

SPECIAL MASTER HEARING
City Commission Meeting Room – City Hall
Special Master Meah Tell, Presiding
July 15, 2004
9:00 A.M. – 12:55 P.M.

Staff Present:

Assistant City Attorney
Jennifer Chenault, Secretary
Detective Estelle Abrams
Susan Batchelder, Community Inspections Supervisor
Maurice Murray, Community Code Supervisor
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
John Gossman, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Skip Margerum, Community Inspections Officer
Dan Mullarkey, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Ken Reardon, Building Inspector
Maria Christine Roque, Community Inspections Officer
Waynette Smith, Occupational License Inspector
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer

Also Present:

Neal Kalis, CE04010856
Erika Hope, CE03091333
*Frank Lodato, CE0403343
*Michael Hanquist, CE04040107
*Renate Kurth, CE03061353
Rod Feiner, CE02071508, *04050813 (Atty)
*Joanes Metayer, CE04030042
*Emilia Jean-Baptiste, CE04021110
*Goran Dragoslavic, CE04031343
* Rafiqul Haque, CE04041832
*Randy Jordan, CE04050352
*Carol Jean Canfield, CE03102015

*Gladys Caty, CE96030049, 9402079
*Michael Manes, CE96030049, 9402079 (Atty)
Cynthia Vice, CE04050070
*Nancy Zdravkivic, CE00100480
Ronald Weir, CE04041251
Claire Coven, CE04041251
*John Jackson, CE02051087

*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 CE04041251

Ronald Weir
1532 Northwest 1st Avenue

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Rubbish, trash, and inoperable,
unlicensed vehicle on property;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 47-20.13 A: Driveway in disrepair

Supervisor Murray announced that certified mail had been accepted on July 1, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the lawn had areas of bare sand and weeds and the gravel driveway was deteriorated; Sections 9-281(b) and 9-306 were complied. Ms. Haskins presented photographs of the property that were admitted into evidence as City composite exhibit 1. She had spoken to the owner's attorney and agreed to recommend 60 days to comply Sections 47-21.8 A and 47-20.13 A or a fine of \$50.00 per day, per violation.

Ms. Claire Coven, attorney for the respondent, stated that her client had been out of town and not been able to contact Inspector Haskins until July 5. She noted that he had complied two of the violations already. Mr. Weir needed a bit more time to comply as he was doing the work himself. She also wondered if the City were going to tear up the property in the next year as part of the sewer project.

Ms. Haskins said that if Mr. Weir put down sod and the City damaged it, they would replace the sections they had torn up. She spoke with Mr. Wier's attorney to confirm what work still needed to be completed.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 A and 47-20.13 A within 60 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE02071508

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

Continued from May 6, 2004

Supervisor Murray announced that this case was continued from May 6, 2004.

Mr. Rod Feiner, attorney for the property owner, informed ms. Tell that they had agreed with the City to continue this case for another 30 days. Mr. Skip Margerum, Community Inspections Officer, agreed.

Ms. Tell granted a 30-day continuance.

Reference CE04050070

Gene Morgan & Cindy Vice
1115 Northwest 3rd Avenue

Sec. 9-281(b): Rubbish, trash, and debris
on property: This is a repeat violation
of CE02051278
Sec. 47-20.13 A: Driveway in disrepair

Supervisor Murray announced that certified mail had been accepted (no date on card).

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and debris, on the property; this was a repeat violation of CE02051278. The gravel driveway was also in disrepair. She had met with the owner's mother yesterday and noted that the trash was cleaned up but the lawn and driveway needed more work. She presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 14 days to comply Section 9-281(b) or and 30 days to comply Section 47-20.13 A or a fine of \$25.00 per day, per violation.

Ms. Cynthia Vice, respondent, asked for 60 days to re-gravel the driveway.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 14 days and Section 47-20.13 A within 60 days or a fine of \$25.00 per, per violation would be imposed.

Reference CE04050352

Joseph & Eleanor Mulrenan
3423 Davie Boulevard

Massey Hearing

Supervisor Murray announced that the case was heard on June 3, 2004 with compliance ordered by June 10, 2004. The property was complied on June 23, 2004 and fines had accrued in the amount of \$4,800.00.

Mr. Thomas Clements, Fire Inspector, testified that he visited the property several times in 2003; in June 2004 they were cited for four violations, two of which existed until June 23. Each Notice of Violation sent to the business address was signed by the tenant, Mr. Freaney; notices were also sent to the owner in Ocala. Fines for the two violations, a non-working exit light and an outlet lacking a cover plate, had accrued a fine of \$200.00 per day. He asked Ms. Tell to sign the order to impose the fine.

The City Attorney re-called this case later in the proceeding because the new owner showed up late. The attorney informed the City Attorney that he would not contest the facts of the case, only ask Ms. Tell for leniency. Ms. Tell agreed to reopen the case.

Mr. Randy Jordan, the property owner, informed Ms. Tell that he was the property owner; Mr. Mulrenan held the mortgage. Mr. Jordan told Ms. Tell that the tenant had lied to him repeatedly that he had taken care of the problems. When Mr. Jordan had learned of the fines, he had ended the lease with the tenant. He asked Ms. Tell for a reduction of the fine. Ms. Tell noted that she had been concerned over the safety issues raised by the fire inspector but understood that these were complied now. She agreed to halve the fine and hold the order for 30 days to allow Mr. Jordan to pay.

Ms. Tell reduced the fine to \$2,400.00 and instructed that the order be held for 30 days.

Reference 9402079

Gladys Caty
1631 Northwest 13th Street

Massey Hearing

Supervisor Murray announced that the case was heard on October 6, 1994 with compliance ordered by November 5, 1994. The property was complied on November 23, 1998 and fines had accrued in the amount of \$73,950.00.

Mr. Michael Manes, attorney for the owner, informed Ms. Tell that Ms. Caty was in no position to argue compliance dates or circumstances as her husband had handled the problems and the repairs, and he had passed away two years ago. She had received an amnesty letter in January and attempted to obtain a second mortgage to pay the amnesty amount but the loan was not approved by the amnesty deadline. Mr. Manes noted that Ms. Caty was there with four children and did not have a good understanding of what was going on. He asked Ms. Tell to consider that the case was prejudiced by being so old and by Ms. Caty's lack of knowledge of the situation and requested that the fines be reduced to the amnesty amounts. Ms. Pingitore had no objection to this. Mr. Manes asked for 14 days to have the mortgage company reissue the checks.

Ms. Tell reduced the fine to \$18,487.50, signed the order to impose the fines and allowed 30 days before recording the fines.

Reference CE96030049

Gladys Caty
1631 Northwest 13th Street

Massey Hearing

Supervisor Murray announced that the case was heard on April 4, 1996 with compliance ordered by April 11, 1996. Fines had accrued in the amount of \$4,900.00.

Mr. Dan Mullarkey, Community Inspections Officer, confirmed that this case had been included in the amnesty program and the fine reduced to \$1,243.75. He had no objection to handling this as they had the previous case.

Ms. Tell reduced the fine to \$1,243.75, signed the order to impose the fines and allowed 30 days before recording the fines.

Reference CE04030042

Joanes Metayer
428 West Dayton Circle

Massey Hearing

Supervisor Murray announced that the case was heard on May 20, 2004 with compliance ordered by June 19, 2004. Two of the original four violations were complied by the ordered date; fines for the last violation had accrued in the amount of \$625.00.

Mr. Burt Fletcher, Community Inspections Officer, testified that three of the four violations were complied. He presented photographs of the property that were admitted into evidence as City composite exhibit 1.

Mr. Joanes Metayer, owner, stated that he just needed to re-sod the lawn; he thought it would be finished this week. He had run out of money during the project and had not thought to request more time. Ms. Tell confirmed fine amounts and compliance dates.

Ms. Tell reduced the fine to \$300.00, stopped the fines from running and granted a 14-day extension.

Reference CE02051087

St. James Lodge #83 Inc.
670 Northwest 22nd Road

Massey Hearing

Supervisor Murray announced that the case was originally heard on November 7, 2002 with compliance ordered by November 14 and December 7, 2002. Only one of the three

violations had been complied, in November 2002; the other two sections were still in violation. Fines had accrued in the amount of \$59,100.00.

Detective Estelle Abrams testified that she had been assigned to assess this case for criminal intent in January 2003. She had visited and sent notices repeatedly and met with a representative from the Lodge who assured her that they were obtaining permits to repair the parking lot and landscaping. No repairs had actually been made. Detective Abrams had determined there was no criminal intent but was a witness to the ongoing violations.

Mr. John Jackson, company president, stated that only the landscaping was incomplete; the parking area and mildew problem were taken care of. He complained that he did not receive return calls from the Inspector. Detective Abrams presented photographs taken by inspector Kaplan that showed the building was not clean and the parking area not properly repaired.

Ms. Tell signed the order to impose the fine for \$59,100.00 and granted a two-week extension to have the building cleaned and a 45-day extension to get the driveway permitted and repaired.

Reference CE03091333

Erika Hope
1813 Southwest 10th Street

Request for Extension

Supervisor Murray announced that this case was originally heard on June 17, 2004 with compliance ordered by July 17, 2004. No fines had accrued to date.

Ms. Erika Hope, respondent, requested an additional 60 days for a contractor to obtain permits and complete the work.

Mr. Dan Mullarkey, Community Inspections Officer, had no objection to an extension.

Ms. Tell granted a 60-day extension.

Reference CE04031343

Goran Dragoslavic
1000 Northwest 24th Avenue

Massey Hearing

Supervisor Murray announced that the case was heard on April 15, 2004 with compliance ordered by June 14, 2004. One of the two original violations had been complied on time; the other violation was still not complied and fines had accrued in the amount of \$3,000.00.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property was not complied but there were extenuating circumstances regarding the permitting process.

Mr. Frank Lodato, building tenant, stated that when they had been notified the signs were a violation and required a permit, he had hired a sign company to handle the signage. Sign company employees had told him it would not be a violation to leave the signs uninstalled but leaning against the building, so he had done so. Ms. Pingitore noted they were only waiting for the permit to be issued.

Goran Dragoslavic, owner, explained that the building inspector had made an inspection on Monday and verified that the property was complied; the permit was pulled on June 30. This information had just not been entered into the computer yet. Ms. Pingitore noted that her final inspection was required to comply the property.

The City Attorney felt they should not re-litigate whether removing the signs and leaving them on the grass violated the order. Ms. Tell confirmed compliance dates and fines. Mr. Lodato asked that the fine be abated as the changes had already cost him a considerable amount of money and he thought he had done everything he was supposed to do.

The City Attorney stated that Mr. Lodato knew he was not in compliance by removing the signs from the building but leaving them on the property. She requested that Ms. Tell impose the fines. Mr. Lodato noted that he would have been out of business if there had been no signs to identify his business all this time. Mr. Dragoslavic asked for some leniency from Ms. Tell.

Ms. Tell reduced the fine to \$750.00, stopped the fines and granted a 14-day extension for Ms. Pingitore to reinspect.

Reference CE04050813

Schaefer Industries, Inc.
3301 Southwest 13th Avenue

Request for Extension

Supervisor Murray announced that this case was originally heard on June 17, 2004 with compliance ordered by July 17, 2004. No fines had accrued to date.

Mr. Rod Feiner, attorney for the owner, stated that he had agreed with the City Attorney to continue the case for 30 days. He also had a pending motion to set aside the Special Master's previous order based on due process issues: he had been unable to attend the previous hearing on behalf of the owner due to an appearance in another court. The City Attorney thought the case could be put on the first Special Master agenda in August and Inspector Roque had no objection.

Ms. Tell granted a 30-day extension.

Reference CE00100480

Nancy Zdravkivic

Massey Hearing

2182 Northeast 59th Court

Supervisor Murray announced that the case was heard on December 21, 2000 with compliance ordered by February 19, 2001. One of the violations had been complied on time; the other had not been complied until October 15, 2001 and fines had accrued in the amount of \$5,925.00.

Ms. Nancy Zdravkivic, respondent, stated that she never received notice of the first hearing. She first heard of it in February 2004 when she was sent an amnesty application. She had then sent proof of the roof cleaning to Inspections Supervisor Bradley, who told her the case would be dismissed. She had brought that proof with her today as well.

Mr. Frank Stockinger, Community Inspections Officer, presented photographs of the property he had taken yesterday, showing problems with the lawn. Ms. Zdravkivic informed him, "This is not the roof...we're not discussing my grass right now." Ms. Tell confirmed that the overgrowth problem had been complied on time and they were only concerned with the roof. Ms. Tell asked Supervisor Batchelder to go through the file to determine what the problem was with notice.

Upon returning to the case, Inspections Supervisor Bradley noted that he had received a fax from Ms. Zdravkivic showing an invoice for pressure cleaning the roof on October 15, 2001. He had stopped the fines running at that point, but fines had already accrued to \$5,925.00; the amnesty settlement was for \$1,481.00. Ms. Zdravkivic stated that she had not been aware of the original violation and asked Ms. Tell for leniency.

Ms. Tell reduced the fine to \$500.00 and agreed to hold the case for 60 days for the fine to be paid.

Reference CE03102015

Chateau Condo Association
633 Northeast 2nd Avenue

Massey/Request for Extension

Supervisor Murray announced that this case was originally heard on April 1, 2004 with compliance ordered by June 3, 2004. One of the two original violations was complied and fines of \$1,400.00 had accrued to date.

Ms. Carol Jean Canfield, property manager, informed Ms. Tell that they had needed a permit for the dumpster enclosure and the city was requesting garbage records back to 1988 in order to apply. There were no records to that date, so they simply could never get the permit.

Ms. Deborah Haskins, Community Inspections Officer, stated that they were aware that a permit was needed since April 1. Ms. Thime had called the management company on May 26 because she saw they had begun to install the enclosure without a permit. Ms. Haskins

felt they had stalled and the problem could have been avoided if they had acted sooner. Ms. Tell asked Ms. Canfield how much time she needed. Ms. Canfield stated that the permit department had refused to issue a permit without the garbage records. She could not move on the permit herself. Ms. Tell suggested that Ms. Canfield contact an attorney.

Ms. Haskins stated that no permit had been applied for. Ms. Canfield noted that they had refused to accept the application without the records.

Ms. Tell reduced the fine to \$700.00, granted a 60-day extension and signed the order to impose a fine of \$700.00.

Reference CE04010856

Romar LLC
1225 Northeast 14th Avenue

Request for Extension

Supervisor Murray announced that the case was originally heard on May 6, 2004 with compliance ordered by July 5, 2004. The property was still not complied and fines had accrued in the amount of \$900.00.

Mr. Neal Kalis, attorney for the property owner, informed Ms. Tell that he had filed for abatement and an extension at the end of June. The owner intended to demolish the property and had been performing the necessary prerequisites to obtaining a permit. His client intended to apply for the permit today and thought the process should only take a week. He noted that his client did not want to delay the process; they had only been doing everything necessary to demolish the property and this had taken time.

Mr. Len Ackley, Community Inspections Officer, stated that the City wanted the fines tolled and a 30-day extension granted to obtain the permit.

Ms. Tell granted a 30-day extension.

Reference CE03061353

Renate Kurth
1484 Northeast 62nd Street

Massey Hearing

Supervisor Murray announced that the case was originally heard on October 2, 2003 with compliance ordered by October 16, 2003 and January 30, 2004. One section was complied by the ordered date, the second section was still not complied and fines had accrued in the amount of \$4,150.00.

Mr. Frank Stockinger, Community Inspections Officer, testified that he had visited the property yesterday and the property was now complied.

Ms. Renate Kurth, respondent, stated that she had needed time to complete repairs so the fines had run. She was in dispute with the City regarding construction in the street and her driveway entrance. Ms. Tell reminded Ms. Kurth that she knew the deadlines for compliance, yet she did nothing; she was not going to abate the fine.

Ms. Tell signed the order to impose the fine.

Reference CE04040107

Michael Hanquist
2300 North Ocean Boulevard

Massey Hearing

Supervisor Murray announced that the case was originally heard on May 20, 2004 with compliance ordered by June 20, 2004. Two of the original violations had been complied before the ordered date; the remaining violation was still not complied and fines had accrued in the amount of \$625.00.

Mr. Michael Hanquist, respondent, stated that he had notified Inspector Ackley on June 19 that he was in compliance. He admitted that he had problems with Mr. Ackley and had not wanted to deal with him. He realized that he had been a "royal pain" just because he was so mad with the City, but realized that this was not an effective way to get things settled. He believed he was in compliance now. Ms. Tell confirmed the compliance dates and fines with Mr. Ackley and Supervisor Murray.

Mr. Len Ackley, Community Inspections Officer, testified to the communication breakdown he had suffered with Mr. Hanquist. He presented photographs of the property that were admitted into evidence as City composite exhibit 1. Mr. Ackley suggested that he reinspect the property today. He wanted the fines to run until he could reinspect the property.

Ms. Tell signed the order to impose the fine of \$625.00.

Reference CE04021110

Emilia Jean Baptiste
1112 Northwest 6th Avenue

Massey Hearing

Supervisor Murray announced that the case was originally heard on June 3, 2004 with compliance ordered by June 10 and 17, 2004. The property was still not complied and fines had accrued in the amount of \$4,750.00.

Ms. Emilia Jean Baptiste, respondent, stated that she was not home until June 15. The car had belonged to her neighbor, who had removed it as of yesterday.

Ms. Deborah Haskins, Community Inspections Officer, conformed that the car was removed yesterday but there was still some trash and rubbish on the property and outside

storage. Ms. Tell confirmed that Ms. Jean Baptiste knew what needed to be done to comply. Ms. Jean Baptiste was unaware that fines were running.

Supervisor Murray re-called this case later in the proceeding to inform Ms. Tell that he had spoken with Ms. Jean Baptiste. They had agreed that the fine would be imposed, but Ms. Jean Baptiste would be given a 10-day extension to comply. After the property was complied, Ms. Jean Baptiste could try to have the fine abated.

Ms. Tell signed the order to impose the fine and granted a 10-day extension for Ms. Jean Baptist to complete compliance.

Reference CE04041832

B.G. & Nancy Bretz & Betty Reid Massey Hearing
1725 Northeast 4th Avenue

Supervisor Murray announced that the case was originally heard on June 3, 2004 with compliance ordered by June 10, 2004; if the property was not complied by the ordered date, fines were retroactive to the date of service: May 18, 2004. Two of the original violations had been complied before the ordered date; the remaining violation was not complied until July 2, 2004. Fines had accrued in the amount of \$11,250.00.

Mr. Rafiqul Haque, tenant, stated that he had tried to do the required work by the ordered date. He had problems contacting Ms. Haskins as she was away. He informed Ms. Tell that he would lose the dealership if the large fine were imposed.

Ms. Deborah Haskins, Community Inspections Officer, testified that the landscaping was the most minor issue, but it was not complied by the ordered date. She presented photographs of the property showing that the landscaping was not completed. The order had specifically stated that living ground cover was required, not the mulch Mr. Haque had put down. She had reminded Mr. Haque of this when she visited on June 10. She and the landscape inspector had needed to visit several times to get Mr. Haque to comply.

Mr. Haque stated that he had put plants in on June 12 and Supervisor Murray had seen them. Supervisor Murray conformed that he had met with Mr. Haque, Inspectors Lauridsen and Haskins to tell Mr. Haque exactly what needed to be done. Inspector Lauridsen had told Mr. Haque that he could plant an area with 20 plants in mulch instead of sod. This meeting had taken place on June 30. When Supervisor Murray revisited the property a few days later, he noted that there were not enough new plants to comply. On July 2, he had visited the property with Inspector Haskins and been satisfied with what Mr. Haque had done.

Ms. Tell asked the City Attorney if she felt there were any mitigating circumstances. Ms. Haskins noted that he had not planted anything until June 30.

Ms. Tell reduced the fine to \$5,625.00, signed the order to impose the fine and allowed 60 days before the order would be recorded.

Reference CE03010201

Jean Beauplan
3831 Southwest 12th Place

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$328,250.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE00090976

R. & Joan Butterwreck
3171 northwest 63rd Street

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$67,200.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE04060195

Gerald Telfort
1000 Carolina Avenue

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

Supervisor Murray announced that certified mail had been accepted on July 2, 2004.

Mr. Burt Fletcher, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles on the property, including a black Nissan Maxima and a tan Mazda SUV. 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 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 vehicle would be towed.

Reference CE04020202

William Curtis
2510 Davie Boulevard

Section 47-20.20 H: Driveway in disrepair

Supervisor Murray announced that certified mail had been accepted on July 12, 2004.

Mr. Dan Mullarkey, Community Inspections Officer, testified that the parking area was in disrepair. He had met Mr. Cutis yesterday while he was in the office applying for permits and agreed to recommend 60 days to comply or a fine of \$25.00 per day.

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

Reference CE04031248

Harold Sparti
1131 Northwest 16th Court

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$3,750.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE04031249

United Investment Funding
1225 Northwest 14th Court

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$67,200.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE03061955

Peter & Lee Boughton
5650 Northeast 15th Avenue

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$17,700.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE03110502

Mayhues Super Liquor Stores
400 North Federal Highway

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$2,500.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE04040115

Steven Balfour
2709 Northeast 33rd Avenue

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

Supervisor Murray announced that personal service had been made by Inspector Ackley on June 22, 2004.

Mr. Leonard Ackley, Community Inspections Officer, testified that the fence was in disrepair and the property was overgrown. He recommended 7 days to comply of a fine of \$100.00 per day, per violation.

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

Reference CE04051864

Bima II LLC
3033 Northeast 32nd Avenue

Sec. 17-9: Noise disturbance

Ms. Tell announced that certified mail addressed to the registered agent/director had been accepted on June 30, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that the restaurant created excessive noise levels. Mr. Ackley noted that the owners had not responded or done anything to mitigate the noise and recommended 45 days to comply or a fine of \$50.00 per day.

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 CE04050359

Jose & Dore Betancourt
6813 Northwest 29th Avenue

Sec. 9-306: Peeling paint/stained surfaces

Supervisor Murray announced that certified mail had been accepted on July 1, 2004.

Mr. Skip Margerum, Community Inspections Officer, testified that the building was in need of painting 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 CE01110798

Jean Beauplan
3831 Southwest 12th Place

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$5,800.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE03022111

ACL Investments/Parsons R.A. and
Beverly Parsons
1124 Northwest 17th Avenue

Massey Hearing

Supervisor Murray announced that fines had accrued in the amount of \$19,150.00 and requested that Ms. Tell sign the order to impose the fine.

Ms. Tell signed the order to impose the fine.

Reference CE04050736

Edward Draney & Charlotte Deverteuil Sec. 15-28: Required occupational license
307 Southwest 11th Avenue

Supervisor Murray announced that certified mail had been accepted on July 2, 2004.

Ms. Maria Roque, Community Inspections Officer, testified that the owners had failed to renew their occupational license. She recommended 14 days to comply or a fine of \$50.00 per day.

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

Reference CE04050745

Daniel & Lisa Iovino
1630 Southwest 24th Avenue
Tenant: Dan's Yacht Restoration

Sec. 15-28: Required occupational license

Supervisor Murray announced that certified had been accepted on July 6, 2004.

Ms. Maria Roque, Community Inspections Officer, testified that the tenant was conducting business without the required occupational license. She recommended 14 days to comply or a fine of \$50.00 per day.

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

Reference CE04061812

Marc Levy
1018 Northwest 2nd Avenue
Tenant: Lowen Lawn Service

Sec. 15-28: Required occupational license

Supervisor Murray announced that certified had been accepted on July 2, 2004.

Ms. Maria Roque, Community Inspections Officer, testified that the tenant was conducting business without the required occupational license. She recommended 14 days to comply or a fine of \$50.00 per day.

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

Reference CE04061815

Heather Wingard
1481 Northwest 22nd Street

Sec. 15-28: Required occupational license

Supervisor Murray announced that certified mail had been accepted on July 6, 2004.

Ms. Maria Roque, Community Inspections Officer, testified that the owners were conducting business without the required occupational license. She recommended 14 days to comply or a fine of \$50.00 per day.

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

Reference CE04061352

Landmark First National Bank
2152 Southeast 17th Street
Tenant: David Pandorf Yacht Sales

Sec. 15-28: Required occupational license

Supervisor Murray announced that certified mail addressed to the tenant had been accepted on June 30, 2004.

Ms. Waynette Smith, Community Inspections Officer, testified that the tenant was conducting business without the required occupational license. She recommended 14 days to comply or a fine of \$50.00 per day.

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

Reference CE04011752

Claudin Pubien
1501 Northwest 8th Avenue

Sec. 47-21.8 A: Missing ground cover

Supervisor Murray announced that certified mail had been accepted on July 2, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the lawn had areas of dead or missing ground cover. She had spoken with the owner earlier and agreed to recommend 60 days to comply or a fine of \$50.00 per day.

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

Reference CE04042034

Senor-Rubio Properties, Inc.
1434 Northwest 8th Avenue

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

Supervisor Murray announced that certified mail addressed to an officer of the company had been accepted on July 9, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, litter and overgrowth on the property; there were areas of missing ground cover and the parking area was in disrepair, with faded striping and loose wheel stops; Section 9-280(h)(1) was complied. She recommended 30 days to comply Sections 9-281(b), 47-21.8 A, and 47-20.20 H or a fine of \$100.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-281(b), 47-21.8 A, and 47-20.20 H within 30 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE04042035

Senor-Rubio Properties Inc.
1440 Northwest 8th Avenue

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

Sec. 47-20.20 H: Parking area in disrepair

Supervisor Murray announced that certified mail addressed to an officer of the company had been accepted on July 9, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, litter and overgrowth on the property; there were areas of missing ground cover and the parking area was in disrepair, with faded striping and loose wheel stops. She recommended 30 days to comply or a fine of \$100.00 per day, per violation.

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

Cases Complied

Supervisor Murray 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:

CE04060046	CE04041125	CE04030922	CE04042006
CE04060919	CE04041567	CE04041188	CE04060617
CE04060113	CE04060229	CE04060597	CE04050360
CE03120640	CE04040904	CE04041741	CE04051501
CE04060867	CE04060897	CE04050738	CE04050756
CE04050832	CE04050838	CE04061813	CE04061816
CE04061817	CE04061838	CE04061193	CE04061197
CE04061203	CE04061207	CE04061210	CE04061317
CE04061332	CE04061843	CE04061849	CE04061873
CE04051358			

Cases Pending Service

Supervisor Murray 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:

CE04041711	CE04041734	CE04051986	CE03111354
CE04051932	CE04040280	CE04051103	CE04041727
CE04050167	CE04051853	CE04031303	CE04051057
CE04050187	CE04061072	CE04050057	CE04051144
CE04051908	CE04031463	CE04031467	CE04041652
CE04060763	CE04020194	CE04040868	CE04061853
CE04061819	CE04061344	CE04061862	CE04061440
CE04061874	CE04011770	CE04030753	

Cases Rescheduled

Supervisor Murray 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:

CE04050151

CE04051237

CE04050589

Cases Withdrawn

Supervisor Murray 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:

CE04051553

CE02010435

There being no further business, the hearing was adjourned at 12:55 P.M.

Special Master

ATTEST:

Clerk, Special Master