

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Judge Floyd Hull, Presiding
October 2, 2003
9:00 A.M. – 11:20 A.M.

Staff Present:

Susan Batchelder, Administrative Assistant II
Todd Hiteshew, Community Inspections Supervisor
Sylvia Dietrich, Service Clerk
Assistant City Attorney
Leonard Ackley, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Andre Cross, Community Inspections Officer
Mike Donovan, Community Inspections Officer
Burt Fletcher, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
John Hudak, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Skip Margerum, Community Inspections Officer
Dan Mullarkey, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Ken Reardon, Building Inspector
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer

Also Present:

Stephanie Hollis, CE03050590
Donna Riegel, CE03061175
Symphilis Fleury, CE03080775
Michelle Volcy, CE03062225
Barbara Hall, CE03022233
John Reeder, CE03072150
Renate Kurth, CE03061353
Michael Comastro, CE03070821
Vanessa Prieto, CE03070821
Miller Lee Smith, CE03090465
Gloria Pressley-Carter, CE03070401
Tonya Sevalia, CE03011017
Scott Stringham, CE03060470

Mueen Fares, CE03031732
Eric Sharpe, CE03031032
Vincent Moyer, CE03061818
Rick Slomka, CE03061352
Yvonne Small, CE03050588
Djordje Stojanovic, CE03081667
Gertrude Emile, CE03022524

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

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

Reference CE03022233

Tarmac America LLC
2660 Southwest 2nd Avenue

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on May 1, 2003 with compliance ordered by July 30, 2003. On August 7, 2003 the date was extended to October 6, 2003. Fines had accrued in the amount of \$175.00. Community Inspections objected to any extension of time.

Ms. Barbara Hall, representative for Tarmac America, reviewed the facts of the case. A hedge was to be installed to replace a wall and the installation necessitated the removal of a chain link fence. The existing hedge had been removed during construction and its absence resulted in a complaint and citation. Tarmac entered into a stipulated agreement with the City to complete work by July 30.

Subsequent to this, a decision had been made to reinstall the wall on the property instead of the hedge. This required new approvals; only approval from the Zoning Department remained. She felt 60 more days would be sufficient if they obtained approval; if not, they would need to appear before the Planning and Zoning Board and she could not estimate how much additional time would be needed.

The City Attorney felt that 30 days would be sufficient to determine more accurately how much time would be needed. Ms. Hall agreed.

Judge Hull granted a 30-day extension.

Reference CE03072150

John Reeder
510 Northwest 14th Avenue

Sec. 9-331: Required proper boarding

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

Mr. Len Ackley, Community Inspections Officer, testified that the property was not boarded to the minimum standards described in the ordinance but noted that the building was secured. He had spoken with the owner who informed Mr. Ackley that a sale was pending. He recommended 60 days to comply or a fine of \$50.00 per day.

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

Reference CE03050588

Yvonne Marie Small
1600 Northwest 8th Street

Sec. 9-306: Peeling paint/stained surfaces

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

Mr. Mike Donovan, Community Inspections Officer, testified that the walls were dirty and had chipping, peeling paint and the garage door was in disrepair. He presented photographs of the property to Judge Hull and recommended 60 days to comply or a fine of \$25.00 per day.

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

Reference CE03050590

Willie & Odessa Hollis
1601 Northwest 7th Court

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-280(g): Exposed electrical components;
Sec. 9-281(b): Rubbish, debris on property;
Sec. 9-280(h)(1): Fence in disrepair

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

Mr. Mike Donovan, Community Inspections Officer, testified that the walls were dirty and had areas of chipping, peeling paint; the wooden fascia was rotting; outside electrical components were not maintained; there was rubbish scattered on the property, and the fence was in disrepair with broken or missing sections. He presented photographs of the

property to Judge Hull and recommended 60 days to comply or a fine of \$25.00 per day, per violation.

Ms. Stephanie Hollis, respondent, agreed to comply within 60 days.

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

Reference CE03032524

Brunel & Gertrude Emile
1142 Northwest 7th Avenue

Sec. 9-281(b): Rubbish, debris and inoperable, unlicensed vehicle on property; Sec. 9-280(h)(1): Fence in disrepair; Sec. 47-20.20 H: Parking area in disrepair; Sec. 9-308(a): Roof in disrepair; Sec. 9-307(a): Broken windows

Ms. Batchelder announced that certified mail had been accepted on September 18, 2003 and personal service had been made by Inspector Malik on September 18, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that there was trash, rubbish, and unlicensed, inoperable vehicles on the property; the fence, parking area and roof were in disrepair; Section 9-307(a) was now complied. She presented photographs of the property to Judge Hull and recommended 60 days to comply with Sections 9-281(b), 9-280(h)(1), 47-20.20 H and 9-308(a), or a fine of \$25.00 per day, per violation.

Ms. Gertrude Emile, respondent, clarified with Ms. Thime exactly what repairs were required and agreed to comply within 60 days. Ms. Thime agreed to visit the property and advise Ms. Emile about the repairs as well.

Judge Hull found in favor of the City and ordered compliance with Sections 9-281(b), 9-280(h)(1), 47-20.20 H and 9-308(a) within 60 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03061175

Donna & Leone Riegel
1141 North Andrews Avenue

Sec. 9-281(b): Property overgrown ;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 47-21.8: Landscape maintenance

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

Ms. Deborah Haskins, Community Inspections Officer, testified that the property was overgrown on a recurring basis and the case would be presented whether the violation was corrected prior to the hearing date or not; the fence was in disrepair and the lawn consisted of bare sand and weeds. Ms. Haskins had spoken with the owner, who had obtained a

loan to replace the fence and a permit to remove a tree. She recommended 60 days to comply or a fine of \$25.00 per day per violation.

Ms. Donna Riegel stated that there was much work she wanted to complete on the property to prevent violations from recurring.

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

Reference CE03080775

Symphilis Saint Fleury
1419 Northeast 2nd Avenue

Sec. 9-281(b): Inoperable trailer on property;
Sec. 47-20.20 H: Parking area in disrepair

Ms. Batchelder announced that certified mail had been accepted on September 23, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was an inoperable, unlicensed trailer on the property and the parking area was in disrepair and lacked the required striping. She presented photographs of the property to Judge Hull and recommended 14 days to comply or a fine of \$25.00 per day, per violation.

Mr. Symphilis Saint Fleury, respondent, promised to have the unlicensed trailer removed by this weekend and agreed to comply within 2 weeks.

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

Reference CE03061353

Renate Kurth
1484 Northeast 62nd Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Trash, rubbish and an
unlicensed, inoperable vehicle on property

Ms. Batchelder announced that certified mail had been accepted on September 16, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that there was overgrowth and weeds in place of ground cover on the property and there was trash, rubbish, and an unlicensed, inoperable vehicle on the property. He presented photographs of the property to Judge Hull and recommended 2 weeks to comply with Section 9-281(b) and 4 months to comply with Section 47-31.8 A or a fine of \$25.00 per day, per violation.

Mr. Rick Slomka, owner of the derelict vehicle, stated that he was having problems with the car's title and he needed one more week to straighten this out and license the vehicle. The owner also wanted to replace the driveway instead of replacing landscaping, but was having trouble determining where this could be located, and how they could pay for it. Mr.

Stockinger noted that a circular driveway would require an additional permit for the new curb cut and was unsure how long this would take. He felt 3 – 4 months should be sufficient to determine what needed to be done.

Judge Hull found in favor of the City and ordered compliance with Section 9-281(b) within 14 days, and compliance with Section 47-21.8 A within 120 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03070471

F.H. & Gloria Pressley
2000 Northwest 13th Avenue

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on September 16, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the building had areas of chipping peeling paint and mildew stains. She recommended 60 days to comply or a fine of \$25.00 per day.

Ms. Gloria Pressley-Carter clarified that her mother owned the home but did not live in Florida any longer; Ms. Pressley-Carter and her husband lived in the house. They wanted to repaint the house but would need more time to accomplish this.

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

Reference CE03090465

Miller Lee Smith
1113 Northwest 18th Street

Sec. 9-281(b): Rubbish, debris and an inoperable, unlicensed vehicle on property; Sec. 47-34.1 A.1: Non-permitted uses: car maintenance performed in residential area

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish, and an unlicensed, inoperable vehicle on the property. This was a repeat violation of case CE03022108, 6/20/03. Section 47-34.1 A.1 was now complied. Ms. Pingitore wanted fines for Section 9-281(b) to run from September 20 to September 29 at \$500.00 per day. She also requested 5-year jurisdiction on the property. She presented photographs of the property to Judge Hull.

Mr. Miller Lee Smith, respondent, stated that someone else had abandoned this car on his property; he did not know who the owner was. He thought the City would remove the car, but it had not.

Judge Hull found in favor of the City and ordered that a fine of \$300.00 per day run from September 20 to September 29.

Reference CE03060470

Sammatsar Development Corp. Sec. 47-20.20 H: Parking area in disrepair
2600 West Broward Boulevard

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on September 19 and 26, 2003, and certified mail addressed to an officer of the company had been accepted on September 10, 2003.

Mr. Kenneth Reardon, Building Inspector, testified that the parking area lacked the required striping. He had entered into an agreement with the tenant to repair the parking lot or vacate the property by February 1, 2004 or a fine of \$100.00 per day.

Judge Hull found in favor of the City and ordered compliance by February 1, 2004 or a fine of \$50.00 per day would be imposed.

Reference CE03011017

Tonya Sevalia & Cynthia Walden Request for Abatement
900 Northwest 24th Avenue

Ms. Batchelder announced that this case was originally heard on April 3, 2003 with compliance ordered by May 4, 2003. On June 19, an extension was granted to July 3, 2003. The last violation was complied on July 24, 2003. Fines had accrued in the amount of \$3,350.00. The City was opposed to any abatement of the fines.

Ms. Tonya Sevalia, respondent, presented receipts for work done at the property and claimed that all repairs were complete by the ordered date. According to Ms. Sevalia, Mr. Kaplan complied the property on June 26, 2003. Mr. Kaplan stated that the property was complied on May 3 for the fence and on July 24 for the paint. Ms. Sevalia was confused as to why she was called to appear at the June 19th hearing since the building had been painted by then. At the hearing, Mr. Kaplan informed her that it was because the trim had not been painted. He had never explained this to Ms. Sevalia. She agreed to paint the trim at that hearing and met Mr. Kaplan at the property on June 26, at which time she thought he agreed that the repairs were finished. Ms. Sevalia knew she would need to appear to request abatement of the fines so she had called to schedule this.

She had phoned and left a letter asking Mr. Kaplan to contact her but he had not. She also checked to see if any entries had been made confirming her meeting with Mr. Kaplan on June 26 and saw that there was none. She did not understand why the property was not complied until July 24.

The City Attorney noted that the June 19, 2003 hearing was a Massey hearing during which the Inspector presented photographs and the Special Master agreed that the paint violation was still not complied and allowed the owner until July 3 2003 to comply. Mr. Kaplan stated that the City opposed any abatement because there had been 31 violations at the property and at this time the property was strewn with trash. The City Attorney reiterated that the property was determined to be not yet complied at the June 19 Massey hearing. Mr. Kaplan stated that when he met with Ms. Sevalia on June 26 the building was covered with graffiti—it was not complied. Ms. Sevalia stated the building had been painted by that date and had photographs at her home to prove this. She stated that on June 26 Mr. Kaplan had told her that the paint was complied.

Judge Hull denied the request.

Reference CE03031732

Farouni Petroleum Inc. Request for Abatement
2395 West Commercial Boulevard

Ms. Batchelder announced that this case was originally heard on May 1, 2003 with compliance ordered by May 8, 2003. The property was complied on June 2, 2003. Fines had accrued in the amount of \$600.00.

Mr. Mike Fares, owner, stated that he received the certified letter dated May 9 on May 10 informing him that the signs must be removed by May 8. He was unaware of the first notice of violation on May 1. The signs were removed on May 10 and he called Mr. Margerum but did not receive a return call. After 2 days, he left a message for someone to reinspect the property and thought the problem had been handled. Mr. Margerum stated that he never received a message to reinspect the property. He had no problem reducing the fine to only 2 days.

Judge Hull abated the fines to \$50.00.

Reference CE03031032

Eric & Clarissa Sharpe Request for Abatement
3220 Glendale Boulevard

Ms. Batchelder announced that this case was originally heard on May 15, 2003 with compliance ordered by June 14, 2003. On July 17 a request for an extension was denied. The property was complied on August 5, 2003. Fines had accrued in the amount of \$2,550.00. The City was opposed to any reduction of the fines.

Mr. Eric Sharpe, owner, stated that he had needed to hire professional painters to complete the job.

Judge Hull denied the request.

Reference CE03061818

MICC Group LLC
202 Northwest 14th Avenue

Request for Abatement

Ms. Batchelder announced that this case was originally heard on July 17, 2003 with compliance ordered by July 31, 2003. The property was complied on August 25, 2003. Fines had accrued in the amount of \$2,400.00. The City was opposed to any reduction of the fines.

Mr. Vincent Moyer explained that during July there were many lightning storms which prevented them from mowing the property for safety reasons.

Judge Hull denied the request.

Reference CE03080195

Theresa Davis
681 Southwest 29th Avenue

Sec. 18-1: Numerous inoperable vehicles and trailers on property

Ms. Batchelder announced that certified mail had been accepted on September 11, 2003, and the rescheduling letter had been mailed on September 16, 2003.

Mr. John Hudak, Community Inspections Officer, testified that there were numerous unlicensed, inoperable vehicles and trailers on the property. He presented photographs of the property to Judge Hull and recommended 14 days to comply or a fine of \$25.00 per day.

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

Reference CE03050036

Balaji Investments Inc.
1700 West Broward Boulevard

Sec. 9-306: Administration building in disrepair; broken or missing windows

Ms. Batchelder announced that certified mail addressed to the registered agent and an officer of the company had both been accepted on September 16, 2003.

Mr. Dan Mullarkey, Community Inspections Officer, testified that the administration building had several broken or missing windows. He has spoken to the building manager and they had agreed on 30 days to comply or a fine of \$100.00 per day.

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

Reference CE03060562

Ralph Garner
1325 Southwest 23rd Avenue

Sec. 18-27(a): Overgrowth on property and swale;
Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail had been accepted on September 17, 2003.

Mr. Dan Mullarkey, Community Inspections Officer, testified that ground cover was missing; Section 18-27(a) was complied. He had spoken with the owner, who was in the process of replacing the sod on the property and recommended 30 days to comply Section 47-21.8 A or a fine of \$25.00 per day.

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

Reference CE03070913

Richard Williams
817 Southwest 29th Street

Request for Extension of Time

Ms. Batchelder announced that there was no respondent present for this case.

Reference CE03061634

Horace Green
1605 Northwest 11th Street

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

Ms. Batchelder announced that personal service had been made by Inspector Margerum on September 28, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles on the property. He recommended 14 days to comply or a fine of \$25.00 per day.

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

Reference CE03090148

Oilman Inc.
1440 State Road 84

Sec. 47-22.3 C: Banner signs without permits

Ms. Batchelder announced that certified mail addressed to the company had been accepted on September 18, 2003, and certified mail addressed to the registered agent had been accepted (no date on the return card).

Mr. Todd Nobles, Community Inspections Officer, testified that the streamer-style signs had been removed, but the banner sign remained on the property. He recommended 14 days to comply or a fine of \$25.00 per day.

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

Reference CE03080605

Mercier & Lenise Milfort
1075 Long Island Avenue

Sec. 9-306: Garage door in disrepair;
Sec. 9-281(b): Inoperable, unlicensed vehicle on property

Ms. Batchelder announced that certified mail had been accepted on September 16, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that the garage door was in disrepair and there was an unlicensed, inoperable vehicle on the property. He recommended 30 days to comply with Section 9-306 or a fine of \$50.00 per day, and 14 days to comply with Section 9-281(b), or a fine of \$25.00 per day.

Judge Hull found in favor of the City and ordered compliance with Section 9-306 within 30 days or a fine of \$50.00 per day, and compliance with Section 9-281(b) within 14 days or a fine of \$25.00 per day.

Reference CE03081926

Elisson Toussaint & Gilene Sylvain
500 Northeast 13th Street

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

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

Mr. Burt Fletcher, Community Inspections Officer, testified that there was trash and debris scattered on the property.

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

Reference CE03070821

Marangelli Investments
825 Northwest 10th Terrace

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on August 7, 2003 as a repeat case. Three of the violations were still not complied at that hearing and Ms. Batchelder entered a copy of the order into the record. The last three sections were ordered to comply by September 21, 2003; the property was still not complied. Fines had accrued in the amount of \$10,750.00.

The City Attorney noted that three violations were found at the August 7 hearing; fines ran from the date the notice of violation was received to August 7 at the rate of \$125.00 per day, per violation. The Special Master had informed the owner that if the violations were not complied by September 21, the fines would start again at \$250.00 per day, per violation.

Ms. Vanessa Prieto, attorney for the respondent, stated that the request for an extension was dated September 19. She stated the problems with the tenants' A/C units and presented a letter from Inspector Kurtock regarding the temporary fix. After the violations had been issued, the owner needed to apply for 16 separate permits to alter the A/C units. She presented letters from the electrical contractor, the contractor and the appliance company, as well as a copy of the building permit that was issued by the City on September 30. The electrical permit had been applied for, but had not been received yet. The City had notified the electrician that they were behind in issuing permits as well. Ms. Prieto pointed out that it was not possible to comply by the ordered date and requested an additional 30 days.

The City Attorney objected to an extension of time. She stated that the owner had been advised time and time again that the A/C units must be replaced. She felt that this owner had a history of not acting in a timely manner to handle problems. She noted that the permit was applied for on September 19, just 2 days before the deadline to comply and almost 6 weeks after the hearing. For these reasons, the City objected to any extension.

Ms. Prieto noted that it had taken time to get information from the contractor and electrician in order to submit the permit application and asked the City Attorney to confirm with the owner and contractors that action had been taken to get the information for the permits immediately following the last hearing. She noted that Inspector Kurtock had never informed the owner that the A/C units would be a code violation or would require a permit. He specifically told Ms. Prieto that there was no prohibition in the code for the support brackets that had been installed. At the last hearing, the City admitted they were unaware when the code had changed to require the permits. Mr. Hiteshew admitted that other buildings in the area would not be cited for using these brackets unless there were other violations. The City Attorney noted that some of the existing violations concerned the

windows that were compromised by the illegal installation of the individual A/C units by the tenants. Ms. Prieto countered that since the units belonged to the tenants, the building owner could not remove them. At the previous hearing, the owner had asked that a police officer be assigned to accompany the owner while he removed the units and they had been refused because the units were not the property of the building owner.

Mr. Michael Comastro, property manager, stated that all tenants were aware that the owner was going to install new A/C units in all the apartments at the owner's expense. These would not be installed in the windows, so the screen and window violations would be complied.

Mr. Mike Donovan, Community Inspections Officer, stated that if the old units were removed, the window violations would be complied. The installation of new units had nothing to do with the violations. Ms. Prieto stated that the tenants could not be left without air conditioning. Mr. Donovan stated that there was no code requiring that the tenants have air conditioning. The City Attorney asked that the fines not be tolled for the 30 days.

Judge Hull granted a 30-day extension, with a recommendation that if a future extension was considered, the fine not be tolled again.

Reference CE03071953

Thomas Mitchell
1019 Northwest 7th Terrace

Sec. 9-329(b): Required proper boarding

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

Ms. Ursula Thime, Community Inspections Officer, testified that the building had been boarded for more than 6 months without first obtaining a certificate of boarding. She recommended 14 days to comply or a fine of \$100.00 per day.

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

Reference CE03080394

Manuel Blanco
1225 Northwest 5th Avenue

Sec. 9-281(b): Rubbish, trash, and an inoperable, unlicensed vehicle on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-278(g): Missing/torn screens

Ms. Batchelder announced that certified mail had been accepted on September 23, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that there was trash and rubbish, including an unlicensed, inoperable vehicle on the property; paint on the building was chipping and peeling, and screens were torn or missing.

Judge Hull 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;
- Section 9-278(g) within 14 days or a fine of \$50.00 per day;
- Section 9-306 within 30 days or a fine of \$25.00 per day would be imposed.

Reference CE03071527

R H Sales Inc.
500 Southwest 27th Avenue

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

Ms. Batchelder announced that certified mail addressed to the company had been accepted on September 18, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there was trash and overgrowth on the property. She recommended 30 days to comply or a fine of \$50.00 per day.

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

Reference CE03080239

Steve Margolis
2023 Southwest 29th Avenue

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

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

Ms. Peggy Burks, Community Inspections Officer, testified that there was trash and rubbish on the property, including an unlicensed, inoperable vehicle. She recommended 3 weeks to comply or a fine of \$25.00 per day.

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

Reference CE03080240

Steve Margolis
2027 Southwest 29th Avenue

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

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

Ms. Peggy Burks, Community Inspections Officer, testified that there was trash and overgrowth on the property. She recommended 3 weeks to comply or a fine of \$25.00 per day.

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

Reference CE03081137

Leticia Heredia
1320 Southwest 38th Avenue

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

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that the fence was in disrepair and the property was overgrown; Section 18-1 was now complied. He recommended 14 days to comply with Sections 9-280(h) and 18-27(a) or a fine of \$50.00 per day, per violation.

Judge Hull found in favor of the City and ordered compliance with Sections 9-280(h) and 18-27(a) within 14 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03040832

Andrews / 17 LLC
1729 North Andrews Avenue

Request for Abatement

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

Reference CE03071549

Michael & Kathleen Nickas
1723 Northeast 9th Street

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

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

Ms. Deborah Haskins, Community Inspections Officer, testified that the wooden fence was in disrepair. She recommended 30 days to comply or a fine of \$25.00 per day.

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

Reference CE03090463

Philip Bacigaluppi
1345 Northwest 7th Terrace

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

Ms. Batchelder announced that certified mail had been accepted on September 22, 2003, and personal service had been made by Inspector Haskins on September 16, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the fence was in disrepair and there was trash, debris and an unlicensed, inoperable vehicle on the property. These were both repeat violations cited in case CE02100181. Ms. Haskins noted that there was a very lengthy history of violations at the property and requested that even though the violations were now complied that the fines be backdated from the date of notice, September 16, to September 22 as this was a repeat case. She noted that the maximum was \$500.00 on a repeat violation and asked Judge Hull to determine the fine.

Judge Hull found in favor of the City and ordered that fines run from September 16, 2003 to September 22, 2003 at \$300.00 per day, per violation.

Reference CE0310975

Robert & Barbara Stiene
5440 Northeast 22nd Terrace

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

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

Mr. Frank Stockinger, Community Inspections Officer, testified that there were areas of chipped and peeling paint on the building and the parking area was in disrepair and lacked the required striping. He had been working with the owner, who had experienced problems repairing the roof. He recommended 60 days to comply or a fine of \$50.00 per day per violation.

Judge Hull 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 CE03082069

JAF Investment 441 Inc.
4400 North Federal Highway

Sec. 18-27(a): Trash around dumpster;
Sec. 24-28(a): Dumpster lids continually open;
Sec. 24-29(a): Garbage accumulated around
dumpster; Sec. 47-19.4 D.8: Open dumpster
enclosure gates; Sec. 47-22.3 S: Signs without
permits

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on September 18, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that there was trash accumulated around the dumpster, the lids and enclosure gates were continually left open; Section 47-22.3 S was now complied. He had spoken with the owner and informed him that he would recommended 14 days to comply with Sections 18-27(a), 24-28(a), 24-29(a) and 47-19.4 D.8 or a fine of \$50.00 per day, per violation.

Judge Hull found in favor of the City and ordered compliance with Sections 18-27(a), 24-28(a), 24-29(a) and 47-19.4 D.8 within 14 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03081499

Sil-Brod Corp.
2650 North Federal Highway

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

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

Mr. Len Ackley, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property. He presented a photograph of the property to Judge Hull and recommended 14 days to comply or a fine of \$100.00 per day.

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

Reference CE03070203

Edith Pinckney
2349 Northwest 14th Court

Sec. 9-281(b): Rubbish, debris and an inoperable,
unlicensed vehicle on property; Sec. 9-278(b):
Windows blocked by hurricane shutters;
Sec. 24-27(a): Garbage carts left out after service

Ms. Batchelder announced that certified mail had been accepted on September 16, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish, and an unlicensed, inoperable vehicle on the property; Sections 9-278(b) and 24-27(a) were now complied. Ms. Pingitore had spoken with the owner, who requested 30 days to license the vehicle. She recommended 30 days to comply Section 9-281(b) or a fine of \$25.00 per day.

Judge Hull 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 CE03072403

Alma Jones
3001 Northwest 17th Street

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

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish, and an unlicensed, inoperable vehicle on the property.

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

Reference CE03081014

Leroy & Doris Coutain
1601 Northwest 16th Street

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

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish, and an unlicensed, inoperable vehicle on the property. She had spoken with the owner, who informed her that she had licensed the vehicle. Ms. Pingitore requested 14 days to reinspect the property.

Judge Hull found in favor of the City and ordered compliance within 14 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:

CE03022327	CE03071047	CE03081107	CE03090013
CE03032333	CE03071901	CE03081175	CE03090035
CE03041937	CE03072247	CE03081191	CE03090097
CE03050585	CE03080201	CE03081402	CE03090258
CE03062225	CE03080235	CE03081566	
CE03070151	CE03080450	CE03082230	
CE03070190	CE03080852	CE03090004	

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	CE03051607	CE03070895	CE03080665
CE03021385	CE03052136	CE03071292	CE03081304
CE03031222	CE03060132	CE03071433	CE03081822
CE03050619	CE03060460	CE03071581	CE03081846
CE03050136	CE03060799	CE03071736	CE03081930
CE03050807	CE03061548	CE03072059	
CE03051515	CE03070116	CE03080151	

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:

CE02081454	CE03051398	CE03071648	CE03090003
CE03040923	CE03071420	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:

CE03081816

Approved Orders for Imposition of Fines

Ms. Batchelder presented Judge Hull with 11 cases that had not come into compliance with the Special Master's orders. Judge Hull approved the Orders for Imposition of Fines.

There being no further business, the hearing was adjourned at 11:20 A.M.

Special Master, Judge Floyd Hull

ATTEST:

Clerk, Special Master