

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Richard Conner, Presiding
December 18, 2003
9:00 A.M. – 12:00 Noon

Staff Present:

Susan Batchelder, Administrative Assistant II
Eve Bazer, Administrative Assistant II
Lin Bradley, Community Code Supervisor
Jennifer Chenault, Secretary
Assistant City Attorney
Detective Estelle Abrams
Leonard Ackley, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Andre Cross, Community Inspections Officer
Mike Donovan, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
Mike Maloney, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Kenneth Tyson, Community Inspections Officer
Tim Welch, Engineering Design Manager

Also Present:

Raymond Love, CE03062568
*Caroline Bruyard, CE03101990
Alton Yaari, CE03110569, CE03102433
*Daniel Barton, CE03101878
Dudley McKnight, CE03081830
Vera Sharitt, CE03092183, CE03092189
Glenn Gilley, CE03091891
Vincent Knowles, CE03102558
Dwight Knowles, CE03102558
Noel Diesen, CE03102558
Sheryl Page, CE03102558
*David Chrastek, CE03020567
*Miller Lee Smith, CE03090465
*Sarah Hawkins, CE03010914
Leonor Jules, CE03101875

*Hearings to Impose the Fine – Massey Hearings

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. Mr. Conner introduced himself and explained his role in ensuring adherence with the City's codes. He also pointed out that the proceedings were being recorded.

Reference CE03120201

Russell, Jan & Edward Wilson
1142 South Federal Highway

Sec. 25-13: Blocking public right-of-way

Ms. Batchelder announced that certified mail addressed to the tenant had been accepted on December 9, 2003 and certified mail addressed to the owner had been accepted on December 10, 2003.

Mr. Tim Welch, Engineering Design Manager, testified that the owner had paved the City right-of-way shoulder and was utilizing it for business parking; this was considered a public hazard. Mr. Welch presented photographs of the property that were accepted into evidence as City composite exhibit 1. He stated that he had sent a letter to the owner on July 21, 2003 after receiving a notice from Code Enforcement that there was unauthorized parking on the property. The owner had subsequently removed the pavement and left rocks in the area but continued to allow parking there.

Mr. Welch had spoken with a representative of the tenant who could not attend the hearing but wanted to know what steps needed to be taken to comply. Mr. Welch would inform the representative of the requirements and allow 60 to 90 days to comply, as a contractor would need to re-grade and resurface the area. Mr. Conner stated that parking should stop immediately. Mr. Welch noted that they had already been told to stop parking there and as of yesterday there was no one parked in the area.

Mr. Bud Bentley, Assistant City Manager, stated that he was a neighbor of the property in question. This past June he had witnessed a crew paving the swale area at the property. He presented several photographs he had taken of the area and pointed out what he felt were several other code violations. These photographs were accepted into evidence as City composite exhibit 2. Mr. Bentley asked Mr. Conner to set a very short compliance date. Mr. Welch felt 10 days would be the shortest possible compliance time.

Mr. Conner found in favor of the City and ordered compliance within 10 days or a fine of \$250.00 per day would be imposed.

Reference CE03102558

Vincent & Oscar Knowles
Northwest 15th Street

Sec. 6-34: More than 3 dogs on premises;
Sec. 6-7(b) (4): Offensive odors from dog feces
and urine dangerous to public health, safety and
welfare; Sec. 6-7(b) (1): Dogs barking;
Sec. 47-19.5.D.4: Improper fence installation

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were more than three (3) dogs residing at this location; per Special Master order dated 1/23/01 this was constant and repetitive; there were dogs on the property constantly barking; Sections 6-7(b)(4) and 47-19.5 D.4 were now complied. Ms. Pingitore presented documentation of 17 calls to the Fort Lauderdale Police Department between October 5, 2003 and December 12, 2003 complaining about the barking in late evening and early morning hours; these were accepted into evidence as City composite exhibit 1. Ms. Pingitore then presented land photographs and aerial photographs from the GIS system showing kennels on the property; these were accepted into evidence as City composite exhibit 2.

Detective Estelle Abrams, Code Enforcement Team, testified that this problem had continued for years. This was a breeding site for pit bulls; they were moved between this and another house and there were up to 9 dogs on the property at one time. The property owners had been to criminal court regarding the dogs and neighbors had become afraid to call the police regarding the dogs.

Mr. Noel Diesen, neighbor, testified that the dogs barked all day and all night and he had called police on several occasions.

Ms. Pingitore clarified for Mr. Conner that Section 6-34 prohibited more than 3 dogs at one property. She recommended 7 days to remove the dogs or a fine of \$500.00 per day for the constant and repetitive violation and 7 days to comply Section 6-7(b)(1) or a fine of \$250.00 per day.

Mr. Vincent Knowles, respondent, stated that the problem was not ongoing; whenever he was made aware of a violation, he had complied. He felt that the City and the Police Department were harassing him. He presented his own photographs of the property that were accepted into evidence as respondent's exhibit 1. Cheryl Knowles Page, a resident of the property, stated that the same neighbor made all of the 17 calls Ms. Pingitore referred to. The family had lived there for over 30 years and had not received any complaints until this neighbors to the north had moved in. The Knowles had allowed the police to enter the back yard to inspect the situation on numerous occasions. Mr. Conner noted that without a kennel license, they were prohibited from having more than 3 dogs.

Mr. Conner found in favor of the City and ordered compliance with Sections 6-34 and 6-7(b)(1) within 30 days or a fine of \$250.00 per day would be imposed for Section 6-7(b)(1) and a fine of \$500.00 per day would be imposed for Section 6-34.

Hearings to Impose the Fine – Massey Hearings

Reference CE03090465

Miller Lee Smith
1113 Northwest 18th Street

Ms. Batchelder announced that this case was originally heard on October 2, 2003 with compliance ordered retroactive to September 20, 2003 as this was a constant and repetitive case. The violations were now complied, but fines had accrued in the amount of \$2,700.00.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had reinspected the property recently and compliance was being maintained.

Mr. Miller Lee Smith, respondent, stated that he used to work on cars at his property but had stopped. Mr. Conner stated that this hearing was to confirm that Mr. Smith had received notice of the prior hearings and then file the lien for the fine.

Mr. Conner signed the order to impose the fine.

Reference CE03020567

David Chirastek
1730 Northeast 63rd Court

Ms. Batchelder announced that this case was originally heard on March 6, 2003 with compliance ordered by March 20, April 4, and September 2, 2003.

Mr. Frank Stockinger, Community Inspections Officer, testified that this house had been under renovation for approximately 2 years. Mr. Stockinger noted that a problem had arisen when Inspector Malik informed the owner that compliance with the minimum housing codes could be postponed until the property was renovated. Enforcement periods for Mr. Malik and Mr. Stockinger's violations had overlapped and conflicted.

The City Attorney explained that Mr. Stockinger had begun the case for landscaping and minimum housing code violations. Mr. Stockinger had discovered that Mr. Chirastek had done work without permits and Inspector Malik had then handled these violations. This had caused much confusion for the property owner. Inspector Malik had informed Mr. Chirastek that he would be allowed more time to comply with the code violations, which he was not

authorized to do. The City Attorney explained that 3 of the 7 violations were now complied and admitted there were mitigating circumstances.

Mr. Conner found that although compliance was not timely made, no fine would be imposed.

Reference CE03101990

Michael Nassar Inc.
1410 Northwest 19th Avenue

Ms. Batchelder announced that this case was originally heard on November 20, 2003 with compliance ordered by November 27, 2003. The violation remained and fines had accrued in the amount of \$2,000.00.

Mr. Andre Cross, Community Inspections Officer, stated that he had cited the owner for an unlicensed lawn trailer, a white Chevy Corsica, a white Checkered Cab, a white Dodge Plymouth, and a white vehicle covered with a tarp; as of today the property was still not complied.

Ms. Caroline Bruyard stated that Michael Nassar had died in July and she presented a letter of administration; this was accepted into evidence as City exhibit 2. She explained that the corporation was transferred to her sister upon Mr. Nassar's death. Ms. Bruyard also presented a power of attorney from her sister that was copied and accepted into evidence as respondent's exhibit 1. The City Attorney had printed a web page retrieved on October 31, 2003 from the Florida Department of State Division of Corporations stating that Michael was the sole officer and director of the corporation; this was accepted into evidence as City exhibit 1. She did not find that the corporation was transferred to Ms. Bruyard's sister.

Ms. Bruyard noted that only the corporate bank account had been transferred to her sister; the rest was in probate. She explained that her father had died recently as well and she had gone away to see to that. She did not receive notice of the hearings as she had been away. Mr. Conner asked who received notice of the earlier hearings. Mr. Cross confirmed that Ms. Bruyard had signed for the November 20 hearing notice on November 8. Ms. Bruyard stated that she had given all the paperwork to the probate lawyer to handle and had never been told that she should appear at the previous hearing.

Mr. Conner signed the order to impose the lien.

Reference CE03010914

Sarah Hawkins
1416 Northwest 16th Avenue

Ms. Batchelder announced that this case was originally heard on December 4, 2003 with compliance ordered by December 11, 2003. The one violation was still not complied, and fines had accrued in the amount of \$700.00.

Ms. Deborah Haskins, Community Inspections Officer, testified that the original violation concerned an unlicensed, inoperable Nissan van on the property. She had reinspected the property on December 15 and the vehicle remained.

Ms. Sarah Hawkins stated that she had sent the hearing notices to her attorney and assumed he would attend. She had informed Ms. Haskins that the attorney was supposed to handle this. Ms. Haskins stated that Ms. Hawkins had left messages that her attorney was handling the problem, but never left a phone number. She noted that the car had been sitting on the property since January 2003.

Ms. Hawkins stated that she had spoken with the insurance company and they had promised to pick up the car within the next week. Mr. Conner asked Ms. Hawkins when she received the order from December 4. She answered that she had received it 2 days ago on December 16. Mr. Conner explained that he would sign the order, but reduced the fine to the 2 days since Ms. Hawkins had received the order.

Mr. Conner signed the order to impose the fine for \$200.00.

End of Hearings to Impose the Fine - Massey cases

Reference CE03092183

Vera Sharitt
911 Southwest 29th Street

Sec. 24-27(b): Garbage carts continuously left out;
Sec. 9-281(b): Inoperable, unlicensed trailer and
boat on property; Sec. 9-308 (a): Roof in
disrepair; Sec. 47-34.1 A.1: Permitted uses:
outside storage; Sec. 47-21.8 A: Missing ground
cover

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

Mr. Andre Cross, Community Inspections Officer, testified that the roof was mildewed and dirty; there was outside storage of parts, boxes, furniture and tools behind the illegal wall enclosure of the carport and there were areas of dead or missing ground cover; Sections 24-27(b) and 9-281(b) were misprints and should be withdrawn. Mr. Cross recommended

30 days to comply Sections 9-308(a), 47-34.1 A.1 and 47-21.8 A or a fine of \$25.00 per day, per violation.

Ms. Vera Sharitt, respondent, stated that roof and trash violations actually occurred on her neighbor's property. She presented photographs of her property that were accepted into evidence as respondent's exhibit 1. Mr. Conner agreed to allow 7 days for Mr. Cross to reinspect the roof and verify compliance. Ms. Sharitt stated that after the painting was completed the items stored on the property would be removed. Mr. Conner stated that he would allow 30 days to remove the items.

Mr. Conner found in favor of the City and ordered compliance with Section 9-308(a) within 7 days and Sections 47-34.1 A.1 and 47-21.8 A within 30 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE03092189

Vera Sharitt
900 Southwest 29th Street

Sec. 47-34.1 A.1: Permitted uses: outside storage; Sec. 9-306: Wall in disrepair
Sec. 9-281(b): Inoperable, unlicensed vehicles and trash on property

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

Mr. Andre Cross, Community Inspections Officer, testified that there was outside storage of doors, appliances, furniture and tools on the property; the front wall was in disrepair; there was an inoperable, unlicensed white Grand Marquis, white camper and trash on the property. Mr. Cross recommended 7 days to comply Section 9-281(b) or a fine of \$100.00 per day, and 30 days to comply Sections 47-34.1 A.1 and 9-306 or a fine of \$25.00 per day, per violation.

Ms. Vera Sharitt, respondent, admitted that there had been infractions. She stated that the wall had been cleaned but she wanted to wait until the outside items were removed to repair it. One of the vehicles had been removed as well. She presented photographs of the property that were accepted into evidence as respondent's exhibit 1.

Mr. Conner 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 and,
- Sections 47-34.1 A.1 and 9-306 within 30 days or a fine of \$25.00 per day would be imposed.

Hearing to Impose the Fine – Massey Hearings

Reference CE03101878

Daniel Barton
1430 Northwest 21st Street

Ms. Batchelder announced that this case was originally heard on November 20, 2003 with compliance ordered by November 27, 2003. The property was now complied, but fines had accrued in the amount of \$1,400.00.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property was complied as of December 12. The original violation pertained to 2 disabled vehicles.

Mr. Daniel Barton, property manager, stated that Ms. Friday had received notice of the hearing and contacted him. Mr. Barton had contacted a towing company on November 17 and asked them to tow the vehicle. Mr. Barton had assumed that the matter was taken care of but discovered later that when the towing company tried to tow the car the tenant had pleaded with them not to and promised to remove the vehicle. Mr. Barton's office had sent a fax to Ms. Pingitore stating that the vehicle had been removed since they were unaware that it had not been. Mr. Barton had not attended the hearing because they thought the vehicle had been towed. The order had been forwarded to Mr. Barton's office on December 3 and Mr. Barton had the vehicle towed on December 8.

Ms. Pingitore stated that she had been in contact with Mr. Barton's office after the order had been issued.

Mr. Conner stated that since proper service had been made, he saw no reason to mitigate the fine. Mr. Barton noted that after the fax was sent, Ms. Pingitore had never informed him that the vehicle remained.

Mr. Conner signed the order to impose the fine.

End of Hearing to Impose the Fine – Massey Hearing

Reference CE03110569

Harriet Congleton
233 South Ft. Lauderdale Beach Boulevard
Tenant: New Edition

Sec. 47-19.9 A: Outside display of mannequins
and postcards.

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on December 3, 2003 and certified mail addressed to the tenant had been accepted (no date on card).

Mr. Kenneth Tyson, Community Inspections Officer, testified that there was outdoor display of merchandise at this property. He presented a photograph of the property that was accepted into evidence as City exhibit 1.

Mr. Lin Bradley, Community Code Supervisor, stated that this was a repeat violation of Special Master order CE03071475 signed on September 2, 2003 with compliance ordered by August 26, 2003. He asked that Mr. Conner find the violation was as of the date of notice and asked for a fine of \$100.00 per day from December 3, 2003 until the property was complied on December 16, 2003. He asked for 7 days to reinspect, or an additional fine of \$250.00 per day.

Mr. Alton Yaari, representative of the respondent, explained that there were misunderstandings regarding the displays. He assured Mr. Conner that there would be no more outside displays. He asked Mr. Conner to reduce the fine. The City Attorney noted that this was a repeat violation from September. Mr. Tyson confirmed that Mr. Yaari had tried to get the tenants to comply.

Mr. Conner found in favor of the City and confirmed that the property was not in compliance for 13 days and set the fine at \$25.00 per day. For future violations, the fine would be \$500.00 per day.

Reference CE03102433

Miniaci Enterprises

213 South Ft. Lauderdale Beach Boulevard

Tenant: See the Sun

Sec. 47-19.9 A: Outside display of mannequins and postcards.

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on December 5, 2003; certified mail addressed to an officer of the company had been accepted on December 2, 2003 and certified mail addressed to the tenant had been accepted (no date on card).

Mr. Kenneth Tyson, Community Inspections Officer, testified that there was outdoor display of merchandise at this property. This was a repeat violation of Special Master order CE03071971 signed on August 21, 2003 with compliance ordered by August 26, 2003.

Mr. Conner found in favor of the City and confirmed that the property was not in compliance for 11 days and set the fine at \$25.00 per day. For future violations, the fine would be \$500.00 per day.

Reference CE03062568

Raymond Love

1545 Northwest 2nd Avenue

Sec. 47-21.8 A: Missing ground cover

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there was a large dead palm tree stump on the property. Ms. Haskins recommended 14 days to comply or a fine of \$25.00 per day.

Mr. Raymond Love, respondent, informed Mr. Conner that he was involved in the "Paint and Plant" program and was in the final phases of the project. He wanted to wait until the project was finished to remove the tree stump. Ms. Haskins noted that the Paint and Plan projects sometimes took years to complete and Mr. Love could have the stump removed on his own. The stump was a blight to the area and she had received complaints from the homeowners association.

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

Reference CE03091897

Glenn Gilley
700 Northeast 1st Avenue

Sec. 9-306: Peeling paint/stained surfaces

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

Ms. Ursula Thime, Community Inspections Officer, testified that there was a warehouse building on the property in need of paint. She noted that as of today, part of the building had been painted. Ms. Thime presented a photograph of the property that was accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$50.00 per day.

Mr. Glenn Gilley, respondent, felt it would take 25 days to finish painting.

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

Reference CE03081830

Dudley McKnight
1511 Northwest 10th Place

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

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

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of bare sand on the property and the fence was in disrepair. Mr. Cross presented photographs of

the property that were accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$25.00 per day, per violation.

Mr. Dudley McKnight, respondent, stated that he and his neighbor shared one of the fences. Mr. Conner clarified that portions of another fence belonging only to Mr. McKnight required repair and Mr. McKnight agreed.

Mr. Conner 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 CE03101875

Leonor Jules
1440 Northwest 20th Court

Sec. 18-1: Derelict vehicle on property

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

Ms Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable two-toned grey Ford Bronco on the property. She presented photographs of the property that were accepted into evidence as City exhibit 1. Ms. Pingitore recommended 7 days to comply or a fine of \$100.00 per day or the vehicle would be towed.

Mr. Leonor Jones, respondent, stated that he was the owner but the property was rented so he was unaware that a derelict car was present on the property.

Mr. Conner 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.

Reference CE03092241

The School Board of Broward County
5251 Northeast 14th Way

Sec. 47-20.14 D: Light interference on residential property

The City Attorney announced that the Broward County School Board had requested that this case be rescheduled to the second hearing in February and the City did not object.

Mr. Conner continued the case to January 15, 2004.

Reference CE03061667

Dennis & Darnie Wright
1221 Northwest 6th Street

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

Ms. Batchelder announced that certified mail had been returned unclaimed on December 2, 7 and 17, 2003.

Mr. Mike Donovan, Community Inspections Officer, testified that the board up certificate had not been renewed, nor had the property been repaired, rehabilitated or sold. He presented a photograph of the property that was accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$100.00 per day.

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

Reference CE03091979

Valerie Henry
305 Southwest 24th Avenue

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

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

Ms. Peggy Burks, Community Inspections Officer, testified that there was an unlicensed, inoperable Ford Escort on the property. She had spoken with the tenant who owned the vehicle, who promised to bring in the registration paperwork. Ms. Burks presented photographs of the property that were accepted into evidence as City composite exhibit 1. and recommended 14 days to comply or a fine of \$100.00 per day or the vehicle would be towed.

Mr. Conner 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.

Reference CE03060275

Paul Chirdaris
3410 Berkeley Boulevard

Request for Abatement

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

Mr. Conner denied the request.

Reference CE03110649

Clothes Connection Inc.
227 South Ft. Lauderdale Beach Boulevard
Tenant: Clothes Connection

Sec. 47-19.9 A: Outside display of mannequins and postcards.

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on December 2, 2003 and certified mail addressed to an officer of the company had been accepted (no date on card).

Mr. Kenneth Tyson, Community Inspections Officer, testified that there was outdoor display of merchandise at this property. This was a repeat violation of Special Master order CE03071474 signed on September 2, 2003 with compliance ordered by August 26, 2003. Mr. Tyson presented photographs of the property that were accepted into evidence as City exhibit 1. Mr. Tyson noted that the photographs were taken on Friday, but by Monday the property was complied. The property was out of compliance for 14 days.

Mr. Conner found in favor of the City and confirmed that the property was not in compliance for 14 days and set the fine at \$25.00 per day. For future violations, the fine would be \$500.00 per day.

Reference CE03110891

Bernadette Castro
2860 North Federal Highway

Sec. 47-19.9 A: Outside display of furniture.
This violation constitutes a repeat violation because the same violation was found to exist on the property within 5 years prior to the present violation. The City will present this case even if the repeat violation has been corrected prior to the hearing. Because this constitutes a repeat violation, the Statute authorizes a fine up to \$500.00 per day. Note: The City will present this case to the Board whether corrective action is taken or not. Previous case CE03031532.
Sec. 47-22.3 C: Banner signs and streamers on property

Ms. Batchelder announced that certified mail addressed to the owner had been accepted on December 5, 2003.

Mr. Leonard Ackley, Community Inspections Officer, testified that there was outside display of furniture on the property and banner signs and streamers on the property; Section 47-19.9 A was a repeat violation. He presented photographs of the property and a police report that were accepted into evidence as City composite exhibit 1. A violation history of the property was accepted into evidence as City exhibit 2. Mr. Ackley requested that Mr. Conner find this a constant and repetitive violation and maintain jurisdiction for 5 years.

Mr. Conner found in favor of the City and ordered compliance with Section 47-19.9 A by the close of business on December 23, 2003 or a fine of \$500.00 per day would be imposed.

He ordered compliance with Section 47-22.3 C within 7 days or a fine of \$100.00 per day would be imposed.

Reference CE03100633

Mortgage Electronic Reg. Systems Sec. 9-280(h)(1): Fence in disrepair
1145 Northwest 5th Avenue

Ms. Batchelder announced that certified mail addressed to the registered agent had been accepted on December 3, 2003; Certified mail addressed to the company had been accepted on December 5 and 10, 2003.

Ms. Deborah Haskins, Community Inspections Officer, testified that the chain link fence was in disrepair. Ms. Haskins stated that the violation still existed as cited and recommended 14 days to comply or a fine of \$50.00 per day.

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

Reference CE03080391

George Dillard Sec. 9-281(b): Inoperable, unlicensed vehicle on
1240 Northwest 7th Terrace property

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

Ms. Ursula Thime, Community Inspections Officer, testified that there was an unlicensed, inoperable white Ford pick-up truck on the property. She presented photographs of the vehicle and an inspection report that were accepted into evidence as City exhibit 1. Ms. Thime recommended 7 days to comply or a fine of \$100.00 per day or the vehicle would be towed.

Mr. Conner 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.

Reference CE03100040

Robert Morris & Andrew Travers Sec. 25-56(a): Sidewalk in disrepair
304 Northeast 14th Avenue

Ms. Batchelder announced that certified mail had been accepted on December 8, 2003. A letter to request a continuance had also been received. The letter was accepted into evidence as respondent's exhibit 1.

Ms. Ursula Thime, Community Inspections Officer, testified that the building was going to be torn down and Mr. Morris had already sought a permit for demolition.

Mr. Conner granted a continuance until February 19, 2004.

Reference CE03100005

Stephen Elwood
1432 Northwest 11th Place

Sec. 47-21.8: Landscape maintenance

Ms. Batchelder announced that certified mail had been accepted on December 13, 2003.

Mr. Andre Cross, Community Inspections Officer, testified that the property was bare sand with no ground cover. He presented photographs of the property that were accepted into evidence as City exhibit 1. Mr. Cross recommended 30 days to comply or a fine of \$25.00 per day.

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

Reference CE03060211

A.C & Bernice Shaw
2430 Northwest 11th Street

Sec. 18-1: Derelict vehicles on property,
trash, rubbish and overgrowth on property;
Sec. 25-7(a): Blocking public right-of-way

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish, overgrowth and an unlicensed, inoperable white 4-door vehicle, a beige Mercury, and a red Chevy pick-up truck on the property; Section 25-7 was now complied. She presented photographs of the property that were accepted into evidence as City exhibit 1. Ms. Pingitore recommended 7 days to comply or a fine of \$100.00 per day.

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

Reference CE03072003

Goran Dragoslavic
1000 Northwest 24th Avenue

Sec. 18-27(a): Trash on property;
Sec. 24-27(f): Dumpster lids left open;
Sec. 47-19.4 D.1: Dumpster not in an approved
enclosure

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash scattered on the property; the dumpster lids were continuously left open and the dumpsters were not kept in an approved enclosure. She presented photographs of the property that were accepted into evidence as City exhibit 1. Ms. Pingitore recommended 7 days to comply with Section 24-27(f) or a fine of \$25.00 per day; 30 days to comply with Section 18-27(a) or a fine of \$100.00 per day, and 90 days to comply with Section 47-19.4 D.1 or a fine of \$100.00 per day.

Mr. Conner found in favor of the City and ordered compliance with:

- Section 18-27(a) within 30 days or a fine of \$100.00 per day;
- Section 24-27(a) within 7 days or a fine of \$25.00 per day and
- Section 47-19.4 D.1 within 90 days or a fine of \$100.00 per day would be imposed.

Reference CE03102493

The Estate of Mary Moultry
2327 Northwest 13th Street

Sec. 18-1: Derelict vehicle on property

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

Ms. Cheryl Pingitore, Community Inspections Officer, stated that there was an unlicensed, inoperable gold/wood paneled Pontiac station wagon on the property. She presented photographs of the property and a printout of the inspection history that were accepted into evidence as City exhibit 1. Ms. Pingitore recommended 7 days to comply or a fine of \$100.00 per day.

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

Reference CE03110166

Jacqueline Jackson
1740 Northwest 29th Terrace

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

Ms. Batchelder announced that certified mail was accepted on December 4, 2003.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable black Isuzu on the property; Section 9-306 was now complied. She presented photographs of the property that were accepted into evidence as City exhibit 1. Ms. Pingitore recommended 7 days to comply with Section 9-281(b) or a fine of \$100.00 per day or the vehicle would be towed.

Mr. Conner 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.

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:

CE03052085	CE03101256	CE03051606	CE03090696
CE03110602	CE03102232	CE03110180	CE03110648
CE03111154	CE03111239	CE03031639	CE03090524
CE03110262	CE03092372	CE03092390	CE03100469
CE03102502	CE03110432	CE03060132	CE03081010
CE03110326			

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:

CE03032202	CE03091067	CE03100331	CE03101987
CE03032487	CE03091973	CE03100531	CE03102111
CE03040923	CE03092463	CE03100840	CE03110567
CE03090965	CE03100195	CE03101640	CE03110640

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:

CE03081757	CE03110482	CE03110448	CE03110140
CE03111191	CE03091680	CE03091968	CE03110757
CE03111509	CE03102182	CE03022296	CE03062038
CE03070001	CE03100946	CE03071413	CE03080617
CE03110574			

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:

CE03051515

CE03090220

CE03041040

CE03092375

There being no further business, the hearing was adjourned at 12:00 P.M.

Special Master

ATTEST:

Clerk, Special Master