

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Meah Tell, Presiding
September 18, 2003
9:00 A.M. – 11:35 A.M.

Staff Present:

Susan Batchelder, Administrative Assistant II
Rose Reed, Code Supervisor
Jennifer Chenault, Secretary
Assistant City Attorney
Leonard Ackley, Community Inspections Officer
Andre Cross, Community Inspections Officer
Mike Donovan, Community Inspections Officer
John Gossman, Community Inspections Officer
Robert Guilford, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Dan Mullarkey, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer

Also Present:

Jai Motwani, CE02081113
David Lewis, CE03040629
Donald Mitchell, CE03061892
Brian Vanden Breen, CE03081986
Omar Gordon, CE03020952
Sarah Marion, CE03050793
Barbara Marion, CE03050793
George Morgan, CE03052076
Ara Tokatlian, CE03052076
Thomas Thomas, CE03030016
Edward Heflin, CE03030640
Joyce Fernandez, CE03040549
Mary Meyers, CE03040549
Charles Dale, CE03040629
Peggy Williams, CE03050602
George Makhoul, CE03031829
Soondarave Rambhajan, CE03080978
Rebecca Spencer, CE03020793

Anthony Browne, CE03081196
Graciela Salmon, CE03051962
Joseph Sharrow, CE03030016

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. Tell 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 CE03081986

Brian Vanden Breen
5330 Northeast 17th Terrace

Sec. 9-308 (a): Roof in disrepair;
Sec. 9-281(b): Rubbish and debris on property,
Sec. 9-280(b): Ceiling and doors in disrepair

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

Ms. Frank Stockinger, Community Inspections Officer, testified that the roof was leaking in several areas; there was rubbish and debris scattered on the property, including a non-permitted shed and appliances on the patio; the ceiling was damaged; some windows and doors were not sealed properly, and some screens did not fit properly. He presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Mr. Stockinger recommended 30 days to comply, or a fine of \$50.00 per day, per violation.

Mr. Brian Vanden Breen explained that the roof had been recoated in December 2002 and was still under warranty. He noted that the tenants had not notified him to repair the roof or the ceilings. He felt the roof repair could be done as soon as he got in touch with the contractor, weather permitting. He agreed to perform repairs within 30 days.

Ms. Tell 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 CE03052076

Ira Lang & Harold Schlager
5425 North Federal Highway

Request for Abatement

Ms. Batchelder announced that this case was originally heard on June 19, 2003 with compliance ordered by June 26, 2003. The property was complied on July 16, 2003. Fines had accrued in the amount of \$4,750.00. The City was opposed to any abatement of the fines.

Mr. Trey Morgan, property manager, apologized for the violation and noted that his office had no record of receiving the order until July 9, 2003, not June 19. As soon as they received notice they had arranged for bulk trash pickup.

The Assistant City Attorney remarked that the only issue was whether the property was complied by the ordered date. Ms. Tell confirmed the fine amounts and times with Ms. Batchelder. She then explained to Mr. Morgan that the high fine was due to the property having a history of violations. Mr. Morgan repeated his contention that the order was not received in his office until July 9. He asked for some consideration on the fine since he brought the property into compliance as soon as he was aware of the violation. He also noted that his management company had only been handling the property for 6 months. Ms. Tell agreed to reduce the fines to 14 days.

Ms. Tell abated the fine to \$3,500.00 and agreed to allow 30 days to pay.

Cases for Orders to Impose the Fine - Massey Hearings

Reference CE02081113

Jai Motwani
Hotel Motel Inc.
2231 North Ocean Boulevard

Ms. Batchelder announced that this case was originally heard on October 17, 2002 with compliance ordered by November 16, 2002 and February 14, 2003. On May 1, 2003 two compliance dates had been extended to July 30, 2003.

Ms. Tell clarified compliance dates and fines with Ms. Batchelder and the Assistant City Attorney.

Mr. Jai Motwani explained that it had been difficult to determine exactly what the requirements for compliance were regarding the dumpster enclosure. He had been given conflicting advice by several contractors. He had then experienced several delays in the permit approval process. It had taken approximately 2 ½ months to obtain a permit. Ms. Tell informed Mr. Motwani that the problem resulted because he had not requested another extension. Ms. Tell confirmed the permit dates.

Mr. Robert Guilford, Community Inspections Officer, testified that the total fine was \$7,500.00. This was based on \$100.00 per day for 75 days. Ms. Tell noted that non-compliance only existed for 38 days, as the order required that a permit be obtained, not that the dumpster be completed by February 14. Mr. Guilford noted that the City was going to request this reduction. He verified that Mr. Motwani had corrected the other violations quickly, but felt the City justified in collecting \$3,800.00 for the dumpster enclosure violation.

Ms. Tell reminded Mr. Motwani that the problem was caused by his not requesting additional time, but agreed to reduce the fine to \$1,900.00. The Assistant City Attorney stated that the City would record the fine and then had 90 days to foreclose. Mr. Motwani felt he could pay this fine within the 90 days.

End of Massey Hearing cases

Reference CE03061892

Philip Morgaman Trust
800 Northwest 7th Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicles on property; Sec. 9-306: Peeling, chipping paint

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

Mr. Lee Kaplan, Community Inspections Officer, testified that there was chipping, peeling paint on the building; Section 9-281(b) was now complied. He recommended 60 days to comply with Section 9-306 or a fine of \$50.00 per day.

Mr. Don Mitchell, property manager, confirmed that Section 9-281(b) was complied and requested 60 days to comply the other violation.

Ms. Tell found in favor of the City and ordered compliance with Section 9-306 within 60 days or a fine of \$50.00 per day would be imposed.

Reference CE03031829

George Makhoul
844 Northwest 10th Terrace

Sec. 18-1: Inoperable vehicles on property;
Sec. 47-18.4 E: Non-permitted land use - Outside repairs being done on property; Sec. 47-19.4 D.8: Dumpster enclosure not maintained; Sec. 47-19.9 A.2: Non-permitted land use - Outside storage of materials, equipment and vehicles; Sec. 47-22.9: Signs without permits; Sec. 9-281(b): Rubbish, debris and inoperable, unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on September 16, 2003, and personal service had been made by Inspector Nobles on August 31, 2003.

Mr. Donovan, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles on the property; outside repairs were being performed on the premises; the dumpster enclosure was not maintained; there was outside storage of materials and equipment; there were numerous unpermitted signs on the building, and there was trash scattered on the property including unlicensed, inoperable vehicles. He presented

photographs of the property taken on September 16 and 17, 2003, which were accepted into evidence as City composite exhibit 1. He also presented 2 permit inquiries stating that the only sign permitted for the property was no longer there. These were accepted into evidence as City composite exhibit 2. Mr. Donovan had spoken with Mr. Makhoul several times regarding the violations.

Mr. George Makhoul, respondent, explained that after he purchased the building in September he found that the building had been changed from a warehouse to a grocery without the proper license. He complained that the signage permit had not been included on the original citation; if it had been, he would have obtained the permit when he had corrected the license problem.

Ms. Tell went through each of the violations with Mr. Makhoul to clarify what remedies needed to be taken. Mr. Makhoul felt that Section 18-1 was complied. Mr. Donovan stated that this was the problem; one vehicle was removed and another immediately took its place. Mr. Makhoul stated that he had taken care of it and it would not happen again. Mr. Makhoul requested one month to be sure that the tenant would continue complying. Mr. Donovan suggested 14 days. On Section 47-18.4 E, Mr. Makhoul assured Ms. Tell that the body shop was no longer operating; Ms. Tell allowed 14 days to be sure this was complied. On Section 47-19.4 D.8, Ms. Tell confirmed that Mr. Makhoul did not need a permit to repair the dumpster and agreed to allow 14 days to confirm this. For Section 47-19.9 A.2, Mr. Makhoul stated that no one was performing outside work there any longer. Ms. Tell confirmed that this applied to car washing as well and agreed to 14 days to confirm compliance. For Section 47-22.9, Mr. Makhoul stated that he had painted over all of the signs. Mr. Donovan felt that permits could be obtained within 60 days. Ms. Tell allowed 60 days to obtain the permits. On Section 9-281(b), Ms. Tell assumed that the trash had already been removed and allowed 14 days to confirm.

Ms. Tell found on favor of the City and ordered compliance within Sections 18-1, 47-18.4 E, 47-19.4 D.8, 47-19.9 A.2, and 9-281(b) within 14 days, and Section 47-22.9 within 60 days, or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03050793

Lonzie & Sarah Marion
900 Northwest 17th Avenue

Sec. 9-306: Peeling, chipping paint;
Sec. 9-280(b): Doors and windows not weather/
water tight; Sec. 47-21.8: Landscape
maintenance; Sec. 9-278(g): Missing/torn screens;
Sec. 9-313: Required display of address;
Sec. 9-281(b): Rubbish, debris and an inoperable,
unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on September 11, 2003, and personal service had been made by Inspector Nobles on August 3, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that there was peeling, chipping paint on the building; doors and windows were not weather/water tight; landscaping was not maintained; screens were torn and/or missing; Sections 9-313 and 9-281(b) were now complied. He presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Mr. Donovan had spoken with Ms. Marion on September 16 and agreed to allow 60 days to comply, but thought Ms. Marion would now request more time, which he did not want to allow.

Ms. Barbara Marion, daughter of the respondent, stated that she had spoken to a commissioner and the Mayor, who both suggested she appear at this hearing to request more time. She noted that there had been several deaths in the family and money was very tight. Ms. Marion presented her own photographs of the property, which were accepted into evidence as respondent's composite exhibit 1. Ms. Marion agreed to comply Section 9-306 within 30 days, and Sections 9-280(b), 47-21.8 and 9-278(g) within 120 days.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-280(b), 47-21.8 and 9-278(g) within 120 days, and Section 9-306 within 30 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03020952

Oscar Gordon
1629 Northwest 7th Terrace

Sec. 47-21.8: Landscape maintenance

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

Ms. Ursula Thime, Community Inspections Officer, testified that the yard was used as a parking lot and was covered with bare sand. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Ms. Thime recommended compliance within 60 days or a fine of \$25.00 per day.

Mr. Oscar Gordon, respondent, requested time to re-sod and install an irrigation system. Ms. Tell felt this would take more than 60 days and suggested 90.

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

Reference CE03050602

Peggy & C. Williams
1207 Northwest 11th Street

Sec. 47-34.4 B.3.a: Commercial vehicle parked/stored on property; Sec. 9-281(b): Rubbish, debris, and inoperable, unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on July 21; the reschedule notice had been mailed on September 6, 2003 and accepted on September 9, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there was a commercial vehicle stored on the property; there was an unlicensed, inoperable vehicle stored on the property and the property was strewn with trash and rubbish. He recommended 30 days to comply or a fine of \$25.00 per day, per violation. Ms. Tell confirmed that Ms. Williams knew what measures needed to be taken to comply.

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

Reference CE03040629

D. R. & Inez Lewis
1665 Southwest 29th Terrace

Request for Abatement

Ms. Batchelder announced that this case was originally heard on July 3, 2003 with compliance ordered by July 17, 2003. The property was complied on August 18, 2003. Fines had accrued in the amount of \$775.00. The City objected to any abatement of the fines.

Mr. Charles Dale, attorney for the respondent, explained that Mr. Lewis had been incapacitated for approximately 6 weeks due to a spider bite. He presented a note from Mr. Lewis's doctor attesting to this.

The Assistant City Attorney stated that the City opposed any abatement.

Ms. David Lewis, respondent, stated that he had been incapacitated but had tried to get the situation rectified. He apologized for the delay and requested abatement of the fines.

Ms. Tell abated the fine to \$388.00.

Reference CE03040549

George Meyers
809 Northwest 15th Avenue

Request for Abatement

Ms. Batchelder announced that this case was originally heard on June 5, 2003 with compliance ordered by July 5 and 17, 2003. On July 17 the date was extended to August 16, 2003. The property was complied on August 5, 2003. Fines had accrued in the amount of \$2,950.00. The City recommended abating the fine to \$737.00.

Ms. Mary Meyers, daughter of the respondent, asked that the fines be abated. All of the money they had collected for rents had been put back into the property to bring it into compliance. Ms. Tell explained that there were administrative costs to be considered.

Mr. Mike Donovan, Community Inspections Officer, informed Ms. Tell that the family had been very cooperative. He presented photographs of the property, which were accepted into evidence as City composite exhibit 1.

Ms. Tell abated the fine to \$500.00 and agreed to allow 60 days to pay.

Reference CE03030640

Edward Heflin
1236 Northwest 1st Avenue

Sec. 9-281(b): Property overgrown; yard has
dead plants and debris

Ms. Batchelder announced that certified mail had been accepted on September 13, 2003, and personal service had been made by Inspector Malik on September 13, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that the yard was overgrown with dead plants and was scattered with debris. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1.

Mr. Edward Heflin, respondent, stated that he needed to re-sod and requested 14 days to comply. Ms. Tell felt he might need more time.

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

Reference CE03051962

Gladys Salmon
2011 Northeast 56th Street

Request for Abatement

Ms. Batchelder announced that this case was originally heard on July 3, 2003 with compliance ordered by August 2, 2003. The property was complied on August 3 and 11, 2003. Fines had accrued in the amount of \$200.00. The City recommended abating the fines to \$100.00.

Ms. Graciela Salmon, daughter of the respondent, informed Ms. Tell that the weather had prevented her from completing repairs on time and requested that the fine be lowered.

Ms. Tell abated the fine to \$100.00 and agreed to allow 30 days to pay.

Reference CE03030016

David & Christine Thomas
39 Northeast 16th Court

Request for Abatement

Ms. Batchelder announced that this case was originally heard on May 1, 2003 with compliance ordered by August 29, 2003. The property was complied on September 16, 2003. Fines had accrued in the amount of \$600.00; the City opposed any reduction of the fines

Mr. Thomas Thomas, son of the respondent, explained that he had needed to find a second roofer and had called Ms. Haskins to let her know that he would need more time. He had not been able to get on the agenda to request the extension in time.

Ms. Deborah Haskins, Community Inspections Officer, explained that the City was opposed to any abatement because the family had been given more time than usual to comply. The permit had not been pulled until 2 days prior to the compliance date.

The Assistant City Attorney stated that Mr. Thomas had missed the deadline to be put on the agenda to request an extension.

Mr. Joseph Sharrow stated that he had been present at the same Special Master hearing that Mr. Thomas had attended and remembered Judge Futch advising Mr. Thomas to notify the inspector if he needed more time, but did not stipulate how far in advance of the compliance date this needed to be done.

Ms. Tell granted a retroactive extension to September 11, canceling the fine period.

Reference CE02110819

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

Request for Extension of Time

Ms. Batchelder announced that no respondent had appeared for this case.

Reference CE03062240

Mijensue Corp.
736 Northwest 7th Avenue

Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property; Sec. 9-306: Peeling, chipping paint; Sec. 47-20.20 H: Parking area in disrepair

Ms. Batchelder announced that certified mail addressed to the company and the registered agent had both been accepted on September 11, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was trash, rubbish, and debris, including 5 unlicensed, inoperable vehicles on the property; paint on the building was chipping and peeling, and the parking area was in disrepair. He recommended 30 days to comply or a fine of \$50.00 per day.

Ms. Tell 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 CE03051031

Martha Meredith
1710 Northwest 9th Street

Sec. 47-20.13 A: Parking area in disrepair

Ms. Batchelder announced that certified mail had been accepted on September 11, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the parking area was in disrepair and was bare sand. He had been in contact with the owner, who had agreed to comply within 90 days or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 90 days or a fine of \$50.00 per day would be imposed.

Reference CE03071816

Denise King
1243 Northwest 3rd Avenue

Sec. 9-279(g): House has no water meter

Ms. Batchelder announced that personal service had been made by Inspector Malik on September 13, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that the water meter had been removed by Public Services. She had spoken with the owner, who had evicted the tenants and was in the process of obtaining new water service. The owner had requested 5 days to complete compliance. Ms. Thime recommended 5 days to comply or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 5 days or a fine of \$25.00 per day would be imposed.

Reference CE03071436

Bonita & Harold Groskopf Trust
812 Southwest 30th Street

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-308: Roof and soffit in disrepair;
Sec. 47-20.20 H: Parking area in disrepair

Ms. Batchelder announced that certified mail had been accepted on September 15, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that the parking area was in disrepair; Sections 9-306 and 9-308 were now complied. He informed Ms. Tell that the owner was in the process of pulling permits and hiring a contractor to replace the driveway. He recommended 30 days to comply with Section 47-20.20 H or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.20 H within 30 days or a fine of \$25.00 per day.

Reference CE03071689

Portside Development LLC
3120 South Andrews Avenue

Sec. 18-1: Derelict vehicle on property;
Sec. 18-27(a): Trash and overgrowth on property

Ms. Batchelder announced that certified mail had been accepted on September 10 and September 12, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that there was trash, overgrowth and a derelict vehicle on the property. He had spoken with the owner, who promised to have the vehicles' owner remove them and then tend to the ground cover. Mr. Nobles recommended 14 days to comply or a fine of \$50.00 per day, per violation.

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

Reference CE03071703

Florida East Coast Railway Co.
2817 South Andrews Avenue

Sec. 18-1: Derelict vehicle on property;
Sec. 18-27(a): Trash and overgrowth on property

Ms. Batchelder announced that certified mail had been accepted on September 11, 2003 and once again with no date on the return card.

Mr. Todd Nobles, Community Inspections Officer, testified that there was trash and overgrowth on the property; Section 18-1 was complied. He had spoken with the owners, who had agreed to comply with Section 18-27(a) within 30 days or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 30 days or a fine of \$50.00 per day would be imposed.

Reference CE03060275

Odyssey Investments Inc.
3410 Berkeley Boulevard

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

Ms. Batchelder announced that certified mail addressed to the registered agent and an officer of the corporation had both been accepted on September 11, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was trash and overgrowth on the property. He presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Mr. Fletcher recommended 14 days to comply or a fine of \$25.00 per day.

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

Reference CE03080256

Noel Stennett & Theresa Turnquest
884 West Dayton Circle

Sec. 9-281(b): Unlicensed, inoperable
vehicle on property

Ms. Batchelder announced that personal service had been made by Inspector Nobles on September 14, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property. He presented a photograph of the property, which was accepted into evidence as City exhibit 1. Mr. Fletcher recommended 14 days to comply or a fine of \$25.00 per day.

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

Reference CE02081964

Jerri & Darrel Wooten
1409 Northwest 8th Avenue

Sec. 24-27(c): Garbage carts not stored behind
building line; Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Rubbish, trash, and debris
scattered on property; Sec. 9-308 (b): Roof in
disrepair

Ms. Batchelder announced that service was via posting on the property and at City Hall on August 25 and September 8, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the garbage carts were not stored behind the building line; the chain link fence was in disrepair and the concrete wall was mildew stained; there was rubbish, trash and debris on the property and the roof shingles were mildew stained. She recommended 7 days to comply or a fine of \$100.00 per day, per violation. Ms. Haskins pointed out that after this case had been postponed three times the respondent had not appeared for this hearing.

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

Reference CE02082013

Andrenamae Sands & Joyce McNeil
1545 Northwest 8th Avenue

Sec. 9-281(b): Rubbish, trash, and debris scattered on property; Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that service was via posting on the property and at City Hall on August 20 and September 8, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was rubbish, trash and debris on the property and the chain link fence was in disrepair. She recommended 7 days to comply or a fine of \$100.00 per day, per violation. As in the previous case, it had been rescheduled three times and the respondent had failed to appear.

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

Reference CE03052072

Real Estate International Investments LLC
2515 Northeast 18th Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that service was via posting on the property and at City Hall on August 20 and September 8, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the paint on the building was stained. She recommended 7 days to comply or a fine of \$100.00 per day.

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

Reference CE03071910

Elvira Hunter
520 Northwest 23rd Avenue

Sec. 9-281(b): Inoperable, unlicensed vehicles on property; Sec. 9-280(f): No water service

Ms. Batchelder announced that personal service had been made by Inspector Malik on September 13, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property and water service had been turned off. He recommended 10 days to comply or a fine of \$25.00 per day, per violation.

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

Reference CE03080057

Father & Son Portfolios Inc.
131 Northwest 5th Street

Sec. 9-281(b): Rubbish, trash, and debris on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-280(g): Electrical components not maintained; Sec. 47-21.8: Landscape maintenance

Ms. Batchelder announced that certified mail had been accepted on September 10, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that there was trash and rubbish on the property; paint was chipping and peeling; outside electrical components were not maintained, and there was no ground cover about the building. He recommended 14 days to comply or a fine of \$50.00 per day per violation.

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

Reference CE03080978

Fairwinds Motel Inc.
2935 North Federal Highway

Sec. 18-1: Unlicensed trailers on property;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Rubbish, trash, and debris on property; Sec. 47-34.1 A: Permitted uses

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on September 11, 2003 and certified mail addressed to an officer of the company had been accepted on September 10 and 11, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that there were unlicensed trailers on the property; ground cover was not maintained; there was trash and rubbish scattered on the property and machinery and construction materials were stored on the property, a non-permitted use. He noted that the representative had been present earlier but had left because she had undergone surgery yesterday and was in pain. Mr. Ackley had spoken

with the property manager 2 days ago and confirmed that most of the repairs had already been completed; only the landscaping was not yet finished. He recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Ms. Tell 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 CE03081278

William & Mary Davidson
1400 Northeast 13th Street

Sec. 9-281(b): Inoperable vehicles on property;
Sec. 15-28: Required occupational license

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

Mr. Len Ackley, Community Inspections Officer, testified that there were inoperable vehicles on the property and the business was operating without an occupational license. He explained that the tenant had been selling cars on the property and the owner had informed him that he would be evicted if he continued this. Mr. Ackley recommended 14 days to comply or a fine of \$50.00 per day, per violation.

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

Reference CE03081323

Frank Hottenrott & Elfriede Schultz
1040 North Victoria Park Road

Sec. 9-281(b): Rubbish, trash, and debris
on property; Sec. 18-1: Stagnant pool water;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-278(g): Missing/torn screens;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on September 11, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that there was trash and rubbish scattered on the property; the fence was in disrepair; some screens were torn or missing, and the paint was peeling and stained. Section 18-1 was now complied. Mr. Ackley had spoken with the owner and had agreed to allow 14 days to comply with Sections 9-281(b), 9-280(h)(1), 9-278(g) and 9-306 or a fine of \$50.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-281(b), 9-280(h)(1), 9-278(g) and 9-306 within 14 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03020793

Pauline Spencer
1701 Northwest 13th Street

Sec. 9-281(b): Ground cover not maintained;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on September 11, 2003 and service was also by personal appearance of the respondent at this proceeding.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of chipped and peeling paint on the building; Section 9-281(b) was now complied. He had spoken with the owner earlier and had agreed to request 30 days to comply with Section 9-306 or a fine of \$25.00 per day.

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

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:

CE03020782	CE03062224	CE03071913	CE03080730
CE03030685	CE03070174	CE03071914	CE03080760
CE03042081	CE03070790	CE03071989	CE03080823
CE03042418	CE03070897	CE03072158	CE03080884
CE03060947	CE03070898	CE03080196	CE03081348
CE03061050	CE03070904	CE03080635	

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:

CE02120400	CE03051020	CE03071888	CE03081321
CE02121851	CE03061224	CE03080649	CE03081322
CE03020094	CE03062529	CE03080988	
CE03050477	CE03070502	CE03081196	

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:

CE03031222	CE03062225	CE03081284
CE03061634	CE03070540	CE03081500
CE03062110	CE03070708	CE03081667

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:

CE03060989

Approved for order to Impose the Fine

Ms. Batchelder presented Ms. Tell with 9 cases with Orders to Impose the Fine for her signature. Ms. Tell approved the orders.

There being no further business, the hearing was adjourned at 11:35 A.M.

Special Master

ATTEST:

Clerk, Special Master