

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Karen Zann, Presiding
August 21, 2003
9:00 A.M. – 11:30 A.M.

Staff Present:

Susan Batchelder, Administrative Assistant II
Jennifer Chenault, Secretary
Lindwell Bradley, Community Inspections Supervisor
Assistant City Attorney
Leonard Ackley, Community Inspections Officer
Alberto Benavides, Community Inspections Officer
Andre Cross, Community Inspections Officer
Mike Donovan, 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
Skip Margerum, Community Inspections Officer
Dan Mullarkey, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Waynette Smith, Occupational License Inspector
Frank Stockinger, Community Inspections Officer
Kenneth Tyson, Community Inspections Officer

Also Present:

Guido Parente, CE03060542
Julia Hager, CE02120558
Julie Petkevich, CE03022346
Canute Spurgeon, CE03062223
Josie and James Smith, CE03062526
Nora Alexander, CE03041042
Peter Marchiante, CE03040579
Roger Borello, CE03040579
Patricia Floyd, CE03031344
Dan Stella, CE03071261
Marcus Bodet, CE03050401
Dorothy Robinson, CE03040100

Jerome Stuart, CE03050790
Astor Ferguson, CE03051886
Bruce Corneal, CE03070262
Janet Williams, CE02031959

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. Ms. 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.

Cases for Hearings to Impose the Fine - Massey Hearings

Reference CE03051886

Astor Ferguson
3544 Southwest 12th Court

Ms. Batchelder announced that on July 3, 2003 the Special Master ruled that there was a violation on the property and ordered compliance by July 10, 2003. Inspector Haskins had signed the affidavit of non-compliance on July 7, 2003.

Mr. Astor Ferguson, respondent, was not clear about how to comply the property.

Ms. Deborah Haskins, Community Inspections Officer, stated that she had visited the property the previous day and the property was still not complied. Ms. Zann explained to Mr. Ferguson that this proceeding was very narrow and only dealt with whether the property was complied by the ordered date. According to the City, the property was not.

Ms. Zann found that the violations were not in compliance on July 10, 2003.

Reference CE03040579

Peter Marchiante
1904 Southwest 28th Street

Ms. Batchelder announced that on May 15, 2003 the Special Master ruled that there were four violations on the property and ordered compliance by June 14, 2003. Two of the violations were complied on June 16; the other sections were not complied until July 29, 2003.

Mr. Roger Borello, representative for the respondent, explained that Mr. Marchiante had experienced problems complying and had been hospitalized twice while trying to comply.

The Assistant City Attorney stated that compliance was not made by the ordered date. Ms. Zann clarified the compliance dates and asked to hear from Mr. Marchiante. Mr. Peter Marchiante, respondent, explained that he had borrowed money to perform the repairs and he had been unemployed for three months. He explained specific repairs to Ms. Zann. He had not been able to complete repairs to the air conditioner or repair window glass by the compliance date. Ms. Zann confirmed that the per diem fine had been \$50.00 per violation.

Ms. Zann reduced the fine to \$25.00 per day, per violation.

Reference CE03031344

Patricia Floyd
131 Kentucky Avenue

Ms. Batchelder announced that on May 1, 2003 compliance was ordered by July 30, 2003. Inspector Burt Fletcher had stated that as of August 6, 2003 the property was not complied.

Ms. Patricia Floyd, respondent, explained the problems and repair processes to Ms. Zann. Ms. Zann clarified that the property was still not complied.

Mr. Burt Fletcher, Community Inspections Officer, testified that when he visited the property on August 18 the property was still not complied. Ms. Zann informed Ms. Floyd that there was nothing she could do, as the property was not complied.

Reference CE02031959

Janet Williams
1608 Northwest 7th Avenue

Ms. Batchelder announced that on July 17, 2003 the Special Master ordered compliance for two violations by July 24, 2003. One violation was complied on time but Inspector Haskins had visited the property on August 7, 2003 and the other violation was still not complied.

Ms. Janet Williams, respondent, explained that she had moved the first vehicle immediately, but she had experienced problems and delays obtaining the title for the second vehicle in order to register it.

Ms. Haskins noted that one vehicle was still on the property and fines were still running. She noted that Ms. Williams had not understood that both vehicles needed to be registered or removed at the previous hearing.

Ms. Zann informed Ms. Williams that there was nothing she could do as the property was still not complied and advised her to handle the problem first.

End of Hearings to Impose Fine

Reference CE03062526

James & Josie Smith
450 West Evanston Circle

Sec. 9-281(b): Inoperable, unlicensed
trailers on property; Sec. 9-305(b):
Required ground cover

Ms. Batchelder announced that certified mail had been accepted (no date on card).

Mr. Burt Fletcher, Community Inspections Officer, testified that there were unlicensed, inoperable trailers on the property and the property lacked the required ground cover. He presented photographs of the property to Ms Zann and the respondent. Mr. Fletcher recommended 30 days to comply or a fine of \$25.00 per day, per violation.

Ms. Josie Smith, respondent, stated that she was unaware that trailers needed to be licensed; Mr. Fletcher confirmed this. She explained the difficulty she had maintaining ground cover on the swale.

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 CE03022346

Thomas & Julie Petkevich
1120 Southwest 18th Court

Sec. 9-281(b): Rubbish, trash, and debris
scattered on property; Sec. 9-280(d): Roof in
disrepair

Ms. Batchelder announced that certified mail addressed to the owner had been returned unclaimed on July 11, 22 and 27, 2003; service had been posted on the property on July 22 and at City Hall on August 11, 2003. Personal service had been made by Officer Hickey on July 24, 2003.

Mr. Alberto Benavides, Community Inspections Officer, stated that the roof was in disrepair and missing several tiles; Section 9-281(b) was now complied. He presented photographs of the property to Ms Zann and the respondent. He recommended 180 days to comply with Section 9-280(d) or a fine of \$250.00 per day.

Ms. Julie Petkevich, respondent, stated that she was in the process of divorcing her husband and some home repairs were issues in the divorce. The house had been in and out of foreclosure in the past year as well. Ms. Petkevich had been the sole supporter of her children and the home since her husband left the home last year. She explained that she had no way to afford the roof replacement until after the divorce was final.

Ms. Zann found in favor of the City and ordered compliance with Section 9-280(d) within 180 days, or a fine of \$250.00 per day would be imposed.

Reference CE03050401

Florida 4 BP Inc.
3235 Northeast 38th Street

Sec. 47-19.3 G: Required boat setbacks

Ms. Batchelder announced that certified mail addressed to the company and to the registered agent had both been accepted on August 7, 2003.

Mr. Frank Stockinger, Community Inspections Officer, stated that the boat on the property extended into the side yard setbacks. He presented photographs of the property to Ms. Zann and the respondent's attorney. Mr. Stockinger explained that he had been in contact with owner, who claimed the boat was not in the setback.

Mr. Marcus Bodet, Attorney for the respondent, explained his calculations for determining the setback requirements. The owner was attempting to obtain a variance for the boat, which might take as long as 90 days. Mr. Stockinger stated that the City would be willing to allow 90 days to comply or a fine of \$25.00 per day.

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

Reference CE03050790

Jerome & Josh Stuart et al.
1609 Northwest 6th Street

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

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

Mr. Mike Donovan, Community Inspections Officer, stated that the landscape and ground cover was not maintained and there was trash and debris on the property. Mr. Donovan noted that this was not the first time this property had been cited. He recommended 30 days to comply or a fine of \$25.00 per day, per violation.

Mr. Jerome Stuart, respondent, asked if it was possible to use some other non-perishable form of ground cover, as it was impossible for him to prevent the neighbors from using and eventually ruining this lot. He had re-sodded the entire lot last year at a cost of \$1,000.00 and these neighbors had killed all of the ground cover. Mr. Donovan explained that the ground cover must be grass, not some other material. Ms. Zann suggested erecting a fence. Mr. Donovan agreed to allow 45 days to comply.

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

Reference CE03070262

Lauderdale Wholesale Inc.
1147 Northeast 4th Avenue

Sec. 15-28: Required occupational license;
Sec. 18-27(a): Trash on property;
Sec. 47-34.1 A.1: Permitted uses: outside
storage

Ms. Batchelder announced that certified mail addressed to the company and the registered agent had both been accepted on July 24, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the company was engaged in business without first obtaining an occupational license; there was trash and debris scattered on the property and there was outside storage on the property, which was a non-permitted use. She presented photographs of the property to Ms Zann and recommended 7 days to comply or a fine of \$100.00 per day, per violation.

Mr. Bruce Corneal, representative for Lauderdale Wholesale Inc, requested that the case be continued for 30 days. He had just become aware of the case and had not had time to look into the claims. He stated that the license had been applied for in July and the outside storage was inventory for the garden center, not trash.

Ms. Haskins pointed out that she has personally discussed notice of the violations with Mr. Corneal's partner on July 1, 2003. She noted that the business must go through zoning approval prior to obtaining an occupational license and opening the business. The inventory should not be stored on the property in the meantime.

Mr. Corneal stated that his partner was not involved in ownership of the property at all. Mr. Corneal had attempted to contact someone at the Code Enforcement Office but had not been successful. He explained to Ms. Zann that the property was owned by a defunct corporation that was in the process of selling it to Mr. Corneal and his partner.

The Assistant City Attorney stated that the statute required the City to send certified mail to the registered owner, which the City had done. Service was considered complete upon mailing, not receipt of the return card. The City had also mailed notice to the registered agent.

Ms. Milano, Director of Code Enforcement, stated that she had spoken with the owner, Mr. Collica, and informed him that the City would move forward with this since it was an ongoing problem.

Mr. Corneal restated his request for a continuance. Ms. Zann agreed to allow 21 days for compliance.

Ms. Zann denied Mr. Corneal's request for a continuance, found in favor of the City and ordered compliance within 21 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE03040100

Dorothy Robinson
918 Northwest 13th Court

Sec. 9-306: Bare concrete on building

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

Mr. Andre Cross, Community Inspections Officer, testified that there was no paint on the building; it was bare concrete. He presented photographs of the property to Ms Zann. He recommended 30 days to comply or a fine of \$25.00 per day.

Ms. Dorothy Robinson, respondent, stated that her caregiver had spoken to Mr. Cross regarding the problem. Ms. Robinson's husband was in a nursing home and Ms. Robinson did not have the funds to pay someone to do the work. Friends had been helping her, but the weather had delayed them. She felt that the painting could be accomplished in 30 days.

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 CE03062223

Canute Spurgeon
1106 Northwest 13th Court

Sec. 47-21.8 A: Landscape Maintenance

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

Mr. Andre Cross, Community Inspections Officer, testified that the ground cover was not maintained on the property. He presented photographs of the property to Ms Zann. Mr. Cross recommended 30 days to comply or a fine of \$25.00 per day.

Mr. Canute Spurgeon, respondent, stated that the City had been working on the road in front of his home and he wanted to wait until the roadwork was complete to repair the landscaping.

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 CE03041042

Nora Alexander
1612 NW 16th Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-306: Building lacks paint;
Sec. 9-313: Required display of address

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the fence was in disrepair; the building had areas of bare concrete and lacked the required display of address; Section 47-21.8 A was now complied. She presented photographs of the property to Ms Zann and the respondent and recommended 30 days to comply with Sections 9-280(h)(1), 9-306, and 9-313 or a fine of \$25.00 per day, per violation.

Ms. Nora Alexander, respondent, stated that she needed to find out exactly what should be done. Ms. Zann explained the violations and repairs to Ms. Alexander.

Ms. Zann found in favor of the City and ordered compliance with Sections 9-280(h)(1), 9-306, and 9-313 within 30 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03060542

Guido & Josephine Parente
1460 Northwest 23rd Avenue

Continued from August 7, 2003

Ms. Batchelder announced that certified mail was accepted on July 3, 2003. She noted that Ms. Zann had rescinded her order concerning this case at the close of the last meeting.

Ms. Zann clarified that at the previous meeting, Mr. Parente had testified that he had complied by the date specified and Ms. Zann had determined that since he had received the notice and made repairs on the same day, she would vacate the fine.

Ms. Zann vacated the fine.

Reference CE02120558

JTCB Inc.
1400 Southwest 13th Street

Request for Abatement of Fines

Ms. Batchelder announced that this case was originally heard on May 15, 2003 with compliance ordered by June 29, 2003. On July 17 the date was extended to July 31, 2003 by which time the property was in compliance. Fines had accrued in the amount of \$850.00. The City opposed any abatement of the fine.

Ms. Julie Hager, representative of JTBC Inc., discussed the dates with Ms. Zann. She explained that the owner had experienced problems with the roofing company and the weather. Mr. Kaplan confirmed that the property was now in compliance.

Ms. Zann abated the fines.

Reference CE03071261

John Stella
712 Northwest 7th Terrace

Sec. 47-34.1 A.1: Outside storage;
Sec. 18-27(a): Overgrowth on property

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

Mr. Lee Kaplan, Community Inspections Officer, testified that there was outside storage on the property; Section 18-27(a) was now complied. He recommended 60 days to comply with Section 47-34.1 A.1 or a fine of \$25.00 per day.

Mr. John Stella, respondent, agreed to comply within 60 days.

Ms. Zann found in favor of the City and ordered compliance with Section 47-34.1 A.1 within 60 days or a fine of \$ 25.00 per day would be imposed.

Reference CE03072247

William Loper
1400 Northwest 7th Avenue

Sec. 25-7:Fence installed on pubic right-of-way
without permit

Ms. Batchelder announced that the City requested a continuance until the September 3, 2003 meeting for this case.

Ms. Zann continued the case until the September 3, 2003 meeting.

Reference CE03050298

Randall & Laura Good
105 Southwest 21st Way

Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail was returned unclaimed on June 24, July 9 and 29, 2003.

Mr. Skip Margerum, Community Inspections Officer, testified that there were large areas of dead or missing ground cover. He 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 CE03051127

Victoria Marquet La Favors
700 Southwest 24th Avenue

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

Ms. Batchelder announced that personal service had been made by Inspector Donovan on August 17, 2003.

Mr. Skip Margerum, 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.

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

Reference CE03071471

Miniaci Enterprises
213 South Ft. Lauderdale Beach Boulevard

Sec. 47-19.9 A.: Outside displays, including beachwear, mannequins and postcards. If the violation is corrected and then recurs or if the violation is not corrected by the time specified by the inspector, the case may be presented to the Enforcement Board even if the violation has been corrected by the date of the hearing, and notice shall so state

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on August 8, 2003, and certified mail addressed to the company had been accepted on August 6, 2003. The amended Notice of Violation was also sent via certified mail to the company, an officer of the corporation and the tenant and accepted on August 15, 2003.

Mr. Kenneth Tyson, Community Inspections Officer, testified that there were outside displays of merchandise at this business.

Mr. Lin Bradley, Community Inspections Supervisor, noted that this and the next 4 cases were all recurring, repeat violations. Therefore, the City was recommending 5 days to comply or a fine of \$200.00 per day, per violation and requesting that Ms. Zann record the orders.

Ms. Zann found in favor of the City and ordered compliance within 5 days or a fine of \$200.00 per day would be imposed. She also agreed to record the order.

Reference CE03071473

Swiss Beach Holdings Inc.
223 South Ft. Lauderdale Beach Boulevard

Sec. 47-19.9 A.: Outside displays, including Beachwear, mannequins and postcards. If the violation is corrected and then recurs or if the violation is not corrected by the time specified by the inspector, the case may be presented to the Enforcement Board even if the violation has been corrected by the date of the hearing, and notice shall so state

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

Mr. Kenneth Tyson, Community Inspections Officer, testified that there were outside displays of merchandise at this business. He presented photographs of the property and inspection reports from July 2003. He recommended 5 days to comply or a fine of \$200.00 per day, per violation and asked Ms. Zann to record the order.

Ms. Zann found in favor of the City and ordered compliance within 5 days or a fine of \$200.00 per day would be imposed. She also agreed to record the order.

Reference CE03071474

Clothes Connection
227 South Ft. Lauderdale Beach Boulevard

Sec. 47-19.9 A.: Outside displays, including Beachwear, mannequins and postcards. If the violation is corrected and then recurs or if the violation is not corrected by the time specified by the inspector, the case may be presented to the Enforcement Board even if the violation has been corrected by the date of the hearing, and notice shall so state

Ms. Batchelder announced that certified mail addressed to the company and the registered agent had both been accepted on August 6, 2003.

Mr. Kenneth Tyson, Community Inspections Officer, testified that there were outside displays of merchandise at this business. He presented photographs of the property and inspection reports from July 2003. He recommended 5 days to comply or a fine of \$200.00 per day, per violation and asked Ms. Zann to record the order.

Ms. Zann found in favor of the City and ordered compliance within 5 days or a fine of \$200.00 per day would be imposed. She also agreed to record the order.

Reference CE03071475

Harriet Congleton
233 South Ft. Lauderdale Beach Boulevard

Sec. 47-19.9 A.: Outside displays, including Beachwear, mannequins and postcards. If the violation is corrected and then recurs or if the violation is not corrected by the time specified by the inspector, the case may be presented to the Enforcement Board even if the violation has been corrected by the date of the hearing, and notice shall so state

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on August 14, 2003.

Mr. Kenneth Tyson, Community Inspections Officer, testified that there were outside displays of merchandise at this business. He presented photographs of the property and inspection reports from July 2003. He recommended 5 days to comply or a fine of \$200.00 per day, per violation and asked Ms. Zann to record the order.

Ms. Zann found in favor of the City and ordered compliance within 5 days or a fine of \$200.00 per day would be imposed. She also agreed to record the order.

Reference CE02081113

Hotel Motel Inc.
2231 North Ocean Boulevard

Request for Abatement of Fines

Ms. Batchelder announced that the respondent had not appeared for this case.

Reference CE03070674

Swiss Beach Holdings Inc.
219 South Ft. Lauderdale Beach Boulevard

Sec. 47-22.3 C: Banner signs not permitted;
Sec. 47-22.3 S: Signs without permits;
Sec. 9-313: Required display of address

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

Mr. Robert Guilford, Community Inspections Officer, testified that signs posted on the fence lacked permits; Section 47-22.3 C was withdrawn and Section 9-313 was complied. He presented photographs of the property to Ms. Zann and recommended 15 days to comply Section 47-33.3 S, or a fine of \$200.00 per day.

Ms. Zann found in favor of the City and ordered compliance with Section 47-33.3 S within 15 days or a fine of \$200.00 per day would be imposed.

Reference CE03011993

Glenn Martin
1707 Northwest 9th Street

Sec. 9-306: Fence in disrepair;
Sec. 9-281(b): Rubbish, trash, and overgrowth
on property

Ms. Batchelder announced that certified mail had been accepted (no date on card) and personal service had been made by Inspector Kaplan on July 28, 2003.

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

Ms. Zann 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 CE03050913

Josephus & Annie Eggelation
649 Northwest 22nd Road

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on August 4, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was dirt and mildew on the building; Section 47-20.20 H was complied. He presented photographs of the property to Ms. Zann and recommended 30 days to comply with Section 9-306 or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered compliance with Section 9-306 within 30 days or a fine of \$50.00 per day would be imposed.

Reference CE03062389

J. W. & Carol Coates
3108 Southwest 12th Place

Sec. 18-1: Derelict vehicle on property

Ms. Batchelder announced that personal service had been made by Inspector Pignataro on July 27, 2003.

Mr. Gilbert Lopez, Community Inspections Officer, stated that there was an unlicensed, inoperable vehicle on the property. He presented photographs of the property to Ms. Zann and 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 CE03020302

Catherine Lawson Trust & Nancy Flack
3542 North Federal Highway

Sec. 47-19.9: Outside display is non-permitted use; Sec. 47-22.9: Sign without permit

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

Mr. Frank Stockinger, Community Inspections Officer, stated that there was an outside display, which was non-permitted use, and there was a sign on the north side of the building without the required permit. He presented photographs of the property to Ms. Zann. Mr. Stockinger noted that there was a history of violations at this property for the same issues. He had spoken with the business owner who told him that the sign had been there a long time and she was not going to change it, but that she would remove the outside display. He recommended 7 days to comply or a fine of \$250.00 per day, per violation.

Ms. Zann found in favor of the City and ordered compliance within 7 days or a fine of \$250.00 per day, per violation would be imposed.

Reference CE03061918

Galt Ocean Plaza 613 LLC
3300 Northeast 34th Street

Sec. 47-20.20 B: Handicapped parking does not meet U.L.D.R. specifications; Sec. 47-20.20 H: Parking area in disrepair; Sec. 47-21.8 A: Missing ground cover and landscaping

Ms. Batchelder announced that certified mail addressed to the corporation had been accepted on August 8, 2003 and certified mail addressed to the company and to the manager had both been accepted on August 5, 2003.

Mr. Frank Stockinger, Community Inspections Officer, stated that the handicapped parking did not meet U.L.D.R. specifications; the parking area was in disrepair and the landscaping and ground cover were not maintained. He presented photographs of the property to Ms. Zann. Mr. Stockinger noted that the parking lot had been re-stripped, but a permit was required because they had reconfigured the parking spaces. He recommended 60 days to comply or a fine of \$50.00 per day, per violation.

Ms. Zann 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 CE03021119

CLA Real Estate Holdings Inc.
1709 Northwest 8th Court

Sec. 9-281(b): Rubbish, trash, and debris scattered on property; Sec. 47-34.1 A.1: Permitted uses: trash and unlicensed, inoperable vehicles stored on property; Sec. 47-21.8: Landscape maintenance

Ms. Batchelder announced that certified mail addressed to the company had been accepted on August 7, 2003.

Mr. Mike Donovan, Community Inspections Officer, stated that there was trash and debris scattered on the property; there was storage of trash and inoperable, unlicensed vehicles on the property, which was unpermitted use, and the landscape and ground cover was not maintained. He presented photographs of the property to Ms. Zann and recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Ms. Zann 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 CE03032187

Alvin Bivens
800 Northwest 15th Avenue

Sec. 47-21.8: Landscape maintenance; Sec. 47-34.1 A.1: Permitted uses: trash and unlicensed, inoperable vehicles stored on property; Sec. 9-281(b): Rubbish, trash, and debris scattered on property and inoperable, unlicensed vehicle on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-313(a): Required display of address

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

Mr. Mike Donovan, Community Inspections Officer, stated that the landscape and ground cover was not maintained; there was storage of trash and inoperable, unlicensed vehicles on the property which was non-permitted use; there was trash and debris and an unlicensed, inoperable vehicle on the property; walls were dirty and paint was peeling and chipping, and the property lacked the required display of address. He presented photographs of the property to Ms. Zann and recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Ms. Zann 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 CE03051029

Christopher & Phyllis Bradshaw
1820 Northwest 8th Street

Sec. 9-306: Peeling paint/stained surfaces

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

Mr. Mike Donovan, Community Inspections Officer, stated that the walls were dirty with peeling, chipping paint and rotting fascia. He presented photographs of the property to Ms. Zann. Mr. Bradshaw had been present earlier and Mr. Donovan had agreed to allow 60 days to comply or a fine of \$25.00 per day, per violation.

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

Reference CE03051030

James & Janice Dillard
827 Northwest 12th Avenue

Sec. 47-20.13 A: Driveway in disrepair;
Sec. 47-34.1 A.1: Permitted uses: trash and unlicensed, inoperable vehicles stored on property; Sec. 9-281(b): Rubbish, trash, and debris scattered on property and inoperable, unlicensed vehicle on property

Ms. Batchelder announced that personal service had been made to the owner's daughter by Inspector Malik on August 10, 2003.

Mr. Mike Donovan, Community Inspections Officer, stated that the driveway was in disrepair; trash and inoperable, unlicensed vehicles were stored on the property, which was non-permitted use, and there were inoperable vehicles, trash, and debris on the property.

He presented photographs of the property to Ms. Zann and recommended 30 days to comply or a fine of \$50.00 per day, per violation.

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

Reference CE03071965

Carnell & Sylvia Mason
647 Northwest 13th Terrace

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

Ms. Batchelder announced that certified mail had been accepted on August 14, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the required board up certificate had not been renewed nor had the building been repaired, rehabilitated or sold. He presented photographs of the property to Ms. Zann and recommended 30 days to comply or a fine of \$50.00 per day.

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 CE03062295

Sunrise Middle River Development LLC &
Marineview LLC
2025 East Sunrise Boulevard

Sec. 18-27(a): Trash on property;
Sec. 9-280(h)(1): Fence in disrepair;

Ms. Batchelder announced that certified mail addressed to the manager had been accepted on August 5, 2003; certified mail addressed to the registered agent had been accepted on August 5, 2003, and certified mail addressed to the owner had been accepted on August 14 and 18, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the chain link fence was in disrepair; Section 18-27(a) was now complied. Ms. Haskins had been in contact with the owner on a continuing basis, and he had faxed her a copy of a contract for the fence repair. She recommended 10 days to comply Section 9-280(h)(1) or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered compliance with Section 9-280(h)(1) within 10 days, or a fine of \$50.00 per day would be imposed.

Reference CE03020194

Michael Kinne & Perla Medina-Kinne
616 Southwest 16th Avenue

Sec. 47-20.20 H: Parking area in disrepair

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that the parking area was in disrepair. He presented photographs of the property to Ms. Zann and 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 CE03020195

Michael Kinne & Perla Medina-Kinne Sec. 47-20.20 H: Parking area in disrepair
624 Southwest 16th Avenue

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that the parking area was in disrepair. He presented photographs of the property to Ms. Zann and 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 CE03060561

Patricia Reffner Sec. 47-34.4 B.3.a: Commercial vehicle
1321 Southwest 22nd Terrace parked/stored on property; Sec. 9-281(b):
Inoperable, unlicensed vehicle on property

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property; Section 47-34.4 B.3.a was now complied. He presented photographs of the property to Ms. Zann and recommended 14 days to comply Section 9-281(b), or a fine of \$25.00 per day.

Ms. Zann 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 CE03070722

Doug Grau
1433 Northwest 3rd Street

Sec. 9-281(b): Property covered with trash,
litter and overgrowth

Ms. Batchelder announced that service was via a letter received from the respondent on August 20, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that the property was covered with trash, rubbish, and overgrowth. He 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.

Reference CE03071129

Random Holdings, Inc.
14 Northwest 11th Avenue

Sec. 9-313(a): Required display of address;
Sec. 9-281(b): Trash and overgrowth on property
and swale

Ms. Batchelder announced that certified mail addressed to the company and an officer of the company had both been accepted on August 7, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that the building lacked the required display of address and the property was covered with trash and overgrowth. He recommended 10 days to comply or a fine of \$50.00 per day, per violation.

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

Reference CE03060626

Jacob Condell
1135 Northwest 18th Avenue

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

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

Mr. Andre Cross, Community Inspections Officer, testified that there was trash, rubbish, and debris on the property, including an accumulation of bricks. He presented photographs of the property to Ms. Zann and recommended 7 days to comply or a fine of \$25.00 per day.

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

Reference CE03062537

Dwight Jackson
1501 Northwest 11th Street

Sec. 47-21.8: Landscape Maintenance

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

Mr. Andre Cross, Community Inspections Officer, testified that the ground cover was not maintained on the property. He presented photographs of the property to Ms. Zann and 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 CE03031657

Oscar Knowles
2064 Northwest 10th Avenue

Sec. 9-279(f): No water service to occupied building; 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 returned unclaimed on May 27, June 23, July 26, and August 1, 2003 and personal service had been made by Officer Palmetier on August 12, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish and debris on the property, including an unlicensed, inoperable vehicle; Section 9-279(f) was now complied. She presented photographs of the property to Ms. Zann and recommended 7 days to comply Section 9-281(b), or a fine of \$50.00 per day.

Ms. Zann found in favor of the City and ordered compliance with Section 9-281(b) within 7 days, or a fine of \$50.00 per day would be imposed.

Reference CE03041395

Heather Cooperman
1809 Northwest 16th Street

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

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

Ms. Cheryl Pingitore, Community Inspections Officer, stated that there was an unlicensed, inoperable vehicle on the property. She presented photographs of the property to Ms. Zann and recommended 7 days to comply or a fine of \$25.00 per day.

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

Reference CE03070474

Alain Innocent
1061 Northwest 23rd Way

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

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

Ms. Cheryl Pingitore, Community Inspections Officer testified that there was an unlicensed, inoperable vehicle on the property. She had spoken with the owner, who informed her that the vehicle belonged to a tenant who requested additional time to register and license the vehicle. Ms. Pingitore presented photographs of the property to Ms. Zann and 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 CE03071962

Linval Ayton
1155 Northwest 15th Street

Sec. 9-281(b): Rubbish, trash, and debris scattered on property and inoperable, unlicensed vehicle on property. Per Special Master order dated 5/1/03 CE01031106 this is a repeat violation

Ms. Batchelder announced that personal service had been made by Inspector Malik on August 16, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and debris, including an unlicensed, inoperable vehicle on the property. She had visited the property on August 18 and seen 3 inoperable vehicles. Ms. Pingitore presented photographs of the property to Ms. Zann and recommended 7 days to comply or a fine of \$100.00 per day; She also requested that the City maintain 5 years jurisdiction. Ms. Pingitore noted that there were always inoperable vehicles on the property. Ms. Zann suggested a fine of \$250.00 per day. Ms. Batchelder noted that since this was a repeat violation, fines could begin on the date of service, August 16, 2003.

Ms. Zann found in favor of the City and imposed a fine of \$250.00 per day, starting on the date of service, August 16, 2003. She also agreed to maintain jurisdiction for 5 years.

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:

CE03021120	CE03060599	CE03062491	CE03070906
CE03050326	CE03061081	CE03062493	CE03070996
CE03050551	CE03061142	CE03062520	CE03071002
CE03050813	CE03061394	CE03070231	CE03071003
CE03051464	CE03061700	CE03070288	CE03071127
CE03051706	CE03061866	CE03070656	CE03071260
CE03052189	CE03061870	CE03070660	CE03071579
CE03052398	CE03062106	CE03070718	CE03071635
CE03060005	CE03062159	CE03070871	
CE03060527	CE03062353	CE03070883	

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:

CE03011409	CE03060132	CE03070151	CE03071581
CE03040099	CE03060460	CE03070540	CE03071715
CE03050136	CE03060562	CE03070708	CE03071963
CE03051607	CE03061692	CE03071265	
CE03051881	CE03062305	CE03071476	

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:

CE03032524	CE03052076	CE03071264	CE03072313
CE03040370	CE03061353	CE03071964	
CE03050211	CE03070904	CE03072017	

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:

CE02111484 CE03071405

Approved for Enforcement

Ms. Batchelder presented Ms. Zann with 11 cases that had not been brought into compliance as ordered. Ms. Zann approved them for enforcement.

There being no further business, the hearing was adjourned at 11:30 A.M.

Special Master

ATTEST:

Clerk, Special Master