

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Meah Tell, Presiding
November 6, 2003
9:00 A.M. – 12:20 P.M.

Staff Present:

Susan Batchelder, Administrative Assistant II
Jennifer Chenault, Secretary
Maurice Murray, Community Code Supervisor
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
John Gossman, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
John Hudak, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Karl Lauridsen, Community Landscape 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
Maria Christine Roque, Community Inspections Officer
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Tim Welch, Engineering Design Manager

Also Present:

Anthony Box, CE03092062
Samantha Johnson, CE03050211
Richard Schwartz, CE03040832
Michael McCalla, CE03081514
Albert Townsend, CE03062223
Barbara Hall, CE03022233
Khemwattie Mahmood, CE03100385
Willie Ruth Fox, CE03021124
Michelle Mason, CE01102708
Rene Michel, CE03082227

Rod Feiner, CE02071508
Carlos Rodriguez, CE03090704
Cenerien Francios, CE03070164
Dennis Brooks, CE03050817
Daniel Barton, CE03090975
Brian VanDerBreen, CE03081986
Richard Brustad, CE03050291
Benjamin Bugarin, CE03090104
Canute Spurgeon, CE03062223
Kevin Maggs, CE03071683
Simon Wilson, CE03052178
Daniel Carusi, CE03070406
Bettina Wood, CE03031727
Fontane Theophin, CE03091420
Louis Graham, CE00052328
Sean Schwinghammer, CE03080762
James Smith, CE03062566
Josie Smith, CE03062566
Carle Whyte, CE03072163
Louis James, CE03011450
Danny Ducello, CE03061174
Martin Nickelsen, CE03051559
Marie Pierre-Louis, CE03091931

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.

Hearings for Orders to Impose the Fine – Massey Hearings

Reference CE03050291

Richard A. & Joanne S. Brustad
5500 Northeast 15th Avenue

Ms. Batchelder announced the case had originally been heard on July 3, 2003 with compliance ordered by October 1, 2003. The property was still not in compliance and fines had accrued to \$2,600.00.

Frank Stockinger, Community Inspections Officer, testified that the respondent had not addressed the driveway and landscaping issues because the roof work that was taking place would ultimately undo any work completed on these two violations.

Mr. Richard Brustad, Respondent, explained that a number of delays in getting the roof work completed had caused the overall delay in compliance. There were problems with the correct roof tile being available, than the painter had been booked and the sod had not taken. He requested additional time to complete the work.

Special Master Tell stated she appreciated Mr. Brustad's efforts and explained there was an administrative process the respondent could use to mitigate the fines. She did find the property was not in compliance and ordered the fines imposed.

Reference CE03062223

Canute R. Spurgeon
1106 Northwest 13 Court

Ms. Batchelder announced this case had been originally heard on August 21, 2003 with compliance ordered by September 20, 2003. The property came into compliance of October 22, 2003, but fines had accrued in the amount of \$775.00.

Mr. Andre Cross, Community Inspections Officer, testified that this case had started on June 25, 2003 when he originally inspected the property. The violations had been complied on October 22, 2003.

Mr. Albert Townsend, representing the respondent, claimed the service had been delayed because the Notice had to be mailed to the Bahamas. He also stated a new sprinkler system had been installed and sod lay. It had taken longer than the time given. Mr. Townsend asked that the fine be waived.

Special Master Tell again explained the respondent could request a mitigation of the fine, once the lien has been recorded. She found compliance had not been timely met and imposed the fine in the amount of \$775.00.

Reference CE03062526

James E. & Josie P. Smith
450 West Evanston Circle

Ms. Batchelder announced this case had originally been heard on August 21, 2003 with compliance ordered by September 20, 2003. The property was still not in compliance with the one section cited and the fines had accrued to \$1,150.00.

Mr. Burton Fletcher, Community Inspections Officer testified that the property had been cited for one violation, missing ground cover. He further stated the violation still existed today.

Mr. James Smith stated they had planted grass seed which had not come up and they needed additional time.

Special Master Tell found the property had no achieved compliance as ordered and imposed the fine per the original order. She urged the respondent to get the property into compliance and request a mitigation of the fine.

Reference CE03031727

Baton II Development Corporation
1000 West Commercial Boulevard

Ms. Batchelder announced this case had been originally heard on May 1, 2003 with compliance ordered by May 8, 2003. The property came into compliance on June 2, 2003 and fines had accrued to \$600.00.

Mr. Skip Margerum testified that the violation involved an illegal banner on the property. On his inspection on June 2, 2003, he found the property was in compliance.

Ms. Bettina Wood, representing the owners, explained that the order was received on May 12, 2003, not until after the compliance date. She further stated the client had removed the banner upon her inspection on May 13, 2003, but she had failed to contact the Inspector and have him confirm the violation was corrected.

Special Master Tell found the property was not complied in a timely manner and ordered the fine imposed in the amount of \$600.00.

Reference CE03021123

Walter F. & Willie Ruth Fox
1717 Northwest 8th Place

Ms. Batchelder announced this case was originally heard on July 3, 2003 with compliance ordered by September 16, 2003. The property was not in compliance and the fines had accrued to \$6250.00.

Mr. Mike Donovan, Community Inspections Officer, presented two photographs taken October 27, 2003. He testified the violations had not been corrected. He had spoken with the owner who now understands what needs to be done to bring the property into compliance.

Mrs. Fox, the Respondent, requested an extension of time and a review of the five violations. Inspector Donovan proceeded to read the violations cited: parking area in disrepair; missing ground cover; missing screens; broken windows and exterior light fixtures in disrepair.

Special Master Tell inquired if Inspector Donovan had any objection to the request for extension of time. Inspector Donovan did not object to a 30 day extension.

Special Master Tell granted a 30 day extension of time for compliance and tolled the fines. She did not impose the fines.

Reference CE03021124

Walter F. & Willie Ruth Fox
1711 Northwest 8th Place

Ms. Batchelder announced the details to this case were the same as the previously heard case for 1717 Northwest 8th Place.

Mr. Mike Donovan, Community Inspections Officer, presented photographs taken on October 27, 2003 showing the violations still exist. He stated he had had a conversation with the respondent and was confident she now understood what had to be done to bring the property into compliance.

Mrs. Fox requested an extension of time to correct the violations.

Special Master Tell granted a 30 day extension of time and did not impose the fine.

Reference CE03051559

Martin B. Nickelsen & Christine M. Brannin
3137 Southwest 15 Street

Ms. Batchelder announced this case has been originally heard on July 17, 2003 with compliance ordered by July 31, 2003. The property came into compliance on August 11, 2003, but fines had accrued in the amount of \$500.00. The City was requesting an order to impose the fines.

Mr. Gil Lopez, Community Inspections Officer, testified the compliance date was August 11, 2003.

Mr. Martin Nickelsen explained that compliance was not completed on time because he and his sister own the house and they had difficulty coordinating the tasks that had to be done. Once they got the information from City Hall, it was complied

Special Master Tell found the property was not brought into compliance in a timely manner and ordered the fine imposed.

End of the Hearings to Impose the Fine

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; on October 6, 2003 the date was extended to November 2, 2003. Fines had accrued in the amount of \$950.00.

Ms. Barbara Hall, attorney for the Respondent, explained the efforts being made to bring the property into compliance while keeping the neighborhood content with the final project. She requested a 60 day extension of time to complete the entire project.

Ms. Tell granted an extension to the first hearing date in December.

Reference CE02071508

S.C. & Diane Russo
3529 Southwest 12th Court

Sec. 9-306: Peeling paint, stained surfaces

Ms. Batchelder announced that this case was continued from May 1, 2003.

Rod Feiner, attorney for the Respondent, requested a 6 month continuance. He explained there was a legal action by his client against the City regarding the area drainage. This was preventing the respondents from painting their house. He anticipated the trial would be scheduled in the next two months. He requested the time to resolve the trial issues and complete any required corrective action.

Ms. Tell granted a 6-month continuance.

Reference CE03011450

Leon James
721 Northwest 19th Terrace

Request for Abatement

Ms. Batchelder announced that this case was originally heard on April 17, 2003 with compliance ordered by April 24 and May 17, 2003. The property was complied on May 14, 2003. Fines had accrued in the amount of \$950.00. The City objected to any abatement of fines.

Mr. Louis James, the brother of the Respondent, testified the required work was completed on March 24, 2003 and presented receipts to show the work had been contracted and completed.

Inspector Kaplan explained there were no fines that had accrued on the violations for the ground cover and the parking area, the violations for which the receipts proved compliance. He stated the fines had accrued on the violation of trash, rubbish and debris on the property. Mr. James claimed never to have been cited for that, and Mr. Kaplan presented the Notice of Violation and the Order, both showing the violation.

Special Master Tell denied the request to abate the fines.

Reference CE03090975

William & Sandra Driesslein
1625 Northeast 15th Avenue

Sec. 47-20.13 A: Parking area in disrepair;
Sec. 9-281(b): Unlicensed, derelict vehicles
on property

Ms. Batchelder announced that certified mail had been accepted on October 25, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that the parking area did not meet specifications for a hard, dust-free surface. He further stated the violation for Section 9-281(b) had been corrected. He recommended 60 days to comply or a fine of \$50.00 per day, per violation.

Mr. Dan Barton, Property Manager, stated when the house was built no parking area was required. They have prepared an application for a variance to turn into Building & Zoning for a hearing on December 10, 2003. He requested time past the December hearing to comply.

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

Reference CE03090104

Benjamin & Rosalinda Bugarin
501 Southeast 22nd Street

Sec. 47-20.13 A: Driveway in disrepair;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-278(g): Missing/torn screens;
Sec. 9-280(g): Outside electrical fixtures in
disrepair; Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Rubbish, trash, and inoperable,
unlicensed vehicle on property; Sec. 9-307(a):
Doors and windows not weather-tight and rodent-
proof

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

Mr. Todd Nobles, Community Inspections Officer, testified that the driveway was in disrepair and lacked the required striping and wheel stops; there were areas of missing ground cover; screens were torn or missing; outside electrical fixtures were in disrepair; the fence was in disrepair; there was rubbish, trash, and unlicensed, inoperable vehicles on the property, and doors and windows were not weather-tight and rodent-proof. He recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Mr. Benjamin Bugarin, the Respondent, felt the work on the parking area, the screens, the electrical fixtures, the doors and windows and the fence was complete and the trash, rubbish and debris were cleaned up. The missing ground cover need some work. Inspector Nobles reiterated he had not heard from the respondent since the initial inspection and would have to verify compliance.

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 CE03052178

Simon Wilson
1012 Northwest 14th Street

Sec. 9-281(b): Inoperable, unlicensed vehicles on property; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on October 21, 2003 and personal service had been made by Inspector Donovan on October 18, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles, specifically a red and white Chevy Blazer, a white Cadillac and a blue full size Chevy pickup truck, on the property and there were areas of chipped and faded paint on the building. He recommended 7 days to comply with Section 9-281(b) or a fine of \$100 per day or the vehicles would be towed, and 30 days to comply with Section 9-306 or a fine of \$50.00 per day.

Mr. Wilson agreed he could complete the painting in 30 days, but he felt the blue pickup truck was complied and the other two cars belonged to his grandchildren.

Ms. Tell found in favor of the City and ordered:

- compliance with Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicles would be towed because they presented a serious threat to the Public health, safety and welfare and:
- compliance with Section 9-306 within 30 days or a fine of \$50.00 per day.

Reference CE03072163

Carl Whyte
1523 Northwest 12th Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted (no date on card), and personal service had been made by Inspector Donovan on October 18, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that paint on the building was chipped and faded. Mr. Cross noted that Mr. Whyte had already begun painting. He recommended 30 days to comply or a fine of \$25.00 per day.

Mr. Carl Whyte, respondent, stated that he felt he could complete painting within 30 days.

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 CE03061174

Danny Ducello & Mark Cabral
5401 Northeast 16th Avenue

Sec. 47-21.8 A: Landscape maintenance

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

Mr. Frank Stockinger, Community Inspections Officer, testified that the yard had areas of bare ground and weed overgrowth. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Stockinger recommended 60 days to comply or a fine of \$25.00 per day.

Mr. Danny Ducello, respondent, informed Ms. Tell that he was having some construction done on the property. The contractor informed him that construction would be complete in two weeks; he would subsequently complete the landscaping.

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

Reference CE03100385

Khemwattie Mahmood
5950 Northeast 22nd Way

Sec. 47-21.8 A: Property overgrown
Previous cases CE03061801, 03061187,
00100385, 02101882, and 02041765

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

Mr. Frank Stockinger, Community Inspections Officer, testified that the violations had been corrected, but this was constant and repetitive per cases CE CE03061801, 03061187, 00100385, 02101882, and 02041765. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Stockinger requested 5 years jurisdiction or a fine of \$150.00 per day.

Ms. Tell found agreed to maintain jurisdiction for 5 years with a fine of \$100.00 per day for non-compliance.

Reference CE03070406

Daniel & Dianne Carusi et al.
1212 Northwest 5th Avenue

Sec. 47-21.8: Landscape maintenance;
Sec. 9-278(b): Windows blocked;
Sec. 9-281(b): Rubbish and trash on property;
Sec. 9-306: Peeling paint/stained surfaces

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

Ms. Deborah Haskins, Community Inspections Officer, testified that the lawn had bare patches with no living ground cover, some windows were blocked, there was rubbish and trash on the property and paint was peeling and chipped. She presented photographs of the property that were accepted into evidence as City composite exhibit 1. Ms. Haskins recommended 30 days to comply or a fine of \$50.00 per day, per violation.

Mr. Daniel Carusi, respondent, stated that the building could not be painted due to the nature of the siding material. He was in the process of cleaning and re-staining the building. He also had to make some changes to the driveway. He requested 60 days to repair the driveway and 30 days to make other repairs.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8 within 60 days and with Sections 9-278(g), 9-281(b), and 9-306 within 30 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03071683

Matthew & Diana Stump
1300 Northwest 4th Avenue

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-281(b): Trash, litter and overgrowth on property;
Sec. 9-306: Peeling paint/stained surfaces

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

Mr. Kevin Maggs, representative of the new owner, informed Ms. Tell that the notices were sent to the former owners, who did not notify his client of the violations until October 22, 2003. He requested a 30-day extension to complete work on the property.

Ms. Deborah Haskins, Community Inspections Officer, testified that she had contacted the new owner, who had agreed to complete repairs within 30 days. She noted that Section 9-281(b) was now complied and recommended 30 days to comply with Sections 47-20.20 H and 9-306, or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-20.20 H and 9-306 within 30 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03080762

Venice Partners Ltd.
711 Northwest 19th Street

Sec. 47-19.4 D.1: Dumpster not in approved enclosure

Ms. Batchelder announced that certified mail addressed to the owner, a partner of the corporation, and the registered agent had all been accepted on October 22, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the dumpsters were not in an approved enclosure. She informed Ms. Tell that the owners had begun constructing an enclosure and recommended 30 days to comply or a fine of \$50.00 per day.

Mr. Sean Schwinghammer, representative of the owner, presented Ms. Tell with paperwork detailing the progress of the project that was accepted into evidence as respondent's exhibit 1. He agreed that repairs would be completed in 30 days.

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

Reference CE03082227

Rene & Telidia Michel
1243 Northeast 2nd Avenue

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

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and an unlicensed, inoperable Toyota Camry on the property. She presented photographs of the property that were accepted into evidence as City composite exhibit 1.

Mr. Rene Michel, respondent, state that the car did run, and he would clear the bike parts and tires from the property. Ms. Tell reminded him that he must also license the car. She informed Mr. Michel that she would allow 30 days to remove the tires and other trash, but only 7 days to license the car.

Ms. Tell found in favor of the City, finding the vehicle to present a serious threat to the public health, safety and welfare, and ordered Mr. Michel to license the car within 7 days or a fine of \$100.00 per day would be imposed or the City would tow the car; she ordered the trash removed within 30 days or a fine of \$25.00 per day would be imposed.

Reference CE03092062

Lex Properties LLC
524 Northwest 8th Avenue

Sec. 47-21.8: Landscape maintenance;
Sec. 9-278(g): Missing/torn screens;
Sec. 9-281(b): Rubbish, trash, and debris
scattered on property

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on October 31, 2003

Mr. John Gossman, Community Inspections Officer, testified that there were areas of dead and missing ground cover and areas of bare sand; window screens were torn or missing, and there was trash and debris scattered on the property. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Gossman recommended 14 days to comply or a fine of \$50.00 per day, per violation.

Mr. Anthony Box, representative of Lex Properties, stated that he had found out only yesterday about problems at the property. He thought it would take 45 days to lay new sod on the property and replace the screens; the trash had already been removed.

Ms. Tell found in favor of the City and ordered compliance within 45 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE01102708

Standard Federal Bank
929 Northwest 3rd Avenue

Request for Abatement

Ms. Batchelder announced that this case was originally heard on January 3, 2002 with compliance ordered by February 2, 2002. The property was complied on May 16 and June 17, 2003. Fines had accrued in the amount of \$37,000.00.

Ms. Michelle Mason, representative of Standard Federal Bank, stated that there were numerous fines dating back to 1999, prior to her client's ownership of the property. Ms. Tell asked Ms. Mason to consult with Ms. Batchelder to clarify the fines and they would return to the case later.

Upon returning, Ms. Mason explained that the bank owned the property as the result of a foreclosure. The previous owner had committed the violations and never informed the bank about the notices. The bank had begun repairs in February 2003 and the property

was complied on July 2003. Ms. Mason stated that the bank had no problem covering administrative costs, but \$37,000 was prohibitive.

The Assistant City Attorney stated that the bank had taken ownership in September 2001 and the certificate of title was dated October 18, 2001. The City was opposed to any abatement. Ms. Mason noted that the bank was unaware of the violation; notices were sent to previous owners. She stated that money put toward the fine would subtract from money her client could spend toward renovation. Ms. Tell informed Ms. Mason that once a lien was imposed, Ms. Mason could request mitigation. She felt this was the right course of action.

Ms. Tell refused to abate the fines and signed the order to impose the fines.

Reference CE03050211

1510 Northeast 26th Avenue LLC Request for Extension of Time
1510 Northeast 26th Avenue

Ms. Batchelder announced that this case was originally heard on September 4, 2003 with compliance ordered by September 18, 2003. Fines had accrued in the amount of \$33,600.00. The City was opposed to any extension.

Ms. Samantha Johnson, representative of the owner, requested an additional 45 days to complete compliance. Ms. Tell informed her that she would allow a 45-day extension, but would not allow more than 7 days to remove the car. Failure to do so would result in a \$100.00 per day fine or the car would be towed.

Ms. Tell found the vehicle to be a threat to the public health, safety and welfare and ordered that the car be removed within 7 days or a fine of \$100.00 per day would be imposed or the City would tow the car. For the remaining violations, Ms. Tell granted a 45-day extension.

Reference CE00052328

Louis Graham Request for Abatement
1408 Northwest 9th Avenue

Ms. Batchelder announced that this case was originally heard on August 17, 2002 with compliance ordered by September 16, 2002. The property was complied on June 6. Fines had accrued in the amount of \$26,200.00.

The City Attorney stated that the property had been complied in June 2001 and the fines could be abated to \$0. Ms. Tell stated that she would not abate the fines completely because there were administrative costs. Mr. Maurice Murray, Community Code

Supervisor, explained that the Code Enforcement Department wanted the fines abated completely as well.

Ms. Tell abated the fines.

Reference CE03050817

Brooks Family Properties IV LLC
1641 North Andrews Square

Sec. 47-20.13 A: Driveway in disrepair;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-306: Rotting fascia, mildew stains;
Sec. 9-308 (b): Roof in disrepair

Ms. Batchelder announced that certified mail was accepted on October 17, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the parking area did not consist of a hard, dust-free surface; the lawn had areas of bare sand; fascia was rotting and the building was mildewed, and the roof tiles were dirty and paint was faded. She presented photographs of the property that were accepted into evidence as City composite exhibit 1. Ms. Haskins recommended 30 days to comply or a fine of \$100.00 per day, per violation.

Mr. Dennis Brooks, respondent, stated that originally the roof was to be repaired. While the contractor was repairing the roof, he realized that it needed replacing, not repair. They were now in the permit process to replace the roof. There were also plans to construct a concrete circular drive to replace the old one. He felt it would take 3 – 4 months to complete repairs. Ms. Tell stated that she would allow 120 days for most of the violation, but the roof must be repaired in 60 days.

Ms. Tell found in favor of the City and ordered compliance with Section 9-308(b) within 60 days and with Sections 47-20.13 A, 47-21.8 A and 9-306 within 120 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE03081986

Brian VanDerBreen
5330 Northeast 17th Terrace

Request for Extension of Time

Ms. Batchelder announced that this case was originally heard on September 18, 2003 with compliance ordered by October 18, 2003. Two of the three violations were now complied and fines had accrued in the amount of \$900.00.

Brian VanDerBreen, respondent, inform Ms. Tell that he was having trouble completing ceiling repairs because he had been unable to gain access to the inside of the building. Inspector Stockinger felt this could be accomplished in 30 days.

Ms. Tell granted a 30-day extension for the remaining violation.

Reference CE03040832

Andrews / 17 LLC
1720 North Andrews Avenue

Request for Abatement

Ms. Batchelder announced that this case was originally heard on May 15, 2003 with compliance ordered by July 14, 2003. The property was complied on July 25, 2003. Fines had accrued in the amount of \$1,000.00. The City was opposed to any abatement of fines.

Mr. Richard Schwartz, respondent, stated that this was an old gas station and his company had experienced delays in demolishing the building. He admitted that he had not requested any additional time to comply, but stated that he had been in communication with Ms. Haskins. Ms. Haskins agreed that she had heard from Mr. Schwartz but the fines had run for 10 days.

The Assistant City Attorney stated that the case was begun in March. Ms. Tell stated that she would enter the order to impose the fine and Mr. Schwartz could request mitigation.

Ms. Tell refused to abate the fines and signed the order to impose the fines.

Reference CE03090704

U. & Estela Rodriguez
1333 Northeast 4th Avenue

Sec. 47-22.9: Signs without permits

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there were numerous non-permitted signs on the front and rear of the building, including wooden, banner, and neon signs. She had visited the property yesterday and two signs remained.

Mr. Carlos Rodriguez, respondent, wanted to be sure which signs Ms. Haskins referred to. Ms. Haskins clarified this for Mr. Rodriguez. He agreed that two small signs remained. Mr. Rodriguez requested 60 days for the tenant to obtain permits for the signs. Ms. Haskins did not think permits could be obtained, and felt the matter could be resolved in 30 days.

Ms. Tell found in favor of the City and ordered compliance within 45 days, or a fine of \$100.00 per day would be imposed.

Case for Imposition of Fine - Massey Hearings

Reference CE03070164

Cenerien Francios
1218 Northwest 15th Street

Ms. Batchelder announced that this case was originally heard on September 4, 2003 with compliance ordered by September 14, 2003. The property was still not in compliance.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had visited the property on October 31 and found the inoperable vehicle still there.

Mr. Cenerien Francios, respondent, stated that he had since removed the vehicle. Ms. Tell reminded him that Ms. Pingitore must visit the property to confirm this.

Ms. Tell signed the order to impose the lien.

End of Massey Hearing case

Reference CE03100407

Las Olas Place II LLC
1200 East Las Olas Boulevard

Sec. 25-100(a): Interfering with public right-of-way

Ms. Batchelder announced that certified mail was accepted by the registered agent on October 22, 2003. Service was also made via posting on the property and at City Hall on October 23 and 25, respectively.

Mr. Tim Welch, Engineering Design Manager, testified that the owner had removed public sidewalk, curb, gutter, and possibly an electrical light circuit without a valid permit from the Engineering Department. The contractors had recently secured permits to reroute drainage and reconstruct the sidewalk. Mr. Welch recommended 30 days to comply or a fine of \$100.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day would be imposed.

Reference CE03070502

1020 Northwest 4th Avenue Trust/
PBC Property Holdings, Inc.
1020 Northwest 4th Avenue

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

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on October 22, 2003 and certified mail addressed to an officer of the company had been accepted on October 24, 2003.

Ms. Ursula Thime, Community Inspections Officer, testified that the building had been boarded for more than six months without obtaining a certificate of boarding. 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 CE03060990

Mary Viator
115 Northeast 2nd Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on October 15, 2003. She informed Ms. Tell that the respondent had requested a 30-day continuance and the City had no objection to the request.

Ms. Tell granted a 30-day continuance.

Reference CE03092428

Carleton Sea Breeze LLC
1405 South Miami Road

Sec. 47-21.12 A.4.b: Improper mitigation for tree removal

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on October 21, 2003.

Mr. Karl Lauridsen, Community Landscape Officer, testified that the owner had not performed proper mitigation after tree removal. He recommended 45 days to comply or a fine of \$25.00 per day.

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

Reference CE03092429

Twenty Five LLC
201 North Federal Highway

Sec. 47-21.8 A: Maintenance of code-required landscaping

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on October 22, 2003 and certified mail addressed to the manager had been accepted on October 23, 2003.

Mr. Karl Lauridsen, Community Landscape Officer, testified that the owner had removed oak trees and replaced them with coconut palms. The oak trees were required by code and must be replaced. He recommended 45 days to comply or a fine of \$25.00 per day.

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

Reference CE03070857

Robert Martin Lee
700 Northwest 6th Avenue

Sec. 47-19.9: Improper outside storage;
Sec. 9-281(b): Rubbish, debris, and inoperable,
unlicensed vehicles on property

Ms. Batchelder announced that certified mail was accepted on October 23, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was outside storage on the property; there was trash and rubbish scattered on the property and there were three unlicensed, inoperable vehicles stored on the property. He recommended 30 days to comply with Section 47-19.9 and 7 days to comply with Section 9-281(b) or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered:

- compliance with Section 47-19.9 within 30 days or a fine of \$50.00 per day;
- compliance with Section 9-281(b) within 7 days or a fine of \$100.00 per day.

Reference CE03070858

Robert Martin Lee
702 Northwest 6th Avenue

Sec. 47-19.9: Improper outside storage;
Sec. 9-281(b): Rubbish, trash, and debris
scattered on property and inoperable,
unlicensed vehicles on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail was accepted on October 23, 2003.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was outside storage on the property; there was trash and rubbish scattered on the property and three unlicensed, inoperable vehicles stored on the property, and paint on the building was peeling and chipping. He recommended 30 days to comply with Sections 47-19.9 and 9-306 and 7 days to comply with Section 9-281(b) or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered:

- compliance with Sections 47-19.9 and 9-306 within 30 days or a fine of \$50.00 per day;
- compliance with Section 9-281(b) within 7 days or a fine of \$100.00 per day.

Reference CE03050807

Johnnie & Margie Ballard
2218 Southwest 5th Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on October 30, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that paint on the building was peeling or missing. She had met with Mr. Ballard and agreed to request 45 days to comply or a fine of \$25.00 per day.

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

Reference CE03060799

Sonja Backman
220 Southwest 22nd Avenue

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-306: Peeling paint/stained surfaces

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

Ms. Peggy Burks, Community Inspections Officer, testified that there were areas of bare sand on the property and swale and paint on the building was peeling or missing. She had met with the owner's mother and agreed to recommend 30 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 30 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03070505

Jeff Davis
1107 Southwest 22nd Terrace

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Overgrowth and trash on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail was accepted on October 15, 2003.

Ms. Peggy Burks, Community Inspections Officer, testified that there was missing ground cover on the property and swale; the other violations were now complied. She recommended 30 days to comply Section 47-21.8 A or a fine of \$25.00 per day.

Ms. Tell 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 CE03051596

American Commonwealth
Investment Corp.
1530 Northwest 6th Street

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

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Len Ackley, Community Inspections Officer, testified that the board up certificate had not been renewed, nor had the property been repaired, rehabilitated or sold. He recommended 10 days to comply, or a fine of \$100.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100.00 per day would be imposed.

Reference CE03072409

Sixth Street Plaza Inc.
930 Northwest 6th Street

Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Overgrowth and weeds on property

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Len Ackley, Community Inspections Officer, testified that the fence along the property line was in disrepair and there was overgrowth and weeds on the property. He recommended 7 days to comply, or a fine of \$100.00 per day, per violation.

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 CE03091283

Jacob Pollock
3306 Northeast 18th Street

Sec. 24-27(b): Trash containers remain outside
after service

Ms. Batchelder announced that certified mail had been accepted twice by the owner on October 15, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that the trash containers were left outside the required area after service. He recommended 10 days to comply or a fine of \$25.00 per day.

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

Reference CE03091395

Constantin & Viorica Foca
1140 Northeast 9th Avenue

Sec. 24-27(f): Dumpster lids left open;
Sec. 9-280(f): Deteriorated plumbing;
Sec. 9-281(b): Rubbish, trash, and debris
on property; Sec. 9-313(a): Required display of
address

Ms. Batchelder announced that certified mail had been accepted on October 24, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that plumbing in some apartments was in disrepair and not maintained and the property lacked the required display of address; the other violations were now complied. He had spoken with the property manager and had agreed to recommend 10 days to comply Sections 9-280(f) and 9-313(a) or a fine of \$50.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-280(f) and 9-313(a) within 10 days, or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03091906

Anita Tarrant &
Nixes Bay Club Inc.
2801 Center Avenue

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-307(a): Front door not weather tight and
rodent proof

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on October 20, 2003 and certified mail addressed to the owner had been accepted on October 25, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that there was peeling, chipping paint on the house and the front door was not weather tight and rodent proof. He recommended 60 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 60 days, or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03092419

2601-03 LLC
2601 Northeast 32nd Avenue

Sec. 18-1: Pool filled with stagnant water
presents a health hazard

Ms. Batchelder announced that certified mail addressed to the company and the registered agent had both been accepted on November 3, 2003.

Mr. Len Ackley, Community Inspections Officer, testified that there was a pool on the property filled with stagnant water, creating a health hazard. He recommended 30 days to comply or a fine of \$100.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$100.00 per day would be imposed.

Reference CE03030508

Eric Norman
3648 Southwest 13th Court

Sec. 47-22.8: Missing ground cover;
Sec. 9-280(h)(1): Fence in disrepair

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was missing ground cover and the fence was in disrepair. He had spoken with the owner, who was in the process of obtaining a permit for the fence. Mr. Lopez recommended 14 days to comply Section 47-22.8 or a fine of \$25.00, and 45 days to comply Section 9-280(h)(1) or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-22.8 within 14 days, or a fine of \$25.00 per day, and with Section 9-280(h)(1) within 45 days or a fine of \$50.00 per day.

Reference CE03091297

Dennis Bayles
3460 Southwest 19th Street

Sec. 18-1: Derelict vehicle on property;
Sec. 39-275(6)(b): Outdoor storage of household goods

Ms. Batchelder announced that certified mail had been accepted on October 24, 2003.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property and there was outdoor storage of household goods on the property. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Lopez recommended 7 days to comply with Section 18-1 or a fine of \$25.00 per day, and 7 days to comply with Section 39-275(6)(b) or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-1 within 7 days or a fine of \$100.00 per day or the vehicle would be towed, as it presented a serious threat to the public health, safety and welfare and compliance with Section 39-275(6)(b) within 7 days or a fine of \$25.00 per day would be imposed.

Reference CE03081553

Oliver Addison Parker
607 Southeast 13th Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-307(a): Doors and windows not weather-
proof; Sec. 9-278(g): Missing/torn screens

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

Mr. Todd Nobles, Community Inspections Officer, testified that there were areas of missing ground cover; paint was chipping, peeling and faded; the doors and windows were not weather-tight, and screens were torn or missing. 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 CE03090287

Penny Lee Goscin Trust
504 Southeast 21st Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-307(a): Electrical room door in disrepair;
Sec. 9-308 (a): Roof shingles in disrepair and not
water-tight

Ms. Batchelder announced that service was via contact with the property managers.

Mr. Todd Nobles, Community Inspections Officer, testified that ground cover was missing and the roof shingles were not weather-tight and water proof; Section 9-307(a) was now complied. He had spoken with the property manager and the roofer and agreed to recommended 30 days to comply with Sections 47-21.8 A and 9-308(a) or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 A and 9-308(a) within 30 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03090526

Green Arbor Management Company
1220 Southwest 26th Street

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

Ms. Batchelder announced that certified mail addressed to an officer of the company had been accepted on October 15, 2003 and certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Todd Nobles, Community Inspections Officer, testified that there was trash and old furniture on the property. He recommended 14 days to comply or a fine of \$100.00 per day.

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

Reference CE03091474

George Gardner
802 Southwest 25th Street

Sec. 18-1: Pool filled with stagnant water;
Sec. 9-281(b): Overgrowth on property and swale

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

Mr. Todd Nobles, Community Inspections Officer, testified that the pool was filled with stagnant water and was a breeding ground for mosquitoes; Section 9-281(b) was now complied. Mr. Nobles recommended 10 days to comply with Section 18-1 or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-1 within 7 days or a fine of \$100.00 per day would be imposed.

Reference CE03092190

Machine Products, Inc.
500 Southwest 32nd Court

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

Ms. Batchelder announced that certified mail had been accepted at the company on October 21 and 28, 2003 and certified mail addressed to the registered agent had been accepted on October 22, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that there was trash and overgrowth on the property and swale. He recommended 7 days to comply or a fine of \$50.00 per day.

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

Reference CE03090190

Vermilien & Italia Vernelus
1142 Northwest 15th Court

Sec. 47-34.4 B.3.a: Unlicensed commercial
vehicle on property between 9:00 PM and 6:00
AM; Sec. 9-281(b): Inoperable, unlicensed vehicle
on property; Sec. 9-307(a): Garage door in
disrepair

Ms. Batchelder announced that personal service had been made to the owner's son on October 18, 2003 by Inspector Donovan.

Mr. Andre Cross, Community Inspections Officer, testified that an unlicensed commercial vehicle, a white Ford flatbed truck, was stored on the property between 9:00 PM and 6:00 AM; there was an unlicensed, inoperable vehicle on the property, and the garage door was not weather-tight. He recommended 7 days to comply with Section 47-34.4 B.3.a or a fine of \$50.00 per day; 7 days to comply with Section 9-281(b) or a fine of 100.00 per day or the vehicle would be towed, and 30 days to comply with Section 9-307(a) or a fine of \$50.00 per day. Mr. Cross presented photographs of the property, which were accepted into evidence as City composite exhibit 1.

Ms. Tell found in favor of the City and ordered:

- compliance with Section 47-34.4 B.3.a within 7 days or a fine of \$50.00 per day;
- compliance with Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed, as it presented a serious threat to the public health, safety and welfare and:
- compliance with Section 9-307(a) within 30 days or a fine of \$50.00 per day.

Reference CE03031222

Ernest & Susie Mayo
1213 Northwest 10th Place

Sec. 47-21.8: Landscape maintenance;
Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that personal service had been made by Inspector Malik on November 1, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover and bare sand; Sections 9-281(b) and 9-306 were now complied. He recommended 30 days to comply Section 47-21.8 or a fine of \$25.00 per day.

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

Reference CE03060495

Bennie Pope
1609 Northwest 11th Street

Sec. 9-281(b): Unlicensed, inoperable vehicles stored on property; Sec. 47-34.1 A.1: Outside storage on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 47-21.8: Landscape maintenance

Ms. Batchelder announced that personal service had been made by Inspector Donovan on October 18, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle, a grey Ford Explorer stored on the property; there was outside storage on the property, and there were areas of missing ground cover; Section 9-306 was now complied. He recommended 7 days to comply with Section 9-281(b) or a fine of \$100.00 per day or the vehicle would be towed; 7 days to comply with Section 47-34.1 A.1 or a fine of \$25.00 per day, and 30 days to comply with Section 47-21.8 or a fine of \$25.00 per day.

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

- Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed, as this presented a serious threat to the public health, safety and welfare,
- Section 47-34.1 A.1 within 7 days or a fine of \$25.00 per day and
- Section 47-21.8 within 30 days or a fine of \$25.00 per day.

Reference CE03071996

Liberty Management Inc.
1614 Northwest 17th Lane

Sec. 47-21.8: Landscape maintenance;
Sec. 9-281(b): Inoperable, unlicensed vehicles on property; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on October 22, 2003 and certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of bare and missing ground cover; there was an unlicensed, inoperable Blue Chevy Barretta stored on the property, and paint was faded and mildewed. He recommended 30 days to comply with Sections 47-21.8 and 9-306 or a fine of \$25.00 per day and 7 days to comply with Section 9-281(b) or a fine of \$100.00 per day or the vehicle would be towed and welfare.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 and 9-306 within 30 days or a fine of \$25.00 per day and with Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed, as this presented a serious threat to the public health, safety and welfare.

Reference CE03081570

Barbara Joneson
1607 Northwest 12th Court

Sec. 9-281(b): Overgrowth and inoperable, unlicensed vehicle on property; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on October 22, 2003 and personal service had been made to the grandson of the owner on October 18, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that the lawn was overgrown and there was an unlicensed, inoperable burgundy Cutlass Supreme on the property and paint on the building was chipped, peeling and faded. He recommended 7 days to comply with Section 9-281(b) or a fine of \$100.00 per day or the vehicle would be towed, as it presented a serious threat to the public health, safety and welfare, and 7 days to comply with Section 9-306 or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed, as it presents a serious threat to the public health, safety and welfare, and compliance with Section 9-306 within 7 days or a fine of \$25.00 per day would be imposed.

Reference CE03082043

CJC Inc.
1206 Northwest 17th Avenue

Sec. 9-281(b): Overgrowth and inoperable,
unlicensed vehicles on property

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on October 22, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that the lawn was overgrown and there were unlicensed, inoperable vehicles on the property. These vehicles are a green GEO Storm and a beige Chevy Blazer. He recommended 7 days to remove the vehicle or a fine of \$100.00 per day or the vehicle would be towed, and 7 days to remove the overgrowth or a fine of \$25.00 per day.

Ms. Tell found in favor of the City, and ordered the vehicle removed within 7 days or a fine of \$100.00 per day or the vehicle would be towed, as they presented a serious threat to the public health, safety and welfare; and the overgrowth removed from the property within 7 days or a fine of \$25.00 per day would be imposed.

Reference CE03040372

Rand Industries Realty #101 Ltd.
4875 North Federal Highway

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-304(c): Standing water health hazard;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail addressed to the registered agent and the general partnership had both been accepted on October 22, 2003. There was a request from the partnership's attorney for a 30-day continuance.

Mr. Frank Stockinger, Community Inspections Officer, stated that he had no objection to the extension.

Ms. Tell granted a 30-day continuance.

Reference CE03052257

Libardo Rojas
2153 Northeast 61st Court

Sec. 9-306: Loose paint, structure in disrepair;
Sec. 9-307(a): Door in disrepair;
Sec. 9-308 (c): Fascia and stucco overhang in disrepair

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

Mr. Frank Stockinger, Community Inspections Officer, testified that walls and columns had loose paint; front and rear porches were in disrepair and unsound; the door jamb was in disrepair due to wood rot and/or termite damage, and the fascia and stucco overhang were in disrepair. He had spoken with the owner and agreed to recommend 60 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 60 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03071420

Isidore & Teresa Bustamante
5755 Northeast 15th Avenue

Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail was returned unclaimed on October 16, 21 & 31, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that the yard had areas of bare ground and weed overgrowth. He recommended 30 days to comply or a fine of \$25.00 per day.

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 CE03081082

J., D.P., K., M., & J.M. Gallagher &
W. & H. Andrew
71 Compass Isle

Sec. 24-27(b): Garbage carts left in right-of-way;
Sec. 47-34.1 A.1: Permitted uses; light fixtures and posts stored on property; Sec. 9-276(c)(2): Stagnant water; Sec. 9-280(b): Structure in disrepair; Sec. 9-280(c): Deck in disrepair; Sec. 9-280(g): Exposed electrical components;

Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-280(h)(2): Dock in disrepair;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-308 (b): Roof dirty and moldy;
Sec. 9-308 (c): Fascia in disrepair

Ms. Batchelder announced that certified mail had been accepted on October 24, 2003 and certified mail had been returned unclaimed on October 15, 22 and 31, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that the trash carts were left on the swale, not an approved enclosure or area; light fixtures and posts were stored on the property, a non-permitted use; the pool, spa, and fountains contained stagnant water; there were areas of dry rot on the window jambs; the deck was caving in; there were several areas with exposed wires from missing light fixtures; metal fence, gates and walls were in disrepair; the dock was in disrepair with many loose boards; walls were peeling and moldy; the roof was dirty and moldy and the fascia was in disrepair. He presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Mr. Stockinger recommended:

- 7 days to comply with Section 24-27(b);
- 14 days to comply with Section 47-34.1 A.1;
- 30 days to comply with Section 9-276(c)(2);
- 120 days to comply with Sections 9-280(b), 9-280(c), 9-280(g), 9-280(h)(1), 9-280(h)(2), 9-306, 9-308(b), and 9-308(c),

or a fine of \$100.00 per day, per violation.

Mr. Stockinger wished to note that this property was in Bay Colony and the security manager allowed him to enter and accompanied him during his inspection.

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

- Section 24-27(b) within 7 days;
- Section 47-34.1 A.1 within 14 days;
- Section 9-276(c)(2) within 30 days;
- Sections 9-280(b), 9-280(c), 9-280(g), 9-280(h)(1), 9-280(h)(2), 9-306, 9-308(b), and 9-308(c) within 120 days,

or a fine of \$100.00 per day, per violation would be imposed.

Reference CE03031646

Lorraine Pineyro
1521 Northwest 8th Avenue

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-281(b): Rubbish and trash on property

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

Ms. Deborah Haskins, Community Inspections Officer, testified that the parking area was in disrepair; wheel stops were not secure and striping was worn; there was also trash and debris on the property and swale. She 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 CE03090726

Charles Demps
1208 Northwest 7th Terrace

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

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

Ms. Deborah Haskins, Community Inspections Officer, testified that the chain link fence was in disrepair. She recommended 14 days to comply or a fine of \$50.00 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 CE03090727

Phillipe Ductan & Marie Cadeu
1214 Northwest 7th Terrace

Sec. 47-20.13 A: Driveway in disrepair;
Sec. 47-21.8 A: Missing ground cover

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

Ms. Deborah Haskins, Community Inspections Officer, testified that the gravel driveways were not well graded and had patches of weeds; Section 47-21.8 A was now complied. She recommended 30 days to comply with Section 47-20.13 A or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.13 A within 30 days or a fine of \$25.00 per day would be imposed.

Reference CE03071715

Roberto Pineyro & Lorraine Greve
1217 Northeast 5th Avenue

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

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

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable white Chevrolet Caprice on the property. He presented photographs of the

property, which were accepted into evidence as City composite exhibit 1 and recommended 7 days to comply or a fine of \$100.00 per day or the vehicle would be towed.

Ms. Tell 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, or the vehicle would be towed, as it presented a serious threat to the public health, safety and welfare.

Reference CE03091683

Miracle Outreach Revival Center, Inc. Sec. 9-281(b): Inoperable, unlicensed vehicle on
1451 North Dixie Highway property

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

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable tan GMC pickup truck on the property. He presented a photograph of the property that was accepted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$100.00 per day, or the vehicle would be towed.

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 or the vehicle would be towed, as this presented a serious threat to the public health, safety and welfare.

Reference CE03091910

Marc Levy Sec. 24-27(b): Garbage carts left in parking lot;
1208 Northeast 5th Avenue Sec. 9-278(g): Missing/torn screens;
 Sec. 47-20.20 H: Parking area in disrepair;
 Sec. 9-280(b): Windows in disrepair;
 Sec. 47-21.8 A: Missing ground cover;
 Sec. 9-281(b): Rubbish, trash, debris scattered on
 property

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

Mr. Burt Fletcher, Community Inspections Officer, testified that the garbage carts were left in the parking lot; the parking lot and swale had potholes and broken pavement; some striping and wheel stops were missing; some windows had missing glass and/or did not operate properly, and ground cover was missing or dead; Sections 9-278(g) and 9-281(b) were now complied. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Fletcher recommended 14 days to comply Sections 24-27(b), 47-20.20 H, 9-280(b), and 47-21.8 A or a fine of \$50.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 24-27(b), 47-20.20 H, 9-280(b), and 47-21.8 A within 14 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE03091911

Marc Levy
1212 Northeast 5th Avenue

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-281(b): Rubbish, trash, debris on
property; Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that certified mail had been accepted on October 21, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that the parking area and swale had potholes and broken pavement: Sections 9-281(b) and 9-280(h)(1) were now complied. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Fletcher recommended 14 days to comply with Section 47-20.20 H or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.20 H within 14 days or a fine of \$50.00 per day would be imposed.

Reference CE03100549

Scott Glassburn / Jerome Teppes
1115 Northeast 5th Avenue

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

Ms. Batchelder announced that certified mail had been accepted on October 27, 2003.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable, white 2 door Oldsmobile coup with a black roof on the property. He recommended 7 days to comply or a fine of \$100.00 per day, or the vehicle would be towed.

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 or the vehicle would be towed, as this presented a serious threat to the public health, safety and welfare.

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:

CE03001471	CE03082052	CE03090910	CE03091988
CE03021678	CE03082053	CE03091163	CE03092047
CE03060519	CE03082193	CE03091189	CE03092070
CE03062529	CE03090001	CE03091293	CE03092116
CE03071334	CE03090452	CE03091420	CE03092122
CE03072059	CE03090535	CE03091487	CE03092330
CE03072327	CE03090601	CE03091750	CE03092379
CE03072381	CE03090619	CE03091769	CE03100289
CE03081304	CE03090741	CE03091907	CE03100300
CE03081667	CE03090780	CE03091914	CE03100492
CE03081822	CE03090816	CE03091931	
CE03081995	CE03090818	CE03091945	

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:

CE03010222	CE03061548	CE03082055	CE03091924
CE03021385	CE03070895	CE03090253	CE03091948
CE03021772	CE03071433	CE03090552	CE03091973
CE03031639	CE03072313	CE03090638	CE03092132
CE03041966	CE03080610	CE03090696	CE03092211
CE03050690	CE03081514	CE03090817	CE03100032
CE03051398	CE03081757	CE03091384	CE03100131
CE03051606	CE03081994	CE03091545	CE03100265

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:

CE02091645	CE03081466	CE03091933
CE03080609	CE03090964	CE03092043

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:

CE03082184

CE03090142

CE03100079

Approved for Claim of Lien

Ms. Batchelder presented Ms. Tell 18 cases to approve for claim of lien which Ms. Tell signed based on the affidavits of the inspectors.

There being no further business, the hearing was adjourned at 12:20 P.M.

Special Master

ATTEST:

Clerk, Special Master