

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Judge Floyd Hull, Presiding
July 21, 2005
9:00 A.M. – 11:30 A.M.

Staff Present:

Eve Bazer, Administrative Assistant
Assistant City Attorney
Dick Eaton, Secretary, Special Magistrate
Leonard Ackley, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Andre Cross, Community Inspections Officer
John Gossman, Community Inspections Officer
Deborah Haskins, Community Inspections Supervisor
John Hudak, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Mike Maloney, Community Inspections Officer
Skip Margerum, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Ursula Thime, Community Inspections Officer

Also Present:

*CE05020766, Gerard Richardson, owner
*CE05011717, Roosevelt Mathis, owner
*CE05030035, Orilien Baptiste, owner
CE04110315, Kevin Hart, board member; Janet Erlich, executive director
*CE03102430, James Kautz, pastor; Perry Hodges
CE05051394, Clive Evanson, owner
*CE04071617, David May, partner
*CE05010878, Edonel Jean, owner's son; Esau Jean, owner; Jeanette Jean, owner
CE05030799, Ramona Garceau, owner
CE05031677, James Sisk; Russell Silva
CE05011269, Hilton Wiener, owner
*CE05021125, Jeanine Marcoux, property manager
CE04040029, Willie McBride, owner
*CE04071956, Nancy Figueroa, owner; John Deskin, resident
CE05011124, George Criscione, owner; Lisa Sheet, owner
CE05050928, James Klecker, owner

*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. Judge Hull 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 CE05010878

Esau & Jeanette Jean
1113 Northwest 14th Court

Massey Hearing /Request for Abatement

Ms. Bazer announced that this case was first heard on March 3, 2005 with compliance ordered by April 2, 2005. The property was complied on June 23, 2005 and fines had accrued in the amount of \$6,075. Ms. Bazer noted that the Jeans would use Janeel Robinson, Fort Lauderdale Police Department's Haitian Community Liaison, as an interpreter.

Ms. Cheryl Pingitore, Community Inspections Officer, presented Judge Hull with her case file and stated it was in order.

Through the interpreter, Mr. Esau Jean, owner, asked why there was a lien on his house. Inspector Pingitore stated that service was sufficient and signed by the owner. Mr. Jean explained that he had cleaned up the house and he did not understand why there was still a lien. Judge Hull stated that compliance was ordered for all violations by April 2, 2005 and two items had not been remedied by that date. Mr. Jean stated he had completed all work by April 2. Judge Hull explained that the trash and paint violations were not complied until June 23, 2005. Mr. Jean said that the house painter had done the job improperly at first and they had redone the painting, but this was prior to the compliance date.

Mr. Jean confirmed that he had not attended the March 3, 2005 hearing, claiming he had not been notified of the hearing or the order prepared as a result of the hearing. Ms. Robinson explained to Mr. Jean that he had signed the notice for the March meeting. He informed Judge Hull that his son had interpreted the order for him.

Mr. Edonel Jean, the owner's son, stated he had explained the order to his father and that they had completed most of the work by the due date. He admitted that the painter had only primed the house by the due date. Mr. Jean said he was unaware he could request more time to finish painting and that they had difficulty affording all of the repairs.

Judge Hull signed the order to impose the fine.

Reference CE03102430

Evangel Church
1045 Northwest 1st Avenue

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was first heard on January 15, 2004 with compliance ordered by March 15, 2004. The property was complied June 20, 2005 and fines had accrued in the amount of \$6,125.

Mr. James Kautz, pastor, explained that they had made repairs by their extended due date. He had been unaware fines were running while they waited for the permit to be issued. Mr. Kautz explained the lengthy process of obtaining funding for the repair projects.

Ms. Deborah Haskins, Community Inspections Supervisor, explained that this had been her case and noted that the church had made major improvements. She had no objection to reduction or total abatement of the fines.

Mr. Perry Hodges, Secretary of the church corporation and attorney, pointed out that the compliance order did not inform the property owners that they were required to appear and request extensions while they were working to comply. The owner assumed that once the City received the permit application, the owner could do nothing but wait.

Judge Hull reduced the fine to \$2,000.

Reference CE05030035

Orilien Baptiste
632 Southwest 16th Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on April 7, 2005 with compliance ordered by April 21, 2005. The property was not complied and fines had accrued in the amount of \$18,000.

Ms. Janeel Robinson, Fort Lauderdale Police Department's Haitian Community Liaison, acted as interpreter for Mr. Orilien Baptiste, owner.

Mr. Baptiste explained that he had complied all but one item prior to the due date and he had spoken with the inspector about the last item. He stated that all repairs were now complete.

Mr. Thomas Clements, Fire Inspector, stated he had visited the property several times, including yesterday morning. The exit lights had no light bulbs and the meter room was used as a storeroom. Mr. Baptiste stated he put bulbs in the exit light and it was on a timer to operate only at night. The only item in the meter room was a ladder. Inspector Clements stated that no item could be stored in the meter room. Mr. Baptiste insisted that

he installed bulbs in the exit lights in April. Inspector Clements said that when he visited the property yesterday, he had removed the cover to discover the bulbs missing and he had noted the timer. Mr. Baptiste said he would comply by this evening.

Judge Hull rescheduled the case to August 4, 2005 and agreed that the fines would stop if the property was complied within 4 days.

Reference CE05011717

Roosevelt Mathis
616 Northwest 14th Way

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was first heard on April 7, 2005 with compliance ordered by April 21, 2005. The property was complied and fines had accrued in the amount of \$1,000.

Mr. Roosevelt Mathis, owner, asked Judge Hull to abate the fine because he could not afford to pay; he had been out of work for months. Mr. Mathis said that Inspector Hudak had granted him an extension for the item that accrued the fine.

Mr. John Hudak, Community Inspections Officer, stated Mr. Mathis had come into the office to ask why a fine was running, but Inspector Hudak had not granted him an extension. Mr. Mathis said that Inspector Hudak's "superior" had given him two more months to get sod installed because Mr. Mathis told him he could not afford it immediately.

Judge Hull signed the order to impose the fine.

Reference CE04071617

Belcourt Properties LLC
905 Northeast 17th Avenue

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was first heard on January 20, 2005 with compliance ordered by April 20, 2005. The property was complied on May 16, 2005 and fines had accrued in the amount of \$7,500.

Mr. David May, a partner of Belcourt Properties, asked for reduction of the fines. He explained that the property management group had not been keeping the building up. When they saw the condition of the building, they decided to demolish it rather than make repairs. He had coordinated all of the work from Colorado.

Ms. Ursula Thime, Community Inspections Officer, noted that when they applied for the demo permit, they had needed asbestos studies done prior to demolition. This had delayed the whole process.

Judge Hull reduced the fine to \$5,000.

Reference CE04071956

Nancy Figueroa & Marcos Mercado Massey Hearing/Request for Abatement
1840 Southwest 34th Avenue

Ms. Bazer announced that this case was first heard on December 16, 2004 with compliance ordered by January 15, 2005. The property was complied on March 21, 2005 and fines had accrued in the amount of \$850.

Ms. Nancy Figueroa, owner, stated that she had misunderstood and installed sod in the wrong spot and then installed a new septic tank cover instead of ground cover.

Mr. Andre Cross, Community Inspections Officer, agreed Ms. Figueroa had misunderstood and bought a septic cover, when the violation referred to ground cover. He suggested abatement of the fine.

Judge Hull abated the fine.

Reference CE05020766

Gy-Rich Inc. Massey Hearing
301 West Sunrise Boulevard

Ms. Bazer announced that this case was first heard on May 5, 2005 with compliance ordered by June 4, 2005. The property was not complied and fines had accrued in the amount of \$5,800.

Mr. Gerard Richardson, owner, stated he had done the work the violation referred to but was then told he needed a permit. There had been confusion regarding which work required the permit. Now he was awaiting a survey to properly apply for the permit.

Mr. Andre Cross, Community Inspections Officer, confirmed that Mr. Richardson had applied for a landscaping permit instead of the parking lot repair permit. He recommended granting a 60-day extension to obtain the permit.

Judge Hull granted a 60 day extension on 47-20.20.H and rescheduled the case to October 20, 2005.

Reference CE05021125

Angel & Nancy Mistro, Bernardo & Holly Katz
1400 Northeast 54th Street

Massey Hearing

Ms. Bazer announced that this case was first heard on April 7, 2005 with compliance ordered by April 14, 2005. The property was complied and fines had accrued in the amount of \$3,900.

Mr. Skip Margerum, Community Inspections Officer, testified that nothing had been done to justify reduction of the fines.

Ms. Jeanine Marcoux, property manager, said they had removed the vehicles several times but the tenants often brought them back.

Judge Hull signed the order to impose the fine.

Reference CE05031677

Franco Didonato & Russell Silva
1321 Northwest 19th Avenue

Request for Extension

Ms. Bazer announced that this case was originally heard on June 2, 2005 with compliance ordered by June 12, 2005.

Mr. Russell Silva, owner, said he had taken over the property approximately one year ago and after discussion with Lori Milano, had determined what repairs to make while rehabilitating the property. They had cleaned up the property and submitted plans to the City twice. They had received the plans back approximately 45 days ago and resubmitted the revisions. The plans were now awaiting approval in the Building Department. He noted that the damage to the sod was caused by the City's sewer project.

Ms. Cheryl Pingitore, Community Inspections Officer, stated that the property was an eyesore and a hazard to the community. The structure had been broken onto and should be boarded. Inspector Pingitore estimated that the lawn had not been mowed for a year. She presented photos of the property to Judge Hull. Inspector Pingitore agreed that the swale was used as a staging area for the City's sewer project, but noted that the entire property had not been maintained at all.

Judge Hull denied the extension and signed the order to impose the fine.

Reference CE04110315

The Fort Lauderdale Children's Theater Request for Extension
640 North Andrews Avenue

Ms. Bazer announced that this case was originally heard on January 6, 2005 with compliance ordered by January 21 and April 6, 2005.

Ms. Ursula Thime, Community Inspections Officer, stated that only the parking lot violation remained.

Ms. Janet Erlich, executive director, explained their plans to rehabilitate the property. They had originally intended to make repairs to the children's theater, but had then been approached to create affordable housing. The project for which they had already started the permit process was now to be dropped in favor of this new project. Ms. Erlich asked Judge Hull what they should do about repairs when the entire property would be demolished for the new project.

Ursula Thime, Community Inspections Officer, stated that the parking lot did not look too bad and she had spoken with her supervisor, Maurice Murray, and he had agreed to allow an extension since the entire site would be demolished.

Judge Hull granted an extension of time for compliance till October 20, 2005.

Reference CE05050928

Mystic Lake LLC
2764 Northeast 14th Street

Sec. 9-308: Roof in disrepair

Ms. Bazer announced that certified mail addressed to the owner, registered agent and manager had all been accepted on July 1, 2005.

Mr. Len Ackley, Community Inspections Officer, testified that the roof was in disrepair. Inspector Ackley noted that one roof area had been repaired already. He had spoken with the owner, who agreed to comply within 14 days. Inspector Ackley presented photos of the property and a copy of the inspection report and recommended ordering compliance within 14 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day would be imposed.

Reference CE05051394

Maura Evanson
1125 Northwest 18th Street

Sec. 9-279(f): Improperly connected plumbing

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the occupied building did not have city water service. Inspector Pingitore presented photos of the property and a copy of the inspection report and recommended ordering compliance within 7 days or a fine of \$50 per day.

Mr. Clive Evanson, owner, stated that no one was living at the house. There had been a problem with people breaking into the vacant building and running the water. Inspector Pingitore stated there were cars coming and going from the property and Mr. Evanson had never told her that the building was vacant. She agreed to reinspect the property to prove the building was vacant.

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

Reference CE05030799

Ramona Garceau
1271 Southwest 28th Road

Sec. 18-27(a): Trash on property;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-281(b): Unlicensed, inoperable vehicles on property

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

Ms. Ursula Thime, Community Inspections Officer, testified that there was trash on the property and there was missing ground cover; Section 9-281(b) was now complied. Inspector Thime presented photos of the property and a copy of the inspection report and recommended ordering compliance within 90 days or a fine of \$50 per day, per violation.

Ms. Ramona Garceau, owner, stated that her former boyfriend, who was now in jail, had broken into her home and vandalized it. She had asked her neighbors to park on the property to make it appear that someone was always home. She said she had been under much psychological stress, but realized there were problems that must be dealt with. Ms. Garceau asked for an extension to clean up the property and move.

Judge Hull found in favor of the City and ordered compliance with Sections 18-27(a) and 47-21.8 A. within 90 days or a fine of \$50 per day, per violation would be imposed.

Reference CE05011269

Greenwich Capital LLC
1430 Northwest 7th Street

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

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

Mr. John Hudak, Community Inspections Officer, testified that the fence was in disrepair; Section 18-27(a) was complied. Inspector Hudak presented photos of the property and a copy of the notice of violation and recommended ordering compliance with Section 9-280(h)(1) within 21 days or a fine of \$50 per day.

Mr. Hilton Wiener, owner, stated that he received the notice on Monday and called Inspector Hudak. He had been unaware there were any problems at the property. Mr. Wiener requested two weeks to repair the fence or remove it.

Judge Hull found in favor of the City and ordered compliance with Section 9-280(h)(1) within 21 days or a fine of \$50 per day would be imposed.

Reference CE05011124

George Criscione
2221 Southwest 28th Way

Sec. 9-281(b): Unlicensed, inoperable vehicles on property; Sec. 18-27(a): Trash on property;
Sec. 9-280(h)(1): Fence in disrepair

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

Mr. Lee Kaplan, Community Inspections Officer, testified that there was an unlicensed, inoperable white Ford van and two unlicensed trailers on the property; there was trash on the property and the fence was in disrepair. Inspector Kaplan presented photos and his file on the property and recommended ordering compliance with:

- Section 9-280(h)(1) within 30 days or a fine of \$50 per day;
- Section 18-27(a) within 14 days or a fine of 425 per day;
- Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicle would be towed.

Mr. George Criscione, owner, stated that were performing construction on the property and the contractor was using the van to store tools because they had experienced vandalism problems. Judge Hull informed him he must remove the van and he agreed. Mr. Criscione stated that the fence damage was caused by the garbage truck backing into it several times. He was now dealing with the garbage company's insurance company to get the fence repaired.

Judge Hull found in favor of the City and ordered compliance with:

- Section 9-280(h)(1) within 30 days or a fine of \$50 per day;
- Section 18-27(a) within 14 days or a fine of \$25 per day;
- Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicle would be towed.

Reference CE04040029

Willie & Martha McBride
1534 Northwest 11th Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle and trash on property; Sec. 47-34.1 A.1: Permitted uses

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable Ford pickup truck and trash on the property; Section 47-34.1 A.1 was now complied. Inspector Pingitore presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicle would be towed.

Mr. Willie McBride, owner, stated that the pickup belonged to his son. He agreed to ask his son to remove the truck.

Judge Hull found in favor of the City and ordered compliance 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 CE05021383

Cramer Investments Ltd.
708 Southeast 6th Court

Sec. 25-56(a): Sidewalk in disrepair

Ms. Bazer announced that certified mail addressed to the owner and registered agent had both been accepted on June 28, 2005.

Mr. Mike Maloney, Community Inspections Officer, testified that the sidewalk was in disrepair. Inspector Maloney recommended ordering compliance within 30 days or a fine of \$25 per day.

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

Reference CE05060816

Land Trust #943
943 Southwest 4th Street

Sec. 24-27(b): Garbage carts left in right-of-way

Ms. Bazer announced that certified mail addressed to the owner had been accepted on July 5, 2005.

Mr. Mike Maloney, Community Inspections Officer, testified that the garbage carts were left in the swale after service. Inspector Maloney recommended ordering compliance within 7 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance within 7 days or a fine of \$25 per day would be imposed.

Reference CE05010656

Max LLC
1225 Northwest 3rd Street

Sec. 47-21.8: Missing ground cover

Ms. Bazer announced that certified mail addressed to the owner and registered agent had been accepted (no date in card) and certified mail addressed to the manager had been accepted on June 26, 2005.

Mr. John Gossman, Community Inspections Officer, testified that there was missing ground cover on the property and swale. Inspector Gossman presented photos of the property and a copy of the inspection report and recommended ordering compliance within 14 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day would be imposed.

Reference CE05050736

Sandy Rupp
720 Northeast 17th Terrace

Sec. 18-27(a): Trash on property;
Sec. 18-1: Stagnant pool water

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

Ms. Ursula Thime, Community Inspections Officer, testified that there was stagnant, green water in the pool; Section 18-27(a) was now complied. Inspector Thime presented photos

of the property and a copy of the inspection report and recommended ordering compliance with Section 18-1 within 7 days or a fine of \$75 per day.

Judge Hull found in favor of the City and ordered compliance with Section 18-1 within 7 days or a fine of \$75 per day would be imposed.

Reference CE05051079

Munaz Enterprises Inc.
223 Northwest 6th Street

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

Ms. Bazer announced that certified mail addressed to the owner had been accepted on June 24 2005.

Mr. Gilbert Lopez, Community Inspections Supervisor, testified that there was rubbish on the property and the fence was in disrepair. Inspector Lopez recommended ordering compliance with Section 9-280(h)(1) within 30 days or a fine of \$50 per day and with Section 9-281(b) within 7 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance with Section 9-280(h)(1) within 30 days or a fine of \$50 per day and with Section 9-281(b) within 7 days or a fine of \$50 per day would be imposed.

Reference CE05051081

The Titans of South Florida LLC
813 Northwest 3rd Avenue

Sec. 9-280(h)(1): Fence in disrepair;
Sec. 18-27(a): Trash on property;
Sec. 9-329(a): Required certificate of boarding

Ms. Bazer announced that certified mail addressed to the owner and registered agent had both been accepted on June 25, 2005; certified mail addressed to the manager was accepted (no date on card).

Mr. Gilbert Lopez, Community Inspections Officer, testified that the property was overgrown and the building had been boarded for more than six months without a board up certificate; Section 9-280(h)(1) was now complied. Inspector Lopez recommended ordering compliance with Section 18-27(a) within 7 days or a fine of \$50 per day, and with Section 9-329(a) within 14 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance with Section 18-27(a) within 7 days or a fine of \$50 per day, and with Section 9-329(a) within 14 days or a fine of \$50 per day would be imposed.

Reference CE05051087

Patrick & Perito Williams
729 Northwest 3rd Avenue

Sec. 47-34.1 A.1: Permitted uses

Ms. Bazer announced that certified mail addressed to the owner had been accepted on June 29 2005.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was a silver BMW parked on the vacant lot. Inspector Lopez recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Reference CE05051187

The Titans of South Florida LLC
900 Northwest 4th Avenue

Sec. 18-27(a): Overgrowth on property;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Rubbish and trash on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner and registered agent had both been accepted on June 29, 2005; certified mail addressed to the manager was accepted (no date on card).

Mr. Gilbert Lopez, Community Inspections Officer, testified that the property was overgrown; the fence was in disrepair; there was trash and rubbish on the property and paint on the building was peeling. Inspector Lopez recommended ordering compliance with Sections 18-27(a), 9-281(b) and 9-306 within 14 days or a fine of \$50 per day, and with Section 9-280(h)(1) within 30 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance with Sections 18-27(a), 9-281(b) and 9-306 within 14 days or a fine of \$50 per day, and with Section 9-280(h)(1) within 30 days or a fine of \$50 per day would be imposed.

Reference CE05031993

Fango Reality Inc.
1030 Northwest 8th Avenue

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

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

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, inoperable white Pontiac on the property. Inspector Cross presented photos of the property and a copy of the inspection report and recommended ordering compliance within 7 days or a fine of \$100 per day or the vehicle would be towed.

Judge Hull 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 CE05031317

Nina Davidson
1800 Northwest 27th Terrace

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

Ms. Bazer announced that certified mail addressed to the owner had been accepted on June 15, 2005.

Ms. Peggy Burks, Community Inspections Officer, testified that there was an inoperable, unlicensed blue Buick Regal on the property. Inspector Burks recommended ordering compliance within 7 days or a fine of \$100 per day or the car would be towed.

Judge Hull found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day or the car would be towed.

Reference CE05040416

J.L. & Geneva Richardson
2225 southwest 5th Place

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

Ms. Bazer announced that certified mail addressed to the owner had been accepted on June 15, 2005.

Ms. Peggy Burks, Community Inspections Officer, testified that there was an unlicensed, inoperable white Toyota Corolla wagon on the property. Inspector Burks recommended ordering compliance within 7 days or a fine of \$100 per day or the vehicle would be towed.

Judge Hull 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 CE05031366

Arnold Bethea & Robin Hankderson
1541 Northwest 19th Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 18-27(a): Trash on property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable Chevy pickup truck and trash on the property. She noted that the trash was a constant and repetitive violation per Special Master order dated 8/5/04. Inspector Pingitore presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 18-27(a) within 7 days or a fine of \$250 per day, and with Section 9-281(b) within 7 days or a fine of \$100 per day, or the vehicle would be towed.

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

Reference CE05031443

Pentecostal Assemblies Inc.
1535 Northwest 15th Avenue

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

Ms. Bazer announced that certified mail addressed to three different officers had all been accepted on June 15, 2005 and certified mail addressed to another officer had been accepted on July 1, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable beige Ford pickup truck on the property. Inspector Pingitore recommended ordering compliance within 7 days or a fine of \$100 per day, or the vehicle would be towed.

Judge Hull 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 CE05031549

Ben Ciuraru
1611 Northwest 16th Street

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

Ms. Bazer announced that certified mail addressed to the owner had been accepted on June 15, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were unlicensed, inoperable vehicles on the property. Inspector Pingitore recommended ordering compliance within 7 days or a fine of \$100 per day, or the vehicles would be towed.

Judge Hull found in favor of the City and ordered compliance within 7 days or a fine of \$100 per day, or the vehicles would be towed.

Reference CE05032124

RML Group LLC
1531 Northwest 11th Court

Sec. 47-21.8 A: Missing ground cover

Ms. Bazer announced that certified mail addressed to the owner and the manager had both been accepted on July 6, 2005. Ms. Bazer stated that the inspector had a stipulated agreement with the owner to comply.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that ground cover was missing on the property. Inspector Pingitore stated she had a stipulated agreement with the owner to comply within 45 days or a fine of \$50 per day. She presented a copy of this agreement and photos of the property.

Judge Hull found in favor of the City and ordered compliance within 45 days or a fine of \$50 per day would be imposed.

Reference CE05041312

Walter, Joseph & Carol Moore
1113 Northwest 11th Street

Sec. 24-27(b): Garbage carts left in right-of-way;
Sec. 47-21.8: Missing ground cover

Ms. Bazer announced that certified mail addressed to the owner had been accepted on June 30, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that ground cover was missing on the property; Section 24-27(b) was now complied. Inspector Pingitore presented photos of the property and recommended ordering compliance within 30 days or a fine of \$50 per day.

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

Reference CE05051078

Dixie Specialty Properties
1500 Northwest 19th Street

Sec. 9-281(b): Inoperable, unlicensed vehicles on property;
Sec. 9-306: Peeling paint/stained surfaces

Supervisor Haskins announced that certified mail addressed to the owner, registered agent and an officer of the company had all been accepted on July 1, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable vehicle on the property and paint on the building was dirty. Inspector Pingitore

presented photos of the property and recommended ordering compliance with Section 9-306 within 30 days or a fine of \$100 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day, or the vehicle would be towed.

Judge Hull found in favor of the City and ordered compliance with Section 9-306 within 30 days or a fine of \$100 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day, or the vehicle would be towed.

Reference CE05051685

David Milligan
1812 Northwest 13th Court

Sec. 9-279(f): Improperly connected plumbing

Supervisor Haskins announced that certified mail addressed to the owner had been accepted on June 29, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the occupied building did not have city water service. Inspector Pingitore recommended ordering compliance within 7 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance within 7 days or a fine of \$50 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:

CE05032045	CE05041411	CE05050107	CE05061609
CE05061613	CE04122180	CE05050829	CE05061594
CE05061595	CE05061596	CE05061675	CE05021809
CE05051260	CE05050975	CE05060243	CE05021588
CE05031300	CE05040121	CE05040824	CE05050743
CE05051845	CE05060348	CE05060531	CE05060612
CE05012391	CE05030697	CE05031966	CE05032003
CE05040274	CE05050441	CE05051268	CE05021727
CE05040625	CE05041562	CE05050249	CE04121926

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:

CE04122115

CE05031869

CE05040410

CE05040417

CE04111205

CE05021485

CE05031177

CE05040208

CE05051647

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:

CE05061709

CE05061710

CE05051200

CE05030014

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:

CE04100776

Approved for Claim of Lien

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

CE01011524 - \$ 400

CE04122362 - \$2,400

CE05021129 - \$16,250

CE05031076 - \$ 975

CE05040122 - \$4,000

CE05050534 - \$ 2,700

There being no further business, the hearing was adjourned at 11:30 a.m.

Special Magistrate

ATTEST:

Clerk, Special Magistrate