

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Special Magistrate Zebedee Wright, Presiding**  
**June 2, 2005**  
**9:00 A.M. – 10:45 A.M.**

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Staff Present:

Eve Bazer, Administrative Assistant  
Assistant City Attorney  
Dick Eaton, Secretary  
Deborah Haskins, Community Inspections Supervisor  
Leonard Ackley, Community Inspections Officer  
Peggy Burks, Community Inspections Officer  
Mike Champion, Community Inspections Officer  
Thomas Clements, Fire Inspector  
Andre Cross, Community Inspections Officer  
John Gossman, Community Inspections Officer  
John Hudak, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Mike Maloney, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Todd Nobles, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Dallas Shumaker, Fire Inspector  
Ursula Thime, Community Inspections Officer

Also Present:

\*Nancy Hickman, owner, CE04100843  
\*Jason Kissounlal, owner, CE05030674  
Larry Bowman, owner's cousin, CE05032049  
\*Sarah Schifter, owner, CE04082393  
\*William Wessingar, contractor, CE04082393  
Linda Brookwell, owner, CE05021456  
Clint Cartwright, agent, CE05050405  
Isaias Juarez, owner, CE05050348  
\*Paul Brassington, CE04070696  
James Ross, CE05010888  
\*Robert Hoppell, CE05020179

\*Massey Hearing

NOTE: All individuals who presented information to the Special Magistrate during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 9:00 A.M. Mr. Wright introduced himself and explained his role in ensuring adherence with the City's codes. He also pointed out that the proceedings were being recorded.

**Reference CE04082393**

G.S & Sarah Schifter  
3322 Northeast 18<sup>th</sup> Street

Massey Hearing

Ms. Bazer announced that this case was originally heard on November 4, 2004 with compliance ordered by November 11, 2004 and January 3, 2005. One of the original two violations was still not complied and fines had accrued in the amount of \$ 29,250.

Mr. William Wessingar, the owner's representative and general contractor, explained that the property was in bad shape when the Schifters purchased it. He had since cleaned it up and applied for a permit. The architect was currently revising the plans. In the meantime, the owner had applied for an after the fact board up permit.

Mr. Len Ackley, Community Inspections Officer, stated that issuance of the permit would stop the fine. He asked Mr. Wright to sign the order to impose the fine. Mr. Ackley noted that the case had been going on for 2 years and the property was still not complied.

Mr. Wright signed the order to impose the fine.

**Reference CE04070696**

Paul Brassington  
449 Northeast 1<sup>st</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was originally heard on March 17, 2005 with compliance ordered by April 16, 2005. The property was complied on May 2, 2005 and fines had accrued in the amount of \$ 3,750.

Mr. Paul Brassington, owner, informed Mr. Wright that he had fixed the problem as soon as he was notified of it. He had been away and his mail was supposed to be forwarded but was not. He asked Mr. Wright to abate the fine.

Ms. Ursula Thime, Community Inspections Officer, stated that the certified mail was sent to the legal address and all of it was returned. She noted that the case began in July 2004. The tenant had finally informed Inspector Thime that Mr. Brassington was in China. She confirmed the date she closed the case for Mr. Wright.

Mr. Wright reduced the fine to \$1,050.

**Reference CE04100843**

Nancy Hickman  
800 Northwest 4<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was originally heard on December 16, 2004 with compliance ordered by March 16, 2005. One of the two original violations was still not complied and fines had accrued in the amount of \$ 3,850.

Ms. Nancy Hickman, owner, explained that she tried to keep the house up but the neighborhood was not very good. When the City installed sewers, they had done a lot of damage to the house and yard. She was working with the City to get the repairs made.

Mr. Skip Margerum, Community Inspections Officer, confirmed that a private contractor hired by the City had damaged Ms. Hickman's house and yard. Ms. Hickman had fixed the fence, but had not done so correctly; this was the problem. Inspector Margerum recommended allowing a 30-day extension.

Mr. Wright granted a 30-day extension.

**Reference CE05030674**

Total Care Manor Inc.  
1480 Northwest 21<sup>st</sup> Street

Massey Hearing

Ms. Bazer announced that this case was originally heard on April 21, 2005 with compliance ordered by May 1, 2005. The property was complied and fines had accrued in the amount of \$ 2,000.

Mr. Jason Kissounlal, owner, said he had called Inspector Pingitore and left several messages for her but she had not called him back. He said he had complied long before the May 1 compliance date. He had replaced the lock on the dumpster and gate.

Ms. Cheryl Pingitore, Community Inspections Officer, stated she visited the property on May 3 and the dumpster gates were open but the other violation had been complied. Inspector Pingitore had visited the facility and spoken to someone claiming to be Mr. Kissouno but who was actually a resident at the facility. She recommended reducing the fine to administrative costs.

Mr. Wright abated the fine.

**Reference CE05050348**

Isaias & Isabel Juarez  
3717 Southwest 14<sup>th</sup> Street

Sec. 10 6.3.1: Fire extinguisher maintenance

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 17, 2005.

Mr. Thomas Clements, Fire Inspector, testified that he had visited the property 5 times and the fire extinguisher had not been inspected and tagged within the last 12 months.

Mr. Isaias Juarez, owner, stated that he thought there was no problem. He had a receipt for purchase of the extinguishers. Mr. Clements informed him that the extinguishers must be inspected every year as well.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$50 per day would be imposed.

**Reference CE05010888**

Church of God Temple Trust  
211 Northwest 5<sup>th</sup> Avenue

Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 9-280(d): Deteriorated structure/fixtures

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 20, 2005.

Mr. John Gossman, Community Inspections Officer, testified that the parking area was deteriorated with faded striping and broken wheel stops and the sprinkler cover was rotted and deteriorated. Inspector Gossman presented photographs of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$25 per day, per violation.

Mr. James Ross agreed to complete repairs within 60 days.

Mr. Wright 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 CE05021456**

Linda Brookwell  
3338 Northwest 69<sup>th</sup> Street

Sec. 18-1: Derelict vehicle on property;  
Sec. 9-280(b): Boarded windows;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 16, 2005.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the pool was full of stagnant water; there were two or more boarded windows in the building and the building was not maintained and there was existing fire damage. Inspector Lopez presented a copy of the inspection report and recommended 14 days to comply Section 18-1 or a fine of \$25 per day and 90 days to comply Sections 9-280(b) and 9-306 or a fine of \$50 per day, per violation.

Ms. Linda Brookwell, owner, agreed to comply in the ordered time.

Mr. Wright found in favor of the City and ordered compliance with Section 18-1 within 14 days or a fine of \$25 per day and with Sections 9-280(b) and 9-306 within 90 days or fine of \$50 per day, per violation would be imposed.

**Reference CE05032049**

Oliver Glass  
1600 Northwest 6<sup>th</sup> Street

Sec. 9-306: Paint in disrepair

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 17, 2005.

Ms. Ursula Thime, Community Inspections Officer, testified that paint on the building was mildewed, chipped and peeling. Inspector Thime presented photos of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$50 per day.

Mr. Larry Bowman, the owner's cousin, said they were in the process of cleaning the property and asked for 90 days to complete repairs and painting.

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

**Reference CE05020179**

Richard Baird  
600 Southwest 24<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that someone was present claiming to represent the owner but had no proof of this and was asking to be heard. She asked Mr. Wright to rule on the case.

Mr. Robert Hoppi, the owner's caregiver, said no one informed him he needed legal paperwork to represent Mr. Baird.

Mr. Wright granted a 30-day extension.

**Reference CE05030166**

Glen Powell & Mara Mendez  
220 Southwest 20<sup>th</sup> Avenue

Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 18-27(a): Trash on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that personal service had been made to the owner by Inspector Thime on May 14, 2005

Mr. Mike Champion, Community Inspections Officer, testified that there was trash on the property and the parking area was in disrepair; Sections 9-280(h)(1) and 9-306 were now complied. Inspector Champion recommended 60 days to comply Sections 18-27(a) and 47-20.20 H or a fine of \$50 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance with Sections 18-27(a) and 47-20.20 H within 60 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE05021559**

Sunrise Gate LLLP  
2025 East Sunrise Boulevard

Sec. 18-27(a): Trash on property;  
Sec. 9-280(h)(1): Fence in disrepair

Ms. Bazer announced that certified mail addressed to the owner of the company had been accepted on May 20, 2005 and certified mail addressed to the registered agent had been accepted (no date on card).

Mr. Len Ackley, Community Inspections Officer, testified that the property was covered with overgrowth and debris; Section 9-280(h)(1) was complied. He recommended 10 days to comply Section 18-27(a) or a fine of \$50 per day.

Mr. Wright 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.

**Reference CE05040295**

Nesley Laird  
505 Southeast 20<sup>th</sup> Street

Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 13, 2005.

Mr. Todd Nobles, Community Inspections Officer, testified that the parking area was in disrepair. Inspector Nobles presented photos of the property and a copy of the inspection report and recommended ordering compliance within 30 days or a fine of \$50 per day. Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$50 per day would be imposed.

**Reference CE05050323**

Christopher Podder  
1504 Southwest 1<sup>st</sup> Street

Sec. 10 6.3.1: Fire extinguisher maintenance;  
Sec. 1 10.13.1.1: Missing unit numbers

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 27, 2005.

Mr. Thomas Clements, Fire Inspector, testified that inspectors had visited the property 5 times and the fire extinguisher had not been inspected and tagged within the last 12 months and some units were missing identifying numbers. Inspector Clements recommended ordering compliance within 30 days or a fine of \$100 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100 per day, per violation would be imposed.

**Reference CE05010334**

Patrick & Jilliane Downey  
1629 Northwest 7<sup>th</sup> Avenue

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

Ms. Bazer announced that service was via posting at the property on May 3, 2005 and at City Hall on May 20, 2005.

Mr. Andre Cross, Community Inspections Officer, testified that there was trash on the property and parts of the soffit and fascia were rotted. Inspector Cross presented photos of the property, a copy of the inspection report and Notice of Violation and recommended ordering compliance with Section 18-27(a) within 7 days and with Section 9-306 within 30 days or a fine of \$25 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance with Section 18-27(a) within 7 days and with Section 9-306 within 30 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05031076**

Lillie Rose Taylor  
1308 Northwest 9<sup>th</sup> Avenue

Sec. 9-281(b): Rubbish, trash and overgrowth on property; Sec. 9-307(a): Broken windows

Ms. Bazer announced that service was via posting at the property on May 4, 2005 and at City Hall on May 20, 2005.

Mr. Andre Cross, Community Inspections Officer, testified that there was rubbish and trash on the property and numerous broken windows in the building. Inspector Cross presented photos of the property and a copy of the inspection report and Notice of Violation and recommended ordering compliance with Section 9-281(b) within 7 days and with Section 9-307 within 30 days or a fine of \$25 per day, per violation.

Mr. Wright found in favor of the City and ordered compliance with Section 9-281(b) within 7 days and with Section 9-307 within 30 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE05040116**

James Geiger  
730 Northeast 3<sup>rd</sup> Avenue

Sec. 18-27(a): Trash on property;  
Sec. 47-20.20 H: Parking area in disrepair;  
Sec. 9-278(g): Missing/torn screens;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 12, 2005 and personal service had been made by Inspector Thime on May 14, 2005.

Ms. Ursula Thime, Community Inspections Officer, testified that the parking area was deteriorated, with areas of potholes and cracks; Sections 18-27(a), 9-278(g) and 9-306: were complied. Inspector Thime had a stipulated agreement with the owner to comply Section 47-20.20 H within 90 days or a fine of \$50 per day.

Mr. Wright found in favor of the City and ordered compliance with Section 47-20.20 H within 90 days or a fine of \$50 per day would be imposed.

**Reference CE05050309**

Twelve Sac Self-Storage Corp.  
2800 West Broward Boulevard

Sec. 1 4.5.8.1: Inoperable emergency lights

Ms. Bazer announced that certified mail addressed to the owner, an officer of the company and director of the company had all been accepted on May 16, 2005 and certified mail addressed to the registered agent had been accepted on May 13, 2005.



Mr. Thomas Clements, Fire Inspector, testified that the emergency lights did not illuminate on DC power. He had visited the property 4 times and explained the problems to the manager but the property was still not complied. Inspector Clements recommended ordering compliance within 7 days or a fine of \$100 per day.

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

**Reference CE05050310**

Sunlight Investments Inc.  
2609 Davie Boulevard

Sec. 1 4.5.8.1: Inoperable emergency lights

Ms. Bazer announced that certified mail addressed to the owner and registered agent had been accepted on May 12, 2005 and certified mail addressed to an officer of the company had been accepted on May 13, 2005.

Mr. Thomas Clements, Fire Inspector, testified that he had visited the property 4 times and the emergency lights did not illuminate on AC/DC power. He recommended ordering compliance within 14 days or a fine of \$50 per day.

Mr. Wright found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would be imposed.

**Reference CE05010393**

Herbert Davis  
1621 Northwest 7<sup>th</sup> Place

Sec. 18-27(a): Overgrowth and trash on property;  
Sec. 47-21.8: Missing ground cover;  
Sec. 6-11(a): Dogs inadequately maintained

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 12, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and overgrowth on the property; there was missing ground cover on the property and dogs at the property did not have adequate shelter, food and water. Inspector Pingitore presented photographs and a copy of the inspection report and Notice of Violation and recommended ordering compliance with Sections 18-27(a) and 47-21.8 within 10 days or a fine of \$50 per day, per violation and with Section 6-11(a) within 7 days or a fine of \$100 per day.

Mr. Wright found in favor of the City and ordered compliance with Sections 18-27(a) and 47-21.8 within 10 days or a fine of \$50 per day, per violation and with Section 6-11(a) within 7 days or a fine of \$100 per day would be imposed.

**Reference CE05030511**

Franck & Elvina St. Gerard  
1440 Northwest 19<sup>th</sup> Court

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

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 13, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the fence was in disrepair. She presented photos of the property and a copy of the Notice of Violation and inspection report and recommended ordering compliance within 10 days or a fine of \$100 per day.

Mr. Wright found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would be imposed.

**Reference CE05031677**

Russell Silva & Franco DiDonato  
1321 Northwest 19<sup>th</sup> Avenue

Sec. 47-21.8: Missing ground cover;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-278(b): Windows broken or missing

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 12, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover; there were areas of peeling and chipped paint and some windows were broken or missing. Inspector Pingitore presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$50 per day, per violation.

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

**Reference CE05050178**

Celien & Jeannette Bien-Aime  
1032 Northwest 1<sup>st</sup> Avenue

Sec. 1 4.5.8.1: Inoperable smoke detectors

Ms. Bazer announced that certified mail addressed to the owner had been accepted on May 12, 2005.

Mr. Dallas Shumaker, Fire Inspector, testified that the smoke alarm batteries were low. He recommended ordering compliance within 30 days or a fine of \$100 per day.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100 per day would be imposed.

**Reference CE05050313**

Hidden Harbor, A Condo Association      Sec. 1 4.5.8.1: Inoperable emergency lights  
1785 North Andrews Square

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted on May 13, 2005.

Mr. Dallas Shumaker, Fire Inspector, testified that the fire alarm system was past due for annual service. He recommended ordering compliance within 30 days or a fine of \$100 per day.

Mr. Wright found in favor of the City and ordered compliance within 30 days or a fine of \$100 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:

CE05041612	CE04100645	CE05040294	CE05050325
CE05050326	CE05021025	CE05031157	CE05041123
CE05030702	CE05040513	CE05041068	CE05050312
CE05050405	CE05050816	CE04122297	CE05020536
CE04121211	CE05031139	CE05050155	CE05050165
CE05050199	CE05050393	CE05050394	CE05050395
CE05050396	CE05050695	CE05050414	CE05050577
CE05050684	CE05050691	CE05050961	CE05050962
CE05050964	CE05050967	CE05050991	CE05050996
CE05050998	CE05051001	CE05051002	CE05051004
CE05051015	CE05051018	CE05051021	

**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:

CE04122063	CE05030244	CE05011269	CE05032045
CE05050331	CE05050335	CE05050357	CE05050360
CE05050362	CE05021137	CE05030014	CE05031143

CE05040208  
CE05050397

CE05050179

CE05050391

CE05050392

**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:

CE98110736

CE04071617

CE05010654

CE05031603

**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:

CE05011717  
CE05050685  
CE05051007

CE05011927  
CE05050971  
CE05051010

CE05050398  
CE05050997  
CE05051013

CE05050411  
CE05050999  
CE05051025

**Cases to Vacate the Previous Order**

Ms. Bazer announced that the City was requesting that the previous orders for the below listed cases be vacated. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE04071048

CE05030541

CE05030542

**Approved for Claim of Lien**

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

CE04102052 - \$ 650  
CE04100835 - \$ 2,300  
CE04111336 - \$ 3,400

CE04100834 - \$ 4,600  
CE05010421 - \$ 150  
CE04080558 - \$ 12,700

There being no further business, the hearing was adjourned at 10:45 a.m.

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Special Magistrate

ATTEST:

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Clerk, Special Magistrate

