051082
CE03030834	CE03042248	CE03042411	CE03051084
CE03031808	CE03042252	CE03042421	CE03051087
CE03032052	CE03042255	CE03042422	CE03051089
CE03032482	CE03042263	CE03042424	CE03051113
CE03040101	CE03042280	CE03042425	CE03051129
CE03040102	CE03042287	CE03050045	CE03051130
CE03040103	CE03042296	CE03050213	CE03051131
CE03040243	CE03042297	CE03050214	CE03051132
CE03040345	CE03042302	CE03050284	CE03051133
CE03040422	CE03042304	CE03050285	CE03051242
CE03040440	CE03042306	CE03050342	CE03051247
CE03040468	CE03042307	CE03050466	CE03051250
CE03040777	CE03042308	CE03050528	CE03051259
CE03040788	CE03042309	CE03050542	CE03051262
CE03041037	CE03042310	CE03050647	CE03051429
CE03041263	CE03042312	CE03050673	CE03051484
CE03041530	CE03042314	CE03050674	CE03051761
CE03041889	CE03042318	CE03050676	CE03051924
CE03042210	CE03042321	CE03050798	CE03051930
CE03042211	CE03042324	CE03050876	
CE03042235	CE03042325	CE03050936	
CE03042237	CE03042362	CE03051077	

Cases Pending Service

Mr. Hiteshew 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:

CE02120095	CE03030280	CE03041383	CE03051118
CE03012376	CE03030942	CE03042282	CE03051274
CE03020032	CE03031037	CE03050539	CE03051293
CE03020585	CE03032276	CE03050541	CE03051553
CE03022130	CE03040488	CE03051080	
CE03030279	CE03040899	CE03051115	

Cases Rescheduled

Mr. Hiteshew 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:

CE03042259

CE03050774

CE03052154

Cases Withdrawn

Mr. Hiteshew 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:

CE03012018

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

Special Master

ATTEST:

Clerk, Special Master