

SPECIAL MASTER HEARING
City Commission Meeting Room – City Hall
Special Master Meah Tell, Presiding
August 5, 2004
9:20 A.M. – 12:10 P.M.

Staff Present:

Assistant City Attorney
Jennifer Chenault, Secretary
Eve Bazer, Administrative Assistant
Leonard Ackley, Community Inspections Officer
Alberto Benavides, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Thomas Clements, Fire Inspector
Andre Cross, Community Inspections Officer
Burt Fletcher, Community Inspections Officer
Robert Guilford, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Rose Reed, Community Code Supervisor
Ursula Thime, Community Inspections Officer

Also Present:

Frances Williams, CE04041460
Richard Emmert, CE04061999
Eric Emile, CE04042019
Marie Ireland, CE04061949
*William Caldwell, CE04030579
Debra Burke, CE04050871
Edgard Fragelus, CE04041579
Jeffrey Smith, CE04041578
Thomas Reich, CE04052023
Bernadette Zizzo, CE04050871
Mattie Walker, CE04041492
Joel Ribler, CE04041577
*Nina Davidson, CE04051068
Craig Chaddock, CE04060028
Richard Jenkins, CE04060028
*Edwin Candelaria, CE04032610
*Preston Gordon, CE04052199
Eduardo Ginsberg, CE04051052
Patricia Wind, CE04032184
Sydney Brown, CE03110090

Alphonso Bradley, CE04011755
*John Kelly, CE04051231
*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 CE04032610

Edwin & Elsa Candelaria
305 Southwest 25th Terrace

Massey Hearing

Ms. Bazer announced that the case was heard on June 17, 2004 with compliance ordered by July 1, 2004. The property was now complied and fines had accrued in the amount of \$425.00.

Ms. Peggy Burks, Community Inspections Officer, testified that she felt there had been a communication problem. Once she met with the owner's wife and Inspector Thime, the work had been done immediately.

Mr. Edwin Candelaria, respondent, stated that he did not understand what the problem was. Ms. Burks explained that he had done some but not all of the work, so the fines had started. She felt the language barrier was the main reason repairs were not made completely the first time.

The City Attorney stated that she did not feel Mr. Candelaria understood what was going on here today. Ms. Tell asked Inspector Benavides to speak with Mr. Candelaria while she took other cases.

Upon returning, Inspector Benavides informed Ms. Tell that Mr. Candelaria agreed to pay the fine.

Ms. Tell signed the order to impose the fine.

Reference CE04011755

Alphonso Bradley
1708 Northwest 8th Avenue

Massey Hearing

Ms. Bazer announced that this case was originally heard on May 20, 2004 with compliance ordered by July 4, 2004. The property was now complied and fines of \$400.00 had accrued to date.

Mr. Alphonso Bradley, respondent, stated that the City had damaged the property. The City had ultimately fixed part of the problem. Mr. Bradley had asked for an extension to get the City to take responsibility for the damage but it had not. He had ultimately taken the entire fence down, even though the original order did not call for the entire fence to be removed. He had asked the inspector to return to confirm his compliance several times.

Ms. Deborah Haskins, Community Inspections Officer, presented photographs of the property and stated that the City's damage had nothing to do with the fence. Supervisor Bradley and Ms. Haskins had met with Mr. Bradley on July 7 and agreed to back date compliance if Mr. Bradley immediately removed the front portion of the fence but Mr. Bradley had not done this until July 13.

Mr. Bradley stated that he removed the damaged portion of the fence on the 13th; he did not understand that other portions of the fence needed to be removed as well. Ms. Tell noted that she felt Mr. Bradley had not understood but Inspector Haskins stated that she had made it absolutely clear. Ms. Tell suggested the fine be reduced by two days.

Ms. Tell reduced the fine to \$250.00 and signed the order.

Reference CE04051068

Jim & Nina Davidson
1800 Northwest 27th Terrace

Massey Hearing

Ms. Bazer announced that the case was originally heard on July 1, 2004 with compliance ordered by July 15, 2004. The property was not yet complied and fines had accrued in the amount of \$4,000.00.

Ms. Nina Davidson, respondent, explained that they had experienced problems with the previous tenant, but she was now gone. Her husband had visited the house every day to clean up after this tenant because every time the inspector returned, the tenant had left more trash on the property.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had found no extenuating circumstances for this property; it had an ongoing history of code violations. Ms. Pingitore asked that the fine be imposed.

Ms. Tell reminded Ms. Davidson that there was still a problem with the ground cover and fines were still running. Ms. Davidson said they wanted to put down a new driveway instead of the sod. She confirmed that she had applied for a permit for the driveway. Ms.

Tell informed her that she had to comply the ground cover violation. Ms. Tell suggested she speak with the inspector or the City Attorney.

The City Attorney confirmed that they had applied for a permit today and suggested an extension of two weeks pending the issuance of the permit.

Ms. Tell signed the order to impose the fine and advised Ms. Davidson to request a fine reduction administratively once the property was complied.

Reference CE04030579

William Caldwell
2300 Northwest 14th Court

Massey Hearing

Ms. Bazer announced that the case was originally heard on May 20, 2004 with compliance ordered by June 19, 2004. One of the original violations was now complied but the other was not and fines had accrued in the amount of \$1,200.00.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the remaining violation concerned an inoperable, unlicensed trailer on the property.

Mr. William Caldwell, respondent, admitted that he had not had enough money to complete compliance. Tenants had left the trailer on the property and there was nowhere to put it. Ms. Haskins suggested they get the police involved to remove the trailer. She admitted that she and Mr. Caldwell had played phone tag and never managed to speak.

Ms. Tell signed the order to impose the fine, stopped the fine, and granted a 7-day extension to get the trailer removed.

Reference CE04052199

Preston Gordon
2620 Northwest 19th Street

Massey Hearing

Ms. Bazer announced that the case was originally heard on July 1, 2004 with compliance ordered by July 16, 2004. The property was still not complied and fines had accrued in the amount of \$3,800.00.

Mr. Preston Gordon, respondent, explained that he had finished the work in 5 days after the judge had granted him a 15-day extension.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that as of her last inspection, the trash was still present and the sod was still missing. There were no extenuating circumstances and she asked Ms. Tell to impose the fine. Mr. Gordon stated that he could

not afford to cover three lots with sod and could not afford to water it all. He had put down grass seed and it was sprouting. He insisted the trash was gone.

Ms. Pingitore presented photographs of the property and Ms. Tell agreed there was trash present. Mr. Gordon insisted the trash was on the side of the road, not on the lawn. Ms. Tell confirmed that the judge had ordered Mr. Caldwell to put down living ground cover.

Ms. Tell signed the order to impose the fine and agreed to allow Mr. Gordon 7 days to complete cleanup and 60 days to lay the sod while fines stopped.

Reference CE04032184

Patricia Wind
2407 Nassau Lane

Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail had been accepted on July 13, 2004.

Mr. Robert Guilford, Community Inspections Officer, testified that the fascia was rotted and the house was in need of paint. He presented photographs of the property to Ms. Tell and agreed to recommend 90 days to comply or a fine of \$25.00 per day.

Ms. Patricia Wind, respondent, stated that she had remodeling work done at the house and requested 90 days to complete repairs.

Ms. Tell found in favor of the City and ordered compliance within 90 days or a fine of \$25.00 per day would be imposed.

Reference CE04061999

DF & B Properties LLC
1401 Northeast 17th Court

Sec. 9-281(b): Unlicensed, inoperable vehicles on property; Sec. 47-19.4 D.4: Open dumpster enclosure gates; Sec. 24-7(b): Trash on property

Ms. Bazer announced that certified mail addressed to the manager had been accepted on July 13 and certified mail addressed to the registered agent had been accepted on July 15, 2004.

Mr. Leonard Ackley, Community Inspections Officer, testified that the property was now complied but that this was a constant and repetitive case. He noted that the cars were removed and the owner had repaired the dumpster. He asked Ms. Tell to maintain jurisdiction for 5 years.

Ms. Tell found in favor of the City and ordered the City maintain jurisdiction for 5 years.

Reference CE04042019

Eric Emile
1317 Northwest 5th Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 47-21.8 A: Missing ground cover; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-280(b): Structure or Fixtures in disrepair

Ms. Bazer announced that certified mail had been accepted (no date on card). Ms. Deborah Haskins, Community Inspections Officer, testified that the entire structure was bare stucco with no paint on it and Sections 9-281(b), 47-21.8 A, and 9-280(b) were now complied. She presented photographs of the property that were accepted into evidence and recommended 30 days to comply Section 9-306 or a fine of \$25.00 per day.

Mr. Eric Emile, the property owner, produced proof that he had registered the vehicle. He requested additional time to finish painting.

Ms. Tell found in favor of the City and ordered compliance with Section 9-306 within 45 days or a fine of \$25.00 per day would be imposed.

Reference CE04041492

Mattie Walker
1670 Northwest 24th Terrace

Sec. 9-281(b): Rubbish, overgrowth, and inoperable, unlicensed vehicles on property; Sec. 47-21.8 A: Missing ground cover; Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail had been accepted on July 13, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, overgrowth, an unlicensed, inoperable blue Plymouth 1967 collectible and a white Chrysler New Yorker on the property; there were areas of dead or missing ground cover, and there were areas of faded and peeling paint on the building. She presented photographs of the property and recommended 30 days to comply Sections 47-21.8 A and 9-306 or a fine of \$25.00 per day, per violation and 7 days to comply Section 9-281(b) or a fine of \$100.00 per day or the vehicles would be towed.

Ms. Mattie Walker, respondent, stated that the lawn was to be cleaned up today and the car would be removed but she asked if there was a program to help her with tree maintenance. Ms. Bazer suggested she contact the Community Development Division, but Ms. Tell advised her not to count on their having the resources.

Ms. Tell wanted to allow 14 days to remove both cars but Supervisor Reed reminded her that the City had a policy of allowing only 7 days to remove unlicensed, inoperable vehicles. Ms. Pingitore advised Ms. Walker exactly what repairs needed to be made.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 A and 9-306 within 30 days or a fine of \$25.00 per day, per violation, and with Section 9-281(b) within 7 days or a fine of \$100.00 per day or the vehicle would be towed.

Reference CE04041577

Gary Dufour & Joel Ribler
1309 West Sunrise Boulevard
Tenant: Best Value Auto
Signa Auto

Sec. 47-21.8: Missing ground cover;
Sec. 18-27(a): Trash on property;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 47-19.5.B.2: Buffer wall landscaping

Ms. Bazer announced that certified mail had been accepted on July 14, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of missing ground cover; there was trash scattered about the property, and landscaping at the buffer wall was dead or non-existent; Section 9-306 was now complied. She noted that there was extensive construction in the area and she had not been able to determine yet whether the owner or the contractor was responsible for replacing the sod. Ms. Pingitore presented photographs of the property to the owner and Ms. Tell and recommended 7 days to comply Sections 47-21.8 and 18-27(a) and 60 days to comply Section 47-19.5 B.2 or a fine of \$50.00 per day, per violation.

Mr. Joel Ribler, owner, stated that passers-by threw trash on the property. He agreed to check the property for trash and call Ms. Pingitore for reinspection. He did not know who would be responsible for replacing the sod. He agreed to comply the ground cover in 60 days.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 and 18-27(a) within 7 days, and with Section 47-19.5 B.2 within 60 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE04041579

Edgard Fragelus
1315 West Sunrise Boulevard
Tenant: Merci Market

Sec. 47-19.4 D.1: Dumpster not in approved enclosure; Sec. 24-27(f): Dumpster lids left open;
Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-281(b): Rubbish and trash on property;
Sec. 47-21.8: Missing ground cover;
Sec. 18-27(a): Trash on property;
Sec. 47-19.5.B.2: Buffer wall landscaping;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 47-22.3 X.1: Improper signage

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of missing ground cover; there was trash scattered about the property and swale; the buffer wall was in disrepair and signs in the windows exceeded 20% coverage; Sections 47-19.4 D.1, 24-27(f), 47-20.20 H and 9-281(b) were now complied. She recommended 30 days to comply Sections 9-281(b), 47-19.5 B.2, 9-306 and 47-22.3 X.1 or a fine of \$50.00 per day, per violation.

Mr. Edgard Fragelus, respondent, stated that he would make all repairs. Ms. Tell and Inspector Pingitore clarified the repairs with Mr. Fragelus.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-281(b), 47-21.8 30/50, 18-27, 7/50, 47-19.5 B.2, 9-306 and 47-22.3 X.1 within 30 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE04061949

Phillip Frost
1424 Northeast 2nd Avenue

Sec. 9-281(b): Rubbish and trash on property:
Case is being presented due to the recurring nature of the violation. Even if violation is corrected prior to hearing date, the case will be presented.

Ms. Bazer announced that certified mail was accepted on July 20, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property was now complied but the case was still being presented because this was a recurring violation. She had a copy of the property's history and noted that they had been cited ten times in the past years for trash on the property. She requested an order on the property so she could cite this the next time as a repeat violation and get the problem corrected.

Ms. Marie Ireland, property manager, agreed that the tenant was a problem. She had advised to owner to evict the tenant and he had begun proceedings.

Ms. Tell agreed to enter an order stating there was a violation and ordering continued compliance.

Reference 04050871

Debra Burke 7 Bernadette Zizzo
1332 Northeast 2nd Avenue

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

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash, rubbish, and an unlicensed, inoperable blue Ford van on the property; Section 47-21.8 A was now complied. She recommended 7 days to comply Section 9-281(b) or a fine of \$100.00 or the vehicle could be towed.

Ms. Bernadette Zizzo stated that the car was being towed tomorrow.

Ms. Tell 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 would be imposed or the vehicle would be towed.

Reference CE03110090

Sydney Brown
2408 Northwest 19th Street

Request for Extension

Ms. Bazer announced that this case was originally heard on January 15, 2004 with compliance ordered by January 18 for one section and by May 15 for the other. In April 15, a 90-day extension had been granted for the second violation.

Mr. Sydney Brown, respondent, explained that he had gone before the Board of Adjustment because of problems with the retaining wall, water and sewer line conflicts. The plans now had to go back to the architect. He requested a 6-month extension to comply.

Ms. Cheryl Pingitore, Community Inspections Officer, agreed to allow 6 months to comply.

Ms. Tell granted a 60-day extension.

Reference CE04041578

Smalley's Tire and Auto Repair
1001 West Sunrise Boulevard

Sec. 47-21.8: Missing ground cover;
Sec. 18-27(a): Trash on property;
Sec. 47-19.5.B.2: Buffer wall landscaping

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on July 14, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of missing ground cover; there was trash scattered about the property, and landscaping at the buffer wall was dead or non-existent. She recommended 7 days to comply Section 18-27(a) and 60 days to comply Sections 47-19.5 B.2, 47-21.8, 9-306, 47-22.3.X.1, or a fine of \$50.00 per day, per violation.

Mr. Jeffery Smith, owner, agreed to comply the trash violation within 7 days and the other violations within 60 days.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 7 days, and with Sections 47-21.8, 47-19.5 B.2, and 9-306, 47-22.3.X.1 within 60 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE04052123

Thomas Reich & Charles & Sylvia Gellis
2495 Northwest 17th Street

Sec. 47-21.8: Missing ground cover;
Sec. 47-34.1 A.1: Permitted uses;
Sec. 9-280(b): Structure or Fixtures in disrepair;
Sec. 9-280(g): Electrical components in disrepair;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Rubbish, trash, and unlicensed, inoperable vehicles on property;
Sec. 9-305(b): Blocking public right-of-way;
Sec. 9-306: Peeling paint/stained surfaces;

Ms. Bazer announced that certified mail had been accepted on July 20, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of missing ground cover; windows were not water tight and rodent proof; electrical wiring was not used in safe conditions; chain link fence was in disrepair; there was trash, overgrowth, and an unlicensed, inoperable Buick on the property; ficus trees were overgrown and interfering with public right-of-way; Sections 47-34.1 A.1 and 9-306 were complied. She 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 the remaining sections 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 or a fine of \$100.00 per day or the vehicle would be towed and with the remaining sections in 30 days or a fine of \$50.00 per day, per violation would be imposed.

Reference CE04060028

Scherry Jenkins
1110 Northwest 7th Avenue

Sec. 9-281(b): Rubbish, trash and overgrowth on property; Sec. 9-307(a): Broken windows;
Sec. 47-20.20 H: Parking area in disrepair;
Sec. 47-21.8 A: Missing ground cover

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there was some trash and overgrowth left on the property; some windows were not waterproof and water tight; some were covered with boards and had missing glass; the parking area was deteriorated

and lacked striping and wheel stops and the lawn consisted of bare sand and weeds. She had spoken with the owner and agreed to recommended 30 days to comply Sections 9-281(b), 47-20.20 H and 47-21.8 A and 90 days for Section 9-307(a) or a fine of \$50.00 per day, per violation.

Mr. Scherry Jenkins, respondent, requested a continuance to obtain legal representation. He stated that he never received notice of the hearing and was already working on the property.

Ms. Tell agreed to a continuance until the next hearing date, August 19, 2004.

Reference CE04061564

Douglas Fleishman
1816 Northeast 11th Avenue

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

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

Mr. Burt Fletcher, Community Inspections Officer, testified that there was an unlicensed, inoperable black Ford on the property. He presented photographs of the property that were 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 vehicle would be towed.

Reference CE04062079

#4447 Associates
400 Northeast 13th Street

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

Ms. Bazer announced that certified mail had been accepted on July 28, 2004.

Mr. Burt Fletcher, Community Inspections Officer, testified that the property had been boarded for more than six months without the required certificate of bearding. He had spoken with the property owner and agreed to recommend 30 days to comply or a fine of \$25.00 per day.

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 CE04021064

River Oaks I LLC

Sec. 9-281(b): Overgrowth on property;

2303 Southwest 18th Avenue

Sec. 18-1: Excessive plants and overgrowth on property, threatening the economic welfare of adjacent properties

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on July 22, 2004 and certified mail addressed to an officer of the company had been accepted (no date on card).

Mr. Alberto Benavides, Community Inspections Officer, testified that there were areas of overgrowth on the property; Section 18-1 was withdrawn. He presented photographs of the property that were accepted into evidence and recommended 7 days to comply Section 9-2819b) or a fine of \$25.00 per day.

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

Reference CE04030064

Margaret Donovan
827 Northeast 19th Terrace

Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that personal service had been made by Inspector Thime on August 4, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that Inspector Thime had spoken with the owner and agreed to recommend 45 days to comply or a fine of \$25.00 per day.

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

Reference CE04061870

Jaffe Wright Investments LTD
110 Northeast 4th Street

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

Ms. Bazer announced that certified mail addressed to the partners had been accepted on July 22, 2004 and certified mail addressed to the registered agent had been accepted (no date on card).

Ms. Deborah Haskins, Community Inspections Officer, testified that, there was trash, rubbish and overgrowth on the property. She presented photographs of the property that were accepted into evidence as City composite exhibit 1 and stated that Inspector Thime had 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 CE04041432

Abe Shy & Annie Lakes
1019 Northwest 10th Avenue

Sec. 47-21.8: Missing ground cover;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 47-34.4 B.2.a: Inoperable commercial vehicle
parked/stored on property

Ms. Bazer announced that certified mail had been accepted on July 13, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there was missing ground cover on the property; the paint was chipped and peeling, and there was an unlicensed, inoperable Ford commercial vehicle and moving van on the property. He presented photographs of the property that were accepted into evidence as City composite exhibit 1 and recommended 30 days to comply Sections 47-21.8 and 9-306 or a fine of \$25.00 per day, per violation, and 7 days to comply Section 47-34.4 B.2.a or a fine of \$100.00 per day, or the vehicle could be towed.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 and 9-306 within 30 days or a fine of \$25.00 per day, per violation and with Section 47-34.4 B.2.a within 7 days or a fine of \$100.00 per day or the vehicle would be towed.

Reference CE04041460

Frances Williams
3461 Southwest 20th Street

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 47-21.8: Missing ground cover;
Sec. 18-27(a): Trash on property

Ms. Bazer announced that certified mail had been accepted on July 14, 2004 and personal service had been made by Inspector Gossman on July 24, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of chipped and peeling paint and missing ground cover on the property; Section 18-27(a) was now complied. He presented photographs of the property that were accepted into evidence and recommended 30 days to comply Sections 9-306 and 47-21.8 or a fine of \$25.00 per day, per violation.

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

Reference CE04041533

Victor & Consuelo Rodriguez

Sec. 47-21.8: Missing ground cover

3481 Southwest 15th Street

Ms. Tell announced that certified mail had been accepted on July 19, 2004 and personal service had been made by Inspector Gossman on July 24, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover. He presented photographs of the property that were accepted into evidence and recommended 30 days to comply or a fine of \$25.00 per day.

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 CE04070808

James & Marta Batmasian
277 Southwest 27th Avenue

Sec. 10 4-4.1: Fire extinguisher maintenance

Ms. Bazer announced that certified mail had been accepted on July 20, 2004.

Mr. Robert Kisarawich, Fire Inspector, testified that the fire extinguisher had not been serviced and tagged by a licensed company within the past twelve months. He recommended 7 days to comply 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 would be imposed.

Reference CE04070811

Sunlight Investments, Inc.
2625 Davie Boulevard

Sec. 1 1-10.1: Inoperable smoke detectors

Ms. Bazer announced that certified mail addressed to the tenant and the registered agent had both been accepted on July 21, 2004.

Mr. Robert Kisarawich, Fire Inspector, testified that the exit sign did not illuminate on DC power. He 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 CE04041884

Sunrise Investors LLP
1015 Northeast 11th Avenue

Sec. 9-281(b): Rubbish, trash, and inoperable, unlicensed vehicle on property

Ms. Bazer announced that certified mail addressed to the general partners and the registered agent had both been accepted on July 22, 2004.

Mr. Leonard Ackley, Community Inspections Officer, testified that there was rubbish and trash on the property; the inoperable van had been removed. He presented photographs of the property that were accepted into evidence and recommended 7 days to comply 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 would be imposed.

Reference CE04060791

Myrick Dev. Inc.
2756 Northeast 14th Street

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-281(b): Rubbish, trash, and overgrowth on
property; Sec. 9-308 (a): Roof shingles in disrepair

Ms. Bazer announced that certified mail addressed to the registered agent/an officer of the company had been accepted on July 14 and 15, 2004.

Mr. Leonard Ackley, Community Inspections Officer, testified that the building had rotten fascia and paint was chipped and peeling; there was debris and overgrowth on the property and the roof was dirty. He had met with the owner and agreed to recommend 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.

Reference CE04061052

1500 Bayview Drive LLC
1500 Bayview Drive

Sec. 47-19.1 C: Dock permit variance expired

Ms. Bazer announced that certified mail addressed to the company and the registered agent had both been accepted on July 20, 2004.

Mr. Leonard Ackley, Community Inspections Officer, testified that there were boats docked at the property and no principal structure, constituting illegal land use. He had spoken with the property owner and agreed to recommend 7 days to comply or a fine of \$200.00 per day.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$200.00 per day would be imposed.

Reference CE04070927

Zahra Bahrami
1842 East Oakland Park Boulevard

Sec. 47-34.1 A.1: Permitted uses: illegal
storage

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

Mr. Leonard Ackley, Community Inspections Officer, testified that materials were being stored on the property, constituting illegal land use. He 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 CE04051081

Harry & Karen Williams
1139 Northwest 5th Avenue

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

Ms. Bazer announced that certified mail had been returned unclaimed on July 14, 19, and 29, 2004.

Ms. Deborah Haskins, Community Inspections Officer, testified that the lawn had areas of bare sand and weeds and there was rubbish on the property. She presented photographs of the property that were accepted into evidence and recommended 14 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 14 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE04061879

Joe's Sunrise Café Inc.
515 West Sunrise Boulevard

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

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

Ms. Deborah Haskins, Community Inspections Officer, testified that there was trash and overgrowth on the property and there were areas of dead ground cover. She presented photographs of the property that were accepted into evidence and recommended 14 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 14 days or a fine of \$100.00 per day, per violation would be imposed.

Reference CE04061939

Inversiones El Elegido CA
1701 North Andrews Square

Sec. 47-19.4 D.8: Open dumpster enclosure
gates: Repeat violation of CE03120733;
Sec. 9-281(b): Rubbish and trash on
Property: Repeat violation of CE02020167

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

Ms. Deborah Haskins, Community Inspections Officer, testified that Section 47-19.4 D.8 was now complied, but this had been a repeat violation of CE03120733 and there was trash on the property; this was a repeat of violation CE02020167. She presented photographs of the property that were accepted into evidence and recommended 3 days to comply Section 9-281(b) or a fine of \$500.00 per day. She also requested that the fine run retroactive to the date of service: July 30. She noted that the property was a constant eyesore and problem and the property manager was not cooperative and had not even shown up for the hearing.

Ms. Tell found in favor of the City and ordered compliance within 3 days or a fine of \$500.00 per day would be imposed and the fine would begin at the date of service: July 30, 2004.

Reference CE03062202

Kerry & Mark Investments, Inc.
1809 Northwest 25th Terrace

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

Ms. Bazer announced that certified mail addressed to the owner and the registered agent had both been accepted on July 13, 2004 and certified mail had been returned unclaimed on July 13, 23 & 28, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the board up certificate issued for the property had not been renewed, nor had the property been repaired, rehabilitated or sold. She recommended 30 days to comply or a fine of \$25.00 per day. 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 CE03091067

Arnold Bethea & Robin Hankerson
1541 Northwest 19th Avenue

Sec. 18-27(a): Trash on property;
Sec. 25-4: Blocking public sidewalk;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-280(b): Structure or Fixtures in
disrepair; Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail had been returned unclaimed on July 1, 7, & 16, 2004 and personal service had been made by Inspector Pingitore on August 3, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash, litter and overgrowth on the property; the overgrowth had obstructed view of the public sidewalk; some windows in the building were broken or missing and not water tight and rodent proof and the roof soffit and fascia were rotting and in disrepair; Sections 47-21.8 and 9-280(h)(1) were now complied. She presented photographs of the property that were accepted into evidence and recommended 10 days to comply Sections 18-27(a) and 25-4 and 90 days to comply Sections 9-280(b) and 9-306 or a fine of \$50.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a) and 25-4 within 10 days and with Sections 9-280(b) and 9-306 within 90 days or a fine of \$50.00 per

Reference CE04041572

Floval Oil Corp.
1075 West Sunrise Boulevard

Sec. 18-27(a): Trash on property
Sec. 47-19.5.B.2: Buffer wall placement;
Sec. 47-21.13 A: Tree stump on property;
Sec. 47-21.8 A: Missing ground cover

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on July 14 and 15, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash on the property and swale; landscaping required at the buffer wall was dead or non-existent; there were dead trees on the property and there were areas of bare sand on the property. She recommended 10 days to comply sections 18-27(a) and 47-21.13 A or a fine of \$100.00 per day, per violation and 60 days to comply Sections 47-19.5 B.2 and 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 Sections 18-27(a) and 47-21.13 A in 10 days or a fine of \$100.00 per day, per violation and compliance with Sections 47-19.5 B.2 and 47-21.8 in 60 days or a fine of \$50.00 per day, per violation.

Reference CE04041644

Pic 'N' Payless #3 Inc.
945 West Sunrise Boulevard
Tenant: Family Discount

Sec. 18-27(a): Trash on property;
Sec. 47-21.8: Missing ground cover;
Sec. 47-22.3 X.1: Improper signage

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on July 13, 2004 and certified mail addressed to the company had been accepted on July 14, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash on the property and swale and there were areas of missing ground cover; Section 47-22.3 X.1 was now complied. She recommended 10 days to comply Section 18-27(a) or a fine of \$100.00 per day and 60 days to comply Section 47-21.8 or a fine of \$50.00 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 7 days or a fine of \$100.00 per day and with Section 47-21.8 within 60 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:

CE04040434	CE04061551	CE04061639	CE04060590
CE04041158	CE04060731	CE04052034	CE04060206
CE04060290	CE04051906	CE04060047	CE04061301
CE04061758	CE04061342	CE04061393	CE04070185
CE04060759	CE04060868	CE04060963	CE04031374
CE04041679	CE04060610	CE04061035	CE04070818
CE04070821	CE04070827	CE04070830	CE04070831
CE04070860	CE04070900	CE04070916	CE04070918
CE04030733	CE04061589	CE04070234	CE04032168
CE04050589	CE04051279	CE04051954	CE04060866
CE04061880	CE04061881	CE04040030	CE04041575
CE04050151	CE04051514	CE04051885	CE04060663
CE04061807			

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:

CE04070910	CE04061310	CE03071545	CE04032122
CE04050128	CE04010900	CE04060636	CE04061223
CE03121274	CE04070855	CE04070867	CE04070926
CE04070943	CE04041129	CE04032568	

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:

CE04061344	CE04061862	CE04061874	CE04061851
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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:

CE04040740	CE04051111	CE04021064
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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.

CE04040642	CE03100840	CE04031718	CE04011408
CE04010058	CE04010621	CE04020960	

There being no further business, the hearing was adjourned at 12:10 P.M.

Special Master

ATTEST:

Clerk, Special Master