

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Special Magistrate Meah Tell, Presiding
August 3, 2006
9:00 A.M. –1:05 P.M.

Staff Present:

Assistant City Attorney
Eve Bazer, Clerk of Special Magistrate Supervisor
Sue Holmes, Service Clerk
Tuchette Torres, Community Inspections Officer
Peggy Burks, Community Inspections Officer
Michael Champion, Community Inspections Officer
Andre Cross, Community Inspections Officer
Dick Eaton, Secretary, Special Magistrate/Community Inspections Officer
Adam Feldman, Community Inspections Officer
John Gossman, Community Inspections Officer
Gilbert Lopez, Community Inspections Officer
Al Lovingshimer, Community Inspections Officer
Sue Manning, Secretary, Special Magistrate
Skip Margerum, Community Inspections Supervisor
Cheryl Pingitore, Community Inspections Officer
Bill Snow, Community Inspections Officer
Ursula Thime, Community Inspections Officer presenting for Joan Bispett, Community Inspections Officer
Salvatore Viscusi, Community Inspections Officer
Irma Westbrook, Community Inspections Officer

Also Present:

CE05021857: Lutz Martin Fritz Hofbauer, owner; J. Seiler, attorney
CE06020500: Calvin Sapp, owner
CE04120247: Cynthia Bulk, owner; Ronald LaFlamme, architect
CE06020705: Heidi Davis Knapik, attorney
CE06030405; 05090184: Lianne Day, tenant; Charles Urso, tenant
CE06061649: Thomas Jason, owner
CE06061941: David Casey, owner; Bessie Casey, owner
CE05030746: Camey Davidson, owner
CE05011352: Joseph Abrams, owner
CE05091393: Kevin Fernander, attorney
CE06040246: Fernando Wytrykusz, owner; Maria Armendaris, interpreter
CE05122023: Lori Sykes, property Manager
CE05110794: Jon Christenson, manager
CE05091874: Sylvia Miller, owner
CE06050813: Anthony Evans, owner
CE06020747: Ingeborg Leatherbury, owner

CE05010393: Herbert Davis, owner
CE06041452: Elizabeth Raysor, owner
CE06050995: Zachary Finn, owner
CE06051822: Angela Cope, owner
CE05032047: Brenda Dooling, owner; Leroy Dooling, owner
CE02081456; 97030508: Renee Chestnut, owner
CE06041296: Lesley Serrano, property manager
CE06051819: Eric Salazar, owner; Luis Pellot, partner
CE06020403: James Erdman, owner
CE06060567: Willie Smith, owner
CE06040344: William Trick, attorney; Douglas Davis, managing member

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 CE05010393

Herbert Davis
1621 Northwest 7th Place

Massey Hearing/Request for Abatement

Ms. Bazer announced that this case was originally heard on 6/2/05 with compliance ordered by 6/12/05: 2 sections at \$50 per day. The property was complied and the City was requesting \$24,550 in fines.

Mr. Herbert Davis, owner, explained that this was a rental property and he did not know of the violations because the notices were mailed to the property, not his home address. When he became aware of the situation, he did make the repairs. He requested reduction of the fines.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that the tenant had received the certified mail in May 2006. Inspector Pingitore stated Mr. Davis was cited in 2005 and she had spoken to him about the violations in January 2005, but the property was not complied until July 2006. Mr. Davis said he did not recall speaking to Inspector Pingitore.

Ms. Tell reduced the fine to \$5,000.

Reference CE06040344

LaBelle Villas LLC
6540 Northeast 18th Avenue

Continued from 5/18/06

Ms. Bazer announced that this case was continued from 5/18/06 and all the violations were complied. The case was first heard on 4/20/06 with compliance ordered by 4/30/06: 1 Section at \$100 per day; 7 violations were continued, so no fines had run. Mr. Skip Margerum, Community Inspections Supervisor, confirmed that fines had only run for Section 18-27(a) for 16 days for a total of \$1,600.

Mr. William Trick, attorney, reminded Ms. Tell that the property had been cited using the wrong owner's name. Mr. Trick said the property caretakers had been instructed to keep the property cleaned up and had been doing so; an inspector had just happened to visit the property after a tenant had left and dumped his trash on the property. Mr. Trick requested reduction of the fine. Supervisor Margerum recommended reducing the fine to \$500. He noted that the owner had encountered problems evicting a tenant and this was why the fines had run.

Ms. Tell reduced the fine to \$500.

Reference CE05030746

John & Camey Davidson
1200 Northwest 19th Street

Massey Hearing/Request for Extension

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. The property was not complied and the City was requesting \$54,900 in fines and continuation of the fines.

Ms. Camey Davidson, owner, explained that she had signed a contract with a contractor and applied for the permit.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that Ms. Davidson had applied for the permit and the chain link fence was already complied. She suggested a 90-day extension for the parking lot.

Ms. Tell granted an extension to 11/16/06 and ordered the owner to appear at that hearing.

Reference CE06040246

Fernando Wytrykusz
1301 Northeast 13th Avenue

Request for Extension

Ms. Bazer announced that this case was first heard on 5/18/06 with compliance ordered by 7/17/06: 3 Sections at \$50 per day.

Mr. Len Ackley, Community Inspections Officer, testified that only Section 9-308(a) was not complied.

Ms. Maria Armendaris, interpreter, stated she would speak for Mr. Wytrykusz and requested an extension for the roof repair. Ms. Tell felt 90 days would be sufficient.

Ms. Tell granted a 90-day extension.

Reference CE05071352

J. & Elizabeth Abrams
1114 Northwest 12th Street

Request for Extension

Ms. Bazer announced that this case was originally heard on 6/1/06 with compliance ordered by 7/1/06: 1 Section at \$25 per day.

Mr. Joseph Abram, owner, requested additional time to replace the sod. He requested 90 days.

Ms. Tell granted a 90-day extension.

Reference CE05122023

Robin Collier
1318 Northwest 11th Court

Massey Hearing/Ordered to Appear

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 5/6/06 and 6/5/06. The property was not complied and the City was requesting \$750 in fines and continuation of the fine.

Ms. Lori Sykes, property Manager, stated the property was complied. Ms. Sykes said she had experienced difficulty finding a contractor. When the contractor had failed to do the work, she had found a handyman. This was the reason for the delay.

Ms. Cheryl Pingitore, Community Inspections Officer, informed Ms. Tell that the property was complied on June 16. The fines were therefore \$275, not \$750.

Ms. Tell reduced the fine to \$225.

Reference CE06020705

Transacta Prive Development Ltd.
716 Breakers Avenue

Massey Hearing/Ordered to Appear

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. Fines had been suspended from 7/6/06 to 8/4/06. The property was not complied and the City was requesting \$4,600 in fines and continuation of the fines.

Ms. Heidi Davis, attorney, said one of the last two tenants had been evicted; the other was supposed to have left by July 31, but had been admitted to the hospital and subsequently disappeared and could not be contacted. The basement and one stairwell were secured, and the property manager had contacted a friend of the missing tenant, who informed him that it would take at least a week for the tenant to remove his belongings. Ms. Davis requested an additional 30 days.

Mr. Al Lovingshimer, Community Inspections Officer, confirmed that there were no immediate safety issues and he did not object to an extension.

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

Reference CE06020403

Virginia Erdman
2523 Barbara Drive

Request for Extension

Ms. Bazer announced that this case was first heard on 4/20/06 with compliance ordered by 7/19/06: 1 Section at \$25 per day. The property was not complied.

Mr. James Erdman, the owner's son, said landscaping work was going on in the rear of the property and heavy equipment would keep driving over the front lawn. He therefore wanted to wait until that work was complete to replace the ground cover. Mr. Erdman said he had spoken with Inspector Lovingshimer, who agreed that he could use mulch instead of sod.

Mr. Al Lovingshimer, Community Inspections Officer, confirmed that Mr. Erdman had a permit for the work at the rear of the property. He confirmed that mulch was permissible substitute for live ground cover.

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

Reference CE05091393

Gada Management LC
1250 Northwest 23rd Avenue

Request for Extension

Ms. Bazer announced that this case was originally heard on 4/20/06 with compliance ordered by 6/19/06: 6 sections at \$100 per day.

Mr. Kevin Fernander, attorney, reported that the engineering reports and surveys were complete and they had applied for permits. He presented transmittal letters for the plans and proof of application payments. Mr. Fernander confirmed that the parking and safety issues had been addressed.

The Assistant City Attorney objected to Mr. Fernander's documents and felt they were irrelevant. She noted that they did not need plans to move the merchandise. She stated that as of yesterday, there was no permit application. Mr. Fernander said the City reviewed the plans and calculated a fee and then contacted the owner. He said they had already met with inspectors regarding the requirements. The Assistant City Attorney noted that the transmittal letter was sent to Broward County. Mr. Fernander requested another 90 days to obtain permits.

Ms. Cheryl Pingitore, Community Inspections Officer, presented photos depicting the violations as they continued in June and July. She objected to any extension, noting that the merchandise could be removed and the trucks could stop parking in turning lanes in the street. Inspector Pingitore said These violations had continued since September 2005 and there were continual complaints from the neighbors. Mr. Fernander listed work already done at the property to mitigate the violations.

Inspector Pingitore reminded Ms. Tell that originally there had been promises from Mr. Fernander to open another gate at the property to provide a roundabout for the trucks, so they could keep 23rd Avenue's turning lanes clear. This had never happened; the gate was still closed. Ms. Tell advised Mr. Fernander to confer with Inspector Pingitore and view her photos.

Upon returning to the case, Inspector Pingitore said she was reluctant to grant any further extensions because so little progress had been made. Ms. Tell advised Mr. Fernander that Inspector Pingitore would visit the property and see how the truck routing issue was being handled.

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

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

Reference CE06030405

Arnold Mittelman
920 Northwest 62nd Street

Request for Extension

Ms. Bazer announced that this case was first heard on 6/1/06 with compliance ordered by 8/1/06: 4 Sections at \$100 per day.

Ms. Lianne Day, tenant, requested an extension of 90 days for both properties.

Mr. Sal Viscusi, Community Inspections Officer, said he had no objection to the extension. He noted that they had been very diligent in trying to comply the properties. Inspector Viscusi said he and the tenant had both made a mistake initially in not realizing that separate permits were needed for the two properties. He submitted photos showing violations that were already complied.

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

Reference CE05090184

Arnold Mittelman
6001 Northwest 9th Avenue

Request for Extension

Ms. Bazer announced that this case was first heard on 6/1/06 with compliance ordered by 7/31/06: 2 Sections at \$50 per day.

Ms. Lianne Day, tenant, said they had obtained the permit for the paving on July 12, 2006 and the contractor had begun work immediately. She felt the work would be completed very soon.

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

Reference CE05032047

Leroy, Jr., & Brenda Dooling
2016 Northwest 3rd Court

Request for Extension

Ms. Bazer announced that this case was first heard on 5/4/06 with compliance ordered by 8/2/06: 1 section at \$50 per day.

Ms. Brenda Dooling, owner, stated they had hired a contractor and filed a permit application. She requested 90 additional days.

Mr. John Gossman, Community Inspections Officer, had no objection to an extension.

Ms. Tell granted a 90-day extension.

Reference CE04120247

W.C. Jr. & F.J. Brewer
Revocable Living Trust
301 East Sunrise Boulevard

Request for Extension

Ms. Bazer announced that this case was first heard on 3/17/05 with compliance ordered by 6/15/05.

Ms. Cynthia Brewer Bulk, property manager and daughter of the owner, said the only remaining violation was Section 9-306. She said they were still involved in the DRC process. They were now approaching final sign-off, after which they would need time to apply for permits. She requested another 90 days.

Mr. Andre Cross, Community Inspections Officer, had no objection to an extension.

Ms. Tell granted a 90-day extension.

Reference CE06050995

Zachary Finn
1616 Southeast 2nd Court

Request for Extension

Ms. Bazer announced that this case was originally heard on 7/20/06 with compliance ordered by 8/3/06: 1 section at \$25 per day.

Mr. Zachary Finn, owner, said he had met with Inspector Lauridsen and confirmed what must be done and hired a landscape architect to do the work. He requested an additional 60 days to comply.

Mr. Karl Lauridsen, Community Landscape Officer, said he had no objection to an extension, but felt 30 days was enough. He noted that two of the trees listed on Mr. Finn's plan were not the right trees. Ms. Tell advised Mr. Finn to consult with Inspector Lauridsen about the trees.

Ms. Tell granted a 45-day extension.

Reference CE02081456

Dorothy & Renee Chestnut
1870 Northwest 24th Terrace

Massey Hearing/Ordered to Appear

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 \$30,375 in fines and continuation of the fines.

Mr. Renee Chestnut, owner, explained that the car was gone, the grass was cut, and she was researching the boarding permit and contractor, because the City had originally boarded the property.

Ms. Cheryl Pingitore, Community Inspections Officer, said the property was still overgrown, and had a history of overgrowth and trash. Regarding the board-up permit, she had informed Ms. Chestnut that she must obtain the permit and hire a contractor herself. Inspector Pingitore said Ms. Chestnut must submit plans to either rehabilitate or demolish the property in order to get a permit. She noted that these issues were ongoing since 2002. Inspector Pingitore presented photos of the property to Ms. Chestnut and Ms. Tell. Ms. Chestnut submitted her own photos, taken today, showing the grass had been mowed.

Inspector Pingitore said the contractor Ms. Chestnut had contacted knew how to apply for a permit, but Ms. Chestnut had still not decided how to handle the situation and had

plans drawn. Inspector Pingitore said the order was clear about what must be done to comply: Ms. Chestnut must submit an application to Construction Services Division for renewal of the board up certificate, pay the renewal fee, and pass final inspection.

Ms. Tell advised Ms. Chestnut to consult with the contractor to develop a rehabilitation plan for the property and obtain the proper permits.

Ms. Tell granted an extension to 9/21/06 and ordered the owner to appear at that hearing.

Reference CE97030508

Dorothy & Renee Chestnut
1870 Northwest 24th Terrace

Massey Hearing/Ordered to Appear

Ms. Bazer announced that this case was originally heard on 5/1/97 with compliance ordered by 5/9/97: one section at \$25 per day. The property was complied and the City was requesting \$10,825 in fines.

Ms. Cheryl Pingitore, Community Inspections Officer, said this case was complied. She recommended imposing the total fine. She found evidence in the property history that Ms. Chestnut's father had been denied fine abatement in 1997. He was offered an amnesty settlement amount of \$2,706.25 in 2003, but when this was not paid by March 1, 2004, the fine reverted to the original amount. Inspector Pingitore noted that in addition to the fines for the violations, there were several liens on the property for the City-performed maintenance. Ms. Tell said she could not say whether Ms. Chestnut's father had been blameless, but was impressed that now that Ms. Chestnut was aware of the problems, she was trying to do something.

Ms. Tell reduced the fine to \$1,500.

Reference CE05110794

William Meredith Trust, Inc.
1245 Northwest 1st Avenue

Massey Hearing/Ordered to Appear

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. The property was complied and the City was requesting \$2,000 in fines.

Ms. Irma Westbrook, Community Inspections Officer, said the property complied as of the previous day.

Mr. Jon Christenson, property manager, said he had never been notified of the violations by mail, but as soon as he was aware of the violations, he had acted. Inspector Westbrook confirmed that the biggest problem was the fallen ficus tree.

Inspector Westbrook gave a history of the case and fine dates. Mr. Christenson admitted he had not requested enough time for his extension.

Mr. Skip Margerum, Community Inspections Supervisor, recommended a fine of \$1,000 and the Assistant City Attorney agreed. The Assistant City Attorney stated that this owner and manager had a history of hundreds of code enforcement cases before the City for quality of life issues.

Ms. Tell reduced the fine to \$1,000.

Reference CE06020500

Calvin & Lucille Sapp
131 Florida Avenue

Massey Hearing/Ordered to Appear

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. The property was not complied and the City was requesting \$2,600 in fines and continuation of the fines.

Mr. Calvin Sapp, owner, said he had completed everything but the final cleaning and requested an extension.

Mr. Andre Cross, Community Inspections Officer, confirmed that Mr. Sapp had been very busy making the repairs. He had explained to Mr. Sapp what still needed to be done.

Ms. Tell granted a 21-day extension and ordered the owner to appear at the September 21, 2006 hearing.

Reference CE05021857

Flagler Warehouse 1 LLC
501 Northwest 1st Avenue

Continued from 6/15/06

Ms. Bazer announced that this case was continued from June 15, 2006.

Mr. John Gossman, Community Inspections Officer, testified that the parking surface was in disrepair; the building was stained and discolored; some doors and windows were boarded, inoperable or broken and the fascia was deteriorated; Sections 18-27(a), 47-22.6.F, 47-22.9 and 9-280(g) were complied. Inspector Gossman noted that there was constant progress at the building. He presented photos of the property and recommended ordering compliance with all open sections within 90 days or a fine of \$50 per day.

Mr. J. Seiler, attorney, said they had not received notice of the violations until May 2006; the notices were going to a Hollywood address. Mr. Seiler said the problem was caused by their inability to block off the road to prevent illegal dumping. He said his

client had spent huge sums of money to comply. He requested 90 days to finish the repairs.

The Assistant City Attorney agreed to allow another 90 days if Mr. Seiler or another representative would appear at next hearing.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-20.20.H, 9-306, 9-307(a) and 9-308(c) within 90 days or a fine of \$50 per day would be imposed.

Reference CE05091874

Sylvia Miller
1505 Northwest 2nd Avenue

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

Supervisor Margerum announced that service was via the appearance of the owner at this hearing.

Mr. Andre Cross, Community Inspections Officer, testified that the property was overgrown and there were areas of stained, peeling paint on the building. He presented photos and property history to Ms. Tell.

Ms. Sylvia Miller, owner, said it was not her property that was overgrown, but the City pumping station property. She explained that she had suffered extensive hurricane damage. She had performed much of the work already, but must pass final inspection before the house was painted. Inspector Cross noted that Ms. Miller was coordinating all of the work on her own, and recommended 10 days to reinspect the overgrowth and 6 months to comply the painting. Ms. Miller said she was now mowing all of the grass and would no longer wait for the City to do it.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27(a) within 10 days or a fine of \$25 per day and with Section 9-306 within 180 days or a fine of \$25 per day would be imposed.

Reference CE06020747

Good Service Realty Inc.
1330 Southeast 12th Way

Sec. 18-27(a): Trash on property;
Sec. 47-19.9: Outside storage on property;
Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on July 14, 2006.

Mr. Adam Feldman, Community Inspections Officer, testified that there was trash on the property; there was outside storage on the property and there were areas of missing paint on the building and hurricane shutters. He presented photos of the property and a copy of the inspection report to Ms. Tell.

Ms. Ingeborg Leatherbury, owner, requested 10 days to remove the trash and outside storage and 6 weeks to complete the painting.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a) and 47-19.9 within 10 days or a fine of \$50 per day and with Section 9-306 within 45 days or a fine of \$50 per day would be imposed.

Reference CE06061941

Bessie Casey
1147 Northwest 16th Way

Sec. 18-27(a): Trash on property;
Sec. 9-306: Peeling paint/stained
surfaces; Sec. 9-329(d): Required certificate of
boarding

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and overgrowth on the property and per CE04111205 9/1/05 this was constant and repetitive; the building was dirty and mildew-stained, and the board up certificate issued for the property had not been renewed, nor had the building/structure been repaired, rehabilitated or sold. She presented photos of the property and a copy of the inspection report and notice of violation and recommended ordering compliance with Sections 9-306 and 9-329(d) within 60 days or a fine of \$25 per day and with Section 18-27(a) within 10 days or a fine of \$100 per day.

Mr. David Casey, the owner's son, presented his photos taken the previous day, showing that the lawn was taken care of. He also provided a receipt showing he had disposed of the tires that had been on the property. Mr. Casey said they intended to remove the boards, paint the building and reconnect the sewer. He requested 60 days to complete repairs.

Inspector Pingitore said Ms. Casey had contacted her and assured her that the property would be maintained, this was why Inspector Pingitore was not requesting immediate imposition of the fines for the recurring violation.

Ms. Bessie Casey, owner, promised to maintain the property.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-306 and 9-329(d) within 60 days or a fine of \$25 per day and with Section 18-27(a) within 10 days or a fine of \$100 per day would be imposed.

Reference CE06051822

Daniel & Angela Cope
2011 Northeast 18th Street

Sec. 6-34: More than 3 cats on premises
without kennel permit; Sec. 6-7(b) (4): Animals
kept in unsanitary environment

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

Mr. Len Ackley, Community Inspections Officer, testified that there were more than three cats on the premises, which required a kennel permit, and the environment was unsanitary, with offensive odors, causing a nuisance for the neighborhood. He presented photos of the property and recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

Ms. Angela Cope, owner, requested time to relocate the cats. She explained that she had already captured two and brought them to shelters for adoption. Ms. Cope explained that the next-door neighbor had moved and left the cats. She agreed to catch the remaining cats and find a way to eradicate the odors.

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 CE06041452

Elizabeth Raysor
1642 Northwest 14th Court

Sec. 47-20.13 A: Vehicles parked on grass;
Sec. 47-21.8: Missing ground cover;
Sec. 9-281(b): Unlicensed, inoperable vehicles
on property

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there were areas of dead or missing ground cover on the property and there was an unlicensed, inoperable blue 4-door vehicle on the property; Section 47-21.13.A was complied. She presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 47-21.8 within 45 days or a fine of \$25 per day, and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Ms. Elizabeth Raysor, owner, said she had one loan on the property that would be paid off in October. She requested 90 days to allow her time to apply for another loan. Inspector Pingitore noted that if Ms. Raysor replaced the sod, it would survive if no one parked on it. Ms. Raysor said she did not have the money for sod right now, and there was other work to be done at the house.

Ms. Tell found in favor of the City and ordered compliance with Section 47-21.8 by October 19, 2006 or a fine of \$25 per day, and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed. She also ordered the owner to appear at the October 19, 2006 hearing.

Reference CE06060567

Willie & Evelyn Smith
2588 Northwest 27th Avenue

Sec. 9-281(b): Unlicensed, inoperable vehicle
on property; BCZ 39-275(6)(b): Outdoor
storage of trash

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

Ms. Tuchette Torres, Community Inspections Officer, testified that there was an unlicensed, inoperable grey Cadillac on the property and there was trash stored on the property. She presented photos of the property to Ms. Tell

Mr. Willie Smith, owner, said the vehicle worked, but needed registration and insurance. He requested two weeks to get the trash off of the property. Inspector Torres advised Mr. Smith that bulk trash removal was the following Wednesday. Mr. Smith agreed to get the trash out by then.

Ms. Tell found in favor of the City and ordered compliance with Section BCZ 39-275(6)(b) within 10 days or a fine of \$25 per day, and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Reference CE06061649

Thomas Jason
1017 Northeast 13th Street

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

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

Mr. Len Ackley, Community Inspections Officer, testified that there was trash on the property and there were numerous items stored outside. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$50 per day.

Mr. Thomas Jason, owner, said the items belonged to a tenant and he was in the process of evicting this tenant. He requested 60 days to evict Mr. Lanigan or remove his items.

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

Reference CE06051819

Eric Salazar
2509 Northeast 21st Street

Sec. 18-1: Stagnant pool water;
Sec. 18-27(a): Overgrowth on property;
Sec. 9-280(h)(1): Fence in disrepair;
Sec. 9-306: Peeling paint/stained surfaces;
Sec. 9-308 (a): Roof in disrepair

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

Mr. Len Ackley, Community Inspections Officer, testified that the pool contained green, uncirculating water that was a breeding ground for insects; the fence was in disrepair; the house had areas of chipped, peeling paint and the roof was in disrepair and leaked; Section 18-27(a) was complied. Inspector Ackley added that the fence was installed without a permit as well. He presented photos of the property to Ms. Tell.

Mr. Louis Pellot, Mr. Salazar's partner, explained that he had just stood the fence back up after the hurricane felled it. He said they were awaiting a permit to demolish the house. He hoped to demolish within 60 days. He added that the pool was now empty.

Inspector Ackley noted that there was a tenant on the property and Mr. Pellot said he was trying to remove the tenant. Inspector Ackley agreed to 30 days to remove the tenant, secure the building and maintain the pool and grounds.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-1, 9-280(h)(1), 9-306 and 9-308(a) within 30 days or a fine of \$100 per day, per violation, and ordered an owner to appear at the September 21, 2006 hearing.

Reference CE06041296

Conexanu Inc.
2237 North Ocean Boulevard

Sec. 18-27(a): Trash on property;
Sec. 9-280(g): Electrical components in disrepair; Sec. 9-306: Peeling paint/stained surfaces

Ms. Bazer announced that certified mail addressed to the owner was accepted on July 7, 2006 and certified mail addressed to the registered agent was accepted [no date].

Mr. Al Lovingshimer, Community Inspections Officer, stated that there was overgrowth and debris on the property; there were electrical fixtures in disrepair and sections of fascia were missing. He presented photos of the property and a copy of the inspection report to Ms. Tell.

Ms. Lesley Serrano, property manager, said she had problems getting a handyman to work on the property. She was also experiencing a problem with her insurance adjusters, who had awarded a certain amount for roof repairs after the hurricane, but no roofer would repair the roof, they would only replace it. She hoped the handyman could complete the other repairs within the week.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27(a) and 9-280(g) within 30 days or a fine of \$50 per day per violation and with Section 9-306 within 90 days or a fine of \$50 per day would be imposed.

Reference CE06050287

Jean, Abulaine, Jacqueline &

NFPA 10 6.3.1: Fire extinguisher maintenance;

Marie Pierre
819 Northwest 3rd Avenue

NFPA 1 4.5.8.1: Inoperable emergency lights;
NFPA 1 10.13.1.1: Missing unit numbers

Ms. Bazer announced that Inspector Meadows had spoken to the storeowner, and reminded him of the hearing.

Ms. Tammy Meadows, Fire Inspector, confirmed that she had spoken with the owner several times and made him aware of the hearing. Inspector Meadows testified that the smoke detectors were in need of service; Sections 10.6.3.1 and 1 10.13.1.1 were complied. She noted that this was a life safety issue and recommended ordering compliance with Section 1 4.5.8.1 within 10 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 1.4.5.8.1 within 10 days or a fine of \$150 per day would be imposed.

Reference CE05101495

Saintilet Saint-Gerard
1301 Northeast 3rd Avenue

Sec. 9-306: Peeling paint/stained
surfaces; Sec. 9-308 (b): Roof in disrepair

Ms. Bazer announced that service was via posting at the property on June 20, 2006, and at City Hall on July 20, 2006.

Ms. Peggy Burks, Community Inspections Officer, testified that the roof was dirty and was missing shingles; Section 9-306 was complied. She presented photos of the property and recommended ordering compliance with Section 9-308(b) within 30 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-308(b) within 30 days or a fine of \$50 per day would be imposed.

Reference CE06021416

Keystone Halls Inc.
218 Southwest 14th Court

Sec. 18-27(a): Trash on property;
Sec. 47-34.1.A.1.: Permitted uses: outside
storage

Ms. Bazer announced that certified mail addressed to the owner and manager were both accepted on July 14, 2006.

Ms. Peggy Burks, Community Inspections Officer, testified that there was a sailboat stored on the property; Section 18-27(a) was complied. She presented photos of the property and recommended ordering compliance with Section 47-34.1.A.1. within 14 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-34.1.A.1. within 14 days or a fine of \$50 per day would be imposed.

Reference CE06021653

2006 Development LLC
921 Northeast 17th Terrace

Continued from 7/6/06

Ms. Bazer announced that this case was continued from 7/6/06.

Ms. Ursula Thime, Community Inspections Officer, testified that the current owner of this property said the fence was not his and was therefore afraid to remove it. She had discovered that there was no permit issued at either property address for the fence. The adjacent neighbor had then informed her that the previous owner of 921 Northeast 17th Terrace had erected the fence. She recommended 30 days to inform the owner that he could remove the fence.

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 CE06060503

Multiplicity L LLC
1320 Northeast 7th Avenue

Sec. 24-7(b): Trash in dumpster enclosure

Ms. Bazer announced that certified mail addressed to the owner and registered agent were both accepted on July 1, 2006.

Mr. Adam Feldman, Community Inspections Officer, testified that there was bulk trash in and around the dumpster enclosure. He 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 CE05121293

Victor Marc
1441 Northeast 10th Avenue

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

Ms. Bazer announced that certified mail addressed the owner was accepted on June 29, 2006.

Mr. Adam Feldman, Community Inspections Officer, testified that there was an inoperable silver Dodge Omni with an expired tag and flat tire on the property and there were areas of the fascia board that were rotting. He 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 \$25 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 \$25 per day would be imposed.

Reference CE06050642

Edzer & Shirlene Ledain &
Lidena Michel
1676 North Dixie Highway

Sec. 47-20.20 H: Parking area in disrepair;
Sec. 47-21.8: Missing ground cover;
Sec. 9-306: Peeling paint/stained surfaces

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

Mr. Adam Feldman, Community Inspections Officer, testified that the parking area was in disrepair; there was missing ground cover on the property and paint was peeling and awnings were mildewed. He presented photos of the property and a copy of the inspection report and recommended ordering compliance within 60 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day per violation would be imposed.

Reference CE06060350

D J P of Broward Inc.
3043 Center Avenue

Sec. 18-1: Stagnant pool water;
Sec. 9-280(h)(1): Fence in disrepair

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on July 7, 2006.

Mr. Al Lovingshimer, Community Inspections Officer, testified that the pool water was black and stagnant, providing a breeding ground for mosquitoes and the fence was in disrepair. He presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 18-1 within 10 days or a fine of \$100 per day and with Section 9-280(h)(1) within 10 days or a fine of \$25 per day. Inspector Lovingshimer asked Ms. Tell to grant him the right to enter the property to attend to the pool if that violation was not complied within 10 days.

Mr. Skip Margerum, Community Inspections Supervisor, said they had discussed the desire to enter a vacant property to tend to a pool problem, such as the right the City now had to enter a property to remove a derelict vehicle.

Ms. Tell found in favor of the City and ordered compliance with Section 18-1 within 10 days or a fine of \$100 per day, or the City would take steps to remediate the pool problem and with Section 9-280(h)(1) within 10 days or a fine of \$25 per day would be imposed.

Reference CE06031706

Carol Rogers, Diddyann Archer,
Karen Trowers
1755 Lauderdale Manors Drive

Sec. 18-27(a): Trash on property;
Sec. 47-21.8: Missing ground cover;
Sec. 9-281(b): Unlicensed, inoperable vehicle
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 on the property; there were areas of dead and missing ground cover on the property and there was an inoperable, unlicensed blue Pontiac Firebird on the property. She presented photos of the property and a copy of the inspection report, notice of violation and property history, and recommended ordering compliance with Sections 18-27(a) and 47-21.8 within 10 days or a fine of \$25 per day, and with Section 9-281(b) 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 with Sections 18-27(a) and 47-21.8 within 10 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 vehicle would be towed.

Reference CE06060553

Dan Davies
1624 Northwest 16th Street

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

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the following unlicensed, inoperable cars were present on the property: a red GMC pickup; a brown Chevy Astro van, and a blue Rodeo. Inspector Pingitore noted that the property was vacant and the City had maintained and boarded the property. She presented photos of the property and a copy of the inspection report, notice of violation and property history, and recommended ordering compliance within 10 days or a fine of \$250 per day or the vehicles would be towed.

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

Reference CE06061443

Tyler Tuchow
1623 Northwest 16th Street

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

Ms. Bazer announced that certified mail was accepted by the owner on July 5, 2006.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash and overgrowth on the property and there was an unlicensed, inoperable red 4-door vehicle on the property. She presented photos of the property and a copy of the inspection report, notice of violation and property history, and recommended ordering compliance with Section 18-27(a) within 10 days or a fine of \$100 per day and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed. Inspector Pingitore said she had spoken with the owner in June and advised him to maintain the property and remove the vehicles, but this had not been done.

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 and with Section 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Reference CE05090800

Yvrose Lamonge
600 Northwest 16th Street

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

Ms. Bazer announced that service was via posting at the property on July 7, 2006, and at City Hall on July 20, 2006.

Mr. William Snow, Community Inspections Officer, testified that the driveway was not dust and weed-free. He explained that the owner had made great progress, but the property was not quite complied. He 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 CE06050813

Anthony Evans
1324 Northwest 5th Avenue

Sec. 9-280(f): Deteriorated plumbing;
Sec. 9-307(a): Doors not weather-tight;
Sec. 9-308: Roof in disrepair

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

Ms. Irma Westbrook, Community Inspections Officer, testified that the plumbing was not maintained; the exterior doors were not weather-tight and the roof was leaking. She presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$100 per day, per violation.

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.

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:

CE06041668	CE06051419	CE06060695	CE06031783
CE06050718	CE06040189	CE06031728	CE05090537
CE05090613	CE05100329	CE06051926	CE06031828
CE06060995	CE06051646	CE06041288	CE05110805
CE06050929	CE06050950	CE06021384	CE06051850
CE06060735	CE05090219	CE06030552	CE06051780
CE06051049	CE06051781	CE06061637	CE06050283
CE05120343	CE06051388	CE06021534	CE06051056
CE06060574	CE06060905	CE06061049	CE06061051
CE06061052	CE06061057	CE06061062	CE06021437
CE05120770	CE06041434	CE06041737	CE06050839
CE06050820	CE06050825	CE06050834	CE06051245
CE06051983	CE06060773	CE05121949	

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:

CE06041595	CE06011722	CE06021536	CE05101444
CE06040299	CE06050927	CE06060329	CE06060641
CE06051072	CE06030875	CE06051057	CE06060704
CE06050128	CE06012138	CE06021432	

Cases Rescheduled

Ms. Bazer announced that the below listed cases were rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE05101372	CE06061252
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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:

CE06051334

Approved for Claim of Lien

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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

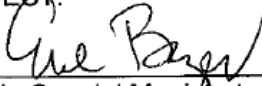
CE05120872 - \$ 13,900	CE05090812 - \$ 8,050	CE05121282 - \$ 11,800
CE06021095 - \$ 6,000	CE06050507 - \$ 500	CE05120781 - \$ 33,000

There being no further business, the hearing was adjourned at 1:05p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate