

**SPECIAL MASTER HEARING**  
**City Commission Meeting Room**  
**Special Master Meah Tell, Presiding**  
**November 20, 2003**  
**9:00 A.M. – 10:55 A.M.**

---

Staff Present:

Susan Batchelder, Administrative Assistant II  
Rose Reed, Community Inspections Supervisor  
Assistant City Attorney  
Jennifer Chenault, Secretary  
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  
Robert Guilford, Community Inspections Officer  
John Hudak, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Dan Mullarkey, Community Inspections Officer  
Todd Nobles, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Frank Stockinger, Community Inspections Officer  
Ursula Thime, Community Inspections Officer  
Kenneth Tyson, Community Inspections Officer

Also Present:

Keith Floyd, CE03020176  
Patrick Whitehead, CE02110819  
Oscar Longa, CE03071736, CE03601445  
Eugene Spencer, CE03100442  
Howard Sloman, CE03051098  
Christopher Bradshaw, CE03051029  
Verna Shalander, CE03101988  
Kevin Shalander, CE03101988  
Charles Donnelly, CE03092024  
John Stella, CE03071261  
Basil Wees, CE02060159

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.

### **Cases for Claims of Lien - Massey Hearings**

#### **Reference CE03020176**

Lillie Bell & Keith Floyd  
1340 Northwest 19<sup>th</sup> Avenue

Ms. Batchelder announced that this case was originally heard on March 20, 2003 with compliance ordered by April 19, 2003. Three of the original five violations were now complied. Fines had accrued in the amount of \$23,400.00

Mr. Andre Cross, Community Inspections Officer, testified that the case was begun in March. The two remaining violations: Sec. 47-34.4 B.1 and Sec. 9-278(b): concerned a commercial vehicle and boards in the windows. He presented photographs of the property to Ms. Tell.

Mr. Keith Floyd, respondent, informed Ms. Tell that he was in the process of having the vehicle towed today. The boards were to have stucco applied over them. Mr. Cross stated that the boards must be removed or a permit must be obtained to cover the areas with stucco. Mr. Floyd explained that his mother was ill and they had lacked the funds to complete the work. Ms. Tell informed Mr. Floyd that she would impose the fine and Mr. Floyd should request mitigation.

Ms. Tell approved the lien for \$23,400.00.

#### **Reference CE03051029**

Christopher & Phyllis Bradshaw  
1820 Northwest 8<sup>th</sup> Street

Ms. Batchelder announced that this case was originally heard on August 21, 2003 with compliance ordered by October 20, 2003. The original violation, Section 9-306, was still not complied. Fines had run for 30 days.

Mr. Mike Donovan, Community Inspections Officer, testified that Sections 9-306 was still not complied. He presented photographs of the property to Ms. Tell.

Mr. Chris Bradshaw, respondent, informed Ms. Tell that he had painted half of the house and was working on the second half right now. Ms. Tell informed Mr. Bradshaw that she was going to impose the fine and advised Mr. Bradshaw to appear for mitigation after the property was in compliance.

Ms. Tell imposed the lien for \$750.00.

Ms. Batchelder wanted to be sure Mr. Floyd understood that the fine was still running.

**End of Massey Hearing cases**

**Reference CE03092024**

Charles Donnelly  
3018 Northeast 20<sup>th</sup> Court

Sec. 9-281(b): Overgrowth on lawn and debris on property; Sec. 18-1: Stagnant water; Sec. 9-308 (a): Roof in disrepair; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail had been accepted on October 31, 2003 and personal service had been made by Inspector Cross on October 25, which the owner had refused to sign.

Mr. Leonard Ackley, Community Inspections Officer, testified that the pool contained stagnant water, a possible health hazard; the roof was dirty and in disrepair, and the house was dirty and had chipping, peeling paint; Section 9-281(b) was now complied. He had spoken with the owner at the hearing today and they had agreed to 90 days to comply the remaining violations or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-1, 9-308(a), and 9-306 within 90 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03071736**

Oscar Longa  
652 Southwest 16<sup>th</sup> Avenue

Sec. 9-281(b): Two inoperable, unlicensed vehicles on property; Sec. 18-27(a): Trash on property; Sec. 9-280(d): Deteriorated structures/fixtures

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that there was trash and rubbish on the property; the roof overhang was sagging and the meter and utility rooms were in disrepair. Section 9-281(b) was now complied. He presented photographs of the property to Ms. Tell and noted that permits would be required for some of the work. Mr. Mullarkey recommended 7 days to comply with Section 18-27(a) and 45 days to comply with Section 9-280(d) or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 7 days and with Section 9-280(d) within 45 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03101445**

Oscar Longa  
656 Southwest 16<sup>th</sup> Avenue

Sec. 9-280(d): Deteriorated structures/fixtures;  
Sec. 18-27(a): Trash on property

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that meter and utility room doors were in disrepair and there was trash and rubbish on the property. Mr. Mullarkey recommended 7 days to comply with Section 18-27(a) and 45 days to comply with Section 9-280(d) or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280(d) within 45 days and with Section 18-27(a) within 7 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03101988**

Verna Shalander & Jermaine Harris  
1773 Lauderdale Manors Drive

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

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

Mr. Andre Cross, Community Inspections Officer, testified that there were several unlicensed, inoperable vehicles on the property including a grey Cadillac, a blue Cadillac and a grey Chevy Impala. Mr. Cross recommended 7 days to comply or a fine of \$100.00 per day or the cars would be towed. Ms. Shalander had informed Mr. Cross that the vehicles had been removed, but Mr. Cross had yet to reinspect the property to confirm this.

Mr. Kevin Shalander, son of the respondent, agreed to meet with Mr. Cross to prove the vehicles were removed or to prove that they were licensed and operational. He felt he could do this within 7 days.

The City Attorney wanted Ms. Tell to enter a finding that the vehicles were a serious threat to public health and welfare. Ms. Tell agreed.

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

**Reference CE03100442**

Eugene & Annette Spencer  
2326 Northwest 13<sup>th</sup> Street

Sec. 18-1: Trash, and overgrowth and  
an unlicensed, inoperable vehicle on property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a white Chrysler on the property; the trash had been removed. She recommended 14 days to remove the vehicle or a fine of \$100.00 per day or the vehicle would be towed.

Mr. Eugene Spencer, Respondent, stated that he did not have a current tag, but the vehicle was running. He felt he could comply in 14 days.

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 or the vehicle would be towed, noting the vehicle presents a threat to the public health, safety and welfare.

**Reference CE02110819**

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

Request for Abatement

Ms. Batchelder announced that this case was originally heard on January 16, 2003 with compliance ordered by January 26, 2003 and April 16, 2003. On April 3, 2003 the date was extended to July 2, 2003; on July 17, 2003 the date was extended to September 15, 2003. The property was complied on October 6, 2003. Fines had accrued in the amount of \$900.00.

Mr. Patrick Whitehead, representative for the owner, presented photographs of the property that were accepted into evidence as respondent's exhibit 1. Mr. Whitehead explained that there had been a delay because the NAACP's previous attorney had wanted to purchase the property. Mr. Whitehead had experienced another delay because the original contractor had been taken ill and a new contractor had to be retained. He asked that the fines be abated.

Mr. Robert Guilford, Community Inspections Officer, stated that the City had no objection to abating the fines.

Ms. Tell abated the fines.

**Cases for Hearings to Impose the Fines - Massey Hearings**

**Reference CE03051098**

Howard Sloman  
3115 Southwest 2<sup>nd</sup> Avenue

Ms. Batchelder announced that this case was originally heard on June 19, 2003 with compliance ordered by October 18, 2003. The single violation, Section 18-1, was still not complied. Fines had accrued in the amount of \$1,600.00

Mr. Todd Nobles, Community Inspections Officer, testified that the case was begun in May. He had reinspected on October 20 and started the fine; he had revisited on November 3 and the property was still not complied. Mr. Nobles had spoken with the owner, who informed him of extenuating circumstances.

Mr. Howard Sloman, respondent, explained that the vehicles had belonged to his brother who had been ill and subsequently died. Mr. Sloman had arranged to remove the vehicles to sell them.

The City Attorney stated that the only issue was whether compliance was made and she requested that Ms. Tell impose the fine.

Mr. Nobles explained to Ms. Tell that he had advised Mr. Sloman to inform his as soon as he complied and he could then apply for mitigation.

Ms. Tell approved the lien for \$1,600.00.

**Reference CE03061918**

Galt Ocean Plaza  
3300 NE 34<sup>th</sup> Street

Request for Continuance

The Special Master reviewed a letter from the respondent requesting a continuance of this hearing because

Ms. Batchelder announced that Mr. Stockinger was the Inspector and had no opposition to the continuance.

Ms. Tell granted the continuance.

**End of Massey Hearing cases**

Ms. Tell asked if additional language should be included in an order to allow vehicles to be towed. The City Attorney answered that Statute 16209 stated, "the enforcement board [Ms. Tell] shall notify the local governing body which may make all reasonable repairs which are required to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section." The order to impose the fine would say "an order imposing a fine and cost of repairs", so the City could recover money spent towing and storing vehicles.

**Reference CE03071476**

Horace Holmes, H.S. & L. Vreeland  
Trust et Al.  
2941 East Las Olas Boulevard  
Tenant: Climax Fashion

Sec. 47-19.9 A: Non-permitted outside displays  
of merchandise

Ms. Batchelder announced that certified mail addressed to the tenant was accepted on October 30, 2003.

Mr. Kenneth Tyson, Community Inspections Officer, testified that there were outside displays on the property. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. He recommended 10 days to comply or a fine of \$50.00 per day.

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

**Case for Hearing to Impose the Fine - Massey Hearings**

**Reference CE03071261**

John Stella  
712 Northwest 7<sup>th</sup> Terrace

Ms. Batchelder announced that this case was originally heard on August 21, 2003 with compliance ordered by October 20, 2003. Section 47-34.1 A.1, for outside storage, was still not complied. Fines had accrued in the amount of \$750.00

Mr. Lee Kaplan, Community Inspections Officer, testified that the property was complied as of November 13, 2003. He had advised Mr. Stella to request abatement or apply for mitigation. Ms. Batchelder corrected that the fine was \$525.00 for 21 days. Mr. Kaplan stated that he had no objection to an abatement of the fine.

Ms. Tell abated the fine.

**End of Massey Hearing cases**

**Reference CE03061955**

Peter & Lee Boughton  
5650 Northeast 15<sup>th</sup> Avenue

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property; Sec. 47-21.8 A: Missing ground cover; Sec. 18-1: Stagnant water; Sec. 9-308: Dirty roof; Sec. 9-280(h)(1): Fence in disrepair; Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail was accepted on November 8, 2003 and certified mail was returned unclaimed on October 2, 7, and 17, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that there was trash and debris on the property including, but not limited to a white Jeep with an expired tag; the yard was bare ground or weeds; the pool contained stagnant water, a health hazard; the roof was very dirty; the fence was in disrepair, and wall and trim were in need of paint. Mr. Stockinger presented photographs of the property that were accepted into evidence as City composite exhibit 1. He had spoken with Mrs. Boughton and agreed to recommended 7 days to comply with Sections 9-281(b) and 18-1, and 60 days to comply with Sections 47-21.8 a, 9-308(b), 9-280(h)(1), 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 9-281(b) and 18-1 within 7 days, and with Sections 47-21.8 a, 9-308(b), 9-280(h)(1), and 9-306 within 60 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03051586**

CitiMortgage Inc.  
1341 Southwest 30<sup>th</sup> Street

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

Ms. Batchelder announced that certified mail addressed to the company had been accepted on November 1 and 3, 2003; certified mail addressed to the registered agent had been accepted on November 3, 2003, and certified mail addressed to an officer of the company had been accepted on November 7, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that testified that the board up certificate had not been renewed, nor had the property been repaired, rehabilitated or sold. Mr. Nobles 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 CE03091473**

Manhattan Associates Leasing Co.  
3326 Southwest 15<sup>th</sup> Avenue

Sec. 9-281(b): inoperable, unlicensed  
vehicles on property; Sec. 47-20.20 H: Parking  
area in disrepair

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on November 3, 2003 and certified mail addressed to the company had been accepted on November 5, 2003.

Mr. Todd Nobles, Community Inspections Officer, testified that the parking area was in disrepair; Section 9-281(b) was now complied. He had spoken with the owner, who had requested an additional 14 days to complete repairs to the parking area. Mr. Nobles recommended 14 days to comply with Section 47-20.20 H or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.20 H within 14 days or a fine of \$25.00 per day would be imposed.

**Reference CE03051592**

Charles Murphy  
1436 Holly Heights Drive

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

**and**

**Reference CE03051593**

Charles Murphy  
1440 Holly Heights Drive

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

Ms. Batchelder announced that certified mail had been accepted on November 4, 2003 for both cases.

Mr. Burt Fletcher, Community Inspections Officer, testified that the board up certificates at both properties had not been renewed, nor had the properties been repaired, rehabilitated or sold. Mr. Fletcher 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 on each case.

**Reference CE03072004**

Patricia Ode  
714 Southwest 20<sup>th</sup> Terrace

Sec. 9-281(b): Inoperable, unlicensed vehicle on property; Sec. 18-1: Remains of dead tree on property

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that there were remnants of a dead tree on the property; Section 9-281(b) was now complied. He recommended 45 days to comply with Section 18-1 or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-1 within 45 days or a fine of \$25.00 per day would be imposed.

**Reference CE03082160**

Thomas Starkey  
911 Southwest 15<sup>th</sup> Terrace

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

Ms. Batchelder announced that certified mail had been accepted on November 1, 2003.

Mr. Daniel Mullarkey, Community Inspections Officer, testified that there was an inoperable blue Lincoln on the property. He recommended 7 days to comply or a fine of \$100.00 per day or the vehicle would be towed, noting the violation presented a serious threat to the public health, safety and welfare.

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, noting the vehicle presents a serious threat to the public health, safety and welfare.

**Reference CE03090015**

Park-Am Properties Inc.  
701 Southwest 14<sup>th</sup> Avenue

Sec. 9-280(b): Structure in disrepair;  
Sec. 18-27(a): Trash on property

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

Mr. Daniel Mullarkey, Community Inspections Officer, testified that the door to the meter room had been removed and there was an accumulation of trash, such as plastic drums and pails, discarded furniture and other items, in the rear of the property. He recommended 45 days to comply with Section 9-280(b) and 7 days to comply with Section 18-27(a) or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 7 days and with Section 9-280(b) within 45 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03081094**

Judith Ann Korn  
3201 Southwest 22<sup>nd</sup> Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that certified mail was accepted on October 31, 2003 and personal service had been made by Inspector Cross on October 25, 2003.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the house needed paint and the fascia required maintenance. He had spoken with the owner and agreed to recommended 60 days to comply, or a fine of \$25.00 per day.

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 CE03091951**

Frances Williams  
3461 Southwest 20<sup>th</sup> Street

Sec. 9-281(b): Trash and rubbish on property; Sec. 18-1: Derelict vehicle on property; Sec. 18-27(a): Overgrowth on property

Ms. Batchelder announced that certified mail had been accepted on November 15, 2003 and personal service had been made by Inspector Stockinger on November 8, 2003.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash and rubbish scattered on the property; there was an inoperable blue Lincoln on the property and there was overgrowth on the property. He had spoken with the owner yesterday and agreed to recommended 7 days to comply with Section 18-1 or a fine of \$100.00 per day or the vehicle would be towed and 7 days to comply with Sections 9-281(b) and 18-27(a) or a fine of \$25.00 per day, per violation.

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, and compliance with Sections 9-281(b) and 18-27(a) within 7 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03032255**

Parc Victoria Inc.  
1701 Northeast 5<sup>th</sup> Street

Request for Abatement

Ms. Batchelder announced that no respondent had appeared for this case. Inspector Haskins noted that this was being rescheduled.

**Reference CE03051020**

Mary McCurry  
220 Northeast 12<sup>th</sup> Avenue

Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-281(b): Rubbish, trash, and overgrowth  
on property

Ms. Batchelder announced that service was via posting on the property on October 10, 2003 and posting at City Hall on November 10, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the lawn lacked the required living ground cover and there was trash, rubbish and overgrowth on the property. 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 CE03061989**

Boston Properties Inc./  
HUB LLC/  
Robert Theocles  
1433 Northwest 3<sup>rd</sup> Avenue

Sec. 9-308 (b): Roof in disrepair

Ms. Batchelder announced that certified mail addressed to the company had been accepted on October 24, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the roof tiles were mildew stained. 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 CE03071824**

William Butler &  
Ann Marie Vesprey-Butler  
1521 Northwest 5<sup>th</sup> Avenue

Sec. 47-20.13 A: Driveway in disrepair;  
Sec. 47-21.8 A: Missing ground cover;  
Sec. 9-280(h)(1): Fence in disrepair

Ms. Batchelder announced that certified mail had been accepted on November 7, 2003. She then stated that a stipulated agreement had been agreed to by the owner to comply within 90 days or there would be a fine of \$50.00 per day, per violation.

Ms. Tell accepted the stipulated agreement.

**Reference CE03090738**

Wing it Up Two Inc.  
1131 Northwest 3<sup>rd</sup> Avenue

Sec. 9-280(h)(1): Fence in disrepair  
Sec. 47-21.8 A: Missing ground cover

Ms. Batchelder announced that certified mail addressed to an officer of the company had been accepted (no date on card) and certified mail addressed to the registered agent had been accepted on October 31, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the lawn had large areas of bare sand and weeds; Section 9-280(h)(1) was now complied. She recommended 14 days to comply with Section 47-21.8 A or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8 A within 14 days or a fine of \$50.00 per day would be imposed.

**Reference CE03100184**

Edward Grant  
1041 Northwest 5<sup>th</sup> Avenue

Sec. 9-281(b): Inoperable, unlicensed vehicles on property; Sec. 47-21.8 A: Missing ground cover

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there were numerous unlicensed, inoperable vehicles on the property, including: a white Mercedes, a blue Honda, a red Toyota and a blue compact vehicle; the lawn also had several areas of bare sand. She presented photographs of the property that were accepted into evidence as City composite exhibit 1. Ms. Haskins recommended 30 days to comply with Section 47-21.8 A or a fine of \$50.00 per day and 7 days to comply with Section 9-281(b) or a fine of \$100.00 per day or the cars would be towed.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8 A within 30 days, or a fine of \$50.00 per day, and with Section 9-281(b) within 7 days or a fine of \$100.00 per day would be imposed or the vehicles would be towed, noting that the vehicles present a threat to the public health, safety and welfare.

**Reference CE03041040**

Karen & Leroy McNair  
1110 Northwest 11<sup>th</sup> Street

Sec. 9-306: Missing paint;  
Sec. 9-313(a): Required display of address

Ms. Batchelder announced that personal service had been made by Inspector Donovan on November 15, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that the building was bare concrete and lacked the required display of address. He recommended 30 days to comply with Section 9-306 and 7 days to comply with Section 9-313(a) or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 9-306 within 30 days, and with Section 9-313(a) within 7 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE03080724**

Southtrust Inc.  
1643 Northwest 13<sup>th</sup> Street

Sec. 18-1: Stagnant pool water;  
Sec. 18-27(a): Overgrowth on property;  
Sec. 47-21.8: Landscape maintenance;  
Sec. 47-34.1 A.1: Permitted uses; outside storage on property

Ms. Batchelder announced that certified mail addressed to the registered agent and an officer of the company had both been accepted on November 5, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that the pool was full of stagnant water; there were areas of overgrowth on the property; there were areas of dead or missing ground cover, and there was outside storage of a refrigerator and stove on the property. He recommended 7 days to comply with Sections 18-1, 18-27(a), and 47-42.1 A.1, and 30 days to comply with Section 47-21.8 or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-1, 18-27(a), and 47-42.1 A.1 within 7 days, and with Section 47-21.8 within 30 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE02060159**

Basil & Ellen Wees  
442 Southwest 22<sup>nd</sup> Terrace

Request for Extension

Ms. Batchelder announced that this case was originally heard on November 7, 2002 with compliance ordered by December 7, 2002 and January 6, 2003. On February 6, 2003, the

date was extended to May 7, 2003 and on May 15, 2003 the date was extended to September 12, 2003. At the October 16, 2003 hearing, Mr. Wees was advised to request additional time if he felt it necessary. Fines had accrued in the amount of \$2,725.00.

Ms. Peggy Burks, Community Inspections Officer, stated that Section 9-306 was now complied; only the 3 or 4 derelict vehicles remained.

Mr. Basil Wees, respondent, requested 2 months more; he had someone coming to purchase the cars. Ms. Burks agreed to allow Mr. Wees an additional 30 days to remove the vehicles. Mr. Wees informed Ms. Tell that he was between 2 hernia operations.

Ms. Tell agreed to sign the order to impose the fine and granted a 60-day extension.

**Reference CE03092375**

Charles & Reatha Jenkins  
1619 Northwest 12<sup>th</sup> Court

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-308 (b): Roof maintenance

Ms. Batchelder announced that personal service had been made by Inspector Donovan on November 15, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that bricks on the building were stained, mildewed or broken and the roof was mildew stained. He recommended 14 days to comply or a fine of \$25.00 per violation, per day.

Ms. Tell 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 CE03101990**

Michael Nassar Inc.  
1410 Northwest 19<sup>th</sup> Avenue

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

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on November 8, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that there were several unlicensed, inoperable vehicles on the property including an unlicensed lawn trailer, a white Chevy Corsica, a white Checkered Cab, a white Dodge Plymouth, and a white vehicle covered with a tarp. He presented photographs of the property that were accepted into evidence as City composite exhibit 1. Mr. Cross recommended 7 days to comply or a fine of \$100.00 per day or the cars 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 or the cars would be towed, noting the vehicles presented a threat to the public health, safety and welfare.

**Reference CE03051607**

HUD Housing and Urban Development Sec. 9-329(d): Required certificate of boarding  
1701 Northwest 15<sup>th</sup> Avenue

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the board up certificate had not been renewed, nor had the property been repaired, rehabilitated or sold. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Ms. Pingitore 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 CE03081005**

Lester White Sec. 9-281(b): Inoperable, unlicensed vehicles on  
1671 Northwest 28<sup>th</sup> Avenue property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an inoperable trailer and boat on the property. She presented a photograph of the property, which was accepted into evidence as City exhibit 1. Ms. Pingitore recommended 7 days to comply or a fine of \$100.00 per day or the vehicles 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 or the vehicles would be towed, as the vehicles present a threat to the public health, safety and welfare.

**Reference CE03091416**

Leontes & Melizette Mortimer Sec. 18-1: Trash scattered on property;  
1125 Northwest 16<sup>th</sup> Court Sec. 47-34.1 A.1: Permitted uses; vehicle  
repairs performed on property;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Batchelder announced that personal service had been made by Inspector Donovan on November 15, 2003.



Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash scattered on the property; vehicles were being repaired on the property, a non-permitted use; the fascia board lacked paint and there were areas of dirty, chipped and peeling paint on the building. She presented a photograph of the property, which was accepted into evidence as City exhibit 1. Ms. Pingitore 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 CE03100261**

Anthony Taylor  
1601 Northwest 15<sup>th</sup> Avenue

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

Ms. Batchelder announced that certified mail had been accepted on October 31, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were several unlicensed, inoperable vehicles on the property including a beige Volvo, a red Pontiac, a Chevy pickup and a Dodge pickup. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Ms. Pingitore recommended 7 days to comply or a fine of \$100.00 per day or the vehicles 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 vehicles would be towed, noting the vehicles present a serious threat to the public health, safety and welfare.

**Reference CE03101855**

Carl & Beryl Bascombe  
1450 Northwest 19<sup>th</sup> Court

Sec. 18-1: Unlicensed, inoperable vehicle on property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a grey Chevy van on the property. She presented a photograph of the property, which was accepted into evidence as City composite exhibit 1. Ms. Pingitore recommended 7 days to remove the vehicle 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, noting the vehicle presents a serious threat to the public health, safety and welfare.

**Reference CE03101870**

Jimmie & Dolores Staten  
1491 Northwest 20<sup>th</sup> Street

Sec. 18-1: Unlicensed, inoperable vehicle on  
property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a white Chrysler on the property. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1. and recommended 7 days to remove the vehicle 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, noting the vehicle presents a serious threat to the public health, safety and welfare.

**Reference CE03101871**

Pitola & Elia Louisaint  
1470 Northwest 20<sup>th</sup> Court

Sec. 18-1: Unlicensed, inoperable vehicle on  
property

Ms. Batchelder announced that certified mail had been accepted on November 1, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a dark blue Geo Prizm on the property. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1. Ms. Pingitore recommended 7 days to remove the vehicle 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, noting the vehicle presents a serious threat to the public health, safety and welfare.

**Reference CE03101878**

Sara Friday  
1430 Northwest 21<sup>st</sup> Street

Sec. 18-1: Unlicensed, inoperable vehicle on  
property

Ms. Batchelder announced that certified mail had been accepted on November 1, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a blue Ford Taurus on the property. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1 and recommended 7 days to remove the vehicle 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, noting the vehicle presents a serious threat to the public health, safety and welfare.

**Reference CE03102148**

Jerome & Barbara Brooks  
2100 Northwest 15<sup>th</sup> Avenue

Sec. 18-1: Unlicensed, inoperable vehicles on  
property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a blue Pontiac and a red Chevy on the property. She presented photographs of the property, which were accepted into evidence as City composite exhibit 1 and recommended 7 days to remove the vehicles or a fine of \$100.00 per day or the vehicles 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 vehicles would be towed, noting the vehicles present 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:

CE02061914	CE03090531	CE03091924	CE03101856
CE03021333	CE03090740	CE03091953	CE03101876
CE03021709	CE03090827	CE03091969	CE03101889
CE03021710	CE03090919	CE03092216	CE03101985
CE03030757	CE03090940	CE03092306	CE03101991
CE03050459	CE03090950	CE03092371	CE03101992
CE03050795	CE03090951	CE03092442	CE03101993
CE03060580	CE03091666	CE03100117	CE03101994
CE03061673	CE03091701	CE03100120	CE03102074
CE03061696	CE03091717	CE03100443	CE03110094
CE03080247	CE03091759	CE03100585	
CE03081100	CE03091802	CE03100972	
CE03082048	CE03091902	CE03101198	

**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:

CE03040923	CE03080391	CE03091894	CE03100892
CE03051515	CE03080609	CE03092218	CE03101388
CE03060132	CE03080772	CE03100469	CE03101875
CE03071954	CE03081010	CE03100770	CE03101987

**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	CE03072383	CE03100960	CE03101741
CE03011409	CE03090220	CE03100962	
CE03041196	CE03091384	CE03100995	

**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:

CE03090218

There being no further business, the hearing was adjourned at 10:55 A.M.

---

Special Master

ATTEST:

---

Clerk, Special Master