

SPECIAL MASTER HEARING
City Commission Meeting Room
Special Master Richard Conner, Presiding
July 1, 2004
9:00 A.M. – 12 Noon

Staff Present:

Eve Bazer, Administrative Assistant
Assistant City Attorney
Betty Costanza, Service Clerk
Farida Mohammed, Service Clerk
Andre Cross, Community Inspections Officer
John Gossman, Community Inspections Officer
Robert Guilford, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer

Also Present:

Preston Gordon, CE04052199
Daniel Mangar, CE04011156
Nancy Hibbs, CE04041881
Frederick Baumann, CE04041494
Charles Glover, CE04041772
Isadore Goodman, CE04011149, 04011155, 04011130, 04041131, 04011133, 04041136,
04011150, 04011177, 04011179, 04011157, 04011160, 04011138, 04011172, 04011140,
04011141
Dale Morrison, CE04011172
*Vermelien Vernelus, CE01010621
Bill Osborn, CE04050211
Paul Hugo, CE03121517
*April Young, CE01051174
Bisnauth Harnandan, CE04011068
Brenda Flowers, CE04051068
Jack Gerzina, CE04041772
Kirk White, CE04011748
Ronnie Spradlin, CE03012363
Ana Najera, CE04041009
Aiton Yaari, CE04040387

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 CE04041494

Innsbruck Investment Co.
1941 Northwest 14th Avenue

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property; Sec. 47-20.20 H: Parking area in disrepair; Sec. 47-21.8: Missing ground cover; Sec. 9-280(h)(1): Fence in disrepair; Sec. 9-308 (b): Roof in disrepair

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and rubbish scattered about the property and there were unlicensed, inoperable vehicles stored on the property; the parking had potholes, lacked sealant and striping and was in a general state of disrepair; there were areas of dead or missing ground cover and bare sand; the chain link fence was in disrepair and the shingle roof was dirty and mildew stained. She informed Mr. Conner that she had a stipulated agreement with the owner to comply within 60 days or there would be a fine of \$50.00 per day per violation.

Mr. Frederick Baumann, president of Innsbruck Investment, introduced himself to Mr. Conner.

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

Reference CE04052202

Innsbruck Investment Co.
1921 Northwest 14th Avenue

Sec. 47-21.8: Missing ground cover;
Sec. 9-308 (a): Roof in disrepair;
Sec. 18-27(a): Trash on property;
Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-280(h)(1): Fence in disrepair

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover and bare sand; the roof was dirty and mildew stained; there was trash and rubbish scattered about the property and there were unlicensed, inoperable vehicles stored on the property; the parking had potholes, lacked sealant and striping and

was in a general state of disrepair and the chain link fence was in disrepair. She informed Mr. Conner that she had a stipulated agreement with the owner to comply within 60 days or there would be a fine of \$50.00 per day per violation.

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

Massey Hearings

Reference CE01051174

Clifford Green
1618 Northwest 7th Court

Ms. Bazer announced that this case was originally heard on October 4, 2001 with compliance ordered by October 11, 2001 and November 3, 2001. The property was now complied and fines had accrued in the amount of \$125,800.00.

Mr. Lee Kaplan, Community Inspections Officer, testified that the property was now complied and asked Mr. Conner to impose the fine for the lien.

Ms. April Young, property manager, informed Mr. Conner that the property had been painted three times since the original violation. Ms. Young said that she had spoken to Commissioner Moore regarding getting the property complied because she had had several disagreements with the City concerning the violations. She had spoken with Mr. Hiteshew and eventually submitted a formal complaint due to those disagreements. Mr. Conner asked Inspector Kaplan if there were extenuating circumstances in this case. Mr. Kaplan explained the various compliance dates and fines to Mr. Conner.

The City Attorney explained that the fine had accrued from November 4, 2001 until February 2004. Ms. Young told Mr. Conner that the property was refinanced in 2002. She stated that at the 2002 hearing, she submitted evidence that the property was complied. Mr. Kaplan thought Ms. Young might be confusing this case with a case Inspector Donovan wrote on the property. The City Attorney pointed out that there was no hearing on this case in 2002.

Ms. Young presented photographs taken in 2001 and 2002 and explained that these showed compliance. Mr. Kaplan told Mr. Conner that he had visited the property every month from the case's beginning until February 13, 2004 when it was complied. On every visit before February 2004, the property was not complied.

Mr. Conner signed the order to impose the fine.

Reference CE01010621

Vermilien Vernelus
1142 Northwest 15th Court

Ms. Bazer announced that this case was originally heard on July 19, 2001 with compliance ordered by July 26, 2001. The property was now complied and fines had accrued in the amount of \$139,200.00.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property was complied on February 10, 2004.

Mr. Vermilien Vernelus, respondent, confirmed that he had not attended the hearing in 2001. Ms. Pingitore noted that Mr. Vernelus had ignored a Notice to Appear in December 2001. He had come to the office in November 2001 and stated that he was in compliance. When Ms. Pingitore had tried to reinspect, she could not gain access to the property.

Mr. Lin Bradley, Community Inspections Supervisor, presented copies of three notices that had been mailed and returned unclaimed; these were admitted into evidence as City composite exhibit 1.

Mr. Vernelus stated that he had repaired the pool himself twice. He noted that the inspectors had come to reinspect twice without notice. Supervisor Bradley submitted a copy of the original violation that was signed by Mr. Vernelus on July 15, 2001.

Mr. Conner signed the order to impose the fine.

Reference CE04040387

Miniaci Enterprises
213 South Ft. Lauderdale Beach Boulevard

Ms. Bazer announced that the case was originally heard on May 20, 2004 with compliance ordered by May 27, 2004. The property was still not complied and fines had accrued in the amount of \$8,500.00.

Mr. Lin Bradley, Community Inspections Supervisor, testified that the property was still not complied and presented Mr. Stockinger's affidavit that the property was not complied on May 27, 2004.

Mr. Aiton Yaari, property tenant, stated that he had been trying to reach Mr. Stockinger all week without success. He had fired the store employee who had put the merchandise outside. He told Mr. Bradley he had phoned Mr. Stockinger in June.

Inspector Kaplan stated that he had seen merchandise outside the previous week and when he had confronted the employee about it, the merchandise had immediately been moved back inside.

The City Attorney stated that this was an ongoing problem at this property. Mr. Yaari had been at every hearing and was therefore well aware of the problem. The problem was that the merchandise was put in the store whenever an inspector brought it to the employee's attention and was put back out soon after the inspector left.

Mr. Yaari reiterated that he had fired the employee who had kept putting the merchandise outside.

Mr. Conner signed the order to impose the fine.

End Massey Hearings

Reference CE04050211

Ariel Chmielarz
1415 East Las Olas Boulevard Sec. 15-28: Required occupational license

Ms. Bazer announced that certified mail had been accepted on June 16, 2004.

Mr. Robert Guilford, Community Inspections Officer, testified the restaurant was conducting business without the required occupational license. The business was a Subway deli that possessed an occupational license for take-out only but had indoor seating. Mr. Guilford presented photographs of the property that were admitted into evidence as City Composite exhibit 1 and recommended 90 days to comply or a fine of \$50.00 per day.

Mr. William Osborn, architect for the owner, informed Mr. Conner that they were redoing the parking area and therefore needed 90 days to comply.

Mr. Conner found in favor of the City and ordered compliance within 90 days or a fine of \$50.00 per day would be imposed.

Reference CE03121517

BF1 LLC Request for Extension
636 Northeast 2nd Avenue

Ms. Bazer announced that this case was originally heard on May 20, 2004 with compliance ordered by June 4, 2004. Total fines had accrued in the amount of \$2,600.00.

Ms. Ursula Thime, Community Inspections Officer, testified that the window boarding did not comply with the requirements of the city ordinance. The property was still not complied

and fines had begun on June 6, 2004. She presented a photograph of the property that was admitted into evidence as City exhibit 1.

Mr. Paul Hugo from BF1 LLC stated that it had taken six months to evict a bad tenant and he had eventually decided to bulldoze the property. He explained the various steps that needed to be taken to bulldoze the property. He had spoken with Ms. Chenault on June 2 who had informed him that the hearing was postponed until July 1. Ms. Bazer had phoned him back to straighten the dates out. Mr. Hugo needed 60 more days to prepare the property for demolition.

Mr. Conner granted a 60-day extension and abated the fine

Reference CE0401125

Request for Extension

Bisnauth, Indrowtie, & Somkar Harnandan
1701 Northwest 7th Court

Ms. Bazer announced that this case was originally heard on April 1, 2004 with compliance ordered by June 30, 2004. Total fines had accrued in the amount of \$125.00. Ms. Bazer noted that this owner had three cases today with similar facts and she would read them all in at the same time.

Mr. Bob Guilford, Community Inspections Officer, testified that all violations except Section 9-280(g) were now complied. He recommended a 90-day extension with a fine of \$100.00 per day thereafter.

Mr. Conner granted a 90-day extension for Section 9-280(g) and abated the fine. After 90 days, the violation would be fined at \$25.00 per day, the original fine amount.

Reference CE04011067

Request for Extension

Bisnauth, Indrowtie, & Somkar Harnandan
1705 Northwest 7th Court

Ms. Bazer announced that this case was originally heard on April 1, 2004 with compliance ordered by June 30, 2004. Total fines had accrued in the amount of \$225.00.

Mr. Bob Guilford, Community Inspections Officer, testified that all violations except Section 9-280(g) were now complied. He recommended a 90-day extension with a fine of \$100.00 per day thereafter.

Mr. Conner granted a 90-day extension for Section 9-280(g) and abated the fine. After 90 days, the violation would be fined at \$25.00 per day, the original fine amount.

Reference CE04011068

Request for Extension

Bisnauth, Indrowtie, & Somkar Harnandan
1711 Northwest 7th Court

Ms. Bazer announced that this case was originally heard on April 1, 2004 with compliance ordered by June 30, 2004. Total fines had accrued in the amount of \$200.00.

Mr. Bob Guilford, Community Inspections Officer, testified that all violations except Section 9-280(g) were now complied. He recommended a 90-day extension with a fine of \$100.00 per day thereafter.

Mr. Conner granted a 90-day extension for Section 9-280(g) and abated the fine. After 90 days, the violation would be fined at \$25.00 per day, the original fine amount.

Reference CE04052199

Preston Gordon
2620 Northwest 19th Street

Sec. 18-27(a): Trash and overgrowth on property;
Sec. 47-21.8: Missing ground cover;
Sec. 47-22.9: Signs without permits

Ms. Bazer announced that certified mail had been signed for but not dated and returned to Community Inspections on June 25, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, rubbish and overgrowth on the property and there were areas of dead or missing ground cover; Section 47-22.9 was now complied. She submitted photographs of the property and a history of the property that were admitted into evidence as City composite exhibit 1 and recommended compliance with Sections 18-27(a) and 47-21.8 within 15 days or a fine of \$250.00 per day, per violation.

Mr. Preston Gordon, respondent, explained that the mulch had been distributed and the sign and other trash removed. He presented photographs to Mr. Conner that were admitted into evidence as Respondent's exhibit 1. Ms. Pingitore explained that a landscaping company had been illegally dumping mulch on the property. Instead of removing the mulch, Mr. Gordon had spread the mulch instead of planting ground cover. She noted that this was constant and repetitive, with frequent calls from the homeowners' association members regarding the trash and debris and lack of maintenance. Mr. Gordon explained that he had asked the landscape company to put the mulch on the property.

Mr. Conner found in favor of the City and ordered compliance with Sections 18-27(a) and 47-21.8 within 15 days or a fine of \$100.00 per day, per violation, would be imposed.

Reference CE04041881

Gregory Hibbs

Sec. 47-21.8 A: Missing ground cover;

2305 Northwest 14th Street

Sec. 9-281(b): Rubbish, trash and overgrowth on property

Ms. Bazer announced that certified mail had been signed for but not dated and returned to Community Inspections on June 30, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover and bare sand and there was trash, rubbish and overgrowth on the property. She submitted photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended compliance within 30 days or a fine of \$50.00 per day.

Ms. Nancy Hibbs, respondent, informed Mr. Conner that they had been in the process of evicting the tenant. The trash and overgrowth were gone and she just needed to replace the sod.

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 CE04041772

George R. Moriatis Trust
205 Southeast 21st Street

Sec. 18-27(a): Trash on property;
Sec. 24-27(b): Garbage carts left in right-of-way;
Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that certified mail had been signed for and returned to Community Inspections on June 25, 2004. Ms. Bazer stated that Mr. Nobles had a stipulated agreement with the owner to comply Section 47-20.20 H within 90 days or a fine of \$50.00 per day would be imposed. Sections 18-27(a) and 24-27(b) were complied.

Mr. Conner found in favor of the City and ordered compliance with Section 47-20.20 H within 90 days or a fine of \$50.00 per day would be imposed.

Reference CE04051068

Jim & Nina Davidson
1800 Northwest 27th Terrace

Sec. 47-21.8: Missing ground cover;
Sec. 18-27(a): Trash and overgrowth on property

Ms. Bazer announced that certified mail had been accepted on June 17, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of missing ground cover and bare sand and there was trash and overgrowth on the property. She submitted photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 14 days to comply or a fine of \$100.00 per day, per violation.

Ms. Brenda Flowers, a neighbor, explained that this property had been a problem for five years and she and other neighbors had reported it several times. She asked if the owner could be fined automatically in the future for the ongoing violations. Mr. Conner explained that this could be treated as a repeat violation in the future.

Mr. Conner found in favor of the City, ordered compliance within 14 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE04011748

Christopher White
1419 Northwest 8th Avenue

Sec. 9-281(b): Rubbish, trash, and overgrowth on property; Sec. 47-20.20 H: Parking area in disrepair; Sec. 47-21.8 A: Landscape maintenance

Ms. Bazer announced that certified mail had been accepted on June 17, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, rubbish and overgrowth on the property; the parking area was in disrepair and the lawn was bare sand and weeds. She presented photographs of the property that were accepted into evidence as City composite exhibit 1 and recommended 30 days to comply or a fine of \$50.00 per day per violation.

Mr. Kirk White, brother of the owner and property manager, agreed to comply the property within 30 days.

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

Reference CE03012363

Sidney Royal
1515 Northwest 7th Avenue

Request for Extension of Time

Ms. Bazer announced that this case was originally heard on December 4, 2003 with compliance ordered by February 2, 2004; on February 5, 2004 the date was extended to June 4, 2004. Total fines had accrued in the amount of \$2,100.00.

Mr. Ronnie Spradlin, the owner's real estate agent, explained that the owner was in the hospital and had requested Mr. Spradlin appear for him to request an extension. Additional work was being done at the property. He noted that Mr. Royal had done a considerable amount of work on the property already. Ms. Deborah Haskins, Community Inspections Officer, testified that the City had no objection to allowing an extension. She noted that Section 9-281(b) was already complied.

Mr. Conner granted a 90-day extension for Sections 47-20.13 A and 47-21.8 A.

Reference CE04041009

Elia, Mario & Oscar Lanza
2248 Southwest 35th Avenue

Sec. 47-21.8 A: Missing ground cover

Ms. Bazer announced that certified mail was accepted on June 17, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead or missing ground cover. He submitted photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply or a fine of \$25.00 per day.

Ms. Isabelle Najera, property manager, agreed to comply the property within 30 days.

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

Reference CE04011149

Randy Goodman
720 Northwest 14th Terrace

Request for Extension

Ms. Bazer announced read in this and the following 15 cases as they were all related. For all of the cases, only 1 violation remained: Section 47-19.4 D.1. Some cases had accrued fines.

Mr. Conner granted a 60-day extension for Section 47-19.4 D.1 and abated all fines.

Reference CE04011155

Randy & Evelyn Goodman
732 Northwest 14th Terrace

Request for Extension

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011130

Randy Goodman
701 Northwest 14th Terrace

Request for Extension

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011131

Lancet Loftus & Co. Request for Extension
705 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011133

Randy Goodman Request for Extension
709 Northwest 14th Terrace

See above. Total fines abated in the amount of \$14,400.00.

Reference CE04011136

Randy & Evelyn Goodman Request for Extension
713 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011150

Lancet Loftus & Co. Request for Extension
724 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011177

Downtown West Villas LTD Request for Extension
721 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011179

Lancet Loftus & Co. Request for Extension
733 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011157

Randy Goodman & Dale Morrison Request for Extension

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716 Northwest 14th Terrace
See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011160

Randy & Evelyn Goodman Request for Extension
704 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011172

Dale Morrison Request for Extension of Time
712 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011138

Randy Goodman Request for Extension
744 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011140

Randy & Evelyn Goodman Request for Extension
740 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011141

Randy & Evelyn Goodman Request for Extension
741 Northwest 14th Terrace

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04011185

Daniel Mangar Request for Extension
728 Northwest 14th Terrace

See above.

Reference CE04011156

Daniel Mangar
736 Northwest 14th Terrace

Request for Extension

See Above.

Reference CE04011142

Daniel Mangar
728 Northwest 14th Terrace

Request for Extension

See above. Total fines abated in the amount of \$3,200.00.

Reference CE04040077

Simone Carroll
3740 Southwest 22 Street

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

Ms. Bazer announced that certified mail had been accepted on June 19, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the property was strewn with trash and rubbish. Mr. Lopez presented photographs of the property that were admitted into evidence as City composite exhibit 1. He had spoken with the owner and agreed to 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 CE04050372

Paolo Bezzera
1327 Southwest 22nd Avenue

Sec. 47-21.8 A: Missing ground cover;
Sec. 47-5.2 A.2: Non-permitted use outside structures for storage and habitation;
Sec. 9-281(b): Unlicensed, inoperable vehicles on property

Ms. Bazer announced that certified mail had been accepted on June 16, 2004.

Mr. Daniel Mullarkey, Community Inspections Officer, testified that there were large areas of missing ground cover on the property. Sections 47-5.2 A.2 and 9-281(b) were now complied. He had spoken with the owner and agreed to recommended 30 days to comply Section 47-21.8 A or a fine of \$25.00 per day.

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

Reference CE04041654

VP Properties
831 West Sunrise Boulevard

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property;
Sec. 47-22.3 R: Signs without permits;
Sec. 15-28: Required occupational license;
Sec. 47-19.4 D.8: Open dumpster enclosure gates

Ms. Bazer announced that certified mail addressed to the company, the registered agent and an officer of the company were all accepted on June 25, 2004.

Mr. Skip Margerum, Community Inspections Officer, testified that there as trash and rubbish on the property, including an inoperable trailer; there were unpermitted signs on the property; the car wash business was operating without an occupational license and the doors on the dumpster enclosure were broken. He had spoken with the company's representative and agreed to recommended 30 days to comply or a fine of \$100.00 per day, per violation.

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

Reference CE04010704

Robert Terner Revocable Living Trust
2491 Northwest 69th Court

Request for Extension

Ms. Bazer announced that this case was originally heard on April 15, 2004 with compliance ordered by June 15, 2004. Total fines had accrued in the amount of \$1,200.00.

Mr. Conner noted that Mr. Terner had sent a letter to Supervisor Murray; this was admitted into evidence as respondent's exhibit 1. Mr. Margerum testified that Mr. Terner had also been in constant touch with Mr. Margerum concerning the case. He had spoken with Mr. Terner and agreed to recommend a 90-day extension and an abatement of current fines.

Mr. Conner abated the current fine and granted a 90-day extension.

Reference CE04052258

Sunflagler Inc.
601 East Sunrise Boulevard
Tenant: Pep Boys

Sec. 24-7(b): Trash in dumpster enclosure;
Sec. 47-19.4 D.4: Open dumpster enclosure gates; Sec. 9-281(b): Rubbish and trash on property

Ms. Bazer announced that certified mail addressed to the company and the registered agent were both accepted on June 26, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that there was trash and debris around the dumpster; the dumpster gates were left open and lids on the containers were not closed and there was litter throughout the property and accumulated in the hedges. He submitted photographs of the property that were admitted into evidence as City exhibit 1 and recommended 10 days to comply or a fine of \$50.00 per day per violation.

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

Reference CE04040745

James & Elizabeth Messer
1617 Northeast 7th Place

Sec. 47-21.8: Missing ground cover;
Sec. 9-281(b): Overgrowth on property

Ms. Bazer announced that certified mail had been accepted on June 25, 2004.

Ms. Ursula Thime, Community Inspections Officer, testified that the damaged lawn area had been re-sodded but cars continued to park there; Section 9-281(b) was now complied. She submitted photographs of the property taken on two separate occasions that were admitted into evidence as City exhibits 1 and 2 and recommended compliance with Section 47-21.8 within 30 days or a fine of \$50.00 per day.

Mr. Conner found in favor of the City and ordered compliance with Section 47-21.8 within 30 days or a fine of \$50.00 per day would be imposed.

Reference CE04020556

Thanh & Soung Nguyen
2081 Southwest 27th Avenue

Sec. 18-1: Pool not maintained;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Rubbish and trash on property

Ms. Bazer announced that certified mail had been accepted on June 17, 2004.

Ms. Peggy Burks, Community Inspections Officer, testified that the pool water was green; Sections 9-280(h)(1) and 9-281(b) were complied. She had spoken with the owner through an interpreter and agreed to recommend 7 days to comply Section 18-1 or a fine of \$100.00 per day. She requested the larger fine as she believed Mr. Nguyen did not like to use the electric pool filter pump.

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

Reference CE04020558

Jenice Davenport
401 Southwest 22nd Avenue

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

Ms. Bazer announced that certified mail had been signed but not dated and returned to Community Inspections on June 25, 2004.

Ms. Peggy Burks, Community Inspections Officer, testified that there was an unlicensed, inoperable white Mercedes on the property. She submitted photographs of the property that were admitted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$25.00 per day.

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

Reference CE04032539

Ann Cassel & Ann Cundiff
2451 Southwest 9th Street

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

Ms. Bazer announced that certified mail had been accepted on June 15, 2004.

Ms. Peggy Burks, Community Inspections Officer, testified that there was overgrowth on the property and there were large areas of missing ground cover and bare sand. She submitted photographs of the property that were admitted into evidence as City exhibit 1 and recommended 14 days to comply Section 18-27(a) and 30 days to comply Section 47-21.8 A or a fine of \$50.00 per day, per violation.

Mr. Conner found in favor of the City and ordered compliance with Section 18-27(a) within 14 days and with Section 47-21.8 A within 30 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE04032552

Wilbert & Christine Raynor Trust
2667 Southwest 9th Street

Sec. 47-22.9: Signs without permits

Ms. Bazer announced that certified mail had been accepted on June 18, 2004.
Ms. Peggy Burks, Community Inspections Officer, testified that there was a "For Rent" banner sign on the property. Ms. Burks had spoken with the property manager and explained the violations at all three properties but the manager had done nothing. She presented photographs of the property that were accepted into evidence as Cit exhibit 1 and recommended 7 days to comply or a fine of \$50.00 per day.

Ms. Deborah Haskins, Community Inspections Officer, testified that the parking lot had potholes and was deteriorated and the lawn consisted of bare sand and weeds; Sections 9-281(b) and 9-308(b) were now complied. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 30 days to comply Sections 47-20.20 H and 47-21.8 A or a fine of \$50.00 per day per violation.

Mr. Conner found in favor of the City and ordered compliance with Sections 47-20.20 H and 47-21.8 within 30 days, or a fine of \$50.00 per day, per violation would be imposed.

Reference CE04011408

Sammie & Mark Hickman
1441 Northwest 1st Avenue

Sec. 9-281(b): Rubbish, trash and overgrowth on property; Sec. 47-34.1 A.1: Permitted uses: outside storage

Inspector Guilford announced that service was via posting on the property by Inspector Haskins on June 2, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, rubbish and overgrowth on the property and there was outside storage of auto and truck parts. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 14 days to comply or a fine of \$50.00 per day per violation. The photograph of the posting and affidavit of due diligence from Inspector Haskins were admitted as City exhibit 2.

Mr. Conner 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 CE04011717

Michael Nassar Inc.
1300 Northwest 6th Avenue

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

Ms. Bazer announced that service was via posting on the property by Inspector Haskins on June 2, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the chain link fence was in disrepair. Photographs of the posting and the affidavit of due diligence from Inspector Haskins were admitted as City exhibit 1 and other photographs of the property were admitted as City exhibit 2. Ms. Haskins 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.

Reference CE04031041

Hub LLC
1705 Northwest 6th Avenue

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

Ms. Bazer announced that certified mail had been accepted on June 25, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the wood fence was rotting and deteriorated. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 30 days to comply or a fine of \$50.00 per day.

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

Reference CE04040686

Wadis Santana
1345 North Andrews Avenue

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property;
Sec. 47-21.8 A: Missing ground cover;
Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that personal service had been made by Inspector Margerum on June 19, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, rubbish, debris and an unlicensed, inoperable white Mitsubishi on the property and the striping in the parking area was faded; Section 47-21.8 A was now complied. She presented photographs of the property that were accepted into evidence as City exhibit 1 and recommended 7 days to comply Section 9-281(b) or a fine of \$100.00 per day or the vehicle would be towed and 30 days to comply Section 47-20.20 H or a fine of \$50.00 per day.

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 vehicle would be towed and with Section 47-20.20 H within 30 days or a fine of \$50.00 per day would be imposed.

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:

CE04050820
CE04041123

CE03120858
CE04041446

CE04040658
CE04051855

CE04032330
CE04060012

CE04051575	CE04060224	CE04060241	CE04060487
CE04060493	CE04050515	CE04050593	CE04060540
CE04060544	CE04060563	CE04060570	CE04060628
CE04031345	CE04040693	CE04011098	CE04011105
CE04040570	CE04050314	CE04050315	CE04052015
CE04060243			

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:

CE04050233	CE04032122	CE04050128	CE04041465
CE04040434	CE04041129	CE04032515	CE04060047
CE04051906	CE03121274	CE04031374	CE04060547
CE04060569	CE04012045	CE04012045	

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:

CE04041899	CE04041946	CE04050495
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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:

CE02060293	CE04030820
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Approved for Claim of Lien

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

CE01080377	CE00090521	CE00120210	CE00051884
CE96060400	CE9215637	CE03092062	CE03090376
CE03051783	CE0312296		

Special Master Hearing
July 1, 2004
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There being no further business, the hearing was adjourned at 12 noon.

Special Master

ATTEST:

Clerk, Special Master