

SPECIAL MASTER HEARING
City Commission Meeting Room – City Hall
Special Master Meah Tell, Presiding
November 4, 2004
9:00 A.M. – 11:00 A.M.

Staff Present:

Jennifer Chenault, Secretary
Dick Eaton, Service Clerk
Eve Bazer, Administrative Assistant II
Assistant City Attorney
Leonard Ackley, Community Inspections Officer
Alberto Benavides, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Andre Cross, Community Inspections Officer
John Gossman, Community Inspections Officer
Deborah Haskins, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Mike Maloney, Community Inspections Officer
Todd Nobles, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Rose Reed, Community Code Supervisor
Frank Stockinger, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Kenneth Tyson, Community Inspections Officer

Also Present:

*Worthy Kelly, CE04071760
*Sterling Tillman, CE04071760
Nicsa Ortiz, CE04071844
Kimo Hayes, CE04052103
Jenni Morejon, CE04071036, CE04071029, CE04071012, CE04071028
Hector Flores, CE04041572
Tara Lewis, CE04081252
Clinton Whaley, CE04100131
Sandra Lawrence, CE04071339
Antonia Lupari-Keenan, CE04071668
Camey Davidson, CE04071454
*Andrew Gallagher, CE03081082
James Bartlett, CE04070997
Michael Whiddon, CE04071036
Sarah Schifter, CE04082393
Mark Burns, CE04070810

*Massey Hearing

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 CE04071760

Worthy Kelly
525 Northwest 15th Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on October 7, 2004 with compliance ordered by October 14, 2004 or a fine of \$100 per day. The property was complied and fines had accrued in the amount of \$1,900.

Mr. John Gossman, Community Inspections Officer, testified that once Mr. Tillman, the owner's guardian, had been made aware of the violations, he had taken care of them. Mr. Gossman had complied the property yesterday. He presented a history of the property and photographs of the property to Ms. Tell.

Mr. Sterling Tillman, grandson and guardian of the owner, stated that his grandfather was incapable of managing his own affairs and Mr. Tillman had assumed responsibility. He had complied the property as soon as he was aware of the violations. Mr. Gossman agreed, but stated that the City was opposed to any abatement of fines. He had heard that Mr. Kelly was incapacitate and seen Mr. Kelly in a wheelchair and realized that he was not capable of complying the property himself. Ms. Tell informed Mr. Tillman that she would reduce the fine to \$380.

Ms. Tell signed the order to impose the fine of \$380.

Reference 04071844

Nicsa & Ferdinand Ortiz
600 Southwest 17th Street

Sec. 47-21.8: Missing ground cover;
Sec. 9-280(b): Structure or Fixtures in disrepair;
Sec. 9-308 (b): Roof in disrepair;
Sec. 9-280(h)(1): Fence in disrepair

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

Mr. Alberto Benavides, Community Inspections Officer, testified that there were black stains on the walls, roof, and awnings; Sections 47-21.8 and 9-280(h)(1) were now complied. He presented photographs of the property that were admitted into evidence as City composite

exhibit 1 and recommended 60 days to comply Sections 9-280(b) and 9-308(b) or a fine of \$25 per day, per violation.

Ms. Nicsa Ortiz, owner, stated that her husband must do the work himself and agreed to comply within 60 days.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-280(b) and 9-308(b) within 60 days or a fine of \$25 per day, per violation would be imposed.

Reference CE04100131

Clinton Whaley
1548 Northwest 12th Terrace

Sec. 47-34.4 A.1: Commercial vehicles stored on property; Sec. 47-34.4 B.1.a: Inoperable commercial vehicle parked/stored on property

Ms. Bazer announced that personal service had been made to Mrs. Whaley by Inspector Margerum on October 23, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was a commercial dump truck belonging to the property owner parked intermittently on the property and the commercial vehicle was not properly screened from view. She presented photographs of the property, that were admitted into evidence as City composite exhibit 1, as well as copies of emails and police reports.

Mr. Clinton Whaley, owner, stated that the vehicles were screened from view except when he needed to access the trailer during the day. He felt the real problem was that his neighbor was constantly calling the police to his property for many different reasons. Ms. Tell informed Mr. Whaley that he could never leave the vehicle on the swale. She noted that Mr. Whaley had a larger problem: the 6-wheeled vehicle should not be on the property at all.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$50 per day would be imposed.

Reference CE04052103

Stan's On the Water Inc.
3300 East Commercial Boulevard

Sec. 9-308 (a): Roof in disrepair

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted (no date on card), certified mail addressed to the owner had been accepted on October 23, 2004, and certified mail addressed to an officer of the company had been accepted on October 25, 2004.

Mr. Frank Stockinger, Community Inspections Officer, testified that the roof on the north side of the building was in danger of falling due to rotted wood and rusted attachments. He

presented photographs of the property that were admitted into evidence as City composite exhibit 1. He pointed out that as soon as he had begun the process of taking the owners before the Special Master, they had begun repairs.

Mr. Kimo Hayes, representative of the restaurant, explained that they had already signed a contract to repair the roof; the contractor was now awaiting permits. He asked for 60 days to comply. Mr. Stockinger agreed to allow 60 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$50 per day would be imposed.

Reference CE04071339

Sandra & Harold Lawrence
1001 Wyoming Avenue

Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-307(a): Broken windows

Ms. Bazer announced that certified mail had been accepted on October 19, 2004 and personal service had been made by Inspector Margerum to Sandra Lawrence on October 2, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of stained paint and broken windows in the building. He presented photographs of the property that were admitted into evidence as City composite exhibit 1.

Ms. Sandra Lawrence, owner, stated that she was trying to fix up the house but had suffered a nervous breakdown after her divorce. She was also currently not working and could not afford the repairs. She agreed to try to make repairs within 60 days.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$25 per day, per violation would be imposed.

Reference CE04071668

Antonia Lupari-Keenan
3410 Southwest 16th Street

Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Derelict vehicle on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that personal service had been made by Inspector Malik to the owner, who accepted but refused to sign the Notice of Violation on October 16, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of peeling paint on the building; the other 2 violations were now complied. He presented photographs of the property that were admitted into evidence as City composite exhibit 1.

Ms. Antonia Lupari-Keenan, owner, informed Ms. Tell that they would need additional time to comply; Ms. Tell agreed to allow 60 days.
Ms. Tell found in favor of the City and ordered compliance with Section 9-306 within 60 days or a fine of \$25 per day would be imposed.

Reference CE04071454

John & Camey Davidson
921 Southwest 31st Avenue

Sec. 47-21.8: Missing ground cover

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

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead ground cover on the property. He presented photographs of the property that were admitted into evidence as City composite exhibit 1

Ms. Camey Davidson, respondent, stated that her husband and son had died within 10 days of each other recently. She had managed to pay off a lien on her property but was currently working 7 days a week. She had installed new sod on the property but it had not been watered properly by the tenant and had died. She noted that the notices were not being sent to her residence, but to the property address. Ms. Davidson stated that she had to install a sprinkler system at the property that would cost \$3,000. She asked for three to four months to get the sprinkler system installed and the sod laid.

Ms. Tell found in favor of the City and ordered compliance within 120 days or a fine of \$25 per day.

Reference 04071036

Wild Acres Group, Inc.
701 Southeast 24th Street

Request for Extension of Time

Mr. Todd Nobles, Community Inspections Officer, explained that the property had been vacant for some time and the owner had new plans for the property. He asked Ms. Tell to vacate the order and abate the fines.

Ms. Rose Reed, Community Code Supervisor, stated that this was a WaterWorks case. Since this was a vacant property, the Engineering Department had agreed that the owner need not hook up to the sewer system until the property was occupied again. She agreed that the order should be vacated and the \$1,800 fine abated.

Ms. Tell vacated the order and abated all fines.

Reference CE04041572

Floval Oil Corp.

Request for Extension of Time

1075 West Sunrise Boulevard

Mr. Hector Flores, representative of the owner, requested an extension, as they were in the process of pulling permits to erect a new building on the site. Ms. Tell confirmed that the following violations were now complied: 18-27(a), 47-19.5 B.2, and 47-21.13 A; only Section 47-21.8, concerning the ground cover, remained. Mr. Flores asked for 90 days to comply and Inspector Pingitore agreed.

Ms. Tell granted a 90-day extension.

Reference CE03081082

J. Jr., D.P., K., M., and J Gallagher
71 Compass Isle

Request for Extension / Massey Hearing

Mr. Frank Stockinger, Community Inspections Officer, stated that the family was in the process of remodeling the house, seawall and pool and had already complied Sections 24-27(b), 47-34.2 A.1, 9-276(c)(2) and 9-280(g). They were diligently working, but needed more time to complete renovations.

Mr. Andrew Gallagher, respondent, requested an additional 6 months to comply. Mr. Stockinger agreed.

Ms. Tell granted a 180-day extension for Sections 9-280(b), 9-280(c), 9-280(h)(1), 9-280(h)(2), 9-306, 9-308(b), and 9-308(c).

Reference CE04070997

The Trust of Emma & M. Bartlett and
Joann Long
2617 Southwest 7th Street

Sec. 47-21.8: Missing ground cover

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

Ms. Peggy Burks, Community Inspections Officer, testified that there were large areas of missing ground cover on the property. She presented photographs of the property that were admitted into evidence as City exhibit 1. She had spoken with the owner's son and been informed that there were extenuating circumstances on the property that he would explain to Ms. Tell.

Mr. James Bartlett, the owner's son, presented Ms. Tell with a letter dated November 3, 2004 from Scott M. Griffiths, Veteran Service Officer to Whom it may concern. Mr. Bartlett explained that his brother was supposed to care for the property but had been called to Iraq. The Notices of Violation had been sent to his brother's address, but as he had been away, no one had received them. Mr. Bartlett requested 4 months to comply the property.

Ms. Tell found in favor of the City and ordered compliance with within 120 days or a fine of \$25 per day would be imposed.

Reference CE04082393

G.S. & Sarah Schifter
3322 Northeast 18th Street

Sec. 9-281(b): Rubbish, trash and overgrowth on property; Sec. 9-329(d): Required certificate of boarding

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

Mr. Len Ackley, Community Inspections Officer, testified that there was trash and overgrowth on the property and the board-up permit had expired and the structure had not been repaired, rehabilitated or sold. Mr. Ackley explained that this property was an ongoing problem; past cases had been closed in error. The owners had refused to open mail or respond to the notices of Violation. He presented photographs of the property that were admitted into evidence as City exhibit 1 and recommended 7 days to comply Section 9-281(b) and 60 days to comply Section 9-329d) or a fine of \$250 per day, per violation. Mr. Ackley also presented a copy of a fax from Ms. Schifter dated October 9, 2003, admitted into evidence as City exhibit 2, in which Ms. Schifter promised the work would be completed or she would be fined \$250 per day. This was the case that had been closed in error.

Ms. Sarah Shifter, owner, stated that she had begun repairs, but had been forced to sell another property to pay for repairs at this one. She did have a contractor who would do the work on the property. Ms Tell and Mr. Ackley clarified exactly what needed to be done at the property. Mr. Ackley pointed out that Ms. Schifter currently had approximately \$300,000 in fines against this property and the property should have been foreclosed long ago. He felt Ms. Schifter should have an attorney meet with the City Attorney rather than hiring a contractor to make repairs. Ms. Schifter gave her daughter's address for mailing of future notices about the property.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 7 days and with Section 9-329(d) within 60 days or a fine of \$250 per day, per violation would be imposed.

Reference CE04070810

Oakview Equities, LC
1900 Southeast 4th Avenue

Sec. 25-56(a): Sidewalk in disrepair;
Sec. 47-19.4 D.4: Open dumpster enclosure gates; Sec. 18-27(a): Trash on property;
Sec. 47-21.8: Missing ground cover;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail had been accepted on October 21 and 22, and 25, 2004. She noted that she would call another case for the same owner at the same time.

Mr. Todd Nobles, Community Inspections Officer, testified that the sidewalk was in disrepair; there was a dumpster on the property with no enclosure and there were areas of missing ground cover; Sections 18-27(a) and 9-306 were now complied. He presented photographs of the property that were admitted into evidence as City composite exhibits 1 and 2.

Mr. Mark Burns, representative of the company, agreed to make whatever repairs Inspector Nobles advised him to do. Inspector Nobles clarified what needed to be done and recommended 30 days to comply Section 47-21.8, 60 days to comply Section 47-19.4 D.4, and 90 days to comply Section 25-56(a) or a fine of \$50 per day, per violation.

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

- Section 47-21.8 within 30 days,
- Section 47-19.4 D.4 within 60 days,
- Section 25-56(a) within 90 days,

or a fine of \$50 per day, per violation would be imposed.

Reference CE04070812

Oakview Equities, LC.
1908 Southeast 4th Avenue

Sec. 25-56(a): Sidewalk in disrepair;
Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-281(b): Unlicensed, inoperable vehicle on
property; Sec. 9-306: Peeling paint/stained
surfaces

Ms. Bazer announced that certified mail had been accepted on October 21 and 22, and 25, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that the sidewalk was in disrepair; the parking lot was in disrepair, and there was an unlicensed, inoperable Trans Am on the property; Section 9-306 was now complied. He presented photographs of the property that were admitted into evidence as City composite exhibit 1.

Mr. Mark Burns, stated that the car belonged to one of the tenants and he would go over today and have it towed. He had obtained bids to repair the sidewalk and needed to clarify with Inspector Nobles exactly what needed to be done in the parking area. Inspector Nobles clarified what needed to be done and recommended 60 days to comply Section 47-20.20.H, and 90 days to comply Section 25-56(a) or a fine of \$50 per day, per violation, and 7 days to comply Section 9-281(b) or a fine of \$100 per day or the vehicle would be towed.

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

- Section 47-20.20.H within 60 days or a fine of \$50 per day,

- Section 25-56(a) within 90 days or a fine of \$50 per day,
- Section 9-281(b) within 7 days, or a fine of \$100 per day or the vehicle would be towed.

Reference CE04081252

Marvin & Tara Lewis
3450 Auburn Boulevard

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

Ms. Bazer announced that certified mail had been accepted October 16, 2004, and personal service had been made by Inspector Margerum to the owner on October 23, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that the property was overgrown with weeds; there were areas of missing ground cover on the property, and there were areas of peeling paint on the building. He presented photographs of the property that were admitted into evidence as City composite exhibit 1.

Ms. Tara Lewis, owner, explained that she was a single parent and it had been difficult for her to make repairs herself. Inspector Cross agreed that Ms. Lewis was trying her best, and recommended 90 days to comply all the violations or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 90 days or a fine of \$25 per day, per violation would be imposed.

Reference CE04071450

Donald James
1531 Northwest 12th Street

Sec. 18-27(a): Trash and overgrowth on property;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-276(c)(2): Stagnant water;
Sec. 24-27(b): Garbage carts left in right-of-way;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that personal service was made by Inspector Cheryl Pingitore to the owner on November 3, 2004.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and overgrowth on the property; the chain link fence was in disrepair; the pool was filled with stagnant water and the fascia board was bare wood and not weatherproof; Section 24-27(b) was now complied. Ms. Pingitore had spoken with the owner and agreed to recommend 30 days to comply Sections 9-28(h)(1), 9-276(c)(2), and 9-306 and 7 days to comply Section 18-27(a) or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-28(h)(1), 9-276(c)(2), and 9-306 within 30 days and with Section 18-27(a) within 7 days or a fine of \$25 per day, per violation would be imposed.

Reference CE04081143

Federal National Mortgage Association Sec. 9-329(d): Required certificate of
1416 Northwest 11th Street boarding

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the board-up certificate had not been renewed, nor had the structure been repaired, rehabilitated or sold. She presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply or a fine of \$200 per day. Ms. Tell wanted to make sure Federal National Mortgage Association was made aware of the problem.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$200 per day would be imposed.

Reference CE04050233

Margaret Brown Sec. 9-281(b): Rubbish, trash and derelict
727 Northwest 19th Avenue vehicle on property

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

Mr. Robert Guilford, Community Inspections Officer, testified that there was rubbish and trash on the property; the derelict vehicle had been removed. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 10 days to comply or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would be imposed.

Reference CE03111749

Royal Assembly Church of the Living God Sec. 9-306: Deteriorated awning
1029 West Broward Boulevard in need of repair or removal

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

Mr. John Gossman, Community Inspections Officer, testified that there was a deteriorated canvas awning on the building that needed repair or removal. He presented photographs and a history of the property that were admitted into evidence as City composite exhibit 1.

Ms. Bazer announced that certified mail addressed to the owner had been accepted on October 29, 2004.

Mr. Mike Maloney, Community Inspections Officer, testified that there was trash on the property and there was a blue Toyota Tercel on the property with expired tags. He recommended 10 days to comply Section 18-27(a) or a fine of \$50.00 per day, and 7 days to comply Section 9-281(b) or a fine of \$100 per day or the vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$50 per day would be imposed, and with Section 9-281(b) within 7 days or a fine of \$100 per day would be imposed or the vehicle would be towed.

Reference CE04090969

Geronimo & Pedelis Inc /
John & Kathleen Newcombe
826 Southeast 12th Court

Sec. 9-281(b): Overgrowth and trash on property and swale; Sec. 28-1: Pool filled with stagnant water

Ms. Bazer announced that certified mail addressed to an officer of the company had been accepted on October 22, 2004; certified mail addressed to the owner had been accepted on October 26, 2004, and certified mail addressed to the registered agent had been accepted on October 25, 2004.

Mr. Todd Nobles, Community Inspections Officer, testified that there was overgrowth and trash on the property and swale and the pool was filled with stagnant water. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 10 days to comply Section 9-281(b) or a fine of \$50 per day and 10 days to comply Section 28-1 or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 10 days or a fine of \$50 per day would be imposed and with Section 28-1 within 10 days or a fine of \$100 per day would be imposed.

Reference 04071012

Space Plus at 17th Street
1850 South Miami Road

Request for Extension of Time

Ms. Bazer announced that this was a WaterWorks case.

Mr. Todd Nobles, Community Inspections Officer, stated that the owner wanted a 45-day extension for all three properties. Ms. Rose Reed, Community Code Supervisor, stated that the City was also requesting abatement of all fines so far accrued.

Ms. Tell found granted a 45-day extension and abated all fines.

Reference 04071028

17th Street Causeway LLC
1851 Southeast 10th Avenue

Request for Extension of Time

Ms. Bazer announced that this was a WaterWorks case.

Mr. Todd Nobles, Community Inspections Officer, stated that the owner wanted a 45-day extension for all three properties. Ms. Rose Reed, Community Code Supervisor, stated that the City was also requesting abatement of all fines so far accrued.

Ms. Tell found granted a 45-day extension and abated all fines.

Reference 04071029

Great Texas Foods, Inc.
1821 Southeast 10th Avenue

Request for Extension of Time

Ms. Bazer announced that this was a WaterWorks case.

Mr. Todd Nobles, Community Inspections Officer, stated that the owner wanted a 45-day extension for all three properties. Ms. Rose Reed, Community Code Supervisor, stated that the City was also requesting abatement of all fines so far accrued.

Ms. Tell found granted a 45-day extension and abated all fines.

Reference CE04081390

Arch and Kay Oliver
643 North Andrews Avenue

Sec. 9-280(g): Electrical components in disrepair;
Sec. 9-280(h)(1): Fence in disrepair
Sec. 9-281(b): Rubbish, trash and overgrowth on
Property; Sec. 9-306: Peeling paint/stained
surfaces; Sec. 9-308 (a): Roof shingles in
disrepair

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

Ms. Ursula Thime, Community Inspections Officer, testified that electrical fixtures were not maintained in a safe condition and there was trash and overgrowth on the property and sidewalk; the building was in need of paint and roof shingles were in disrepair; Section 9-280(h)(1) was now complied. She presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Sections 9-280(g) 9-281(b), 9-306 and 9-308 or a fine of \$100 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-280(g), 9-306 and 9-308(a), and 9-281(b) within 30 days, or a fine of \$100 per day, per violation would be imposed.

Reference CE04100421

Motiva Enterprises, LLC
200 North Federal Highway

Sec. 9-280(f): Deteriorated plumbing

Ms. Bazer announced that certified mail addressed to the manager was accepted on October 25, 2004; certified mail addressed to the corporation had been accepted on October 26 and once more (no date on card), and certified mail addressed to the registered agent had been accepted on October 26, 2004.

Ms. Ursula Thime, Community Inspections Officer, testified that there was an unmaintained grease trap on the property; an iron manhole labeled "Grease Trap" was left open and the exterior of the trap was cracked and broken. She 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 \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$250 per day would be imposed.

Reference CE04070197

Robert Renaker
3571 Southwest 21st Street

Sec. 18-1: Derelict vehicle on property;
Sec. 9-280(h): Fence in disrepair

Ms. Bazer announced that certified mail had been returned unclaimed on October 6, 11, and 21, 2004.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the fence was in disrepair; Section 18-1 was now complied. He presented a photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 7 days to comply Section 9-280(h) or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280(h) within 7 days or a fine of \$25 per day would be imposed.

Reference CE04082125

Easter & Thoneal Young
3617 Southwest 17th Street

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

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was an unlicensed, inoperable Cadillac and other vehicles on the property. He presented a photograph of the property that was admitted into evidence as City exhibit 1 and recommended 7 days to comply or a fine of \$100 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 per day or the vehicle would be towed.

Reference CE04082460

Joseph & Linda Scully
3101 Southwest 13th Street

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

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that the property was overgrown. 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 \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$50 per day would be imposed.

Reference 04090578

Walter Johnson & Ellen Wachs
3664 Southwest 16th Street

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

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was a new owner, who had assured him that the property was now complied. He presented photographs of a brown 4 X 4 vehicle and recommended 7 days to verify compliance or a fine of \$100 per day, or the vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day would be imposed or the vehicle would be towed.

Reference CE04090448

Ralph Saxon & Thomas Washek
2609 Northeast 26th Avenue

Sec. 47-34.4 B.2.a: boat and trailer
parked/stored on property

Ms. Bazer announced that certified mail was accepted on October 19, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that there was a boat and trailer parked in the driveway, not concealed from sight. He recommended 7 days to comply or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 7 days or a fine of \$50 per day would be imposed.

Reference CE04100135

Julian & Mary Haywood
2006 Northeast 19th Street

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

Ms. Bazer announced that certified mail had been accepted on October 18, 2004.

Mr. Len Ackley, Community Inspections Officer, testified that there was an unlicensed, inoperable blue Ford sedan parked in the driveway. He recommended 7 days to comply or a fine of \$100 per day or the vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance with within 7 days or a fine of \$100 per day would be imposed or the vehicle would be towed.

Reference CE04071329

Ryan & Tanya Johnson
1043 Wyoming Avenue

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

Ms. Bazer announced that personal service had been made by Inspector Margerum to Dorathee Moore, a friend of the owner, on October 2, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there was trash stored in the carport, there were areas of missing ground cover and areas of peeling paint on the building. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Sections 47-21.8 and 9-306, and 7 days to comply Section 18-27(a) or a fine of \$25.00 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 and 9-306 within 30 days and with Section 18-27(a) within 7 days or a fine of \$25.00 per day, per violation would be imposed.

Reference CE04071478

Hazel Vaughn

Sec. 47-21.8: Missing ground cover

431 Arizona Avenue

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

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of missing ground cover on the property. He presented 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 per day.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$25 per day would be imposed.

Reference CE04071728

Nakia McIntosh
241 Florida Avenue

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

Ms. Bazer announced that personal service had been made by Inspector Malik to the owner on October 16, 2004.

Mr. Andre Cross, Community Inspections Officer, testified that there were areas of dead and missing ground cover on the property and areas of dirty, peeling paint on the building; Section 18-27(a) was now complied. He presented photographs of the property that were admitted into evidence as City composite exhibit 1 and recommended 30 days to comply Sections 41-21.8 and 9-306 or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8 and 9-306 within 30 days or a fine of \$25 per day, per violation 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:

CE04041016	CE04091520	CE04090668	CE04060763
CE04091143	CE04082242	CE04091007	CE04091315
CE04091570	CE04091553	CE04100281	CE04061294
CE04072036	CE04090591	CE04081640	CE04090223
CE04090522	CE04090574	CE04090575	CE04090576
CE04081057	CE04081779	CE04082303	CE04082306
CE04082307	CE04090342	CE04091554	CE04041431
CE04050594	CE04071331	CE04071452	CE04071476

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:

CE04081818	CE04031463	CE04071269	CE04071296
CE04080765	CE04091000	CE04081896	CE04081111
CE04081230	CE04091307	CE04090152	CE04090853
CE04091556			

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:

CE04100577	CE04052235	CE04081806	CE04070696
CE04081115	CE04071336	CE04091698	

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:

CE04081343	CE04082403
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There being no further business, the hearing was adjourned at 11:00 A.M.

Special Master

ATTEST:

Clerk, Special Master