

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Ms. Meah Tell, Presiding**  
**September 15, 2005**  
**9:00 A.M. – 11:35 A.M.**

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Staff Present:

Eve Bazer, Administrative Assistant  
Assistant City Attorney  
Dick Eaton, Secretary, Special Magistrate  
Leonard Ackley, Community Inspections Officer  
Lin Bradley, Community Inspections Supervisor  
Deborah Haskins, Community Inspections Supervisor  
Peggy Burks, Community Inspections Officer  
Michael Champion, Community Inspections Officer  
Thomas Clements, Fire Inspector  
Andre Cross, Community Inspections Officer  
John Gossman, Community Inspections Officer  
Robert Guilford, Community Inspections Officer  
Diana Horodecki, Waterworks 2011  
John Hudak, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Karl Lauridsen, Community Landscape Officer  
Skip Margerum, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Dallas Shumaker, Fire Inspector  
Ursula Thime, Community Inspections Officer  
Robert Urow, Community Inspections Officer  
Benjamin Wallace, WaterWorks 2011  
Tim Welch, City Engineer

Also Present:

CE05010022: Rosetta Williams, owner  
CE05060555: Joseph Duperoux, owner  
\*CE05030035: Orilien Baptiste, owner  
CE05011173: Charlie Parker, owner  
CE05011208: Vincent Green, owner  
CE05071584: Norma Smith, owner  
CE04071060: Roosevelt Walters, owner  
CE05030199: Jean Blaise, owner  
CE05081524: Ikem Obi, owner  
\*CE04071029, CE040710293: Steven Fuller, contractor  
\*CE04071012: Steven fuller, contractor; Connie Chaney, owner  
\*CE04071028: Steven Fuller, contractor; Itzia Hernandez, general manager  
\*CE05032049: Oliver Glass, owner's son

CE05081581: Jean Francois LaRoc, owner  
CE05060673: Gregory Swiech, owner  
CE05080180: Michel Jeannot, owner  
CE05051785: Bruce Naves, owner's son  
\*CE02082094: Javious Greene, owner's son  
\*CE04071034: Michael Varga, plumber; Jay Hepler, contractor  
CE05080593: Seymour Johnson, owner  
CE05081587: Louis James, owner  
\*CE05011124: George Criscione, owner  
CE05050923: Jim Klecker

\*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. 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 CE05030035**

Orilien Baptiste  
632 Southwest 16<sup>th</sup> Avenue

Massey Hearing / Request for Extension

Ms. Bazer announced that this case was first heard on April 7, 2005 with compliance ordered by April 21, 2005. One of the two original violations was not yet complied and fines had accrued in the amount of \$29,200.

Mr. Orilien Baptiste, owner, explained what he had done to comply.

Mr. Thomas Clements, Fire Inspector, said Mr. Baptiste had complied one violation as of yesterday, but Section 1 1-10.1 [the exit sign] was still pending. Inspector Clements had explained to Mr. Baptiste and his son what needed to be done to correct the exit sign violation: the battery was not hooked up and so the battery would not operate on A/C and D/C power. The correction was as simple as plugging the battery into the circuit board.

Ms. Tell explained the hookup to Mr. Baptiste and asked him to find someone to do the work. She reminded him to call Inspector Clements to reinspect. She also advised him to ask to appear for fine abatement after the property was complied.

Mr. Lin Bradley, Community Inspections Supervisor, said that if Ms. Tell imposed the fine, he could arrange for lien negotiation. Supervisor Bradley then agreed to meet with Mr. Baptiste prior to the October 6 Special Magistrate hearing to reinspect the property. Ms. Tell continued the case to October 6, 2005.

**Reference CE05071584**

Miller Lee Smith  
1113 Northwest 18<sup>th</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 9-279(f): Plumbing drains onto ground;  
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. Cheryl Pingitore, Community Inspections Officer, testified there was trash and rubbish on the property; there was no City water service to this occupied building and there was an unlicensed, inoperable blue Chevy pickup, a grey Ford Bronco, and a red four-door on the property; per CE03022108 and CE02050868, this violation was constant and repetitive. Inspector Pingitore presented photos of the property and copies of the inspection report, the notice of violation, history of the property and Special Master notice and recommended ordering compliance with Sections 18-27(a) and 9-279(f) 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 vehicles would be towed.

Ms. Norma Smith, owner, explained that she had taken care of the cars and was changing the water over to her name as her husband was in prison. Ms. Tell warned her to take care of the trash problem as well.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a) and 9-279(f) 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 vehicles would be towed.

The next three cases were called together:

**Reference CE04071028**

17<sup>th</sup> Street Causeway LLC  
1851 Southeast 10<sup>th</sup> Avenue  
Tenant: AmeriSuites

Massey Hearing / Request for Extension

Ms. Bazer announced that this case was first heard on September 16, 2004 with compliance ordered by October 16, 2004. One of the two original violations was still not complied and fines had accrued in the amount of \$23,900.

The Assistant City Attorney explained that some time ago, the three property owners had agreed to share the cost of sewer connection because costs for each of them would be prohibitive due to the depth of the existing lines, but this had not yet occurred. 17<sup>th</sup> Street Causeway LLC had then entered into the agreement with the City to comply within 90 days

of February 5, 2005. She presented a copy of this agreement that was admitted as City exhibit 1.

The Assistant City Attorney further explained that the other two owners, Space Plus at 17<sup>th</sup> Street, and Great Texas Foods, Inc., had been ready to complete the hookup for some time, but 17<sup>th</sup> Street Causeway LLC had been holding up the process. She asked Ms. Tell to impose the fine against 17<sup>th</sup> Street Causeway LLC, continuing to fine them, and give the other two owners 60 days to comply.

Mr. Steven Fuller, the owner's representative told Ms. Tell that AmeriSuites had been working with the City to resolve this and asked her continue their case as well. He said he had been working with the City and WaterWorks 2011 for two months as well.

Ms. Itzia Hernandez, AmeriSuites general manager, confirmed that it had taken Mr. Fuller and she a couple of months to get a handle on the situation. Ms. Tell asked Ms. Hernandez to provide proof that they were acting in good faith to live up to the terms of the agreement to avoid the fine.

Ms. Diana Horodecki, Waterworks 2011, noted that there were two parts to the connection process: payment of the connection fee and making the physical connection. 17<sup>th</sup> Street Causeway had agreed to pay the fee monthly, but had only made one payment on March 4, 2005. Ms. Tell told the 17<sup>th</sup> Street Causeway representatives that the payments must be made, including interest, prior to their reappearance on November 17, 2005.

Mr. Lin Bradley, Community Inspections Supervisor, asked Ms. Tell to impose the fine and not grant the 60-day continuance. The Assistant City Attorney asked Ms. Tell to require 17<sup>th</sup> Street Causeway to record the settlement agreement; Ms. Tell advised Ms. Hernandez to do this as well.

Ms. Tell granted a 60 day extension and continued the case to November 17, 2005.

**Reference CE04071012**

Space Plus at 17<sup>th</sup> Street  
1850 South Miami Road

Massey Hearing / Request for Extension

Ms. Bazer announced that this case was first heard on September 16, 2004 with compliance ordered by October 16, 2004. One of the two original violations was still not complied and fines had accrued in the amount of \$23,900.

Ms. Connie Chaney, owner, agreed to the 60-day extension.

Ms. Tell granted a 60 day extension and continued the case to November 17, 2005.

**Reference CE04071029**

Great Texas Foods, Inc.  
1821 Southeast 10<sup>th</sup> Avenue

Massey Hearing / Request for Extension

Ms. Bazer announced that this case was first heard on September 16, 2004 with compliance ordered by October 16, 2004. One of the two original violations was still not complied and fines had accrued in the amount of \$23,900.

Mr. Steven fuller, contractor with A-1 Underground Services, agreed to the 60-day extension.

Ms. Tell granted a 60 day extension and continued the case to November 17, 2005.

**Reference CE04071034**

West Marine Products, Inc.  
2300 South Federal Highway

Massey Hearing / Request for Extension

Ms. Bazer announced that this case was first heard on September 16, 2004 with compliance ordered by October 16, 2004. The property was complied and fines had accrued in the amount of \$5,400.

Mr. Lin Bradley, Community Inspections Supervisor, explained that the property was complied but the owners were late in doing so. Ms. Tell confirmed the compliance dates.

Mr. Jay Hepler, contractor, said they had completed the hookup in July but had experienced problems during construction.

Mr. Michael Varga, plumber, explained that while they were making repairs, they had been given bad information on location of the new line to which they should connect. Ms. Tell felt someone should advise anyone required to hook up to the new sewer system to contact the City if they experienced delays in order to avoid fines.

Mr. Benjamin Wallace, WaterWorks 2011, examined documentation provided by Mr. Hepler and said there was nothing there that explained the lapse in compliance time. Mr. Varga said he had dealt with City staffers, not Waterworks 2011 employees. He noted that subcontractors had installed the lateral improperly and that the City employees he spoke with had been aware of this.

Ms. Tell continued the case to October 6, 2005.

**Reference CE05032049**

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

Massey Hearing / Request for Abatement

Ms. Bazer announced that this case was first heard on June 2, 2005 with compliance ordered by August 1, 2005. The property was complied and fines had accrued in the amount of \$650.

Mr. Oliver Glass, the owner's son, said he had contacted Inspector Thime as soon as his father notified him of the problem. After cleaning the building, they had discovered the missing paint. They had painted the building but been delayed by a storm. He had left proof of the work at the Community Inspections Department for Inspector Thime.

Ms. Ursula Thime, Community Inspections Officer, presented photos taken on the day compliance was ordered. She said she had also posted a notice on the building that fines were running.

Ms. Tell reduced the fine to \$325, with the stipulation that it must be paid within 60 days or it would revert to the original amount of \$650.

**Reference CE02082094**

Carolyn Greene  
2170 Northwest 6<sup>th</sup> Court

Massey Hearing / Request for Abatement

Ms. Bazer announced that this case was first heard on January 16, 2003 with compliance ordered by January 23, 2003. The property was complied on February 28, 2003 and fines had accrued in the amount of \$3,500.

Mr. Javious Greene, the owner's son, said his mother had removed the cars, but was unaware that she was supposed to call for reinspection.

Mr. Lin Bradley, Community Inspections Supervisor, informed Ms. Tell that Ms. Greene was offered an amnesty settlement of \$875 but had not replied. Ms. Tell advised Mr. Greene to help his mother keep up with these matters in future.

Ms. Tell reduced the fine to \$875, with the stipulation that it must be paid within 60 days or it would revert to the original amount of \$3,500.

**Reference CE05011124**

George Criscione  
2221 Southwest 28<sup>th</sup> Way

Massey Hearing / Request for Extension

Ms. Bazer announced that this case was first heard on July 21, 2005 with compliance ordered by August 20, 2005. One of the three original violations was not yet complied and fines had accrued in the amount of \$1,250.

Mr. George Criscione, owner, stated that the house had been under renovation for approximately 18 months, and one of his neighbors kept complaining. Mr. Criscione said he had complied the property by the ordered date, but garbage trucks had destroyed the fence twice. He insisted that he had installed orange plastic fencing and could not repair the chain link until construction was completed because "the garbage guys are maniacs."

Mr. Lin Bradley, Community Inspections Supervisor, said that Inspector Kaplan had informed him that Mr. Criscione should remove the remnants of the chain link fence in order to comply. Mr. Criscione said he wanted to keep what was left of the chain link fence for security reasons. Ms. Tell asked Mr. Criscione to provide proof that the fence had been repaired and then damaged. Supervisor Bradley insisted that the fence must be permitted and properly repaired in order to comply.

Ms. Tell continued the case to October 6, 2005 and granted an extension of time for compliance on 9-280(h)(1) till that time.

**Reference CE05011173**

Charlie Parker  
1007 Northwest 13<sup>th</sup> Court

Sec. 28-33(a): Not connected to City sewer system

Ms. Bazer announced that certified mail addressed to the owner was accepted on July 29, 2005.

Mr. Lin Bradley, Community Inspections Supervisor, testified the violations existed as read. He had spoken with the owner earlier and had a verbal agreement to comply within 30 days or a fine of \$100 per day.

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

**Reference CE05011208**

Vincent Green & Sonja Moore  
1055 Northwest 13<sup>th</sup> Street

Sec. 28-33(a): Not connected to City sewer system

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

Mr. Lin Bradley, Community Inspections Supervisor, testified the property was not connected to City sewer service. He recommended ordering compliance within 30 days or a fine of \$100 per day.

Mr. Vincent Green, owner, agreed to comply within 30 days.

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

**Reference CE05011171**

Floyd & Jessie Kelly  
1006 Northwest 14<sup>th</sup> Street

Sec. 28-33(a): Not connected to City sewer system

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 22, 2005.

Mr. Lin Bradley, Community Inspections Supervisor, testified the property was not connected to City sewer service. He recommended ordering compliance within 30 days or a fine of \$100 per day.

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

**Reference CE05011515**

Frantz Tonico  
1146 Northwest 9<sup>th</sup> Terrace

Sec. 28-33(a): Not connected to City sewer system

Ms. Bazer announced that certified mail addressed to the owner was accepted on July 29, 2005.

Mr. Lin Bradley, Community Inspections Supervisor, testified the property was not connected to City sewer service. He recommended ordering compliance within 30 days or a fine of \$100 per day.

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



**Reference CE05011805**

Michael & Mary Hall  
1208 Northwest 9<sup>th</sup> Terrace

Sec. 28-33(a): Not connected to City sewer system

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 8, 2005.

Mr. Lin Bradley, Community Inspections Supervisor, testified the property was not connected to City sewer service. She presented photos of the property and a copy of the inspection report and recommended ordering compliance within 30 days or a fine of \$100 per day.

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

**Reference CE05011838**

Shermiya Benson  
1304 Northwest 12<sup>th</sup> Street

Sec. 28-33(a): Not connected to City sewer system

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 6, 2005.

Mr. Lin Bradley, Community Inspections Supervisor, testified the property was not connected to City sewer service. She presented photos of the property and a copy of the inspection report and recommended ordering compliance within 30 days or a fine of \$100 per day.

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

**Reference CE05081581**

Jean LaRoc  
1471 Northwest 21<sup>st</sup> Street

Sec. 1 13.6.3.10: Fire Extinguisher not mounted properly; Sec. 1 13.6.3.6: Extinguisher visually obstructed; Sec. 1 4.5.8.1: Inoperable smoke detectors; Sec. 10 6.3.1: Fire extinguisher maintenance

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

Mr. Dallas Shumaker, Fire Inspector, testified that the violations existed as cited. Inspector Shumaker recommended ordering compliance within 30 days or a fine of \$150 per day, per

violation. Ms. Tell and Inspector Shumaker then explained to Mr. La Roc exactly what must be done to comply.

Mr. Jean Francois La Roc, owner, said he had performed some repairs and had experienced difficulty getting in touch with Inspector Shumaker. He agreed to meet with Inspector Shumaker to reinspect on Wednesday, September 21, 2005.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$150 per day, per violation would be imposed.

**Reference CE05081524**

Ikem Obi  
1646 North Dixie Highway

Sec. 10 6.3.1: Fire extinguisher maintenance;  
Sec. 1 13.6.3.10: Fire Extinguisher not mounted properly; Sec. 1 4.5.8.1: Smoke detectors require service

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 27, 2005.

Mr. Dallas Shumaker, Fire Inspector, testified that the smoke detectors required service; Sections 10 6.3.1 and 1 13.6.3.10 were complied. He had spoken with Mr. Obi earlier, and he had agreed to comply Section 1 4.5.8.1 within 7 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 1 4.5.8.1 within 7 days or a fine of \$150 per day would be imposed.

**Reference CE05080180**

Michel & Yolaine Jeannot  
1557 West Sunrise Boulevard

Sec. 9-280(b): Structure or Fixtures in disrepair

Ms. Bazer announced that certified mail addressed to the owner had been accepted on August 19, 2005.

Mr. Michel Jeannot, owner of the adjacent property, said he did not own the cited property.

Ms. Cheryl Pingitore, Community Inspections Officer, stated there was a problem with the City's records on the address.

Ms. Tell found continued the case to October 20, 2005.

**Reference CE04071060**

R. & Willie Walters  
1207 Northwest 10<sup>th</sup> Place

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on September 6, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was dead and missing ground cover on the property; Sections 9-281(b) and 9-306 were now complied. She presented photos of the property and a copy of the inspection report, history of the property and notice of violation and recommended ordering compliance with Section 47-21.8 within 30 days or a fine of \$25 per day.

Mr. Roosevelt Walters, owner, noted that they usually parked their cars in that area and asked if they could put in a gravel driveway instead of ground cover. Inspector Pingitore explained exactly how this must be constructed to comply. Mr. Walters agreed to comply within 30 days.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8 within 30 days or a fine of \$25 per day would be imposed.

**Reference CE05050923**

Sherborn Development LLC  
2756 Northeast 14<sup>th</sup> Street

Sec. 9-281(b): Unlicensed, inoperable vehicle on  
property; Sec. 9-304(a): Maintenance of parking  
area; Sec. 9-308 (a): Roof shingles in disrepair

Ms. Bazer announced that personal service had been made to the Director of Operations by Inspector Ackley on September 8, 2005.

Mr. Leonard Ackley, Community Inspections Officer, testified that the parking lot was in disrepair and the roofs were dirty and may need repair; Section 9-281(b) was complied. He recommended ordering compliance within 155 days or a fine of \$100 per day, per violation.

Mr. Jim Klecker, Director of Operations for Sherborn Development, said they had purchased the property intending to demolish and build condominiums there. The tenants' leases had been terminated with an October deadline. Mr. Klecker requested five months to remove the tenants and demolish the building. Inspector Ackley wanted Mr. Klecker to keep the property neat in the meantime.

Ms. Tell found in favor of the City and ordered compliance within 155 days or a fine of \$100 per day, per violation would be imposed.

**Reference CE05010022**

Rosetta Williams  
500 Northwest 7<sup>th</sup> Terrace

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

Ms. Bazer announced that service was via posting at the property on August 31, 2005 and at City Hall on September 1, 2005.

Mr. John Gossman, Community Inspections Officer, testified that the property was missing ground cover and vehicles parked on the ground cover area; Section 18-27(a) was complied. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 47-21.8.A within 30 days or a fine of \$25 per day.

Mr. Williams, the owner's son, agreed to comply within 30 days.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8.A within 30 days or a fine of \$25 per day would be imposed.

**Reference CE05060673**

Gregory & Patricia Swiech  
1501 Northwest 3<sup>rd</sup> Avenue

Sec. 47-19.9: Freight containers stored in  
parking lot; Sec. 9-281(b): Rubbish and trash  
on property

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

Mr. Andre Cross, Community Inspections Officer, testified that there was a POD stored on the property and there was an unlicensed, inoperable recreational vehicle stored on the property. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 47-19.9 within 14 days or a fine of \$25 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day or the recreational vehicle would be towed.

Ms. Tell found in favor of the City and ordered compliance with Section 47-19.9 within 14 days or a fine of \$25 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day or the recreational vehicle would be towed.

**Reference CE05030199**

Jean Blaise & Medge Michel  
1312 Northwest 1<sup>st</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 31, 2005 and personal service had been made to the owner by Inspector Cross on July 23, 2005.

Mr. Andre Cross, Community Inspections Officer, testified that the fence was in disrepair. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$25 per day.

Mr. Jean Blaise, owner, explained that another inspector had told him that he did not need to repair the fence, only to remove some plywood stacked in the back yard. Ms. Tell advised him to meet with Inspector Cross and discuss the fence repair that must be made.

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

**Reference CE05060555**

Joseph Duperoux  
661 East Melrose Circle

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 39-275(7)(a): Commercial vehicle stored on property

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

Mr. Andre Cross, Community Inspections Supervisor, testified that there were commercial vehicles, trailers, and equipment stored on the property; Section 9-281(b) was complied. He presented photos of the property and a copy of the property history and recommended ordering compliance with Section 39-275(7)(a) within 7 days or a fine of \$25 per day.

Mr. Joseph Duperoux, owner, said he had already removed the equipment.

Ms. Tell found in favor of the City and ordered compliance with Section 39-275(7)(a) within 7 days or a fine of \$25 per day would be imposed.

**Reference CE05020025**

Vendex 2000 Inc.  
833 Northwest 4<sup>th</sup> Avenue

Sec. 47-19.9: Freight containers stored in parking lot; Sec. 9-281(b): Rubbish and trash on property

Ms. Bazer announced that certified mail addressed to the registered agent had been accepted [no date on card].

Mr. Skip Margerum, Community Inspections Officer, testified that the violations existed as cited. He had spoken with the owner's representative earlier and they had agreed on a compliance deadline. Inspector Margerum presented photos of the property and a copy of the inspection report and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Ms. Tell ordered compliance within 14 days or a fine of \$50 per day, per violation would be imposed

**Reference CE05051633**

Wayne Bolden  
3231 Southwest 23<sup>rd</sup> Court

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

Ms. Bazer announced that service was via posting at the property on August 9, 2005 and at City Hall on September 1, 2005.

Mr. Robert Urow, Community Inspections Officer, testified that the structure had been boarded without obtaining a board up certificate from the City. He 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.

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

**Reference CE05060968**

Mervyn & Faye Berger  
501 Northeast 16<sup>th</sup> Street

Sec. 9-280(b): Roof in disrepair

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

Ms. Peggy Burks, Community Inspections Officer, testified that the roof was in disrepair. She recommended ordering compliance within 30 days or a fine of \$50 per day.

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

**Reference CE05060674**

Robert Severino  
1601 Northwest 3<sup>rd</sup> 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 on August 30, 2005.

Mr. Andre Cross, Community Inspections Officer, testified that there was an unlicensed, red Ford van on the property; Section 18-27(a) was complied. He presented photos of the property and a copy of the inspection report and property history 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.

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

**Reference CE05061350**

Teranor Jeanbaptiste & Sainzill Laria  
1062 Long Island Avenue

Sec. 39-275(7)(a): Commercial vehicle stored on property; Sec. 18-1: Derelict vehicle on property; Sec. 9-281(b): Unlicensed, inoperable vehicles on property

Ms. Bazer announced that personal service had been made to the owner by Inspector Cross on July 30, 2005.

Mr. Andre Cross, Community Inspections Officer, testified that there was a school bus stored on the property; Sections 1801 and 9-281(b) were complied. He presented photos of the property and a copy of the inspection report and property history and recommended ordering compliance with Section 39-275(7)(a) within 7 days 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 39-275(7)(a) within 7 days or a fine of \$100 per day or the vehicle would be towed.

**Reference CE05071784**

Eagle Land Properties LLC  
500 Northeast 16<sup>th</sup> Street

Sec. 1 13.6.6.3.1: Extinguisher too far from exit;  
Sec. 1 1.7.6: Storage in meter room

Ms. Bazer announced that certified mail addressed to the owner had been accepted on September 13, 2005 and certified mail addressed to the registered agent had been accepted [no date on card].

Mr. Dallas Shumaker, Fire Inspector, testified that the violations still existed as cited and recommended ordering compliance within 30 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$150 per day, per violation would be imposed.

**Reference CE05081572**

Neville & Naomi Dunn  
1431 Northwest 21<sup>st</sup> Street

Sec. 1 13.6.6.3.1: Extinguisher too far from exit;  
Sec. 10 6.3.1: Fire extinguisher maintenance

Ms. Bazer announced that certified mail addressed to the owner was accepted on September 12, 2005.

Mr. Dallas Shumaker, Fire Inspector, testified that the fire extinguisher was past due for annual service; Section 1 13.6.6.3.1 was complied. He recommended ordering compliance with Section 10 6.3.1 within 7 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 10 6.3.1 within 7 days or a fine of \$100 per day would be imposed.

**Reference CE05040085**

Scott & Susan Stringham  
1812 Northwest 9<sup>th</sup> Lane

Sec. 9-306: Peeling paint/stained surfaces;  
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 was accepted on August 13, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dirty and stained paint on the building; Sections 9-281(b) and 18-27(a) were complied. She had spoken with the owner and agreed to recommended ordering compliance with Section 9-306 within 30 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-306 within 30 days or a fine of \$25 per day would be imposed.



**Reference CE05070265**

Chris Murray  
1831 Northwest 16<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 19, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the property was covered with trash, rubbish, and overgrowth. She had spoken with the owner and agreed to recommended ordering compliance within 7 days or a fine of \$25 per day.

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

**Reference CE05071297**

Jerry Summers  
1425 Northwest 10<sup>th</sup> Place

Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 47-34.1 A.1: Permitted uses; Sec. 18-27(a): Trash on property

Ms. Bazer announced that certified mail addressed to the owner was accepted on August 17, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable dark green Pontiac on the property and vehicle repairs taking place on the property; Section 18-27(a) was complied. She presented photos of the property and a copy of the inspection report, notice of violation and property history 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, and with Section 47-34.1 A.1 within 7 days or a fine of \$100 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 \$100 per day, or the vehicle would be towed, and with Section 47-34.1 A.1 within 7 days or a fine of \$100 per day would be imposed.

**Reference CE05071299**

Public Storage Prop Ltd.  
1020 Northwest 23<sup>rd</sup> Avenue

Sec. 47-22.6 E.1: Banner signs on property

Ms. Bazer announced that certified mail addressed to the owner and partner of the company were both accepted [no date on card] and certified mail addressed to the registered agent was accepted on August 25, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unpermitted banner sign on the property. She presented photos of the property and a copy of the inspection report, property history and notice of violation and recommended ordering compliance within 7 days 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 CE05071447**

Pic N Payless #3  
945 West Sunrise Blvd

Sec. 18-27(a): Trash on property;  
Sec. 24-27(f): Dumpster lids left open;  
Sec. 47-19.4 D.8: Open dumpster enclosure gates; Sec. 47-22.6 E.1: Banner signs on property;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-280(g): Electrical components in disrepair

Ms. Bazer announced that certified mail addressed to the registered agent, an officer of the company and the director had all been accepted on August 25, 2005.

Ms. Cheryl Pingitore, Community Inspections Officer, testified the dumpster gates were left open after service and signs on the property were not maintained; Sections 18-27(a), 24-27(f), 9-306, and 9-280(g) were complied. Inspector Pingitore presented photos of the property and a copy of the inspection report, the special Master notice and notice of violation and recommended ordering compliance with Section 47-19.4 D.8 within 10 days or a fine of \$50 per day and with Section 47-22.6 E.1 within 30 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-19.4 D.8 within 10 days or a fine of \$50 per day and with Section 47-22.6 E.1 within 30 days or a fine of \$50 per day would be imposed.

**Reference CE05051785**

Annie Naves  
1750 Northwest 25<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 47-21.8: Missing ground cover;  
Sec. 18-27(a): Trash on property;  
Sec. 9-281(b): Unlicensed, inoperable vehicle on property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead and missing ground cover on the property and there was an unlicensed, inoperable silver Saturn on the property; Sections 9-306 and 18-27(a) were complied. She presented

photos of the property and a copy of the inspection report and recommended ordering compliance with Section 47-21.8 within 30 days or a fine of \$25 per day and with Section 9-281(b) within 7 days 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 47-21.8 within 30 days or a fine of \$25 per day and with Section 9-281(b) within 7 days or a fine of \$100 per day or the vehicle would be towed.

### **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:

CE05032041	CE05071132	CE05051850	CE05071128
CE05071536	CE05050335	CE05051189	CE05051196
CE05021762	CE05050432	CE05061535	CE05050392
CE05061710	CE05081523	CE05081546	CE05081587
CE05060045	CE05071632	CE05061535	

### **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:

CE05080473	CE05081229	CE05070242	CE05080199
CE05061113	CE05060637	CE05071442	CE05050357
CE05050362	CE05051422	CE05060123	CE05070864
CE05050179	CE05050391	CE05050397	CE05050697
CE05051366	CE05061709	CE05081519	CE05081586
CE05032123	CE05050623	CE05061661	CE05040935
CE05051394	CE05011129	CE05011133	CE05011222
CE05011232	CE05011519	CE05011825	

### **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:

CE05070406

**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:

CE05050857	CE05050219	CE05080593	CE05051087
CE05010751	CE05011134	CE05011517	CE05011822
CE05011953	CE05011955		

**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

CE04090710 - \$ 10,750	CE04120249 - \$ 1,900	CE05051028 - \$ 775
CE05051334 - \$ 18,000	CE04122007 - \$ 3,750	

There being no further business, the hearing was adjourned at 11:35 a.m.

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Special Magistrate

ATTEST:

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Clerk, Special Magistrate