

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Special Magistrate Meah Tell, Presiding
April 20, 2006
9:00 A.M. – 12:10 P.M.

Staff Present:

Assistant City Attorney
Dick Eaton, Secretary, Special Magistrate
Farida Mohammed, Clerk, Code Enforcement Board
Maurice Murray, Community Inspections Supervisor
Leonard Ackley, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Michael Champion, Community Inspections Officer
Andre Cross, Community Inspections Officer
Adam Feldman, Community Inspections Officer
Robert Guilford, Community Inspections Officer
Lee Kaplan, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Al Lovingshimer, Community Inspections Officer
Mike Maloney, Community Inspections Officer
Skip Margerum, Community Inspections Officer
Cheryl Pingitore, Community Inspections Officer
Bill Snow, Community Inspections Officer
Ursula Thime, Community Inspections Officer
Tuchette Bryant-Torres, Community Inspections Officer
Robert Urow, Community Inspections Officer
Tim Welch, City Engineer
Irma Westbrook, Community Inspections Officer

Also Present:

CE05100069; CE05101289: Christine Thomas, Thomas Thomas, owner
CE05100058: Thomas Wolf, owner
CE05100069; CE05101289: Joseph Sharrow, friend of the owner
CE06020500: Calvin Sapp, owner
CE06020705: Donald Hall, lawyer
CE05100561: Hope Calhoun, owner's attorney; Donald Dweiner, tenant; Goran Dragoslavic, owner
*CE05030746: Camey Davidson, owner
*CE05040975: Mee Hwa Bae: tenant
CE05110794: Jon Christenson, manager
CE05091393: Thomas Laubenthal, landscape architect; Kevin Fernander, attorney; Officer J. Benitez, Police Department
CE05090835: Timothy Tavenner, owner

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CE05091873: Lyn Bitz, owner
CE06030319: Husa Roberts, tenant
CE05081837: John Isom, owner
CE05032123: Charles Smith, owner
*CE05041195: Brutus Joseph, owner
CE06030223: Robby Lacy, owner
CE06010583: Carl Graves, property manager
CE05030960: Gopii Mitra, tenant
CE06020403: James Erdman, agent
CE05091695: R. Wiggan, owner
CE05081229, Charles Love, Civic Association
CE06021001: Willy Mompremier, owner; Marvin Kessler, property manager
CE06011938: Hope Calhoun, attorney
CE05120728: Nicholas Welch, property manager
CE06030315: Theresa Martin, tenant's daughter
CE05121372: Ronald Middleton, owner
CE05111478: Meredith Spira, attorney; Z. Bayew, maintenance person
CE06040344: William Trick; attorney

*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 9:08 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 CE06030315

Ida Mae Walker & Sam Cole Estate Sec. 9-314: Debris on fence
3080 Northwest 17th Court

Ms. Mohammed announced that service was via the appearance of the tenant's daughter at this hearing.

Ms. Tuchette Bryant-Torres, Community Inspections Officer, testified there were clothes, rugs and bedding constantly being draped over the fence at the property. She informed Ms. Tell that the violation was in evidence on her visit on March 3, but was currently complied.

Ms. Tell warned Ms. Martin that the fence should not be used for a clothesline. Ms. Theresa Martin, the tenant's daughter, said that some of the items belonged to a neighbor, but Inspector Torres did not cite the neighbor.

Ms. Tell found that a violation did exist on March 3, 2006, and warned Ms. Martin to stay in compliance. She also informed Ms. Martin that she could file a complaint against the neighbor.

Reference CE05030746

John & Camey Davidson
1200 Northwest 19th Street

Massey Hearing/Request for Extension

Ms. Mohammed announced that this case was originally heard on 4/7/05 with compliance ordered by 4/21/05 and 6/21/05. The property was not complied and fines had accrued to \$54,900.

Ms. Camey Davidson, owner, said she had already repaired the windows and the handicap ramp. The contractor had not quite completed the railing. The hurricane had taken the fence down and she was in the process of having that repaired as well. She had obtained an estimate for the sprinkler system, but noted that the contractor was backed up. Ms. Tell asked why Ms. Davidson had not requested an extension and Ms. Davidson said she had left a message for Inspector Pingitore but she had not called back. She said she was unaware she could request an extension.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that the deposit checks were written in April and July 2005 but no permits had been pulled. Ms. Tell remarked that Mr. McKenzie and Mr. Benjamin had taken Ms. Davidson's money and never applied for permits or done work. She advised Ms. Davidson to "take charge of this now." Inspector Pingitore confirmed that a few of the violations were complied.

Ms. Tell confirmed with Ms. Davidson that she understood what still needed to be done to comply. Ms. Davidson felt it would take another month or so complete repairs.

The Assistant City Attorney said Inspector Pingitore wanted to allow 30 days to pull a permit for the parking area, and Ms. Davidson should return in 30 days to report on her progress.

Ms. Tell granted a 30-day extension and ordered the owner to appear at the May 18, 2006 hearing.

Reference CE05040975

P.M. & Valentina Reynolds
917 North Ft. Lauderdale Beach Boulevard

Massey Hearing

Ms. Mohammed announced that this case was originally heard on 5/19/05 with compliance ordered by 5/26/05. The property was complied and fines had accrued to \$13,750.

Mr. Sean Koo, the business owner, explained that his father and his sister Mee Hwa Bae, had tried to increase sales by putting merchandise outside. He had been ill and not visiting the store as much as he should have.

Ms. Tell asked if it was a problem that the property owner was not present. The Assistant City Attorney said that proper service had been made to the owner by posting at the property and the tenant business seemed to be the one causing the problem. She recommended imposing the fine.

Mr. Lee Kaplan, Community Inspections Officer, said he had not spoken with Mr. Koo or his father, but had told Ms. Bae to bring the items inside. Inspector Kaplan said he agreed with the City Attorney's recommendation.

Mr. Koo informed Ms. Tell that he had lost everything on this business and was closing next week. Ms. Tell asked Inspector Kaplan if this was a constant violation and Inspector Kaplan confirmed that it had been for the fine period, but was now complied. Ms. Tell said she would grant a continuance and asked Mr. Koo or his sister to return in May to confirm that the store was closed.

Ms. Tell granted a continuance to May 18, 2006.

Reference CE05041195

Brutus & Felicite Joseph
1645 Northwest 6th Avenue

Massey Hearing/Request for Abatement

Ms. Mohammed announced that this case was originally heard on 10/6/05 with compliance ordered by 10/21/05 and 11/5/05. The property was complied and fines had accrued to \$4,025.

Mr. Brutus Joseph, owner, said he had almost completed the work when the hurricane struck in October and set his repair schedule back again.

Mr. Andre Cross, Community Inspections Officer, confirmed that Mr. Joseph had kept in touch the entire time.

Ms. Tell reduced the fine to \$400.

Reference CE06010583

Chris Murray
1831 Northwest 16th Avenue

Request for Extension

Ms. Mohammed announced that this case was originally heard on 3/16/06 with compliance ordered by 4/5/06 and 4/30/06.

Mr. Carl Graves, property manager, stated that all of the violations were complied except the ground cover. He asked for an extension to May to comply the ground cover violation.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that there were no fines on the property at this time.

Ms. Tell granted a 30-day extension.

Reference CE05100561

Goran Dragoslavic
1000 Northwest 24th Avenue

Continued from February 16, 2006

Ms. Mohammed announced that this case was continued from February 16, 2006.

Ms. Hope Calhoun, the tenant's attorney, confirmed that all violations were complied. She wanted to address the constant and repetitive charge regarding Section 47-22.9 for the signs. Ms. Calhoun said the first time the property was cited, it was for signs painted onto the building, and signs put on the building. The owner had paid the fine and pulled after-the-fact permits for these signs to correct the violations. The current violations were for signs put up on the property fence after the hurricane and the tenant had removed the sign as soon as they were notified there was a violation. She thought the other violations were for signs located on clothing racks, which were moved outside the store only while repairs were being made.

Ms. Calhoun said Inspector Pingitore wanted to impose a fine for 95 days. Ms. Calhoun asked that Ms. Tell not find the violation constant and repetitive and for a reduction of the fine.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that when she visited the property on October 9, 2005 she photographed signs posted on the fence. When she returned on October 10, she found a large sign beside the front door and the sign remained on the fence. She returned on January 12, 2006 and found signs still on the fence, and on January 30 the signs posted on the outside storage rack. On February 3 there were again signs on storage racks. The span of all of these violations was 95 days, over the course of three visits. Ms. Calhoun felt there was not evidence that the violations existed for 95 consecutive days.

Inspector Pingitore noted that the signs were flat on the wall and not electrified, so they were not rendered ineffective after the hurricane. She presented a permit history for the signs indicating that they were not electrified.

Ms. Tell confirmed with Inspector Pingitore the dates signs were present on the fence. The Assistant City Attorney asked Ms. Tell to impose the fine. She explained that the location of the signs was immaterial in regard to the constant and repetitive charge; the statute

stated that if the property was in violation of the same provision in the past, even in a different location, it was a repeat violation.

Ms. Tell said she would find the violations existed on nine occasions due to the mitigating circumstances, for a fine of \$2,250.

Ms. Tell found that the violations existed for 9 days and imposed a fine of \$2,250.

Reference CE05032123

Charlie Smith
1604 Northwest 11th Court

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

Ms. Mohammed announced that service was via posting at the property on March 30, 2006 and at City Hall on April 7, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that paint on the building was faded, chipped and peeled; Section 18-27(a) was complied. Inspector Pingitore presented photos of the property and said Mr. Smith had agreed to comply 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 CE06020705

Transacta Prive Development Ltd.
716 Breakers Avenue

Sec. 9-280(c): Stairways/balconies in
disrepair; Sec. 9-306: Broken, boarded windows

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on March 22, 2006.

Mr. Al Lovingshimer, Community Inspections Officer, testified that the railings on the second floor balcony and landing were in disrepair and missing; Section 9-306 was complied. He presented photos of the property and said he had a stipulated agreement with the owner to comply Section 9-280(c) within 30 days or a fine of \$100 per day. He noted that the openings in the railing would be temporarily secured for safety and the owner agreed to replace the railings within 14 days. Inspector Lovingshimer said there may be a delay waiting for permits.

Mr. Donald Hall, attorney for the owner, agreed to the deadlines mentioned by Inspector Lovingshimer and agreed to cover any gaps by Monday.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280(c) within 30 days or a fine of \$100 per day would be imposed.

Reference CE05090835

Timothy Tavenner
1501 Northwest 4th Avenue

Sec. 9-304(b): Maintenance of parking area;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 25, 2006.

Mr. William Snow, Community Inspections Officer, testified that the driveway was in disrepair; Section 9-306 was complied. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 9-304(b) within 30 days or a fine of \$25 per day.

Mr. Timothy Tavenner, owner, said it was a constant challenge trying to keep the weeds down on the driveway. He had applied for a permit three times for a permanent driveway, but the City refused to issue one due to the setback from the street. Mr. Tavenner said the City had applied to vacate the street. He proposed adding gravel to the driveway in the interim and asked for time to have the contractor perform the work.

Ms. Tell found in favor of the City and ordered compliance with Section 9-304(b) within 30 days or a fine of \$25 per day would be imposed.

Reference CE05091393

Gada Management LC
1250 Northwest 23rd Avenue

Status Report

Ms. Mohammed announced that on March 16, 2006, Ms. Tell had ordered the owner's representatives to appear for a progress report.

Mr. Kevin Fernander, attorney, said the owner had complied all life safety issues. The owner had also obtained contracts for the survey, for parking lot engineering and paving, and for soil borings. They must still perform a title search prior to the survey. After the survey, plans could be perfected and then submitted. Mr. Fernander requested 60 days to obtain the fence permit.

Ms. Cheryl Pingitore, Community Inspections Officer, listed the violations: merchandise was visible through the ingress and egress gates at the screening wall; goods and materials were not completely screened from view; materials stored in the outdoor area exceeded the wall height; the outdoor storage area did not have the required drainage or asphalt/concrete surface; the parking and storage areas were not dust free or of adequate size; the buffer wall required a landscape strip and the loading facilities were not properly screened from the adjacent residential property. Inspector Pingitore presented photos depicting trucks blocking traffic, goods stacked above the buffer wall and lack of landscaping on several occasions. She noted that no permit applications had been made to date.

Inspector Pingitore reminded Ms. Tell of the owner's promise at the last hearing to route trucks through the lot and out a gate to avoid blocking street traffic and stated that this was not happening. The trucks were instead backing onto the property and unloading. Inspector Pingitore presented several photos of the property and recommending ordering compliance within 60 days or a fine of \$250 per day, per violation; she also asked that the order be recorded. Mr. Fernander said the owner agreed at the previous hearing to keep traffic off of the public street and he had been doing this, via directing truck traffic in from the street. Mr. Fernander said they were doing everything possible to address the wall issue.

Mr. Thomas Laubenthal, landscape architect, said they had their landscape and irrigation plans. Mr. Laubenthal felt 60 days was sufficient to get the permit process started. Mr. Fernander agreed. Ms. Tell was still concerned about the traffic situation. The Assistant City Attorney noted that the owner had admitted to three of the violations, and wanted Ms. Tell to find that these existed. Mr. Fernander wanted Ms. Tell to specify that they only need apply for permits within 60 days and wanted her to continue the case; Ms. Tell said she would order compliance within 60 days and advised him to return in 60 days to request an extension if they could not comply by then. The Assistant City Attorney noted that since the owner had admitted to the violations, Ms. Tell should order compliance.

Ms. Tell wanted the traffic situation resolved; she did not want trucks backing onto the property.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day per violation, and ordered the owner's representatives to appear at the May 18, 2006 hearing for another progress report.

Reference CE06030021

Peter Sgarlato

1835 South Ocean Drive

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

Ms. Mohammed announced that service was via posting at the property on March 20, 2006 and at City Hall on April 7, 2006.

Mr. Tim Welch, City Engineer, testified that the owner had permitted a contractor to remove the sidewalk and not replace it since before October 11, 2005. 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 CE05081837

John Isom
1512 Northwest 7th Avenue

Sec. 18-27(a): Trash on property;
Sec. 47-19.9 A.2.b: Outside storage;
Sec. 47-21.8 A: Missing ground cover;
Sec. 9-280(b): Broken windows on property;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Unlicensed, inoperable vehicle on property;
Sec. 9-308 (a): Roof shingles in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 20, 2006

Mr. Mike Maloney, Community Inspections Officer, testified that there were areas of bare sand on the property; there were broken windows on the building and exterior doors were not weather proof and water tight and the roof was in disrepair; Sections 18-27(a), 47-19.9, 9-280(h)(1) and 9-281(b) were complied. Inspector Maloney presented photos of the property and recommended ordering compliance with Sections 47-21.8.A and 9-280(b) within 90 days or a fine of \$25 per day and with Section 9-308(a) within 120 days or a fine of \$25 per day.

Mr. John Isom, owner, agreed to comply with Inspector Maloney's deadlines.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-21.8.A and 9-280(b) within 90 days or a fine of \$25 per day and with Section 9-308(a) within 120 days or a fine of \$25 per day would be imposed.

Reference CE06030223

Robby Lacy
1700 Northwest 15th Avenue

Sec. 18-27(a): Trash on property;
Sec. 47-21.8: Missing ground cover;
Sec. 47-34.1 A.1: Permitted uses: vehicle repairs;
Sec. 9-280(g): Electrical components in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 15, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash on the property; there were areas of dead or missing ground cover; there were vehicle repairs being performed at the property and the windows had torn or missing screens. Inspector Pingitore said she had last visited the property with the police. She noted that the property was being used as a rooming house. Inspector Pingitore had spoken with the property manager and been very specific about what must be done to comply. Inspector Pingitore presented photos of the property and recommended ordering compliance within 10 days or a fine of \$100 per day, per violation.

Mr. Robby Lacy, owner, informed Ms. Tell that the pickup and trash were gone; he had put down sod, and Mr. Blake was not the property manager but the tenant. Mr. Lacy agreed to meet with Inspector Pingitore to confirm compliance.

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

Reference CE05111478

Bay Colony Exxon Inc.
5556 North Federal Highway

Sec. 18-27(a): Trash on property;
Sec. 9-307(b): Covered windows;
Sec. 9-308 (c): Roof in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 29, 2006.

Mr. Skip Margerum, Community Inspections Officer, testified that the roof structure over the gas pumps was in disrepair; Sections 18-27(a) and 9-307(b) were complied. He presented photos of the property and recommended ordering compliance with Section 9-308(c) within 60 days or a fine of \$100 per day.

Ms. Meredith Spira, attorney for the owner, admitted the violation still existed. She stated they were awaiting a permit for the roof and requested a 60-day extension.

Ms. Tell found in favor of the City and ordered compliance with Section 9-308(c) within 60 days or a fine of \$100 per day would be imposed.

Reference CE06040344

La Belle Villas LLC
6540 Northeast 18th Avenue

Sec. 18-27(a): Trash on property;
Sec. 47-19.4 D.8: Open dumpster enclosure gates; Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-280(g): Electrical components in disrepair;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-281(b): Inoperable vehicle on property; Sec. 9-306: Peeling paint/stained surfaces; Sec. 9-307(a): Broken windows;
Sec. 9-307(a): Broken windows

Ms. Mohammed announced that certified mail addressed to the owner was accepted on April 13, 2006, and certified mail addressed to the registered agent was accepted on April 12, 2006.

Mr. Skip Margerum, Community Inspections Officer, testified that there was trash scattered on the property; there was trash in and around the dumpster enclosure and the enclosure gate was broken; due to the recurring nature of this violation, it would be presented even if it was complied by the hearing date; the parking area was in disrepair;

there were electrical wires hanging from the building; the fences were in disrepair; paint on the building was missing, chipped and stained; there were broken windows on the property and the elevator was broken; Section 9-281(b) was complied. Inspector Margerum presented photos of the property to Ms. Tell.

Mr. William Trick, attorney for the owner, La Belle Villas LLC, informed Ms. Tell that his client had purchased the property in February 2006. Ms. Tell asked Mr. Trick to speak with a supervisor to resolve the issue.

Upon returning to the case, Ms. Mohammed explained that the new owner, La Belle Villas LLC, had received proper notice. Certified mail addressed to the owner was accepted on April 13, 2006, and certified mail addressed to the registered agent was accepted on April 12, 2006.

Mr. Trick said they had agreed to comply Section 18-27(a) within 10 days or a fine of \$100 per day. He asked for a continuance on all other items. Mr. Trick said notice was sent on April 11th and he and his client had both been out of town and had not had time to properly prepare. Mr. Trick explained that the wires hanging from the building were satellite wire and were out of reach.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$100 per day would be imposed; she continued the other violations to May 18, 2006.

Reference CE05121372

Ronald Middleton
3644 Southwest 21st Street

Sec. 18-27(a): Trash on property;
Sec. 9-280(b): Structure or Fixtures in disrepair; Sec. 9-281(b): Unlicensed, inoperable trailer on porch; Sec. 9-306: Peeling paint/stained surfaces

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

Mr. Robert Urow, Community Inspections Officer, testified that there was trash scattered on the property; there were broken windows in the building; there was an unlicensed trailer on the porch and there was structural damage to the carport and porch. Inspector Urow presented photos of the property and recommended ordering compliance within 90 days or a fine of \$25 per day, per violation.

Mr. Ronald Middleton, owner, requested 90 days to complete repairs.

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

Reference CE05091873

Lyn Bitz
1524 Northwest 2nd Avenue

Sec. 18-27(a): Overgrowth on property;
Sec. 25-56(a): Sidewalk in disrepair;
Sec. 9-281(b): Rubbish and trash on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 16, 2006.

Mr. Andre Cross, Community Inspections Officer, testified that there was overgrowth on the property; there was trash on the property and there were areas of dirty paint on the building; Section 25-56(a) was complied. He presented photos of the property and recommended ordering compliance with Sections 18-27(a), 9-281(b) and 9-306 within 60 days or a fine of \$25 per day per violation.

Ms. Lyn Bitz, owner, agreed to Inspector Cross's deadline.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a), 9-281(b) and 9-306 within 60 days or a fine of \$25 per day per violation would be imposed.

Reference CE06011938

Shelton Dealerships Inc.
5778/5780 North Federal Highway

Request for Extension

Ms. Mohammed announced that this case was originally heard on 3/16/06 with compliance ordered by 4/15/06. The property was not complied and fines had accrued to \$400.

Ms. Hope Calhoun, attorney, requested a 60-day extension for Section 9-329(a): the building was boarded without permit.

Mr. Skip Margerum, Community Inspections Officer, confirmed that the boarding was secure; it just needed a permit.

Ms. Tell granted a 30-day extension.

Reference CE05100069

Christine Thomas
53 Northeast 16th Place

Sec. 47-19.9: Outside storage;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 27, 2006.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was outside storage throughout the property and there were areas of dirty paint on the building. He had spoken with the owner and agreed to recommend ordering compliance within 60 days or a fine of \$25 per day.

Mr. Thomas Thomas, the owner's son, did not agree with Inspector Kaplan's citations and asked whether "this hearing notice responded off of a violation notice." He did not recall receiving a violation notice on the property. Ms. Tell suggested he speak with the supervisor.

Upon returning to the case, Ms. Mohammed announced that they had determined service was proper. Mr. Thomas submitted his own photos, taken yesterday, and expressed concern that the original notice was from October 2005 and the hearing was today, six months later. Mr. Thomas also wanted to know how Inspector Kaplan knew of the violations. Inspector Kaplan remarked that Mr. Thomas's photos were of the front of the property. Supervisor Murray agreed that the photos did not show the same area of the property. Ms. Tell advised Mr. Thomas to consult with Supervisor Murray and Inspector Kaplan to try to resolve the disagreement.

Upon returning to the case, Ms. Mohammed said the City requested withdrawal of the case.

Mr. Thomas said the violation mentioned a carport that did not exist. Mr. Thomas submitted photos and some documents to Ms. Tell regarding adjacent properties.

Ms. Christine Thomas, owner, said there were health and safety issues at her neighbor's property. Ms. Tell advised Ms. Thomas that her complaint would be addressed. Ms. Thomas said there was an ongoing problem with her property and "I can't seem to please anybody."

Reference CE06020403

Virginia Erdman
2523 Barbara Drive

Sec. 47-21.8: Missing ground cover

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 30, 2006.

Mr. Robert Guilford, Community Inspections Officer, testified that there was missing ground cover on the property. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 90 days or a fine of \$25 per day.

Mr. James Erdman, the owner's son, said his mother was conducting a seawall/landscaping project and requested 90 days to comply.

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

Reference CE05100058

Thomas Wolf
207 Northeast 16th Street

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 9-308 (b): Roof in disrepair

Ms. Mohammed announced that certified mail addressed to the owner was accepted on April 4, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the striping in the parking area was faded and the roof was in disrepair. He presented photos of the property and informed Ms. Tell that one of the units had recently experienced a fire and its roof would require replacement. He had spoken with Mr. Wolf and agreed to recommend ordering compliance within 120 days or a fine of \$25 per day, per violation.

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

Reference CE06021001

Florida Houses for Cash Inc.
3613 Southwest 14th Street

Sec. 47-19.9: Outside storage;
Sec. 9-281(b): Rubbish and trash on property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on April 4, 2006 and certified mail addressed to the registered agent had been accepted on March 30, 2006.

Mr. Robert Urow, Community Inspections Officer, testified that there was outside storage, including, but not limited to, cinder blocks and buckets, on the property and there was trash on the property. Inspector Urow presented photos of the property and said he had spoken with the owner and agreed to recommend ordering compliance within 14 days or a fine of \$50 per day, per violation.

Mr. Marvin Kessler, property manager, said the tenant had agreed to clean up the property within 14 days.

Mr. Willy Mompremier, tenant, agreed to clean up the property within 14 days.

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

Reference CE06030319

Joseph Maiuro
1435 Northwest 8th Avenue

Sec. 9-279(f): No City water service

Ms. Mohammed announced that certified mail addressed to the owner was accepted on April 5, 2006.

Ms. Husa Roberts, tenant, said the owner's name was Mr. Lewis, and the address was 1437 Northwest 8th Avenue.

Ms. Irma Westbrook, Community Inspections Officer, testified that service was also via posting at the property and she had spoken with Mr. Lewis regarding 1427 and made him aware of the violation. She acknowledged that the property records did not list Mr. Lewis as the owner. Because of the life safety issues, Ms. Tell said she must proceed. She obtained Mr. Lewis's address from Mr. Roberts.

Inspector Westbrook recommended ordering compliance within 7 days or a fine of \$250 per day.

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

Reference CE05120728

Sherwood Federal Highway LLC
2975 North Federal Highway

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

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on March 28, 2006.

Mr. Leonard Ackley, Community Inspections Officer, testified that this was an abandoned restaurant that was supposed to have been demolished "a long time ago." He remarked that he had a difficult time contacting the owner to board the property. Some of the windows were boarded and some were not.

Mr. Nicholas Welch, property manager, said they were in the process of demolishing the building and that should be accomplished within 60 days. Ms. Tell confirmed that Mr. Welch had a proposal, not a signed contract. Inspector Ackley said he had been hearing that the property was about to be demolished for two years. He presented photos of the property and a copy of the notice of violation and recommended that a permit to demolish the property be obtained by May 18, 2006 or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered that a permit for demolition be obtained by May 18, 2006 or a fine of \$250 per day would be imposed.

Reference CE05101289

Thomas Thomas
59 Northeast 16th Place

Sec. 47-19.9: Outside storage on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 4, 2006.

Ms. Irma Westbrook, Community Inspections Officer, testified that there was outside storage of a Waverunner trailer and other items on the property and paint on the building was faded and dirty. She presented photos of the property and a copy of the inspection report to Mr. Thomas and Ms. Tell. Inspector Westbrook confirmed that the photos were taken by Supervisor Deborah Haskins on October 19, 2005. Inspector Westbrook recommended ordering compliance within 30 days or a fine of \$50 per day, per violation.

Mr. Thomas Thomas, owner, informed Ms. Tell that the trailer was registered and the house was clean. When Ms. Tell informed him that the trailer could not be stored on the property, Mr. Thomas explained that he used the trailer to haul debris, not to move a Waverunner. Mr. Thomas presented his own photos, taken yesterday, and said these showed the paint was clean. Inspector Westbrook said she visited the property this past Monday and the paint around the door was still dirty.

Ms. Tell continued the case to May 18, 2006.

Reference CE06020500

Calvin & Lucille Sapp
131 Florida Avenue

Sec. 6-34: Dogs on premises;
Sec. 9-281(b): Rubbish and trash on property;
BCZ 39-275(6)(b): Outdoor storage of household
goods; BCZ 39-79(e): Required ground cover

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

Mr. Andre Cross, Community Inspections Officer, testified that there was trash on the property; there was outside storage of household goods at the property and there were areas of missing ground cover; Section 6-34 was complied. Inspector Cross presented photos of the property and recommended ordering compliance with sections 9-281(b), 39-275(6)(b) and 37-79(e) within 30 days or a fine of \$25 per day, per violation.

Mr. Calvin Sapp, owner, agreed to comply within 30 days.

Ms. Tell found in favor of the city and ordered compliance with sections 9-281(b), 39-275(6)(b) and 37-79(e) within 30 days or a fine of \$25 per day, per violation would be imposed.

Reference CE05030960

Super Stop #301 Inc.
1900 Northwest 9th Avenue

Request for Extension

Ms. Mohammed announced that this case was originally heard on 5/5/05 with compliance ordered by 7/4/05 and 8/3/05. The property was not complied and fines had accrued to \$15,300.

Mr. Gopii Mitra, tenant, requested an extension of 180 days to obtain permits.

Mr. Andre Cross, Community Inspections Officer, admitted that Mr. Mitra experienced problems obtaining a permit.

Ms. Tell granted a 90-day extension.

Reference CE05091695

Rueben Wiggan Request for Extension
2420 Northwest 19th Street

Ms. Mohammed announced that this case was originally heard on 3/2/06 with compliance ordered by 3/9/06. The property was not complied and fines had accrued to \$440.

Ms. Cheryl Pingitore, Community Inspections Officer, said she had spoken with Mr. Wiggan, the owner, and had agreed to request a 60-day extension.

Ms. Tell granted a 60-day extension.

Reference CE05110794

William Meredith Trust, Inc. Request for Extension
1245 Northwest 1st Avenue

Ms. Mohammed announced that this case was originally heard on 3/16/06 with compliance ordered by 4/15/06. The property was not complied and fines had accrued to \$400.

Mr. Jon Christenson, manager, requested a 60-day extension.

Ms. Irma Westbrook, Community Inspections Officer, had no objection to an extension.

Ms. Tell granted a 60-day extension.

Reference CE05081229

Tridima & Leonidis Tridima,
Tony & Athena Ferari Request for Extension
2606 Whale Harbor Lane

Ms. Mohammed announced that this case was originally heard on 10/6/05 with compliance ordered by 1/4/06. Ms. Mohammed said the City was requesting a continuance to June 1, 2006.

Ms. Tell continued the case to June 1, 2006.

Reference CE05120597

F.E. & Margaret Ilas
3030 Southwest 7th Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 17, 2006.

Ms. Peggy Burks, Community Inspections Officer, testified that paint was missing on the exterior wall and fascia. She presented photos of the property and stated she had spoken to the owner, who assured her that repairs were made and requested 10 days to reinspect the property.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$25 per day would be imposed.

Reference CE06011525

Devendra Singh
501 Southwest 27th Avenue

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

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 16, 2006.

Ms. Peggy Burks, Community Inspections Officer, testified that the violation still existed as of April 18, 2006. She presented photos of the property and recommended ordering compliance within 10 days or a fine of \$100 per day.

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

Reference CE06011751

Louis Defranco
2800 Davie Boulevard

Sec. 9-280(b): Structure or Fixtures in disrepair;
Sec. 9-281(b): Rubbish and trash on property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 7, 2006.

Ms. Peggy Burks, Community Inspections Officer, testified she had spoken with the owner yesterday and Section 9-281(b) was complied. She presented photos of the property and recommended ordering compliance with Section 9-280(b) within 30 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280(b) within 30 days or a fine of \$25 per day would be imposed.

Reference CE05081336

Harold Combs
534 Northeast 16th Street

Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 28, 2006.

Mr. Adam Feldman, Community Inspections Officer, testified that the violation still existed. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 15 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 15 days or a fine of \$25 per day would be imposed.

Reference CE05081345

Donna Hickenbottom
1118 Northwest 8th Avenue

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 47-21.8: Missing ground cover

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 27, 2006.

Mr. Robert Guilford, Community Inspections Officer, testified that there was missing ground cover on the property; Section 47-20.20.H was complied. He 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.

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 CE05081855

Synergy Investment Group
1335 Northwest 7th Terrace

Sec. 18-27(a): Trash on property;
Sec. 47-20.20 H: Parking area in disrepair;
Sec. 47-21.8.A: Missing ground cover;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on March 14, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the violations still existed as cited. He presented photos of the property and his case file and recommended ordering compliance with Sections 18-27(a), 47-21.8 and 9-306 within 14 days or a fine of \$25 per day, and with Section 47-20.20.H within 90 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a), 47-21.8 and 9-306 within 14 days or a fine of \$25 per day, and with Section 47-20.20.H within 90 days or a fine of \$25 per day would be imposed.

Reference CE05122002

First Ebenezer Missionary
619 Northwest 3rd Avenue

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

Ms. Mohammed announced that certified mail addressed to the registered agent was accepted on March 15, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the violation still existed as cited. He presented photos of the property 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 CE05090397

Robert Joshua
2533 Northeast 35th Drive

Sec. 47-34.4 B.2.c: Boat on trailer stored on property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 27, 2006

Mr. Skip Margerum, Community Inspections Officer, testified that the violation still existed as cited. He received a letter from the owner stating he would comply. Inspector Margerum 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 CE06020035

Layton Durrence & Jack Loving
1410 Southwest 4th Avenue

Continued from April 6, 2006

Ms. Mohammed announced that this case was continued from April 6, 2006.

Ms. Tell continued the case to May 18, 2006.

Reference CE05070746

Sedrick & Dwayne Wright
1606 Northwest 12th Court

Sec. 47-21.8: Missing ground cover;
Sec. 9-281(b): Unlicensed, inoperable
vehicle on property;
Sec. 9-308 (b): Roof in disrepair;
Sec. 9-313: Required display of address

Ms. Mohammed announced that certified mail addressed to the owner had been accepted on March 18, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the violations still existed as cited. Inspector Pingitore presented photos of the property and recommended ordering compliance within 30 days or a fine of \$50 per day, per violation.

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

Reference CE05120874

Olive Gordon & Elanor Williams
1708 Lauderdale Manors Drive

Sec. 9-281(b): Overgrowth and inoperable,
unlicensed vehicle on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Mohammed announced that service was via posting at the property on March 30, 2006 and at City Hall on April 7, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified the violations still existed as cited. The vehicle in question was a black 2-door Honda. She presented photos of the property and recommended ordering compliance with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed, and with Section 9-306 within 30 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed, and with Section 9-306 within 30 days or a fine of \$50 per day would be imposed.

Reference CE05122027

Ricardo Egg
1561 Northwest 15th Terrace

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

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 10, 2006

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was an unlicensed, inoperable Chevy Blazer on the property. She presented photos of the property and recommended ordering compliance within 10 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 within 10 days or a fine of \$100 per day or the vehicle would be towed.

Reference CE06011493

Alice George & Donald Grier
1201 Northwest 11th Place

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

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 13, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of missing ground cover on the property; Sections 18-27(a) and 9-281(b) 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.

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.

The following three cases were heard together:

Reference CE05071679

Judd Chapman & Philip Quattrone
315 Northeast 16th Terrace

Continued from March 16, 2006

Ms. Mohammed announced that the City was requesting that these 3 cases be continued to May 18, 2006.

Ms. Tell continued the case to May 18, 2006.

Reference CE05101245

Judd Chapman & Philip Quattrone
1616 Northeast 3rd Court

Continued from March 16, 2006

Ms. Tell continued the case to May 18, 2006.

Reference CE05101246

Judd Chapman & Philip Quattrone
1620 Northeast 3rd Court

Continued from March 16, 2006

Ms. Tell continued the case to May 18, 2006.

Reference CE06020371

Hollie & Daisy Hawthorne
2360 Northwest 14th Street

Sec. 47-21.13 A: Dead tree on property

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 16, 2006.

Ms. Tuchette Bryant-Torres, Community Inspections Officer, testified the violations still existed as cited. 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 CE06030321

Kathleen Salvant
1500 Northwest 9th Avenue

Sec. 9-279(f): No City water service

Ms. Mohammed announced that certified mail addressed to the owner was accepted on March 22, 2006.

Ms. Irma Westbrook, Community Inspections Officer, testified that the dwelling was occupied without City water service. She presented a copy of the inspection report and a photo of the property and recommended ordering compliance within 10 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$250 per day would be imposed.

Reference CE06010068

SF Conference of 7th Day Adventists
1227 Northwest 6th Street

Massey Hearing

Ms. Mohammed announced that this case was originally heard on 2/16/06 with compliance ordered by 3/19/06. The property was not complied and fines had accrued to \$1,600.

Mr. Bill Snow, Community Inspections Officer, testified that he checked the permit history this morning and the property was still in violation.

Ms. Tell signed the order to impose the fine.

Cases Complied

Ms. Mohammed 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:

CE06021583	CE06021041	CE05111454	CE06020651
CE05092156	CE06031486	CE05081662	CE05081343
CE06020401	CE06020481	CE05100056	CE05081840
CE05100854	CE06011866	CE06010793	CE06011461
CE06011634	CE05081614	CE05021310	CE06030237
CE05101552	CE06010639	CE06011655	CE06021266
CE06020678	CE06021179	CE06020681	CE06021455
CE06020483	CE06010928	CE06011864	CE06021087
CE06021230	CE06021477	CE06021521	CE06011934
CE06020258			

Cases Pending Service

Ms. Mohammed 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:

CE06010920	CE06030255	CE06020477	CE06020997
CE05120781	CE06011772	CE06011010	CE06021294
CE06012138	CE06020025	CE06021360	

Cases Withdrawn

Ms. Mohammed 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:

CE06012161	CE02020488	CE03060495	CE05120873
CE02020488	CE05071784		

Approved for Claim of Lien

Ms. Mohammed 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

CE05070052 - \$ 60,000 CE04120953 - \$16,650

Request to Vacate Previous Order

Ms. Mohammed presented Ms. Tell with the following cases, requesting that she vacate the previous orders.

CE02070066 –February 17, 2005 CE00080113 – November 2, 2000

There being no further business, the hearing was adjourned at 12:10 p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate