

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Special Magistrate Meah Tell, Presiding**  
**July 6, 2006**  
**9:00 A.M. –1:35 P.M.**

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Staff Present:

Assistant City Attorney  
Eve Bazer, Clerk of Special Magistrate Supervisor  
Dick Eaton, Secretary, Special Magistrate  
Sue Holmes, Service Clerk  
Leonard Ackley, Community Inspections Officer  
Lindwell Bradley, Community Inspections Supervisor  
Tuchette Bryant-Torres, Community Inspections Officer  
Andre Cross, Community Inspections Officer  
Adam Feldman, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Al Lovingshimer, Community Inspections Officer  
Skip Margerum, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Bill Snow, Community Inspections Officer  
Ivette Spence-Brown, Fire Inspector  
Ursula Thime, Community Inspections Officer  
Robert Urow, Community Inspections Officer  
Salvatore Viscusi, Community Inspections Officer  
Tim Welch, City Engineer  
Irma Westbrook, Community Inspections Officer  
Joe Zubrenic, Community Inspections Officer

Also Present:

CE06061498: Marc Setton, owner  
CE06020500: Calvin Sapp, owner  
CE06021119: Roberto Guerrios, tenant; John Latona, attorney  
CE06010380: Hope Calhoun, attorney  
CE06051312: Leonce Alcindor, owner  
CE06020705: Donald Hall, attorney  
CE05100563: Donna Collins, owner  
CE06011166: Linda Goodman, owner  
CE06010693: Helen Dunsford, owner  
CE06011397: Oscar Grisales, attorney  
CE06021653: Alejandro Sanchez, owner  
CE06011598: Sandra Keysers, owner  
CE05081345: Donna Hickenbottom, owner

CE06020235: Perma Knowles, owner  
CE06030867: Dennis Ficara, property manager; James Eddy, attorney  
CE05081613: Rupert Ricketts, owner  
CE05110794: Jon Christenson, property manager  
CE05030746: Camey Davidson, owner  
CE05100855: Marty McMillan, owner  
CE05100249: John Hindenberger, owner  
CE05122023: Timothy O'Brien  
CE06051033: Arturo Vales, owner  
CE05121205: Gary Kazaks, owner  
CE06050799: Janice Monaldi, owner  
CE97030508; CE02081456: Rene Chestnut, owner  
CE06041401: Beckner Beauchard, the owner's son  
CE06031797: Shirley Edwards, owner  
CE06020879: Emily Kirkiles, owner  
CE05081229: Tony Ferrari, owner; John George, attorney for the owner; Charles Love, association president  
CE05121403: Tiffany Waters, owner; Richard Waters, owner  
CE06040687: James Harrell, owner  
CE06031795: Richard Elbaz, owner

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 CE06020235**

Perma Knowles

Massey Hearing/Request for Abatement

1131 Northwest 15<sup>th</sup> Street

Ms. Bazer announced that this case was originally heard on 5/18/06 with compliance ordered by 5/28/06: one section at \$100 per day. The property was complied and the City was requesting imposition of \$1,500.

Mr. Perma Knowles, owner, presented photos and documents to Inspector Pingitore that proved the cars for which she had cited him were licensed. He also explained that all the cars were operable. Ms. Pingitore had cited a car with a flat tire as being inoperable, but Mr. Knowles explained that this was a temporary, recurring problem, caused by wire tire rims.

Ms. Cheryl Pingitore, Community Inspections Officer, stated that when she visited on June 12 and took photos, there were two vehicles with expired tags and one with a flat tire. She had visited the property on July 5 and there was one vehicle on the property

under a tarp. She said she would give the owner "the benefit of the doubt" that this vehicle was registered. Inspector Pingitore confirmed that on June 13, Inspections Supervisor Bradley had visited the property and complied the violation.

Mr. Knowles stated that the paperwork and registration decals had been inside the vehicles when Inspector Pingitore cited him. Mr. Knowles presented the decals to Ms. Tell. Mr. Knowles added that one of the vehicles cited did not belong to an occupant of the property, but to a visiting friend. Twelve photos submitted by Mr. Knowles, taken on June 8, 2006, were admitted into evidence.

Inspector Pingitore reiterated that the City wanted Ms. Tell to impose the \$1,500 fine. Ms. Tell confirmed registration expiration dates for various vehicles with Mr. Knowles, and noted that one tenant's vehicle registration was not renewed until June 12. Mr. Knowles explained that the vehicle had been removed for repairs and returned to the property on June 11 with the expired registration.

Ms. Tell reduced the fine to \$100.

**Reference CE05122023**

Robin Collier  
1318 Northwest 11<sup>th</sup> Court

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 6/5/06: one section at \$25 per day. The property was not complied and the city was requesting the imposition of \$750 and the continuation of the fine.

Mr. Timothy O'Brien, representative of the owner, stated the property was complied. He presented photos of the repairs and receipts for work done at the property.

Ms. Cheryl Pingitore, Community Inspections Officer, requested an extension to reinspect the property and meet with Mr. O'Brien to examine his evidence.

Ms. Tell granted an extension to August 3, 2006 and ordered the owner to appear at that hearing.

**Reference CE06020705**

Transacta Priva Development Ltd.  
716 Breakers Avenue

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 4/20/06 with compliance ordered by 5/20/06: one section at \$100 per day. The property was not complied and the city was requesting \$4,600 and the continuation of the fine.

Mr. Al Lovingshimer, Community Inspections Officer, testified that the property was not complied to date. The owner's attorney had informed Inspector Lovingshimer that the second floor tenant would be evicted as of July 31, 2006. Inspector Lovingshimer recommended imposition of the accrued fines, since the violations still existed.

Mr. Donald Hall, attorney for the owner, explained that this was the Howard Johnson Hotel property and adjacent apartment building. At the April Special Magistrate hearing, Mr. Hall had agreed to secure the second floor balcony railings by May 21. Mr. Hall had met with Inspector Lovingshimer and explained that the owner did not want to spend the money to permanently replace the railings since they were in the process of obtaining a demo permit for the property. Mr. Hall offered to remove the tenants and all but one were now gone. He had also hired a contractor to perform the demolition. Mr. Hall asked Ms. Tell to amend the order to require demolition of the building by "sometime in August."

Inspector Lovingshimer explained that the order specified a permanent repair to the railing by May 24 if the building was still occupied. He presented current photos of the property, showing the temporary repairs and explained that since the railings were not repaired to meet current code, he could not "vouch that the railings are, in fact, safe."

The Assistant City Attorney agreed to Mr. Hall's request for an extension to August 1, by which time the building should be vacant and soon demolished.

Ms. Tell granted an extension to August 3, 2006 for the building to be secured and vacant, and ordered Mr. Hall to appear at that hearing.

**Reference CE05030746**

John & Camey Davidson  
1200 Northwest 19<sup>th</sup> Street

Order to Reappear

Ms. Bazer announced that this case was originally heard on 4/7/05 with compliance ordered by 4/21, 4/28 and 6/21/05: 4 sections at \$25 per day and one section at \$100 per day. The property was not complied and the City was requesting imposition of the \$5,550 and continuation of the fine.

Ms. Camey Davidson, owner, explained that the fence and handicapped ramp were complete and they were awaiting reinspection. The windows had been repaired for months. She was still trying to get a contractor for the irrigation system.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that the fence was repaired and that Ms. Davidson must still pull a permit for the parking area and make the required repairs there. Ms. Davidson said her contractor had informed her that after the handicapped ramp was complete, he would get the permit for the parking area.

Inspector Pingitore presented current photos of the property to Ms. Tell. Ms. Tell advised Ms. Davidson to focus on getting the driveway repaired next.

Ms. Tell granted an extension to August 3, 2006 and ordered the owner to appear at that hearing.

**Reference CE05081229**

Leonidas Tridimas, Athina Tridimas &  
Tony Ferrari  
2606 Whale Harbor Lane

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was first heard on 10/6/05 with compliance ordered by 1/4/06: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of the accrued fine of \$18,200 and continuation of the fine.

Mr. Tim Welch, City Engineer, explained the design that had been submitted by Mr. Ferrari's engineer for paving his swale area, and said the City had agreed to permit this, provided it was consistent with the County detail. After construction, Mr. Ferrari phoned for an engineering rough inspection, which Mr. Ferrari failed because of some mesh. Mr. Ferrari had consequently had his contractor remove the mesh, and upon a "job check" reinspection some days later, the project was approved. The subsequent concrete pour was made a few inches higher than the swale area, which would have prevented runoff from entering the catch basin system. The slab must now be reduced to allow water to enter the drainage system. Inspector Welch presented copies of the permit application, the permit, photos, and the detail to Ms. Tell. Inspector Welch added that the Certificate of Occupancy had not been issued to the property.

Mr. John George, attorney for the owner, asked Inspector Welch the date the property failed inspection. Mr. Welch informed him it had failed for the mesh on February 13, 2004. Mr. George said the property passed final inspection in March 2004. Mr. George stated Mr. Ferrari had built the drain because "the elevation all the way around that cul de sac is all higher than the elevation of where this sewer is." Mr. Ferrari's property was at the lowest point, and water from the neighboring properties would drain onto his property. Mr. George presented photos of neighboring properties to Ms. Tell, to which the Assistant City Attorney objected.

Inspector Welch confirmed that the concrete was poured some time after the March 12 inspection.

The Assistant City Attorney reminded Ms. Tell that the October 6, 2005 order stated Mr. Ferrari must remove the existing slab, re-grade the swale, and lower the drainage system to allow water to drain by January 4, 2006, or the fine would be \$100 per day. The order was never appealed or complied with, and they were not here to re-litigate the case. Mr. George asked for an extension.

Mr. Peter Partington, City Engineer, said the slab was "just too high," and this had been explained to Mr. Ferrari when he had met with City staff. Ms. Tell confirmed that the contractor who poured the concrete had not conformed to the plan detail. Mr. George agreed to confer with the contractor and the City between now and the September 21 hearing.

Mr. Charles Love, homeowner association vice president, explained that there had been problems with several projects at Mr. Ferrari's property. The Assistant City Attorney asked that they consider only the issues before them this morning.

Ms. Tell granted an extension to September 21, 2006 and ordered the owner's attorney to appear at that hearing.

**Reference CE06010380**

Ella Sobolevsky

Request for Extension

525 West Sunrise Boulevard

Ms. Bazer announced that this was a request for an extension.

Ms. Hope Calhoun, attorney for the tenant, Texas Hold 'em Barbeque, explained that the tenant had applied for a permit for the outdoor seating. She requested an extension of 90 days for the tenant to determine how to resolve the grill issue. Ms. Calhoun also asked for abatement of the accrued \$150 in fines.

Ms. Irma Westbrook, Community Inspections Officer, said she had no objection to a 90-day extension.

Ms. Tell granted an extension to November 16, 2006 and ordered the owner's attorney to appear at that hearing. She also abated the existing fines.

**Reference CE06011166**

Linda Goodman

Massey Hearing/Request for Abatement

811 Northwest 1<sup>st</sup> Avenue

Ms. Bazer announced that this case was originally heard on 5/18/06 with compliance ordered by 6/1/06: two sections at \$25 per day, per violation. The property was complied and the City was requesting imposition of \$900 .

Ms. Linda Goodman, owner, said the property was rented. She explained that the notices had never been sent to her home address, and when the notices had been sent to the property, there had been no tenant living there. Ms. Goodman had hired someone to remove the fence as soon as she was aware of the problems. The fence had been damaged by a neighbor's tree falling on it during Hurricane Wilma.

Mr. Gilbert Lopez, Community Inspections Officer, testified that Ms. Goodman did act within 48 hours of hearing of the violations. Mr. Lopez requested imposition of the fines.

Ms. Tell reduced the fine to \$150.

**Reference CE05081345**

Donna Hickenbottom  
1118 Northwest 8<sup>th</sup> Avenue

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 4/20/06 with compliance ordered by 5/20/06: one section at \$25 per day. The property was not complied and the City was requesting imposition of \$1,150 and continuation of the fines.

Ms. Donna Hickenbottom, owner, said that cars from the adjacent property parked on her property and caused the problems with the sod. She felt she would need to put up a fence to prevent this. She was working on getting an irrigation system on the property as well. She requested an extension to August.

Mr. Lindwell Bradley, Community Inspections Supervisor, said he had no objection to an extension, but was not sure if Ms. Hickenbottom could pull the necessary permits by August.

Ms. Tell granted an extension to September 21, 2006, and ordered the owner to appear at that hearing.

The next two cases for the same owner were heard together:

**Reference CE02081456**

Dorothy & Rene Chestnut  
1870 Northwest 24<sup>th</sup> Terrace

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 2/6/03 with compliance ordered by 3/8/03: one section at \$25 per day. The property was not complied and the City was requesting imposition of the \$30,375 and continuation of the fines.

Ms. Rene Chestnut, owner, stated this had been her father's property. He had died in 1999 and she had not been able to have repairs made to the house yet. Some of the violations dated to when her father still occupied the property.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had spoken to Ms. Chestnut several times, beginning in 2003 and had informed her that she only needed to get a board up certificate to comply the property. Inspector Pingitore said the City had been maintaining this property for years, cleaning it up periodically and mowing the lawn. Despite several conversations with Ms. Chestnut, Inspector Pingitore had been unsuccessful in getting her to maintain or comply the property herself. Inspector Pingitore submitted photos of the property to Ms. Tell.

Ms. Tell advised Ms. Chestnut to get the board up certificate to comply the property and speak to a lawyer regarding the extant liens on the property, which were very substantial.

Ms. Tell granted an extension to August 3, 2006 and ordered the owner to appear at that hearing.

**Reference CE97030508**

Dorothy & Rene Chestnut  
1870 Northwest 24<sup>th</sup> Terrace

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 5/1/97 with compliance ordered by 5/8/97: one section at \$25 per day. The property was complied.

Ms. Tell granted an extension to August 3, 2006 and ordered the owner to appear at that hearing.

**Reference CE05081613**

Rupert Ricketts  
1210 Northwest 13<sup>th</sup> Lane

Order to Reappear

Ms. Bazer announced that this case was originally heard on 3/16/06 with compliance ordered by 4/15/06: 1 section at \$25 per day. The property was complied and the City was requesting imposition of \$800.

Mr. Rupert Ricketts, owner, explained that the property was complied.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that the property was complied, and said she did not object to a reduction of the fines, since she had a difficult time contacting Mr. Ricketts. Mr. Ricketts stated he had cleared the property approximately a week before Inspector Pingitore reinspected the property.

Ms. Tell reduced the fine to \$75.

**Reference CE05121403**

Richard Waters  
2878 Northeast 30<sup>th</sup> Place

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 6/5/06: three sections at \$50 per day, per violation. The property was not complied and the City was requesting imposition of \$4,500 and continuation of the fines.



Mr. Len Ackley, Community Inspections Officer, testified that Section 18-27(a) was now complied.

Ms. Richard Waters, owner, explained that this was a vacant piece of land, and service had not been made properly to him. Mr. Waters said he had obtained estimates to repair the parking area, and requested 60 – 90 days to comply the parking area and fence violations. Inspector Ackley recommended an extension to November.

Ms. Tell granted an extension to November 16, 2006, and ordered the owner to appear at that hearing.

**Reference CE05121205**

Stephanie Kazaks  
1707 Northwest 9<sup>th</sup> Street

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was originally heard on 5/4/06 with compliance ordered by 5/19/06: one section at \$25 per day. The property was complied and the City was requesting imposition of \$575.

Mr. Gary Kazaks, owner, explained that he was notified on June 6, 2006 and the property was complied a few days later.

Mr. William Snow, Community Inspections Officer, said the service was via posting at the property. He had met with Mr. Kazaks on June 6 at the property and informed him of the hearing, and Mr. Kazaks had complied the property six days later.

The Assistant City Attorney confirmed that the notice of violation was posted at the property on April 17, 2006, because mail addressed to the owner was returned by the Post Office “Not in Directory.”

Ms. Tell reduced the fine to \$150.

**Reference CE05100563**

Donna Collins  
732 Northwest 18<sup>th</sup> Street

Request for Extension

Ms. Bazer announced that the owner was requesting an extension.

Ms. Donna Collins, owner, submitted a letter explaining that she was enrolled in the City’s sidewalk project, and the City would repair the sidewalk. Ms. Collins noted that the concrete would probably not be poured for several months.

Ms. Irma Westbrook, Community Inspections Officer, confirmed that the sidewalk might not be repaired for a few months and suggested a 90-day extension.

Ms. Tell abated the fine and granted an extension to November 16, 2006.

**Reference CE06020500**

Calvin & Lucille Sapp  
131 Florida Avenue

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 4/20/06 with compliance ordered by 5/20/06: three sections at \$25 per day, per violation. The property was not complied and the City was requesting imposition of \$2,600 and continuation of the fines.

Mr. Calvin Sapp, owner, requested an extension to complete repairs.

Mr. Andre Cross, Community Inspections Officer, testified that the sod was complied in June. Mr. Sapp had informed Inspector Cross that the remaining violations were complied, but Inspector Cross must reinspect the property to confirm this.

Ms. Tell granted an extension to August 3, 2006 and ordered the owner to appear at that hearing.

**Reference CE05110794**

William Meredith Trust, Inc.  
1245 Northwest 1<sup>st</sup> Avenue

Massey Hearing/Request for Extension

Ms. Bazer announced that this case was originally heard on 3/16/06 with compliance ordered by 4/15/06: four sections at \$25 per day, per violation. Fines had been suspended from April 20 to June 20. The property was not complied and the City was requesting imposition of \$2,000 and continuation of the fines.

Mr. Jon Christenson, property manager, said the only remaining item was pressure cleaning and painting the building.

Ms. Irma Westbrook, Community Inspections Officer, said she had spoken with Mr. Christenson this morning, and he informed her of repairs that he made and what still needed to be done. She stated she must reinspect the property to confirm what had been done and what remained.

Ms. Tell granted an extension from June 20 to August 3, 2006 and ordered the property manager to appear at that hearing.

**Reference CE06051312**

Leonce Alcindor  
700 Northwest 14<sup>th</sup> Terrace

Sec. 18-27(a): Construction debris on property

Ms. Bazer announced that service was via the appearance of the owner at this hearing. Mr. William Snow, Community Inspections Officer, testified that there was roofing debris on the property. Inspector Snow presented photos of the property and recommended ordering compliance within 30 days or a fine of \$50 per day.

Mr. Leonce Alcindor, 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 \$50 per day would be imposed.

**Reference CE06021119**

235 South Fort Lauderdale Beach  
234 Almond Avenue

Sec. 47-19.9 A: Displays in public walkway

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

Mr. Al Lovingshimer, Community Inspections Officer, testified that the property was cited for outside displays. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$25 per day.

Mr. John Latona, attorney, said the tenant. Mr. Guerrios, was told by Inspector Lovingshimer that if the display pirate were affixed to the gate it would be in compliance. Mr. Guerrios had done this, but then been told that it was not complied. Mr. Latona wanted to submit photos of "more egregious offenses" blocks away from the subject property.

The Assistant City Attorney objected to Mr. Latona's photos. Ms. Tell advised Mr. Latona to give his photos to Supervisor Bradley.

Mr. Latona continued that the pirate was on private property and the property was secure from the public when the store was not open. He noted that the pirate did not block any access even when the store was open.

Inspector Lovingshimer said he had told the tenant that if the pirate were affixed to the gate, he might be able to obtain a permit for it but the Zoning Department had denied the permit application.

Ms. Tell asked Mr. Latona to confer with Supervisor Bradley and the Assistant City Attorney while she heard other cases.

Upon returning to the case, the Assistant City Attorney stated the City would dismiss the case.

Ms. Tell dismissed the case without prejudice.

**Reference CE06011598**

Holland Garden Center Inc.  
1035 Southeast 17<sup>th</sup> Street

Sec. 9-306: Missing greenhouse panels

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

Mr. Skip Margerum, Community Inspections Officer, testified that there were missing panels in the greenhouse. He noted that most of the panels had already been replaced. Inspector Margerum presented photos of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$50 per day.

Ms. Sandra Keyzers, owner, said she had spoken with Inspector Margerum and was in the process of hiring a contractor to paint.

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

**Reference CE06030867**

Bradco Supply Corp.  
1150 Northwest 23<sup>rd</sup> Avenue

Sec. 25-4: Blocking public sidewalk;  
Sec. 47-19.9 A.2.c: Outside display height;  
Sec. 47-20.20 D: Parking area used for storage

Ms. Bazer announced that this case was continued from 5/18/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that inventory stored on the property exceeded the height of the property's front wall; the other two violations were complied. She submitted photos of the property into evidence.

Mr. James Eddy, attorney, presented his own photo of the property to Ms. Tell. Mr. Eddy explained that the company had needed to overstock its roofing materials in response to demand since the hurricanes. The owner had applied for a permit and requested bids to build a 10-foot wall, which would shield the stock from view.

Mr. Dennis Ficara, facility manager, confirmed that they had exceeded the storage height due to the "overwhelming materials that were coming in." The Assistant City

Attorney interrupted Mr. Ficara and asked Ms. Tell to set a compliance deadline, since Mr. Ficara had admitted the violation. She suggested a 120-day deadline or a fine of \$100 per day.

Inspector Torres and the Assistant City Attorney also wanted to include the “boom trucks” in the violation. Mr. Ficara did not understand how the company trucks could be prohibited. The Assistant City Attorney said that Section 47-19.9.A.2 included “machines” in the height restriction, and she felt the vehicle was a machine. She felt that 120 days was “pretty generous,” adding that the property could be complied if they were to “move all the material out tomorrow.”

Ms. Tell found in favor of the City and ordered compliance with Section 47-19.9.A.2.c within 120 days or a fine of \$100 per day would be imposed.

**Reference CE06010693**

W.J. & Helen Dunsford  
910 Northwest 47<sup>th</sup> Court

Sec. 18-27(a): Trash and overgrowth on property; Sec. 9-281(b): Unlicensed, inoperable vehicle on property; BCZ 39-275(6)(b): Outside storage; BCZ 39-85(b)(1): Required ground cover

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

Mr. Sal Viscusi, Community Inspections Officer, testified that there was trash and overgrowth on the property and there were the following unlicensed, inoperable vehicles on the property: a Mazda van; a blue Buick Century; a white recreational vehicle; a brown and white station wagon; and an unidentified vehicle under a tarp; there was outside storage of household items and ground cover was missing from the property. Inspector Viscusi presented photos of the property and a copy of his file to Ms. Tell.

Ms. Helen Dunsford, owner, questioned whether Inspector Viscusi was allowed to “come into my yard to take the pictures.” Ms. Dunsford said she had applied for a loan to renovate the property, including tree trimming, sod installation and vehicle licensing and insurance. Inspector Viscusi noted that there was trash “bulging” through a section of damaged fencing. Ms. Tell said, “She’s not going to be allowed to continue living like this; it’s just impossible; I’m not going to allow it.” Ms. Dunsford said they were now negotiating with the loan company, and the loan company felt it would take two to three months because the Dunsfords must negotiate with Broward County regarding existing fines against the property.

Inspector Viscusi recommended ordering compliance with Sections 18-27(a), 39-275(6)(b) and 39-85 (b)(1) or a fine of \$25 per day, per violation and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicles would be towed. Ms. Dunsford said she could not afford to insure and register the vehicles without the loan. Ms. Tell advised her to remove the vehicles. Inspector Viscusi asked for “permission to

have the authority to go into her back yard as well, because I believe the back yard of the property is in worse condition than the front of the property." Ms. Tell stated that since Inspector Viscusi would meet with Ms. Dunsford within 10 days regarding the vehicle registration, while he was there, Ms. Tell said "if she wants to give you access, she can; if she doesn't want to, you'll have to deal with the City Attorney on that."

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a), 39-275(6)(b) and 39-85 (b)(1) within 60 days or a fine of \$25 per day, per violation and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicles would be towed.

**Reference CE06061498**

Clothes Connection, Inc.

Sec. 47-19.9.A: Outside display

227 South Fort Lauderdale Beach Boulevard

Ms. Bazer announced that certified mail addressed to the owner was accepted [no date], and certified mail addressed to the registered agent was accepted on June 20, 2006.

Mr. Al Lovingshimer, Community Inspections Officer, testified that there was outside display of merchandise at the property. This was a repeat violation of Case CE05121753 from 2/2/06. Inspector Lovingshimer stated that there had been twelve violations at the property since 2002. Inspector Lovingshimer presented a photo of the property taken on 6/21/06, the date the violation was issued, and a copy of the previous hearing order and finding of fact.

Mr. Marc Setton, owner, said all the merchandise was brought in as soon as inspector Lovingshimer noticed the violation. Mr. Setton said the displays were located on private property in front of his store. The Assistant City Attorney said that since the property had been found in violation before, the owner should not require an inspector to tell him to remove the mannequins; he should know this is never permitted.

Ms. Tell advised Mr. Setton to speak to Supervisor Bradley before leaving today to clarify exactly what was permitted and what was not, reminding him of the seriousness of the situation.

Inspector Lovingshimer requested a fine of \$500 for the one day the violation existed and for any future violation. Mr. Setton felt this was "ridiculous." Ms. Tell said she would fine Mr. Setton \$250 this time, but in the future, the fine would be \$500 per day.

Ms. Tell found in favor of the City and imposed a fine of \$250.

**Reference CE06031795**

Richard Elbaz  
3301 North Ocean Boulevard

Sec. 47-22.9: Signs without permits;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner was accepted on May 18, 2006.

Mr. Al Lovingshimer, Community Inspections Officer, testified that the building was missing windows and the sidewalk overhang was damaged and presented a potential pedestrian hazard; Section 47-22.9 was complied. He noted that the condition of the property was such that a case was being prepared for presentation to the Unsafe Structures Board. Inspector Lovingshimer presented photos of the property and a copy of the inspection report.

Mr. Lindwell Bradley, Community Inspections Supervisor, stated he had visited the property with Building Inspector Wayne Strawn, and they agreed the property was a hazard, and the City would block access to the sidewalk. Supervisor Bradley noted that the owner acknowledged the problem and had been cooperative. He explained that the structure must be removed; he did not believe it could be repaired.

Mr. Richard Elbaz, owner, agreed that the building should be demolished. He noted that the damaged section was boarded. Mr. Elbaz reported that his insurance company was currently stonewalling his claim. Ms. Tell advised him to get into the hurricane mediation program. Mr. Elbaz said he had a public adjuster involved already. Mr. Elbaz requested 90 days to comply. Supervisor Bradley felt it would probably take Mr. Elbaz 60 to 90 days to comply. He suggested a fine of \$250 per day for failure to comply.

Ms. Tell found in favor of the City and ordered compliance with Section 9-306 within 90 days or a fine of \$250 per day would be imposed.

**Reference CE06050799**

Janice Monaldi  
1800 Northeast 20<sup>th</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 47-19.9: Outside storage

Ms. Bazer announced that certified mail addressed to the owner was accepted on May 26, 2006.

Mr. Len Ackley, Community Inspections Officer, testified that there was trash on the property and items were stored outdoors on the property. He presented photos of the property and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation.

Ms. Janice Monaldi, owner, presented her own photos into evidence and explained that the storage could not be seen from off the property. Ms. Monaldi explained several problems she had experienced since moving here and said she was trying to deal with

the issues on the property. She said she was refinancing the property and should close by July 21.

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

**Reference CE06040687**

James & Karel Harell  
3117 Southwest 16<sup>th</sup> Street

Sec. 18-27(a): Trash on property;  
Sec. 9-280(b): Structure or Fixtures in  
disrepair; Sec. 9-281(b): Rubbish and trash on  
property; Sec. 9-306: Peeling paint/stained  
surfaces; BCZ 39-79(e): Dead and missing  
ground cover

Supervisor Bradley announced that certified mail addressed to the owner was accepted on May 26, 2006.

Mr. Robert Urow, Community Inspections Officer, testified that there was trash, rubbish and debris scattered about the property; the other violations were complied. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 9-281(b) within 14 days or a fine of \$25 per day.

Mr. James Harrell, owner, presented photos of his own that were accepted into evidence, showing progress at the property. Mr. Harrell requested another week to complete cleanup.

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

**Reference CE06011397**

Ragazza D'Lauderdale LLC  
918 Northwest 4<sup>th</sup> Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle  
on property; Sec. 9-329(a): Required  
certificate of boarding

Ms. Bazer announced that certified mail addressed to the owner and registered agent were both accepted on May 26, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the building had been boarded for more than six months; Section 9-281(b) was complied. He presented photos of the property and a copy of the case file and recommended ordering compliance with Section 9-329(a) within 10 days or a fine of \$25 per day.

Mr. Oscar Grisales, attorney for the owner, promised to comply within 10 days. Mr. Grisales was not sure what his client intended to do, obtain a certificate or remove the boards, and Inspector Lopez felt 30 days would be more appropriate.



Ms. Tell found in favor of the City and ordered compliance with Section 9-329(a) within 30 days or a fine of \$25 per day would be imposed.

**Reference CE05100855**

Marty McMillan  
1416 North Andrews Avenue

Sec. 9-280(h)(1): Fence in disrepair;  
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that service was via posting at the property on June 6, 2006, and at City Hall on June 15, 2006.

Mr. Mike Maloney, Community Inspections Officer, testified that the fence was in disrepair and there were areas of chipped and peeling paint on the property. Inspector Maloney recommended ordering compliance within 60 days or a fine of \$25 per day, per violation.

Mr. Marty McMillan, owner, felt he could complete the work within 60 days.

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

**Reference CE05100249**

J.A. & Helga Hindenberger  
1313 Northeast 15<sup>th</sup> Avenue

Sec. 47-19.9: Outside storage of building materials; Sec. 9-259(1)(b): Blocked windows; Sec. 9-281(b): Unlicensed, inoperable vehicle on property; Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that service was via posting at the property on June 22, 2006, and at City Hall on June 23, 2006.

Mr. Leonard Ackley, Community Inspections Officer, testified that there were building materials stored on the property; windows were boarded; there was an unlicensed, inoperable silver van and black sedan on the property and paint on the building was peeling and stained. Inspector Ackley explained that since the property was first cited, Mr. Hindenberger had suffered a heart attack and required bypass surgery and his son had died. The original case was closed, and Inspector Ackley had reopened the case, since neighbors had complained.

Mr. John Hindenberger, owner, explained that he had applied for a building permit, and all vehicles were registered. He was experiencing a problem getting the State of Tennessee to transfer the title of his son's car. Mr. Hindenberger requested 90 days to comply. Inspector Ackley suggested 120 days, since a permit was required.

Inspector Ackley presented photos of the property and a copy of the original case into evidence.

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 CE06031797**

James & Shirley Edwards  
2220 Northeast 53<sup>rd</sup> Street

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 owner at this hearing.

Mr. Skip Margerum, Community Inspections Officer, testified that the fence on the property was in disrepair; 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 19-280(h)(1) within 90 days or a fine of \$25 per day.

Ms. Shirley Edwards, owner, said all of her fences were taken down by the hurricane. Ms. Edwards was unsure if one section of the downed fence was on her property or on her neighbor's. Ms. Edwards discussed what must be done with Inspector Margerum. Ms. Tell advised her to settle the ownership question with her neighbor.

Ms. Tell found in favor of the City and ordered compliance with Section 19-280(h)(1) within 90 days or a fine of \$25 per day would be imposed.

**Reference CE06051033**

Arturo & Isabel Vales  
1640 Northeast 15<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 June 3, 2006.

Mr. Len Ackley, Community Inspections Officer, testified that there was overgrowth and tree debris on the property. He presented photos of the property and copies of the inspection report and notice of violation and recommended ordering compliance within 14 days or a fine of \$25 per day.

Mr. Arturo Vales, owner, said the notice mentioned "an arrest threat" and since he had no counsel, he did not want to proceed until a public defender was present to defend him. Ms. Tell confirmed that she could not take Mr. Vales into custody and put him in jail. Mr. Vales wanted a guarantee that testimony he gave would not be used to put him in jail. Ms. Tell advised Mr. Vales to confer with the Assistant City Attorney.

Ms. Tell assured Mr. Vales that she did not have the authority to jail him, and since this was not a criminal proceeding, he was not entitled to a public defender. The purpose of this hearing was to work with the homeowners to get their properties to comply with City

codes. She offered to continue the case for thirty days so Mr. Vales could retain an attorney.

Mr. Vales said he had explained to Inspector Ackley that he was willing to comply, but he had been ill and asked Inspector Ackley for additional time, but he had refused. Mr. Vales said he had also experienced difficulty contacting Inspector Ackley or his supervisor. He asked to work with someone other than Inspector Ackley, as he felt he could not work with him. Mr. Vales swore at Inspector Ackley and Ms. Tell admonished him and advised him to confer with Supervisor Bradley.

Upon returning to the case, Mr. Vales presented his own photos of his property showing his progress. Mr. Vales said his roof had started leaking and this was now his priority. He felt it would not make sense to clean up the yard and then dirty it up with roofing debris.

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 CE06041401**

Melila & Octoleme Guillaume  
2216 Northwest 15<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 June 24, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and overgrowth on the property. She presented photos of the property and a copy of the notice of violation and said she had spoken with the owner earlier and agreed to recommend 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 CE06011734**

Frances Line  
1900 Northeast 15<sup>th</sup> Avenue

Sec. 47-34.1 A.1: Permitted uses: multi-family use of single-family dwelling

Ms. Bazer announced that certified mail addressed to the owner was accepted [no date].

Mr. Leonard Ackley, Community Inspections Officer, testified that the single-family zoned home was used as a multi-family dwelling. Inspector Ackley had met with the owner and explained that the previous owner had divided the building up unbeknownst to the City, and rented out the individual units. The current owner bought the property thinking it was a legal multi-family building. Inspector Ackley had discussed what must

be done with the owner and agreed to recommend ordering compliance within 10 days or a fine of \$100 per day. Inspector Ackley submitted photos of the property and other documents into evidence.

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 CE06051496**

Raymond Hippele III  
1827 Middle River Drive

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

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

Mr. Len Ackley, Community Inspections Officer, testified that the fence was in disrepair. He presented photos of the property and other documents and said he had spoken with the owner and agreed to recommend 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 CE06051695**

Linda Long Smith  
1444 Northeast 13<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on June 19, 2006.

Mr. Len Ackley, Community Inspections Officer, testified that the fence was in disrepair. He presented photos of the property and stated he had spoken with the owner and agreed to recommend ordering compliance within 10 days or a fine of \$25 per day.

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 CE06011687**

Carolyn O'Malley & Michael Kent  
2621 Southwest 12<sup>th</sup> Terrace

Sec. 9-304(b): Maintenance of parking area

Ms. Bazer announced that certified mail addressed to the owner was accepted [no date].

Mr. Andre Cross, Community Inspections Officer, testified that the driveway was in disrepair and full of potholes. He presented photos of the property and a copy of the inspection report and notice of violation and recommended ordering compliance within 30 days or a fine of \$25 per day.

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

**Reference CE06031479**

Kerris Thompson  
661 Arizona Avenue

Sec. 18-27(a): Trash on property;  
Sec. 9-281(b): Rubbish and trash on property

Ms. Bazer announced that service was via posting at the property on May 24, 2006, and at City Hall on June 15, 2006.

Mr. Andre Cross, Community Inspections Officer, testified that the property was overgrown and trash was scattered about the property. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$25 per day, per violation.

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

**Reference CE06011721**

Roshni Investments Inc.  
1251 East Sunrise Boulevard

Sec. 24-7(b): Trash around dumpster;  
Sec. 47-22.6.F: Signs in disrepair

Ms. Bazer announced that certified mail addressed the owner and registered agent were both accepted on May 26, 2006.

Mr. Adam Feldman, Community Inspections Officer, testified that there was trash on the ground around the dumpster and the sign on the west side of the building was in disrepair. He presented photos of the property and copies of the inspection report and recommended ordering compliance with Section 24-7(b) within 10 days or a fine of \$100 per day, and with Section 47-22.6 F within 60 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 24-7(b) within 10 days or a fine of \$100 per day, and with Section 47-22.6 F within 60 days or a fine of \$100 per day would be imposed.

**Reference CE06050322**

Las Olas North LLC  
1180 Northeast 1<sup>st</sup> Street

NFPA 10 6.3.1: Fire extinguisher maintenance;  
NFPA 1 10.4.1: Non-functioning emergency  
lights

Ms. Bazer announced that certified mail addressed to the owner was accepted [no date] and certified mail addressed to the registered agent was accepted on May 19, 2006.

Ms. Ivette Spence-Brown, Fire Inspector, testified that the emergency lights and exit signs were not functioning properly; Section NFPA 10 6.3.1 was complied. She recommended ordering compliance with Section NFPA 1 10.4.1 within 30 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with Section NFPA 1 10.4.1 within 30 days or a fine of \$100 per day would be imposed.

**Reference CE06030813**

Brian & Susan Ailion  
702 Northwest 9<sup>th</sup> Avenue

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

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash on the property and the parking area was in disrepair, with potholes and faded striping; Section 9-280(h)(1) was complied. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 18-27(a) within 10 days or a fine of \$50 per day and with Section 47-20.20.H within 60 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$50 per day and with Section 47-20.20.H within 60 days or a fine of \$50 per day would be imposed.

**Reference CE06030816**

Dexter Banton  
610 Northwest 9<sup>th</sup> Avenue

Sec. 18-27(a): Trash on property  
Sec. 47-20.20 H: Parking area in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on May 18, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that both violations still existed as cited. He presented photos of the property and a copy of the inspection

report and recommended ordering compliance with Section 18-27(a) within 10 days or a fine of \$50 per day and with Section 47-20.20.H within 60 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$50 per day and with Section 47-20.20.H within 60 days or a fine of \$50 per day would be imposed.

**Reference CE06031229**

Michael Madraymootoo  
611 Northwest 7<sup>th</sup> Terrace

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

Ms. Bazer announced that service was via posting at the property on June 9, 2006, and at City Hall on June 15, 2006.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the property was overgrown and the fence was in disrepair. Inspector Lopez presented photos of the property and a copy of the notice of violation and inspection report and recommended ordering compliance with Section 18-27(a) within 10 days or a fine of \$50 per day, and with Section 9-281(h)(1) within 60 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$50 per day, and with Section 9-281(h)(1) within 60 days or a fine of \$50 per day would be imposed.

**Reference CE06040049**

Flagler Place LLC  
115 Northwest 6<sup>th</sup> Street

Sec. 47-34.1 A.1: Permitted uses: outside storage

Ms. Bazer announced that certified mail addressed to the owner and registered agent and the owner were both accepted on May 26, 2006.

Mr. Gil Lopez, Community Inspections Officer, testified that the parking area was being used for storage. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$50 per day.

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

**Reference CE06020879**

Christos & Emily Kirkiles  
2400 Northeast 36<sup>th</sup> Street

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

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

Mr. Skip Margerum, Community Inspections Officer, testified that the fence was in disrepair. He presented photos of the property and a copy of the inspection report and said he had spoken with the owner earlier and agreed to recommend ordering compliance within 90 days or a fine of \$25 per day.

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 CE06030785**

Leslie Anderson  
1424 Northeast 57<sup>th</sup> Place

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on May 31, 2006.

Mr. Skip Margerum, Community Inspections Officer, testified that there was an inoperable red Saturn on the property. He 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 would be imposed and the city would have the right to tow the vehicle.

**Reference CE06050294**

John Bryant  
620 Northwest 14<sup>th</sup> Avenue

NFPA 1 13.6.3.10: Fire Extinguisher not  
mounted properly; NFPA 1 13.6.6.1.1: Missing  
extinguisher; Sec. 1 4.5.8.1: Inoperable  
emergency lights

Ms. Bazer announced that certified mail addressed to the owner was accepted [no date].

Ms. Ivette Spence-Brown, Fire Inspector, testified that the fire extinguisher was not mounted within the height requirements; there was no extinguisher located within 30 feet of all units and the smoke detector battery was low. Inspector Spence-Brown 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 CE06011547**

Antoinette Walker  
627 Northwest 9<sup>th</sup> Avenue

Sec. 47-19.9: Construction materials stored  
on property

Ms. Bazer announced that certified mail addressed to the owner was accepted on June 8, 2006.

Mr. William Snow, Community Inspections Officer, testified that there were construction materials stored on the property. Inspector Snow presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$50 per day.

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

**Reference CE06021653**

2006 Development LLC  
921 Northeast 17<sup>th</sup> Terrace

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

Ms. Bazer requested a 30-day continuance on this case.

Ms. Tell continued the case to August 3, 2006.

**Reference CE06010036**

First National Bank of  
Fort Lauderdale Trust  
1420 East Sunrise Boulevard

Sec. 18-27(a): Trash on property;  
Sec. 47-19.9 A: Vehicle storage on property

Ms. Bazer announced that certified mail addressed to the owner was accepted on June 23, 2006.

Ms. Ursula Thime, Community Inspections Officer, testified that there was trash on the property and the automotive repair shop was storing vehicles in the parking area for extended periods of time. Inspector Thime presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 18-27(a) within 30 days or a fine of \$50 per day and with Section 47-19.9 A within 30 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 30 days or a fine of \$50 per day and with Section 47-19.9 A within 30 days or a fine of \$250 per day would be imposed.

**Reference CE06040330**

Allcar LLC  
100 Northeast 16<sup>th</sup> Place

Sec. 18-27(a): Trash on property;  
Sec. 9-280(b): Structure or Fixtures in  
disrepair; Sec. 9-304(b): Maintenance of  
parking area; Sec. 9-306: Peeling paint/stained  
surfaces

Ms. Bazer announced that certified mail addressed to the owner was accepted on June 26, 2006 and certified mail addressed to the registered agent was accepted on June 8, 2006.

Ms. Irma Westbrook, Community Inspections Officer, testified that the driveway was not maintained and the structure was not maintained, with rotted soffits and fascia; the other violations were complied. Inspector Westbrook presented photos of the property and a copy of the inspection report and said she had spoken with a company representative and agreed to recommend ordering compliance with Sections 9-304(b) and 9-306 within 30 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-304(b) and 9-306 within 30 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06051183**

Katherine Butler & Tara Cioro  
1200 Northeast 2<sup>nd</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on June 3, 2006.

Ms. Irma Westbrook, Community Inspections Officer, testified that there was no City water service to this occupied building. Inspector Westbrook 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.

**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:

CE06050031  
CE06050326

CE06050968  
CE06050357

CE06051539  
CE06021355

CE06060025  
CE06031298

CE06041492	CE05091253	CE06041673	CE06050309
CE06050320	CE06050323	CE06050324	CE06050325
CE06030932	CE06040109	CE06041477	CE06031234
CE06031799	CE06041472	CE06010824	CE06050099
CE06050263	CE06050304	CE06050298	CE05121336
CE06041532	CE06041537	CE06041546	CE06041618
CE06050348	CE06031257	CE06031781	CE06031814
CE06041174	CE06010955	CE06041136	CE06041137
CE06050883	CE06011543	CE06031574	CE06041073
CE06041081	CE06050116	CE06041533	CE06051468
CE06051659	CE06061504	CE06061496	

**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:

CE05080745	CE06021095	CE06030021	CE05121282
CE05120781	CE06011051	CE06051881	CE06031289
CE06041346	CE06050311	CE05110816	CE06012098
CE06030949	CE06050291	CE05081702	CE06041223
CE06041371			

**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:

CE05071293

**Approved for Claim of Lien**

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

CE03012378 - \$ 37,325	9516444 - \$ 375	CE06010827 - \$ 1,400
CE06020371 - \$ 4,600	CE06031402 - \$ 3,800	CE06020604 - \$ 3,800

Special Magistrate Hearing

July 6, 2006

Page 28

**Request to Vacate Previous Order**

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


CE02081456 – Order date: August 12, 2004: Improper service

CE97030508 – Order date: August 12, 2004: Improper service

There being no further business, the hearing was adjourned at 1:35 p.m.

  
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SPECIAL MAGISTRATE

ATTEST:

  
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Clerk, Special Magistrate