

**SPECIAL MASTER HEARING**  
**City Commission Meeting Room – City Hall**  
**Special Master Meah Tell, Presiding**  
**May 6, 2004**  
**9:00 A.M. – 1:40 P.M.**

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Staff Present:

Eve Bazer, Administrative Assistant  
Assistant City Attorney  
Jennifer Chenault, Secretary  
Leonard Ackley, Community Inspections Officer  
Lin Bradley, Community Code Supervisor  
Peggy Burks, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
Burt Fletcher, Community Inspections Officer  
Deborah Haskins, Community Inspections Officer  
John Hudak, Community Inspections Officer  
Karl Lauridsen, Community Landscape Officer  
Lee Kaplan, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Dan Mullarkey, Community Inspections Officer  
Linda Nigg, Occupational License Inspector  
Todd Nobles, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Ken Reardon, Building Inspector  
Waynette Smith, Occupational License Inspector  
Frank Stockinger, Community Inspections Officer  
Ursula Thime, Community Inspections Officer

Also Present:

Erel Cidlek, CE04031991  
Louis Oldoni, CE04031991  
Yucel Aydogu, CE04031991  
James Brown, CE03121635  
Miscary Jean Pierre, CE03100840  
Gricet Juarez, CE04010868  
Frank Juarez, CE04010840  
\*Travis Smith, CE03120687  
\*Elibien Bien-Aime, CE03071954  
Christian Bourdages, CE04021240  
Maria Ellis, CE03100946  
Linda Oakes, CE03081943

\*Jeane Deaton, CE04020248  
Janice Little, CE04011211  
Ed Stacker, CE04030733  
\*Mark Trouba, CE03051362  
John Vertullo, CE04030370  
\*Thomas Chancey, CE03121863  
\*Trevor Carvalho, CE03121863  
Audrey Robinson, CW04021582  
Andrew Gallagher, CE03081082  
\*Marko Pecic, CE02091192  
\*Peter Pecic, CE02091192  
Richard Coker, CE02071508  
\*Anthony Chiocca, CE04020502  
\*Nil Exantus, CE03121863  
James Suglio, CE03100195  
Ted Fling  
Elred Rodney, CE04011082  
Phyllis Berens, CE03081943  
Douglas Fleishman, CE03110309  
Alan Margolis, CE04010856  
Ernest Kollra, CE04030733  
Carmen Caamano, CE04021589  
Arlene Hanna, CE04021582  
Sherry Bruce, CE03081943  
Larry Cole, CE03081943

\*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. Ms. Tell introduced herself and explained her role in ensuring adherence with the City's codes. She also pointed out that the proceedings were being recorded.

**Reference CE03081943**

A. M. Davis Mercantile Company  
6151 North Federal Highway

Sec. 17-10.3: Excessive noise;  
Sec. 17-9: Noise disturbance

Ms. Tell announced that certified mail had been accepted twice at the company on April 30, 2004; certified mail addressed to the registered agent had been accepted on April 28, 2004 and personal service had been made by Inspector Stockinger on April 23, 2004 to Phyllis Berens, the registered agent, and to Larry Cole, the store manager.

Mr. Mark Miller, attorney for the property owner, informed Ms. Tell that he was going to request a continuance; he had asked a noise engineer to attend, but there had been a scheduling conflict. He presented Ms. Tell with correspondence from the engineer that Ms. Tell admitted into evidence as respondent's exhibit 1.

Mr. Frank Stockinger, Community Inspections Officer, testified that he had no objection to continuing the case to June 3, 2004.

Ms. Tell continued the case to June 3, 2004.

**Reference CE02071508**

S.C & Diane Russo  
3529 SW 12 Court

Continued from November 6, 2003

Ms. Tell announced that this case was continued from November 6, 2003.

Mr. Dick Coker, attorney for the owners, informed Ms. Tell that this house was involved in a lawsuit with the city relating to the code violations issued for the exterior walls of the house. Prior to the issuance of the code violations, he had instituted the lawsuit for trespass, adverse condemnation, and declaratory injunctive relief because the city had designed and repaired the neighborhood roadway to funnel all drainage through this yard. When it rained, a river literally flowed through the house and this had been responsible for the damage the city had cited the owner to repair. The lawsuit was now in discovery and had been moved to the December 2004 or January 2005 trial calendar. He noted that he had been obtaining continuances all along.

The City Attorney stated that the city's position was that the damage to the house was very minor and the repairs could be made without affecting the lawsuit. The case had originated in July 2002. Mr. Coker felt the code case should have been withdrawn 2 years ago. Inspector Margerum presented Ms. Tell photographs of the property that were admitted into evidence as City composite exhibit 1. Mr. Coker said he had no objection to returning in 30 days if Ms. Tell would not continue the case until after the lawsuit.

Mr. Margerum pointed out that the damage had not gotten worse in the year since the first set of photos was taken. Ms. Tell pointed out that the neighborhood was suffering by allowing Mr. Coker's client to not repair the house.

Ms. Tell continued the case to July 15, 2004.

**Reference CE04030733**

Osborn Construction Engineers Inc.  
3000 East Oakland Park Boulevard

Sec. 47-22.9: Signs without permits

Ms. Tell announced that certified mail had been accepted on April 27, 2004.

Mr. Ed Stacker, attorney for the lessee, Pusser's Inc., informed Ms. Tell that the restaurant was closed and they were in the process of foreclosing on the sub-lease. He requested an additional 90 days to rectify the situation.

Mr. Len Ackley, Community Inspections Officer, testified that this was a simple case involving a sign that had been replaced without a permit. He agreed to allow 90 days.

Mr. Ernest Kollra, attorney for the property owner, stated his agreement to the continuance.

Ms. Tell granted a 90-day continuance.

**Reference CE03100195**

Michael Suffoletta  
1420 Northeast 2<sup>nd</sup> Avenue

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

Ms. Tell announced that certified mail had been accepted on April 21, 2004.

Mr. James Suglio, attorney for the new owner, The Federal Home Loan Mortgage Corporation, stated that his clients had just taken over the property on March 12, 2004. Mr. Suglio stated that his firm would accept service on behalf of the new owner, then asked that he be allowed to confirm this. The property would probably be transferred to a new owner within 3 weeks.

Ms. Tell stated that service would be made to the attorney on behalf of the new owner.

**Massey Hearings**

**Reference CE03071954**

Elibien & Isabelle Bien-Aime  
1506 Northwest 5<sup>th</sup> Avenue

Ms. Deborah Haskins, Community Inspections Officer, testified that fines had begun to run on February 15, 2004; Mr. Bien-Aime had been granted a 30-day extension on February 19, 2004 to March 20. Upon Ms. Haskin's reinspection on March 20, the property was complied but the fines had run from February 15 – February 20.

Mr. Bien Aime thought the property was complied; Ms. Tell informed him that he had complied, but not by the ordered date, so fines had accrued in the amount of \$200.00. Mr. Bien Aime agreed to pay the fine immediately and avoid the lien.

**Reference CE04020248**

Zeshan Usman  
1420 Northeast 50<sup>th</sup> Court

Mr. Frank Stockinger, Community Inspections Officer, testified that the trash carts had been continually left in the swale but since Ms. Deaton had become responsible, the problem was solved.

Ms. Jeane Deaton, an employee of the owner, stated that she didn't know the trash carts had to be taken in, so the fine had accrued to \$350.00. Ms. Tell reminded Ms. Deaton that even if she was unaware of the problem, the owner had been made aware when Inspector Stockinger had personally served him on March 2, 2004. Ms. Deaton agreed to mail payment for the fine.

**Reference CE03051362**

Keystone-Florida  
Property Holding Corp  
2620 East Sunrise Boulevard

Ms. Deborah Haskins, Community Inspections officer, testified that compliance had been ordered by February 7, 2004. She had inspected the property on February 13 and it was not complied, so the fines had begun retroactive from February 8, 2004. On March 30, the property was reinspected and was complied. Fines had accrued in the amount of \$5,100.00.

Mr. Mark Trouba, registered agent for the owner, stated that he had never received a copy of the letter from the previous hearing with Ms. Haskins's information, and presented documents from the contractor stating that repairs had been completed on February 14, 2004. The documents were admitted into evidence as respondent's exhibit 1. Mr. Trouba offered to pay \$700.00 for the fine that would have accrued from February 7 to February 14, 2004.

The City Attorney informed Mr. Trouba of the procedure for the Inspectors to inspect and comply property. Ms. Tell reminded Mr. Trouba that he had been present at the August hearing and knew what the compliance date was. She felt that in all fairness she could not waive the fine.

The City Attorney could not locate the green card receipt for the mailing of the order. She pointed out that the city was not required to receive the card back to prove the order was received; they were only required to mail the order "return receipt requested".

Ms. Tell advised Mr. Trouba to try to reach an agreement with Inspector Haskins.

Upon returning to the case, Ms. Haskins stated that they had agreed to fines that ran from February 8, 2004 to February 14, 2004, for a total of \$700.00. Ms. Tell agreed to ratify an agreement for \$1,000.00.

**Reference CE02091192**

Marko Pecic  
2700 Northeast 51<sup>st</sup> Street

Ms. Bazer announced that the case was heard on October 17, 2002 with compliance ordered by December 16, 2002. Fines had accrued in the amount of \$11,450.00.

Mr. Karl Lauridsen, Community Landscape Officer, testified that the property was complied on March 19, 2004. A tree on the property had been hatracked and had not come back and therefore the owner was required to provide 7" of caliper replacement. The owner had also needed to obtain a permit to remove the old tree. The lengthy wait was caused by the owner's waiting to see if the original tree would come back. In the meantime, he did not perform the caliper replacement. Mr. Lauridsen agreed to leave the determination to Ms. Tell.

Mr. Peter Pecic, son of the owner, stated that at the hearing in October 2002, the special master had informed his father that if the tree did not come back in 3-4 months, he would need to replace it. He claimed that he had never received the order. They were first notified about the fine during the amnesty program. He assured Ms. Tell that his father would never allow a fine like this to accrue.

The City Attorney admitted that she did not have a receipt for the mailing of the order. Ms. Tell suggested that Mr. Pecic try to reach some agreement with Mr. Lauridsen.

Upon returning the first time, Mr. Lauridsen stated that they had agreed to eliminate the fine. Ms. Tell told him to reconsider, as the city had spent resources on this case and she would not accept a stipulation of \$ 0.

Upon returning, Mr. Lauridsen informed Ms. Tell that they had agreed to a fine of \$700.00.

Ms. Tell ratified and approved the fine of \$700.00.

**Reference CE04020502**

Intervest-Villa Ltd  
1515 Southeast 17<sup>th</sup> Street #101  
Tenant: Coldwell Banker: D. Egizi

Ms. Bazer announced that the case was heard on March 4, 2004 with compliance ordered by March 18, 2004. The property was still not complied and fines had accrued in the amount of \$1,200.00.

Mr. Anthony Chiocca, representative for the tenant, Danielle Egizi, stated that his client had obtained an occupational license a year ago and had later received the notice. She assumed the license she had already obtained covered this. The order had then been mailed to the wrong address. After the notice was redirected, Ms. Egizi had immediately paid the fine.

Ms. Waynette Smith, Occupational License Inspector, testified that Ms. Egizi had received notice, like every other realtor in her office. Ms. Smith had visited the office on several occasions and left notices for Ms. Egizi. Ms. Egizi had never contacted Ms. Smith regarding the notices.

The City Attorney noted that the city had service for the Massey hearing.

Ms. Smith stated that everyone in the office had been noticed several times and Ms. Egizi was the only one who did not comply. Mr. Chiocca felt that Ms. Egizi certainly would have taken care of the matter if she had been aware of it and he informed Ms. Tell that Ms. Egizi had made "no money" last year and was very frightened by this situation.

Ms. Tell informed Mr. Chiocca that the owner would be assessed the fine and Ms. Egizi would need to work something out with the owner for repayment. Ms. Tell confirmed that the fine had been \$25.00 per day from March 18 to April 29, 2004. Ms. Tell agreed to reduce the fine to \$1,025.00 and Mr. Chiocca stated that Ms. Egizi could not pay that. Mr. Chiocca requested a continuance to notify the owner that the city would obtain the lien; Ms. Tell reminded him that he was not a representative of the owner. Mr. Chiocca stated, "I'm willing to go a hundred bucks", which provoked laughter.

Ms. Tell signed the order to impose the fine for \$1,025.00.

**Reference CE03121863**

Trevor & Althea Carvalho  
1436 Northwest 7<sup>th</sup> Avenue

Ms. Bazer announced that the case was heard on February 19, 2004 with compliance ordered by March 4, 2004. The property was now complied and fines had accrued in the amount of \$8,400.00.

Ms. Deborah Haskins, Community Inspections Officer, testified that the violations had concerned landscape maintenance and trash on the property. The fines had run from March 5, 2004 to April 16, 2004. Mr. Carvalho had not attended the hearing, and she felt this may have been why he did not understand what was required for compliance.

Mr. Trevor Carvalho, respondent, stated that he had phoned the office and left messages for Ms. Haskins a few times. Eventually, he had called Commissioner Moore's office on April 7, 2004. On that date, Ms. Haskins had told him to meet her at the property at 10:00 A.M. Ms. Haskins had not been able to make this meeting and Mr. Carvalho could not wait; he told Ms. Haskins to visit the property herself. He phoned Ms. Haskins on April 12 and she told him that Mr. Carvalho's mother had not permitted her on the property. He met with Ms. Haskins on April 15 at noon so she could explain what needed to be done. He then spoke with Ms. Haskins on April 19 and informed her that he had completed the work. She agreed to meet with him the following day and stop the fines as of then. When they met, she informed Mr. Carvalho that there was now a lien on the property and the fines had "been running all this time." He set up an appointment with Mr. Simmons on May 20 and had subsequently received notice of this hearing today. Ms. Haskins confirmed that she had stopped the fines as of April 16 even though she had not met with Mr. Carvalho until April 20.

Mr. Nil Exantus, neighbor, testified that he was present to confirm that Mr. Carvalho had complied.

Mr. Tom Chancey, a friend of the owner, testified that Mr. Carvalho was in compliance prior to March 4, 2004. He could not give Ms. Tell specific dates. Ms. Haskins noted that she had informed Mr. Carvalho of what needed to be done when she had met with him the first time. Ms. Tell suggested that Ms. Haskins and Mr. Carvalho try to reach an agreement.

Upon returning to the case, Ms. Haskins explained that when she met with Mr. Carvalho on April 15, they discussed the remaining problem: the overgrowth. She had agreed then to backdate the fines for the overgrowth. She felt the fines for the other violation should stay. She felt the problem was due to Mr. Carvalho's missing the hearing. Ms. Tell asked Ms. Haskins if \$4,200.00 was the correct fine. Mr. Carvalho felt this ruling was harsh; he requested the fine be reduced to \$420.00.

Ms. Tell reduced the fine to \$420.00.

**Reference CE03120687**

Dellareese & Wilson Smith  
1060 Northwest 23<sup>rd</sup> Terrace

Ms. Bazer announced that the case was heard on March 18, 2004 with compliance ordered by March 25, 2004. The property was not complied and fines had accrued in the amount of \$6,150.00.

Mr. Travis Smith, husband of the owner, stated that he had not received the notice.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had met Mr. Smith the previous day; she had spoken with the tenant about the violations in the past. The



tenant had been evicted and Ms. Pingitore had been unaware of it. She felt the fine dates were therefore incorrect. She agreed to fine Mr. Smith for 1 day: \$150.00.

Ms. Tell agreed to reduce the fine to \$150.00.

### **End Massey Hearings**

### **Reference CE04011211**

David Little  
2410 Southwest 5<sup>th</sup> Street

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

Ms. Bazer announced that service was via the respondent's appearance at this hearing.

Ms. Peggy Burks, Community Inspections Officer, testified that there was an unlicensed, inoperable red Cadillac on the property. She had met with Mrs. Little and agreed to recommend 7 days to comply or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$25.00 per day would be imposed.

### **Reference CE04021240**

Corner Guard Inc.  
1220 Southwest 24<sup>th</sup> Avenue

Sec. 47-34.1 A.1: Permitted uses

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on April 21, 2004 and personal service had been made by Inspector Mullarkey on April 27, 2004.

Mr. Dan Mullarkey, Community Inspections Officer, testified that a shipping container was stored on the property; a non-permitted use. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 45 days to comply or a fine of \$50.00 per day.

Mr. Christian Bourdages, owner, explained that the containers were on the property because he had intended to build on the property. He had applied for a permit and had to go through the Board of Adjustment. He requested an extension until he could build on the property. He felt it would take approximately 4-6 months to straighten this out. Mr. Mullarkey felt it very unlikely that Mr. Bourdages would ever be able to obtain a permit for this type of container when building a residential home. Ms. Tell suggested they allow 30 days to comply to let Mr. Bourdages determine if he would be able to build on the property.

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

**Reference CE03100946**

Maria Ellis  
1025 Northwest 3<sup>rd</sup> Avenue

Sec. 9-281(b): Trash, rubbish, and unlicensed, inoperable vehicles on property;  
Sec. 9-280(f): Improper plumbing;  
Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that personal service had been made by Inspector Margerum on May 2, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and rubbish on the property and the parking area was not maintained; Section 9-280(f) was complied and the inoperable vehicles had been removed. She presented photographs of the property to Ms. Tell that were admitted into evidence as City composite exhibit 1.

Ms. Maria Ellis, owner, requested 7 more days to comply. She had been ill when she was originally cited, but had begun to perform repairs as soon as she was well enough. Ms. Tell determined that she would need a permit for some of the driveway repairs so she would need more than 7 days for those repairs. Ms. Haskins recommended 7 days to comply Section 9-281(b) and 90 days to comply Section 47-20.20 H or a fine of \$50.00 per day per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 7 days and with Section 47-20.20 H within 90 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE04030370**

John Vertullo  
1218 Northwest 4<sup>th</sup> Avenue

Sec. 18-1: Pool not maintained;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-280(b): Structure or Fixtures in disrepair;  
Sec. 9-307(a): Broken windows

Ms. Bazer announced that certified mail had been accepted on April 27, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the pool was full of stagnant water, creating a breeding ground for mosquitoes and a health hazard for neighbors; the wood fence was excessively rotted and deteriorated; the rear wood door was rotted and there were broken windows on the property. She recommended 60 days to comply Sections 9-280(h)(1) and 9-280(b) and 14 days to comply Sections 18-1 and 9-307(a) or a fine of \$25.00 per day, per violation.

Mr. John Vertullo, owner, stated that the broken window was fixed; Ms. Haskins showed him photographs proving the window was not. Mr. Vertullo presented a copy of the

contract he had to repair the fence. He would need permits for some of the other work. Someone was coming this weekend to clean and repair the pool.

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

- Sections 9-280(h)(1) and 9-280(b) in 60 days, and
  - Sections 18-1 and 9-307(a) in 14 days,
- or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE04021582**

Carmen Martin  
1522 Northwest 11<sup>th</sup> Street

Sec. 9-280(f): Deteriorated plumbing; raw sewage in back yard;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property

Ms. Bazer announced that service was via the respondent's appearance at this hearing.

Mr. Andre Cross, Community Inspections Officer, testified that the plumbing was not maintained in sanitary, working condition; Section 9-281(b) was now complied. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Section 9-280(f) or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280(f) within 30 days or a fine of \$25.00 per day would be imposed.

**Reference CE03081082**

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

Request for Extension

Ms. Bazer announced that this case was originally heard on November 6, 2003 with compliance ordered by November 13 and 20, 2003, December 6, 2003 and March 6, 2004. On December 4, 2003, the compliance date was extended to June 6, 2004. Three of the 11 violations were now complied.

Mr. Frank Stockinger, Community Inspections Officer, explained that the family had started to make repairs, but had discovered in the process that many more repairs were needed. The sea wall, dock, patio, pool and roof must all be replaced. The 3 health hazard violations had been complied. Mr. Stockinger felt they would need 6 months to finish.

Mr. Andrew Gallagher, owner, felt he needed 6 more months to complete repairs.

Ms. Tell granted a 180-day extension.

**Reference CE04011082**

Elred & Josephine Rodney  
1617 Northwest 4<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that personal service had been made by Inspector Margerum on May 2, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that paint on the house was rust-stained and deteriorated in some areas. She recommended 30 days to comply or a fine of \$25.00 per day. She noted that Mr. Rodney had already begun work.

Mr. Elred Rodney, owner, felt he could complete repairs in 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 CE03110309**

Inversiones El Elegido CA  
1701 North Andrews Square

Request for Extension of Time

Ms. Bazer announced that this case was originally heard on February 5, 2004 with compliance ordered by April 6, 2004. The property was still not complied.

Mr. Douglas Fleishman, property manager, stated that he had originally wanted more time, but Ms. Haskins had told him to take 60 days and return if he needed more time. He had worked with the engineering department to determine how to handle the swale problem and had experienced problems with the company he had hired to remove the trash. He requested an additional 30 days and to stop fines from running. He asked if Ms. Tell could abate the fines that had already accrued as well. She told him she could not.

Ms. Haskins had received a call on April 1 that work was being done on the swale without a permit; she had issued a stop work order and called to meet with Mr. Fleishman but he could not. Ms. Haskins had received a call on April 13 from a representative of the owner and had met with him and Doug Kurtok at the site and explained what needed to be done. On April 15, Mr. Fleishman had requested the extension. Ms. Haskins stated that the city would not object to an 30-day extension, but did not want Ms. Tell to alter the fine period: April 6 to May 6. Ms. Tell stated that she would not rule on the fines already accrued, but would stop the fine during this extension.

Ms. Tell granted a 30-day extension

**Reference CE04010856**

Romar LLC  
1225 Northeast 14<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted (no date on card) and certified mail addressed to the company had been accepted on April 27, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that paint on the house was chipped and peeling. Since the original citation there had been additional violations. Mr. Ackley presented photographs of the property that were admitted into evidence as City composite exhibit 1.

Mr. Alan Margolis, business partner, stated that his company had bought the property at the beginning of February as a redevelopment investment. Plans had already been submitted to the city and they planned to demolish the building. He felt they needed an additional 60 days to remove the last tenant and demolish the building. Mr. Ackley recommended 60 days to comply or a fine of \$100.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100.00 per day would be imposed.

**Reference CE04021589**

Daniel & Carmen Caamano  
17 Northeast 9<sup>th</sup> Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 47-20.20 H: Parking area in disrepair; Sec. 47-21.8 A: Missing ground cover; Sec. 47-22.3 U.3: Non-permitted sign on property

Ms. Bazer announced that service was via the respondent's appearance at this hearing.

Ms. Ursula Thime, Community Inspections Officer, testified that the drive consisted of dirt, sand, and gravel, and the yard had large areas of bare sand; Sections 9-281(b) and 47-22.3 U.3 were now complied. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 45 days to comply Sections 47-20.20.H and 47-21.8 A or a fine of \$50.00 per day, per violation.

Ms. Carmen Caamano, respondent, informed Ms. Tell that the apartments would be demolished in the fall and wondered if it were necessary to perform the repairs at all. Ms. Tell told her that it was necessary, but Ms. Thime suggested that Ms. Caamano only needed to put gravel in the parking area. Ms. Caamano requested 30 more days.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-20.20.H and 47-21.8 A within 45 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE04031991**

Yucel Aydogu  
5201 Northwest 9<sup>th</sup> Avenue

Sec. 15-28: Required occupational license

Ms. Bazer announced that certified mail addressed to the tenant had been accepted on April 22, 2004 and certified mail addressed to the owner had been accepted on April 24, 2004.

Ms. Linda Nigg, Occupational License Inspector, testified that the business was operating without an occupational license. Mr. Oldoni had been turned down by the Zoning Department for his business at this location. She recommended 60 days to comply or a fine of \$100.00 per day.

Mr. Louis Oldoni, tenant, stated that there was another storage business adjacent to his that the Zoning Department had allowed. The City Attorney advised Mr. Oldoni that this was not the venue to contest the decision of the Zoning Department. Until he obtained an occupational license, he could not run his business from this location. Mr. Oldoni informed Ms. Tell that he had been going back and forth with Terry Burgess and Greg Bruton regarding his denial. He hoped that within 90 days the problem could be straightened out.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100.00 per day would be imposed.

**Reference CE03121635**

James & Jennifer Brown  
2708 Northeast 29<sup>th</sup> Court

Sec. 18-1: Pool not maintained;  
Sec. 9-306: Building not maintained;  
Sec. 9-308 (a): Roof shingles in disrepair

Ms. Bazer announced that certified mail had been accepted on April 22, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that the pool was cracked and did not contain clean, circulating water; the soffit, fascia, and ceiling timbers were rotted with peeling paint and the roof was dirty and in need of repair. He had spoken with Mr. Brown 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 CE03100840**

Lidia & Mireya Jean-Pierre  
1021 Northwest 3<sup>rd</sup> Avenue

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

Ms. Bazer announced that certified mail had been accepted on April 21, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was an unlicensed, inoperable silver Mitsubishi stored on the property and the parking lot was deteriorated and lacked striping and wheel stops.

Mr. Jean-Pierre informed Ms. Tell that the car belonged to a tenant who had informed Mr. Jean-Pierre that the car was registered. Ms. Tell told Mr. Jean-Pierre to inform the tenant that if he could not provide valid registration, the car would be towed.

Ms. Haskins informed Ms. Tell that Mr. Jean-Pierre had taken on the asphalt work himself and made a mess of it; it would have to be redone by a contractor, with a permit. Ms. Haskins presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 60 days to comply with Section 47-20.20 H 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 vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.20 H within 60 days or a fine of \$100.00 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.

### **Massey Cases**

#### **Reference CE00070492**

Las Olas Courts LTD  
712 Southwest 2<sup>nd</sup> court

Ms. Bazer announced that the case was originally heard on August 3, 2000 with compliance ordered by October 2, 2000. The property was still not complied and fines had accrued in the amount of \$65,550.00.

The City Attorney stated that the company was served with a notice of this hearing but had not appeared. This was a board-up certificate violation; a second order was signed in November 2000, but since the Massey hearings had begun, the City felt it necessary to have a hearing on the issue of compliance. Three mailings were sent to the company address pursuant to today's hearing; two had been returned "Attempted: not known." The notice sent to the registered agent (the same as the company) had not been returned.

Ms. Tell determined that Dan Taylor had represented the firm in another matter; the City Attorney had spoken with him a few weeks previously and he told her that he did not represent the firm any longer. Ms. Tell remembered that Betty Ann Deavers had represented the firm at a previous Special Master proceeding. Ms. Tell asked that someone contact her before an order was signed.

When the City Attorney returned, she reported that she had been unable to reach Betty Ann Deavers but had spoken with Dan Taylor, who informed her that Ms. Deavers had been the firm's real estate attorney and had set up the Las Olas Courts Corporation. Las Olas Courts had been bought by another company, which Mr. Taylor represented. He was not notified by them of this or any other code enforcement –related hearing. Ms. Tell was satisfied that all parties were notified properly.

Ms. Tell entered the order to impose the lien.

**Reference CE03022346**

Thomas & Julie Petkevich  
1120 Southwest 18<sup>th</sup> Court

Ms. Batchelder announced that the case was heard on August 21, 2003 with compliance ordered by February 17, 2004. The property was still not complied and fines had accrued in the amount of \$19,500.00.

Mr. Lin Bradley, Community Code Supervisor, submitted photographs of the property taken by Ken Tyson on May 5, 2004 that were admitted into evidence as City composite exhibit 1.

Ms. Zann signed the order to impose the lien.

**End Massey Cases**

**Reference CE04030581**

Martin Vann  
1311 Chateau Park Drive

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

Ms. Bazer announced that certified mail had been accepted on April 29, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover on the property; there was rubbish, trash, and overgrowth on the property and the building had peeling, stained paint. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Sections 47-21.8 and 9-306 and 7 days to comply Section 9-281(b) or a fine of \$25.00 per day per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 and 9-306 within 30 days and with Section 9-281(b) within 7 days or a fine of \$25.00 per day, per violation would be imposed.



**Reference CE04031445**

Dottie Parker  
1401 Southeast 10<sup>th</sup> Avenue

Sec. 47-19 5.H.1: Obstruction of site triangle

Ms. Bazer announced that certified mail had been accepted on April 21, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that there were palm trees obstructing the site triangle. He had spoken with the owner, who had needed to leave the country right away; Mr. Nobles had agreed to recommend 30 days to comply or a fine of \$50.00 per day.

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

**Reference CE04011721**

Manhattan Associates Leasing Co.  
1741 Southwest 23<sup>rd</sup> Terrace

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

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on April 21, 2004 and certified mail addressed to a general partner had been accepted on April 23, 2004.

Mr. Dan Mullarkey, Community Inspections Officer, testified that there were two unlicensed, inoperable vehicles parked on the property. He presented a photograph of the property that was admitted into evidence as City exhibit 1 and 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.

**Reference CE04030208**

Eunice Clemens  
3600 Southwest 23<sup>rd</sup> Street

Sec. 18-27(a): Overgrowth on property

Ms. Bazer announced that certified mail had been accepted on April 30, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the property and swale were overgrown. 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 CE04030210**

Michael Parker  
3605 Southwest 23<sup>rd</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail had been accepted on April 30, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the fence was in disrepair and the building had rust stains; Section 18-27(a) was now complied. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 14 days to comply Sections 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 9-280(h)(1) and 9-306 within 14 days or a fine of \$25.00 per day, per violation.

**Reference CE04030211**

Christopher Williams  
3609 Southwest 23<sup>rd</sup> Street

Sec. 47-34.1 A.1: Permitted uses: outside storage;  
Sec. 18-1: Derelict vehicles on property

Ms. Bazer announced that certified mail had been accepted on April 30, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was outside storage at the property; Section 18-1 was complied. He had met with the owner and agreed to recommend 30 days to comply Section 47-34.1 A.1 or a fine of \$25.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-34.1 A.1 within 30 days or a fine of \$25.00 per day would be imposed.

**Reference CE04010868**

Gricet Juarez  
711 Southwest 31<sup>st</sup> Avenue

Sec. 9-281(b): Rubbish and trash on property;  
Sec. 9-279(f): Plumbing drains onto ground; no connection to city water supply;  
Sec. 9-280(b): Structure or Fixtures in disrepair;  
Sec. 9-305(b): Required ground cover;  
Sec. 9-278(g): Missing/torn screens

Ms. Bazer announced that certified mail had been accepted on March 5, 2004 and the rescheduling letter had been mailed on April 20, 2004.

Mr. Burt Fletcher, Community Inspections Officer, testified that there was debris and litter on the property; the swale and parts of the property had dead or missing ground cover and

some windows had torn or missing screens; Sections 9-279(f) and 9-280(b) were complied. Mr. Fletcher presented photographs of the property that were admitted into evidence as City composite exhibit 1. He had spoken with the owner and agreed to recommend 30 days to comply Sections 9-281(b), 9-305(b) and 9-278(g) 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), 9-305(b) and 9-278(g) within 30 days or a fine of \$25.00 per day, per violation would be imposed.

**Reference CE04031156**

Ostane Beauchamp & Joseph Eduard  
471 Alabama Avenue

Sec. 18-27(a): Trash on property;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property;  
Sec. 9-305(b): Required ground cover

Ms. Bazer announced that certified mail had been accepted on April 22, 2004.

Mr. Burt Fletcher, Community Inspections Officer, testified that the property and swale were overgrown and the property was littered with carpet and other debris; there was an unlicensed, inoperable red Toyota van on the property and areas of the property had dead or missing ground cover. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Sections 18-27(a) and 9-305(b) or a fine of \$25.00 per day, per violation, and compliance with Section 9-281(b) within 7 days 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:

- Sections 18-27(a) and 9-305(b) within 30 days or a fine of \$25.00 per day, per violation, and
- Section 9-280(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed.

**Reference CE04031160**

Hazel Vaughn  
431 Arizona Avenue

Sec. 18-27(a): Trash and overgrowth on property;  
Sec. 9-313(a): Required display of address;  
Sec. 9-281(b): Unlicensed, inoperable trailer on property

Ms. Bazer announced that certified mail had been accepted on April 23, 2004.

Mr. Burt Fletcher, Community Inspections Officer, testified that the only remaining violation was Section 18-27(a): an old awning on the property. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 14 days to remove the awning or a fine of \$25.00 per day.



Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish and overgrowth on the property and there were areas of bare wood on the building. Ms. Pingitore had inspected the property on May 5 and presented photographs taken on that day that were admitted into evidence as City composite exhibit 1. She recommended 10 days to comply or a fine of \$50.00 per day, per violation. She also asked Ms. Tell to record the order.

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; Ms. Tell also recorded the order.

**Reference CE03080851**

Jeff Taylor  
1823 Northwest 16<sup>th</sup> Avenue

Sec. 18-27(a): Trash, overgrowth, and an unlicensed, inoperable vehicle on property;  
Sec. 47-21.8: Landscape maintenance

Ms. Bazer announced that certified mail had been accepted on April 21, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover Section 18-27(a) was complied. She presented photographs taken on May 5 that were admitted into evidence as City composite exhibit 1 and recommended 10 days to comply Section 47-21.8 or a fine of \$50.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8 within 10 days or a fine of \$50.00 per day, per violation would be imposed.

**Reference CE04031249**

United Investment Funding Inc.  
1225 Northwest 14<sup>th</sup> Court

Sec. 6-7(b) (1): Noise disturbance; roosters;  
Sec. 6-8: Chickens and roosters kept on property;  
Sec. 9-279(f): No city water service to occupied building; Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property;  
Sec. 9-303(a): Maintenance of fence;

Ms. Bazer announced that certified mail addressed to the owner and the registered agent had both been accepted on April 23, 2004 and certified mail addressed to an officer of the company had been accepted on April 24, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were roosters and chickens kept on the property; the roosters and chickens were creating a noise disturbance; there was trash, rubbish, and an unlicensed, inoperable camper and trailer on the property and graffiti was sprayed on the property's fence; Section 9-279(f) was complied. She presented photographs of the property that were admitted into evidence as

City composite exhibit 1 and recommended 7 days to comply with Sections 6-7(b)(1), 6-8, 9-281(b) and 9-303(a) or a fine of \$100.00 per day per violation.

Ms. Tell found in favor of the City and ordered compliance comply with Sections 6-7(b)(1), 6-8, 9-281(b) and 9-303(a) within 7 days or a fine of \$100.00 per day, per violation would be imposed.

**Reference CE04021652**

T. Jackson Properties Inc.  
3030 Northeast 21<sup>st</sup> Terrace

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

Ms. Bazer announced that certified mail addressed to the registered agent and an officer of the company had both been accepted on April 22, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that the dumpster was not kept in an approved enclosure. He has spoken with the owner and agreed to recommend 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 CE04030948**

City National Bank of Miami TR  
2577 East Sunrise Boulevard

Sec. 47-22.9: Signs without permits

Ms. Bazer announced that certified mail addressed to the company had been accepted on April 27, 2004 and certified mail addressed to the registered agent had been accepted on April 29, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that there were two unpermitted signs on the property. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 7 days to comply or a fine of \$150.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$150.00 per day would be imposed.

**Reference CE04030978**

FJH Homes Inc.  
1301 Northwest 17<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the company had been accepted on April 30, 2004; certified mail addressed to the registered agent had been accepted on May 3, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that there was peeling, chipping paint and mildew on the building. He had an agreement with the owner to comply within 15 days or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 15 days or a fine of \$50.00 per day would be imposed.

**Reference CE04040282**

Anthony Family Limited Partnership      Sec. 18-27(a): Trash and overgrowth on property  
1701 East Sunrise Boulevard

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on April 28, 2004 and certified mail addressed to the company and the general partners had both been accepted on April 29, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that there was trash, rubbish, and overgrowth on the property. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and 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 CE03102296**

Ana Gladys & Samuel Mateo      Sec. 47-21.8 A: Missing ground cover  
1428 Northwest 3<sup>rd</sup> Avenue

Ms. Bazer announced that personal service had been made by Inspector Ackley on May 1, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the entire lawn area was bare sand and weeds. She 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.

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 CE03120822**

Vilmond & Louisanna Sainvil  
1224 Northwest 3<sup>rd</sup> Avenue

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

Ms. Bazer announced that certified mail had been accepted on April 21, 2004.

Ms. Haskins informed Ms. Tell that she had met with the owner and had a stipulated agreement to comply within 21 days or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 21 days or a fine of \$50.00 per day would be imposed.

**Reference CE04011735**

Cindy Wallick  
1406 Northwest 7th Terrace

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

Ms. Bazer announced that Inspector Haskins had a stipulated agreement with the owner.

Ms. Deborah Haskins, Community inspections Officer, testified that the unlicensed vehicle had already been removed. She had a stipulated agreement with the owner to comply Section 9-281(b) within 7 days or a fine of \$100.000 per day and to comply Section 47-21.18 A within 7 days 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 for Section 47-21.18 A and \$100.00 per day for Section 9-281(b).

**Reference CE04011768**

Pamela Blands  
1101 Northwest 1<sup>st</sup> Avenue

Sec. 47-21.8 A: Missing ground cover

Ms. Bazer announced that certified mail had been accepted on April 29, 2004 and personal service had been made by Inspector Ackley on May 1, 2004. Inspector Pingitore had a stipulated agreement with the owner to comply.

Ms. Deborah Haskins, Community inspections Officer, testified that she had a stipulated agreement with the owner to comply within 60 days 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 CE04030711**

Wesley Johnson



1336 North Andrews Avenue

Sec. 47-21.8 D: Hedges blocking site triangle

Ms. Bazer announced that certified mail had been accepted on April 21, 2004.

Ms. Deborah Haskins, Community inspections Officer, testified that the property was complied right now, but because of the recurring nature of the violation she wanted an order that the property was not in compliance when she cited it.

Ms. Tell entered the order of violation.

### **Cases Complied**

Ms. Bazer 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:

CE04032601	CE04031257	CE04011948	CE04031802
CE04031976	CE04031982	CE04031841	CE04032460
CE04021149	CE04030079	CE04031796	CE04031321
CE04021654	CE04030793	CE04031142	CE04040394
CE04011710	CE04031453	CE04030295	CE04030394
CE04031135	CE04031472	CE04032662	CE04031358
CE04031660	CE04040073	CE04040281	CE04040569
CE04030828	CE04031672		

### **Cases Pending Service**

Ms. Bazer 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:

CE03111354	CE04030768	CE03120640	CE03091333
CE04020162	CE04020558	CE04031345	CE04032552
CE04032553	CE04040234	CE03121430	CE04011108
CE04030396	CE04040028	CE04020960	CE04040102
CE04011748	CE04020186		

### **Cases Rescheduled**

Ms. Bazer 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:

CE04010900	CE03121517	CE03091067
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**Cases Withdrawn**

Ms. Bazer 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:

CE04040369	CE03032092	CE04040360	CE04021117
CE04011749	CE04011751		

**Approved for Claim of Lien**

Ms. Bazer presented Ms. Tell with the following cases to sign the order to impose the fine, which Ms. Tell signed based on the affidavits of the inspectors.

CE02041937	CE03041040	CE03051599	CE03080609
CE03092463	CE03110350	CE03120012	CE03120729
CE04010338	CE04010872		

There being no further business, the hearing was adjourned at 1:40 P.M.

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Special Master

ATTEST:

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Clerk, Special Master