

**SPECIAL MAGISTRATE HEARING**  
**City Commission Meeting Room**  
**Special Magistrate Meah Tell, Presiding**  
**September 21, 2006**  
**9:00 A.M. –1:15 P.M.**

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Staff Present:

Assistant City Attorney  
Eve Bazer, Clerk of Special Magistrate Supervisor  
Sue Holmes, Secretary, Special Magistrate  
Sue Manning, Secretary, Special Magistrate  
Lindwell Bradley, Community Inspections Supervisor  
Tuchette Bryant-Torres, Community Inspections Officer  
Peggy Burks, Community Inspections Officer  
Adam Feldman, Community Inspections Officer  
John Gossman, Community Inspections Officer  
Lee Kaplan, Community Inspections Officer  
Gilbert Lopez, Community Inspections Officer  
Al Lovingshimer, Community Inspections Officer  
Cheryl Pingitore, Community Inspections Officer  
Bill Snow, Community Inspections Officer  
Mario Sotolongo, Community Inspections Officer  
Ursula Thime, Community Inspections Officer  
Salvatore Viscusi, Community Inspections Officer  
Tim Welch, City Engineer  
Irma Westbrook, Community Inspections Officer

Also Present:

CE06031248: Linda Dupoux, owner  
CE06021416: Ronald Malec, president  
CE05100057: Pratt, Paul Alexander Athanasios, owner  
CE06061806: Pedro Moros, owner  
CE06031989: Timothy Kellogg, owner  
CE06062081; CE06050368: Jeremiah Carter, cousin to owner  
CE06020705: Donald Hall, attorney  
CE06060267: Richard Casale, owner  
CE06031823: Daniel Fuss, tenant  
CE05040935: Jerry Riggs, owner  
CE05081345: Donna Hickenbottom, owner  
CE05080745: Anthony Rogers, prospective owner  
CE06070370: Tanya Duncanson, owner  
CE05091393: Kevin Fernander, attorney; Jennie Brooks, witness; Marylou Bodford  
Barner, neighbor/witness  
CE06062103: Randy Wool, owner

CE06051149: Alvin Goodwin, Jr., owner  
CE06060503: Melissa Fojtik, owner  
CE06061408: Francelais Cineas, owner, Marie Azard, owner  
CE06061422: Willie Muccing, owner  
CE06051358; CE06051362: Raul Briceno-Silva, property manager  
CE06021432: Moses Spencer, owner  
CE06050266: Bernadette Waisome, daughter  
CE06070982: Roger Fracchois, owner  
CE06051492: Josue Mendez, owner  
CE06010845: Carlton Brown, owner  
CE06041365: Scott Golden, attorney  
CE06062017: Richard Kurtz, owner  
CE06060951: Robert Given, Jr., complainant; Joseph Rosen, attorney for the community;  
Julie Poling, property manager  
CE06020403: James Erdman, agent  
CE05081229: Tony Ferrari, owner, Charles Straub, attorney  
CE06061832: Lana Brown, owner  
CE06040448: CE06040450: Donald Gawne, general manager

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. Special Magistrate Tell introduced herself and explained her role in ensuring adherence with the City's codes. She reminded all present that the proceedings were being recorded.

**Reference CE06031823**

James & Kellie Bishop  
961 Southwest 29<sup>th</sup> Street

Massey Hearing

Ms. Bazer announced that this case was originally heard on 6/1/06 with compliance ordered by 6/11/06: 1 section at \$100 per day. The property was complied and the City was requesting \$250 in fines [reduced from \$2,500].

Mr. Daniel Fuss, tenant, produced proof that the vehicle was registered at the time the property was cited. Mr. Fuss had experienced difficulties contacting Inspector Cross to reinspect, but admitted he was 1 day late in complying with the order.

Ms. Irma Westbrook, Community Inspections Officer presenting for Inspector Cross, said that according to Inspector Cross's notes, the property was complied on July 12.

Mr. Lindwell Bradley, Community Inspections Supervisor, confirmed the ordered and actual compliance dates, and said Inspector Cross had suggested the fine be reduced to \$200.

Ms. Tell reduced the fine to \$200.

**Reference CE06021432**

Moses Spencer  
1537 Northwest 4<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 6/15/06 with compliance ordered by 6/25/06: 2 sections at \$25 per day and 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$13,050 in fines and their continued accrual until the property was complied.

Mr. Moses Spencer, owner, explained that he was in the hospital when the property was cited and his son had promised to help him clean up the property. He requested additional time to comply.

Ms. Irma Westbrook, Community Inspections Officer, said the property was first cited in February and absolutely no work had been done.

Ms. Tell granted an extension to 10/19/06 and ordered the owner to appear at that hearing with proof of his hospitalization.

**Reference CE05080745**

Charles Walker  
1112 Northwest 11<sup>th</sup> Court

Massey Hearing

Ms. Bazer announced that this case was first heard on 4/6/06 with compliance ordered by 5/21/06: 1 Section at \$25 per day. The property was complied and the City was requesting imposition of \$2,900 in fines.

Mr. Anthony Rogers, prospective owner, explained that Mr. Walker was deceased, the property had been in probate and the family was feuding over it.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that she had first spoken with Mr. Rogers on 9/13, and he had complied the property. Inspector Pingitore recommended imposing the full fine amount.

Mr. Rogers explained that the individual noticed about the violation was in Connecticut, and he lived in Jacksonville and had come down here to get the property complied. He provided proof to Ms. Tell of the property's probate situation, and his authorization to represent the property. Mr. Rogers confirmed that there were no other liens on the property. He confirmed that the seller had agreed to pay no more than \$3,500 in liens.

Ms. Tell imposed the \$2,900 fine.

**Reference CE06060503**

Multiplicity L LLC  
1320 Northeast 7<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was originally heard on 8/3/06 with compliance ordered by 8/13/06: 1 section at \$100 per day. The property was complied and the City was requesting \$2,900 in fines.

Ms. Melissa Fojtik, owner, explained that the next door neighbors pushed vehicles and trash onto her property, and third parties also used the property for illegal dumping. Ms. Fojtik said the on-site manager had phoned inspector Feldman after the property was cited to clarify what must be done to comply, but there had been some misunderstanding. Ms. Fojtik said the Police had given permission to leave one side of the dumpster enclosure open because drug users would hide inside it when it was closed.

Mr. Adam Feldman, Community Inspections Officer, confirmed that the bulk trash had been removed, but not until he had visited the property twice. He recommended the full fine amount. Ms. Fojtik felt they were working with the City to comply, and thought the fine should be reduced or eliminated.

Mr. Lindwell Bradley, Community Inspections Supervisor, said he had spoken with the inspector, who felt that even though the manager had been working with him and the owner was out of town due to emergencies, the full fine amount was warranted.

Ms. Fojtik pointed out that notice had been sent to another rental unit, not to her home address. She offered to erect a fence and use money she would have paid toward a fine to fund it.

Ms. Tell reduced the fine to \$725.

**Reference CE05081229**

Leonidis & Athina Tridimas & Tony Ferrari  
2606 Whale Harbor Lane

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. On 7/6/06 the date was extended to 9/22/06.

Mr. Charles Straub, attorney, stated he was appearing for the owner's attorney, who was called away, and requested a 30-day extension.

Mr. Tim Welch, City Engineer, stated he had no objection to the extension.

Ms. Tell granted an extension to 10/19/06 and ordered the owner to appear at that hearing.

**Reference CE05040935**

Daphne Lewis  
1025 Northwest 7<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 8/4/05 with compliance ordered by 8/11 and 9/3/05: 3 sections at \$25 per day. The property was complied and the City was requesting imposition of \$6,130 in fines [reduced from \$15,325].

Mr. Jerry Riggs, the property's new owner, said he had never received notice of the violations, even though he was listed as the property's owner. Ms. Tell asked the Assistant City Attorney to address this with Mr. Riggs.

The Assistant City Attorney reported that they had agreed to continue the case for 30 days to sort out the ownership issues.

Ms. Tell granted an extension to 10/19/06.

**Reference CE06060951**

Village at Harbor Beach  
2424 Southeast 17<sup>th</sup> Street

Request for Extension

Ms. Bazer announced that this case was first heard on 8/17/06 with compliance ordered by 9/17/06.

Mr. Joseph Rosen, attorney for the Village at Harbor Beach Condo Association, requested additional time to comply. He explained that the contractor had met with a zoning representative to determine where to properly locate the A/C unit, and had submitted 2 proposed locations for relocation. The contractor felt that 30 days would be a sufficient extension.

Mr. Robert Given, neighbor, stated he felt the contractor knew the equipment was improperly installed, and wanted Ms. Tell to institute fines immediately, since the contractor had not applied for a permit yet. Mr. Given thought two weeks would be sufficient time to obtain a permit.

Mr. John Vetter, contractor, explained that the application had been put in but since there were residents without air conditioning for months after the hurricane, they had made the installation prior to obtaining the permit. Mr. Len Ackley, Community Inspections Officer, testified that the first installation was made prior to the permit's issuance and that the application had never made it past the Zoning Department.

Mr. Vetter said he could not submit new plans until he had approval from the Zoning Department on his proposals. He had submitted two proposals to the condo board, one that would require extensive structural modifications to the building's roof, and another that would not. He reminded Ms. Tell that at the time of the original installation, the City could not estimate how long the permit process would take because the Building Department was so overwhelmed after the hurricane. This was why they had installed the unit as an emergency measure for the families in the building without air conditioning.

Inspector Ackley said he could not say how long it would take for the plans to get through the Zoning Department and a permit to be issued. Mr. Rosen reiterated that two proposals had been made to the Condo Board. Ms. Tell advised him to inform the condo board that "this has to be expedited."

Inspector Ackley said the plan approved by the board would not necessarily be approved for a permit. Mr. Rosen said the Zoning representative had consulted with Mr. Vetter regarding the plans. Mr. Vetter stated he could not get the work done within 30 days. Mr. Given said he felt it was "perfectly appropriate for them to pay fines while they continue to resolve the issue."

Ms. Tell granted an extension to 10/19/06 and ordered the owner to appear at that hearing.

**Reference CE06020705**

Transacta Prive Dev. Ltd.  
716 Breakers Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 4/20/06 with compliance ordered by 5/20/06: 1 section at \$100 per day. The property was complied and the City was requesting imposition of \$4,600 in fines.

Mr. Donald Hall, attorney for the owner, requested reduction of the fine to \$1,000 since there had been no emergency safety issues.

Mr. Al Lovingshimer, Community Inspections Officer, confirmed that compliance was made when the last tenant left. He noted that the owner, manager and counsel had been "extraordinary" in handling the issues at the property. The Assistant City Attorney reminded Ms. Tell that there had been mitigating circumstances that had delayed compliance.

Ms. Tell reduced the fine to \$1,200.

**Reference CE06031989**

Casa Bella Builders LLC  
519 Southwest 10<sup>th</sup> Street

Massey Hearing

Ms. Bazer announced that this case was originally heard on 5/18/06 with compliance ordered by 7/17/06: 4 sections at \$50 per day. The property was complied and the City was requesting \$400 in fines.

Mr. Timothy Kellogg, partner, said he had called to request additional time, but could not get on the July agenda.

Mr. Mike Maloney, Community Inspections Officer, recommended the full fine amount.

Ms. Tell reduced the fine to \$150.

**Reference CE05091393**

Gada Management LC  
1250 Northwest 23<sup>rd</sup> Avenue

Return Hearing

Ms. Bazer announced that this case was first heard on 4/20/06 with compliance ordered by 6/20/06. On 6/20/06 the date was extended to 8/4/06 and on 8/4/06 the date was extended to 9/22/06.

Mr. Kevin Fernander, attorney for the owner, confirmed that Ms. Tell had ordered their appearance today, and there was a question regarding the openings on the property. Mr. Fernander said he had visited the property and confirmed that the second gate was always open. Mr. Fernander presented the permit application prepared by the contractor that he said would be submitted to the City today for the landscape plan.

Ms. Cheryl Pingitore, Community Inspections Officer, submitted a copy of a Sun Sentinel article dated 7/10/06, that she believed established that the businesses in the area were "bad neighbors; they've been bad neighbors for years and they continue to be bad neighbors." She also presented a layout of the property's gates, and remarked that one of the gates could not be used in the "roundabout" they had originally discussed because of the merchandise stacked in the yard. Inspector Pingitore presented new photos of the site, and explained that traffic issues continued; the merchandise was still stacked above the buffer wall, the buffer wall still did not have the required landscaping, and the traffic problems continued.

Inspector Pingitore explained each photo and the violations [above] they confirmed, along with a Word document describing the photos and violations, and a drawing of the property and its gates. Mr. Fernander objected to the drawing, as its accuracy could not be confirmed and a survey had already been submitted by his client in this case. He objected to the article, since it made no mention of All Steel or Gada Management.

Inspector Pingitore stated there were no extenuating circumstances in this case, and no permits had been issued. She described the original proposal for the roundabout, and noted that the amount of merchandise on the property prevented this. She felt that until

the owner either stopped ordering so much merchandise or removed some of the stagnant merchandise, the problem would persist.

Mr. Fernander noted that only two trucks were depicted in the photos and pointed out that "there are tens of trucks that are coming onto this property from all over the nation in order to pick up building supplies and truck them back all over the nation." Ms. Tell said she was disturbed by the fact that the trucks were backing onto the property. Mr. Fernander said there were some trucks that must back into the loading dock, and the dock was specially built and it would cost hundreds of thousand of dollars to alter it. He had no idea if the trucks photographed by Inspector Pingitore were in the process of backing into the loading dock. Mr. Fernander also objected to allowing the homeowner to speak, as this was supposed to be a status hearing to discuss whether two gates were left open on the property.

Ms. Jeanne Brooks, president of the Dillard Park Homeowners Association, said the traffic had not stopped at the site, and assured Ms. Tell that the trucks she was talking about were from this business. She noted that the trucks would block entrances to neighborhood schools, park on sidewalks and in the middle of the street. Ms. Brooks said the neighbors had alerted their City Commissioner, who had called Ms. Pingitore to visit the property. Ms. Brooks said the Police Department performed traffic control and had installed no parking signs on the street, but as soon as the Police left, the trucks returned. Ms. Tell read Mr. Brooks the list of violations at the site and noted that none of these referred to the business as a neighborhood nuisance. She felt the situation must be reassessed by the City Attorney's Office and City Staff.

The Assistant City Attorney suggested that Ms. Tell "put an end to this Code Enforcement case by fining them ...for stacking the material above the wall, not having the proper screening wall...and not having the landscaping" while the traffic issue was sorted out. She felt this might motivate the owner to address the other issues. The Assistant City Attorney felt the case had "gotten off track" with the discussion of the traffic issues. There was recurring testimony that the merchandise continued to be stacked higher than the wall.

Ms. Marylou Barner, neighbor, said she reported the traffic problems. She was concerned about the exhaust fumes from the trucks. Ms. Brooks said the owner had promised two years ago to reduce the supply of merchandise so trucks would be able to pull into the lot, but this had not happened.

Mr. Fernander said the owner had reduced the property inventory, but this had resulted in an increase in traffic because inventory must be replenished during the day.

Ms. Tell felt the owner was trying to address the wall and landscaping issues, but noted that the property had larger problems than those before her. She felt the property should be cited as a nuisance immediately.



The Assistant City Attorney asked Ms. Tell to impose the fines beginning on September 23 if the violations were not complied at that time. Community Inspections Staff could then reevaluate the property to determine if it should be cited for other violations.

Ms. Tell said she wanted the property cited for being a public nuisance today, and she wanted Mr. Fernander to accept service on behalf of the owner. She also wanted Mr. Fernander to appear at the October 19 hearing and report that there was a roundabout for the trucks, that some of the merchandise had been removed, and that trucks were not backing onto the property or idling and creating fumes. Mr. Fernander said he was not authorized to accept service on behalf of his client.

Mr. Fernander stated the wall and landscaping should take no more than 45 days to complete, but the application must still go through the City's permit approval process, which might take some time. Mr. Fernander wanted to note that there were several industrial properties located on this street, and other businesses were routinely cited for parking violations.

The Assistant City Attorney said she and Mr. Fernander had agreed to a 30-day extension, during which time they would file the permit application for the wall.

Ms. Tell granted an extension to 10/19/06.

**Reference CE06021416**

Keystone Halls Inc.  
218 Southwest 14<sup>th</sup> Court

Request for Extension

Ms. Bazer announced that this case was first heard on 8/3/06 with compliance ordered by 8/17/06.

Mr. Ronald Malec, president, explained that the boat had been donated and they must find a trailer in order to remove it.

Ms. Peggy Burks, Community Inspections Officer, said she did not object to the extension.

Ms. Tell granted a 60-day extension.

**Reference CE06020403**

Virginia Erdman  
2523 Barbara Drive

Order to Appear

Ms. Bazer announced that this case was originally heard on 4/20/06 with compliance ordered by 7/19/06. On 8/3/06 the date was extended to 9/22/06. The property was complied and the City was requesting imposition of \$350 in fines.

Mr. James Erdman, agent for the owner, requested abatement of the fines. He explained that when he was first made aware of the problem, he had asked Inspector Guilford if mulch would be an appropriate temporary solution, and Inspector Guilford had told him it was not. At the first Special Magistrate hearing, he had been told again that mulch would not be appropriate, but at the last hearing on August 3, Inspector Lovingshimer had determined that mulch would be appropriate, and Mr. Erdman had applied the mulch the next day.

Mr. Mr. Al Lovingshimer, Community Inspections Officer, confirmed what Mr. Erdman had said.

Ms. Tell abated the fine.

**Reference CE06010845**

Carlton & Verenda Brown  
2021 Northwest 29<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was originally heard on 6/1/06 with compliance ordered by 6/11/06: 1 sections at \$25 per day. The property was complied and the City was requesting imposition of \$525 in fines.

Mr. Carlton Brown, owner, said he had complied the property three days after the hearing. He asked Ms. Tell to abate the fine.

Ms. Tuchette Torres, Community Inspections Officer, confirmed that at her reinspection on June 12, the house numbers were not present, but at her reinspection of July 3, the number were present. She noted that Mr. Brown had never called her to reinspect. Inspect Torres recommended the full fine amount.

Ms. Tell imposed a \$225 fine.

**Reference CE05081345**

Donna Hickenbottom  
1118 Northwest 8th Avenue

Massey Hearing/Order to Appear

Ms. Bazer announced that this case was first heard on 4/20/06 with compliance ordered by 5/20/06: 1 Section at \$25 per day. On 7/6/06 the date was extended to 9/22/06. The property was not complied and the City was requesting imposition of \$1,150 in fines and their continued accrual until the property was complied.

Ms. Donna Hickenbottom, owner, said she thought the property was complied.

Mr. Lindwell Bradley, Community Inspections Supervisor, referred to photos taken by the inspector the previous day showing small bare spots in the lawn. He suggested a 30-day extension to complete compliance.

Ms. Tell granted an extension to 10/19/06.

**Reference CE06070370**

Tanya Duncanson  
1154 Northwest 15<sup>th</sup> Avenue

Sec. 9-306: Peeling paint/stained surfaces

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

Ms. Tanya Duncanson, owner, said she had spoken to Inspector Pingitore and agreed to comply within 60 days.

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 CE06041365**

2200 Construction Company LLC  
2208 Southwest 18<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the registered agent was accepted on 8/31/06.

Mr. Scott Golden, attorney, stated the overgrowth was mostly cut and the trailers were licensed. He agreed to comply all of the violations within 30 days.

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

**Reference CE06051358**

LHP Intracoastal II LLC  
1518 Northeast 11<sup>th</sup> Street

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21/06 and certified mail addressed to the registered agent was accepted [no date].

Mr. Adam Feldman, Community Inspections Officer, testified that there was trash and overgrowth on the property; the fence was in disrepair and the paint was peeling and mildewed and the fascia was in disrepair. 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 Sections 9-280 (h) (1) and 9-306 within 60 days or a fine of \$50 per day, per violation.

Mr. Raul Briceno, corporate manager, said they were in the process of demolishing the house. He requested 60 days. He agreed to cut the overgrowth and remove the trash within 10 days.

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 Sections 9-280 (h) (1) and 9-306 within 60 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06051362**

LHP Intracoastal LLC  
1516 Northeast 11<sup>th</sup> Street

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21/06 and certified mail addressed to the registered agent was accepted [no date].

Mr. Raul Briceno, corporate manager, said they were in the process of demolishing the house. He requested 60 days. He agreed to cut the overgrowth and remove the trash within 10 days.

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 Sections 9-280 (h) (1) and 9-306 within 60 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06040448**

B I C Corp.  
5100 Northwest 10<sup>th</sup> Terrace

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/1/06 and certified mail addressed to an officer of the company was accepted [no date].

Mr. Sal Viscusi, Community Inspections Officer, testified that the chain link fence was in disrepair; Section 18-27 (a) was complied. Inspector Viscusi presented photos of the property and recommended ordering compliance with Section 9-280(h)(1) within 60 days or a fine of \$50 per day.

Mr. Donald Gawne, general manager, said he could not estimate how long the fence repair would take, but he had already hired a contractor.

Mr. Lindwell Bradley, Community Inspections Supervisor, recommended 60 days, as a permit was required.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280 (h) (1) within 60 days or a fine of \$50 per day would be imposed.

**Reference CE06040450**

B I C Corp.  
5108 Northwest 10<sup>th</sup> Terrace

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

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

Mr. Sal Viscusi, Community Inspections Officer, testified that there was overgrowth on the property's swale and the chain link fence was in disrepair. Inspector Viscusi presented photos of the property to Ms. Tell.

Mr. Donald Gawne, general manager, said there was "a forest there which the City owns, 40-foot trees." Mr. Gawne and Inspector Viscusi discussed the property's ownership and Ms. Tell continued the case on Section 18-27 (a) to determine proper ownership.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280 (h) (1) within 60 days or a fine of \$50 per day would be imposed, and continued the case for Section 18-27 (a) to 10/19/06.

**Reference CE06062103**

Wool Family Ltd.  
1201 Northeast 13<sup>th</sup> Street

Sec. 18-27 (a): Overgrowth on property;  
Sec. 9-280 (b): Windows & doors in disrepair;  
Sec. 9-306: Peeling paint/stained surfaces;  
Sec. 9-308 (a): Roof in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/1/06 and certified mail addressed to the registered agent was accepted on 9/5/06.

Mr. Len Ackley, Community Inspections Officer, testified that paint on the building was chipped and peeling; the fascia boards were in disrepair and the roof was in disrepair; Sections 18-27 (a) and 9-280 (b) were complied. Inspector Ackley presented photos of the property and recommended ordering compliance with Sections 9-306 and 9-308 (a) within 60 days or a fine of \$50 per day, per violation.

Mr. Randy Wool, owner, said they were in the process of demolishing the property and requested 60 days.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-306 and 9-308 (a) within 60 days or a fine of \$50 per day, per violation would be imposed.

Later in the hearing, Inspector Ackley announced that he had confused this with another case address.

**Reference CE06070982**

Roger & Joceneleine Francois  
1620 Northwest 25<sup>th</sup> Terrace

Sec. 47-19.9: Outside storage  
Sec. 9-281 (b): Unlicensed, inoperable vehicle  
on property

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/11/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that there were items stored outside on the property; Section 9-281 (b) was complied. Inspector Torres presented photos of the property and a copy of the case history and recommended ordering compliance with Section 47-19.9 within 10 days or a fine of \$25 per day.

Mr. Roger Francois, owner, said he had already cleaned up the property and removed the items.

Ms. Tell found in favor of the City and ordered compliance with Section 47-19.9 within 10 days or a fine of \$25 per day would be imposed.

**Reference CE06060267**

Richard Casale  
745 Northwest 5<sup>th</sup> Avenue

Sec. 18-27 (a): Trash on property;  
Sec. 47-20.20.H.: Parking area in disrepair;  
Sec. 47-21.8 A.: Landscaping not maintained;  
Sec. 9-280 (h) (1): Fence in disrepair;  
Sec. 9-281 (b): Unlicensed, inoperable  
vehicles on property; Sec. 9-306: Walls dirty &  
needing paint

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/26/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash on the property; the parking area was in disrepair, lacking stripes and wheel stops; landscape and foliage was not maintained; fences were in disrepair; there was an inoperable, unlicensed green Isuzu SUV, a white Chevy Impala and white GMC car on the property and the building walls were dirty and in need of paint. Inspector Lopez presented photos of the property and a copy of the case history to Ms. Tell.

Mr. Richard Casale, owner, said he wanted the City to tow the vehicles; they did not belong to him and someone had left them on his property. After discussing the vehicle problem, Inspector Lopez made the following recommendations:

- ❖ Section 18-27 (a) within 10 days or a fine of \$50 per day,
- ❖ Sections 47-20.20.H., 47-21.8.A. and 9-306 within 90 days or a fine of \$50 per a day,
- ❖ Section 9-280 (h) (1) within 30 days or a fine of \$50 per day,
- ❖ Section 9-281 (b) within 15 days or a fine of \$100 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,

- ❖ Sections 47-20.20.H., 47-21.8.A. and 9-306 within 90 days or a fine of \$50 per day,
- ❖ Section 9-280 (h) (1) within 30 days or a fine of \$50 per day,
- ❖ Section 9-281 (b) within 15 days or a fine of \$100 per day.

**Reference CE06051492**

Norma Victores  
1650 Northwest 24<sup>th</sup> Terrace

Sec. 18-27 (a): Overgrowth on property;  
Sec. 47-20.20.H.: Driveway in disrepair;  
Sec. 47-21.8: Missing ground cover;  
Sec. 9-304 (b): Parking car on lawn;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/31/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that the driveway was in disrepair; there were areas of dead or missing ground cover and there was a white van parked on the grass; Section 18-27 (a) was complied. She presented photos of the property and a copy of the case history and recommended ordering compliance with Sections 47-20.20.H. and 47-21.8 within 30 days or a fine of \$50 per day, per violation and with Section 9-304 (b) within 10 days or a fine of \$50 per day.

Mr. Josue Mendez, owner, agreed to comply by the deadlines recommended by Inspector Torres.

Ms. Tell found in favor of the City and ordered compliance with Sections 47-20.20.H. and 47-21.8 within 30 days or a fine of \$50 per day, per violation and with Section 9-304 (b) within 10 days or a fine of \$50 per day would be imposed.

**Reference CE06051149**

Alvin Goodwin  
1206 Northwest 19<sup>th</sup> Street

Sec. 18-27 (a): Trash on property;  
Sec. 47-34.1.A.1.: Unpermitted land use;  
Sec. 9-281 (b): Unlicensed, inoperable vehicle on property; Sec. 9-306: Areas of bare concrete;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that there was trash on the property; vehicle repairs were being performed at this location; there were unlicensed, inoperable vehicles on the property and the building had areas of bare concrete. Inspector Pingitore presented photos of the property and a copy of the case history, Special Magistrate notice and original notice of violation and recommended ordering compliance within 30 days or a fine of \$25 per day, per violation.

Mr. Alvin Goodwin, owner, said the house had just had the stucco work done and he had to wait 30 days to paint. Ms. Tell agreed to allow 45 days for the paint violation. Inspector Pingitore showed Mr. Goodwin her photos and explained what must be done to comply.

Ms. Tell found in favor of the City and ordered compliance with Sections 18-27 (a), 47-34.1.A.1. and 9-281 (b) within 30 days and with Section 9-306 within 45 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE06061422**

Willie & Fay Muccing  
1507 Northwest 8<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/20/06.

Ms. Irma Westbrook, Community Inspections Officer, testified that there was trash on the swale and the parking area was in disrepair. She presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 18-27 (a) within 10 days and with Section 47-20.20.H within 30 days or a fine of \$50 per day, per violation.

Mr. Willie Muccing, owner, said he intended to re-do the parking area, which would require a permit. Ms. Tell suggested allowing 60 days for this repair.

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

**Reference CE06062017**

Linda Ward  
2301 Northwest 13<sup>th</sup> Street

Sec. 18-27 (a): Overgrowth on property;  
Sec. 9-280 (b): Front door in disrepair;  
Sec. 9-306: Building exterior not maintained

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/29/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that the exterior of the structure was not maintained; Sections 18-27 (a) and 9-280 (b) were complied. Inspector Torres presented photos of the property and a copy of the case history and said she had spoken with Ms. Ward and agreed to recommend ordering compliance with Section 9-306 within 30 days or a fine of \$25 per day.

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



**Reference CE06061832**

Lana Austin  
2700 Northwest 16<sup>th</sup> Court

Sec. 47-20.20.H: Driveway in disrepair;  
Sec. 9-281 (b): Unlicensed, inoperable vehicle  
on property; Sec. 9-308 (a): Roof in disrepair;  
Sec. 9-313 (a): House numbers missing;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/8/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that the parking area was in disrepair and there was an unlicensed, inoperable grey Taurus and white Cadillac on the property; Sections 9-308 (a) and 9-313 (a) were complied. She presented photos of the property and a copy of the case history and recommended ordering compliance with Section 47-20.20.H within 30 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 vehicles would be towed.

Ms. Lana Brown, owner, said the Taurus had been removed. She also requested more time to repair the driveway.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.20.H within 60 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 vehicles would be towed.

**Reference CE06061408**

Marie Azard & Francelais Cineas  
1503 Northwest 8<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/23/06.

Ms. Irma Westbrook, Community Inspections Officer, testified that there was trash on the property and the parking area was in disrepair. She presented photos of the property and a copy of the inspection report and said she had spoken with Mr. Azard earlier and agreed to recommend ordering compliance with Section 18-27 (a) within 10 days, and with Section 47-20.20.H within 30 days or a fine of \$50 per day, per violation.

Mr. Marie Azard, owner, agreed to comply the property by the deadlines stated by Inspector Westbrook.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27 (a) within 10 days, and with Section 47-20.20.H within 30 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06050266**

Vaudine Mercurius

Sec. 18-1: Stagnant pool water;

1549 Southwest 27<sup>th</sup> Terrace

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

Ms. Bazer announced that service was via posting at the property on 9/5/06, and at City Hall on 9/7/06.

Ms. Peggy Burks, Community Inspections Officer, testified that there was trash and debris on the property; Sections 18-1 and 9-280 (h) (1) were complied. She presented photos of the property and recommended ordering compliance with Section 9-281 (b) within 14 days or a fine of \$50 per day.

Ms. Bernadette Walsome, daughter of the owner, agreed to clean up the property.

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

**Reference CE06031248**

Dale's Wheels & Tires Inc.  
200 West Sunrise Boulevard

Sec. 18-27 (a): Trash on the property;  
Sec. 24-27 (b): Dumpster left out of enclosure;  
Sec. 24-27 (f): Dumpster lids remains open;  
Sec. 9-280 (b): Roof in disrepair

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 8/19/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified that the dumpster lids were left open after service; the other violations were complied. Inspector Lopez presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 24-27 (f) within 60 days or a fine of \$100 per day.

Ms. Linda Dupoux, registered agent, said the tenant intended to replace two small dumpsters to one larger dumpster. Inspector Lopez remarked that this was a new problem, since the new dumpster would require a new enclosure.

Ms. Tell found in favor of the City and ordered compliance with Section 24-27 (f) within 60 days or a fine of \$50 per day would be imposed.

**Reference CE06061806**

Pedro Moros  
428 Northwest 23<sup>rd</sup> Avenue

Sec. 18-27 (a): Trash and overgrowth on property; Sec. 9-280 (b): Roof in disrepair;  
Sec. 9-280 (h) (1): Fence in disrepair;  
Sec. 9-306: Building needs painting;  
Sec. 9-329(b): Boarded up-requires certificate;

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that the overgrowth had been removed, but all of the remaining violations existed as cited. He presented photos of the property and a copy of the inspection report to Ms. Tell.

Mr. Pedro Moros, owner, read from and presented a copy of a prepared statement indicating he had submitted a permit application in February to remodel the entire property. The City had not returned the application until August, and this delay had resulted in three out of five of the violations: 9-280 (b), 9-280 (h) (1) and 9-306. Ms. Tell informed Mr. Moros that she could not expedite any permits. Mr. Moros agreed to the following recommendations from Inspector Lopez:

- ❖ Section 18-27 (a) within 10 days,
- ❖ Section 9-280 (h) (1) within 30 days,
- ❖ Section 9-329 (b) within 60 days, and
- ❖ Sections 9-280 (b) and 9-306 within 90 days,  
or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with:

- ❖ Section 18-27 (a) within 10 days,
- ❖ Section 9-280 (h) (1) within 30 days,
- ❖ Section 9-329 (b) within 60 days, and
- ❖ Sections 9-280 (b) and 9-306 within 90 days,  
or a fine of \$25 per day, per violation would be imposed.

**Reference CE05100057**

Paul Pratt  
201 Northeast 16<sup>th</sup> Street

Sec. 25-56 (b): Sidewalk in disrepair;  
Sec. 47-21.8.C.1: Overgrown hedges;  
Sec. 9-306: Door and soffit in disrepair-  
building needs painting;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/19/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified the sidewalk was in disrepair; Sections 47-21.8.C.1 and 9-206 were complied. Inspector Lopez presented photos of the property and a copy of the inspection report to Ms. Tell.

Mr. Paul Pratt, owner, requested a motion to dismiss, stating the sidewalk was City property and Supervisor Murray had emailed him confirming his opinion that he had maintained it. Ms. Tell advised Mr. Pratt to confer with Supervisor Bradley.

Upon returning to the case, Inspector Lopez recommended ordering compliance with Section 25-56 (b) within 90 days or a fine of \$25 per day. Mr. Pratt said, "We haven't reached an agreement, unfortunately. I'd like my name removed from this violation." Ms.

Tell asked the basis of Mr. Pratt's request, and he replied, "This happened 10 years ago by the City and I tried 10 years ago to have something done but I was unable; they had no interest in doing it." Mr. Pratt presented a letter from Supervisor Murray stating that he did satisfy the sidewalk issue because he "did maintain it by clearing the overgrowth from the sidewalk."

Ms. Tell said Mr. Pratt had two choices, to prove the City was responsible for the damage to the sidewalk, or call Mr. Harvey "to get some kind of clarity from him." She said she would continue the case to October 19 to allow Mr. Pratt time to find evidence to present to her.

Ms. Tell continued the case to October 19, 2006.

**Reference CE06050368**

M. & Ludeather Carter  
1606 Northwest 6<sup>th</sup> Street

Sec. 47-20.13 D.: Parking area drainage issues;  
Sec. 47-20.13.A.: Parking area does not meet  
paving requirements; Sec. 47-20.20 D.: Items  
stored in parking area; Sec. 47-20.20 F.:  
Commercial vehicles stored in parking area;  
Sec. 47-20.20.A.: Off-street parking required;  
Sec. 47-20.5.B.1.: Insufficient parking ingress/  
egress; Sec. 47-22.6.F.: Sign in disrepair;  
Sec. 47-34.1.A.1.: Outside storage no permitted;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/30/06.

Mr. Gilbert Lopez, Community Inspections Officer, stated that the parking area did not meet drainage requirements; the parking area did not meet paving requirements; the parking area was used to store equipment and goods; the parking area was used to store commercial vehicles; required off-street parking was not provided; parking ingress/egress did not meet engineering standards; the sign was in disrepair and the property was used for outdoor storage. Inspector Lopez said the Department had been working with the owner to resolve the problems and agreed that permits were required.

Mr. Jeremiah Carter, cousin of the owner, said the property was leased to a tenant, and this was the person with whom Inspector Lopez had dealt. Mr. Carter agreed to confer with Inspector Lopez.

Upon returning to the case, Inspector Lopez recommended ordering compliance within 90 days or a fine of \$100 per day. Mr. Carter said they would terminate parking on the site, which would eliminate all of the violations.

Ms. Tell found in favor of the City and ordered compliance with all Sections within 90 days or a fine of \$100 per day, per violation would be imposed.

**Reference CE06070311**

Iyoel Monreal  
1711 Northwest 7<sup>th</sup> Street

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/23/06.

Mr. William Snow, Community Inspections Officer, testified that there was trash and overgrowth on the property and there was outside storage of auto parts and a washing machine. Inspector Snow presented photos of the property and a copy of the case file and recommended ordering compliance within 10 days or a fine of \$50 per day, per violation.

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

**Reference CE06051072**

Zereta & Goslyn Hamilton  
3105 Southwest 12<sup>th</sup> Place

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

Ms. Bazer announced that service was via posting at the property on 8/18/06, and at City Hall on 9/7/06.

Mr. Lee Kaplan, Community Inspections Officer, testified that there was trash and overgrowth on the property and an unlicensed, inoperable black Ford on the property. Inspector Kaplan presented photos of the property and a copy of the case file 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.

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 CE06041415**

Angenell Brooks  
490 Southwest 29<sup>th</sup> Avenue

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

Ms. Bazer announced that service was via posting at the property on 9/5/06, and at City Hall on 9/7/06.

Ms. Peggy Burks, Community Inspections Officer, testified there was an unlicensed, inoperable green Mercedes on the property. She presented photos of the property and a

copy of her case file and recommended ordering compliance within 10 days or a fine of \$100 per day or the vehicle would be towed.

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

**Reference CE05101142**

Ralph & Vickie Tortora  
3339 Northwest 69<sup>th</sup> Court

Sec. 18-27 (a): Trash on property;  
Sec. 9-281 (b): Derelict vehicles on property;  
Sec. 9-308 (a): Roof tarped, in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/29/06.

Mr. Sal Viscusi, Community Inspections Officer, testified that there was trash on the property; there was a derelict red Mustang on the property and the roof was in disrepair. Inspector Viscusi presented photos of the property and recommended ordering compliance with Section 18-27 (a) within 30 days or a fine of \$25 per day; with Section 9-308 (a) within 90 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. He noted that there was no active permit on the property to repair the roof.

Ms. Tell found in favor of the City and ordered compliance with Section 18-27 (a) within 30 days or a fine of \$25 per day; with Section 9-308 (a) within 90 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 CE06032010**

Mark & Patricia Elliott  
3106 Northwest 69<sup>th</sup> Court

Sec. 18-27 (a): Overgrowth on property;  
Sec. 9-280 (b): Windows and doors in disrepair;  
Sec. 9-280 (h) (1): Fence in disrepair;  
Sec. 9-306: Exterior not being maintained;  
Sec. 9-308 (a): Roof tarped, in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/30/06.

Mr. Sal Viscusi, Community Inspections Officer, testified that two fences on the property were in disrepair; the structure's exterior was not maintained; the fascia was rotted and the roof was in disrepair; Sections 18-27 (a) and 9-280 (b) were complied. Inspector Viscusi recommended ordering compliance with Section 9-280 (h) (1) within 30 days or a fine of \$25 per day, and with Sections 9-306 and 9-308 (a) within 90 days or a fine of \$25 per day, per violation. He noted that there was an active roof permit on the property and work was continuing.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280 (h) (1) within 30 days or a fine of \$25 per day, with Sections 9-306 and 9-308 (a) within 90 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE06071048**

David & Sherry Baldwin  
2612 Grace Drive

Sec. 9-308 (a): Roof tarped, in disrepair;  
Sec. 9-308 (b): Roof in dirty;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/31/06. Mr. Bazer stated Inspector Lovingshimer had a stipulated agreement with the owner to comply both violations by 12/21/06 or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with both violations by 12/21/06 or a fine of \$25 per day, per violation would be imposed.

**Reference CE06071990**

Christopher Frederick  
2305 Northeast 12<sup>th</sup> Court

Sec. 18-27 (a): Overgrowth on property;  
Sec. 9-308 (a): Roof in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/26/06.

Mr. Len Ackley, Community Inspections Officer, testified that the roof was in disrepair; Section 18-27 (a) was complied. He presented photos of the property and a copy of the case file and recommended ordering compliance with Section 9-398 (a) within 30 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 9-398 (a) within 30 days or a fine of \$50 per day would be imposed.

**Reference CE05101444**

Joseph Maiuro  
1025 Northeast 17<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 sent to the owner was accepted on 8/21/06 and service was via posting at the property on 8/15/06, and at City Hall on 9/7/06.

Mr. Adam Feldman, Community Inspections Officer, testified that there was trash and debris on the property, a recurring violation, and the parking area was in disrepair, with missing wheel stops. Inspector Feldman recommended ordering compliance with Section 18-27 (a) within 10 days or a fine of \$100 per day, and with Section 47-20.20.H within 60 days or a fine of \$100 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 \$100 per day, and with Section 47-20.20.H within 60 days or a fine of \$100 per day would be imposed.

**Reference CE06080654**

BHG Victoria Mark LLC  
715 Northeast 6<sup>th</sup> Street

Sec. 24-28 (a): Dumpster overflowing, garbage bags surround dumpster

Ms. Bazer announced that certified mail addressed the owner was accepted on 8/28/06.

Ms. Ursula Thime, Community Inspections Officer, testified that there was trash overflowing and surrounding the dumpster. She presented photos of the property and a copy of the case file and recommended ordering compliance within 7 days or a fine of \$50 per day.

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

**Reference CE06072294**

Arthur Caruana Revocable Trust  
1633 Northeast 3<sup>rd</sup> Court

Sec. 24-27 (b): Trash bins left on sidewalk

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/5/06.

Ms. Ursula Thime, Community Inspections Officer, testified that the trash bins were left on the sidewalk after service. She presented photos of the property 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 CE06072296**

Las Olas Holdings LLC  
600 Southeast 2<sup>nd</sup> Court

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

Inspector Thime announced that certified mail addressed to the owner and registered agent were both accepted on 8/29/06.

Ms. Ursula Thime, Community Inspections Officer, testified that the parking lot was in disrepair; Section 18-27 (a) was complied. She presented photos of the property and a copy of the case file and recommended ordering compliance with Section 47-20.20.H within 15 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with Section 47-20.20.H within 30 days or a fine of \$50 per day would be imposed.



**Reference CE06062081**

Brenda Henry  
538 Northwest 17<sup>th</sup> Avenue

Sec. 47-19.1 C.: Parking and storage issues;  
Sec. 18-27 (a): Trash on property

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21 and 9/11/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was no principal structure on the property, but the property was used for parking and storage, and there was trash and overgrowth on the property. Inspector Lopez explained that the property was used as a means of accessing another property. He presented photos of the property and recommended ordering compliance within 90 days or a fine of \$100 per day, per violation.

Mr. Jeremiah Carter stated that once the parking was eliminated on the property in case CE06050368, the violations on this property would cease as well.

Ms. Tell found in favor of the City and ordered compliance within 90 days or a fine of \$100 per day, per violation would be imposed.

**Reference CE06080501**

Willie & Merceda Brutton  
1106 Northwest 15<sup>th</sup> Avenue

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/25/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the water service to the occupied building had been turned off for non-payment. She presented a copy of the inspection report, the property history and the notice of violation and recommended ordering compliance within 10 days or a fine of \$100 per day.

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

**Reference CE06040585**

Beckner Beauchard  
1471 Northwest 22<sup>nd</sup> Court

Sec. 9-280 (g): Electrical meter box used for storage

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified that the electrical meter box was in disrepair and had combustible material installed. She presented photos of the

property and a copy of the inspection report and Special Magistrate notice and recommended ordering compliance within 10 days or a fine of \$250 per day.

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

**Reference CE02081456**

Renee & Rainey Chestnut  
1870 Northwest 24<sup>th</sup> Terrace

Massey Hearing/Order to Appear

Ms. Bazer announced that Ms. Tell had ordered the owner to appear at this hearing on 8/3/06 but she had not. She stated this case was originally heard on 2/6/03 with compliance ordered by 3/8/03: 1 section at \$25 per day. On 7/6/06 the date was extended to 8/4/06 and on 8/3/06 the date was extended to 9/21/06. The property was not complied and the City was requesting imposition of \$30,375 in fines and continuation of the fines until the property was complied.

Ms. Cheryl Pingitore, Community Inspections Officer, confirmed that Ms. Tell had ordered Ms. Chestnut to appear today. There was no written notice sent to Ms. Chestnut of today's hearing. Inspector Pingitore recommended imposing the full fine amount.

Ms. Tell issued an order to impose the \$30,375 in fines and continue their accrual until the property was complied.

**Reference CE06060689**

Anne Gaspard  
1111 Southwest 31<sup>st</sup> Avenue

Sec. 18-27 (a): Overgrowth on property;  
Sec. 9-281 (b): Rubbish and trash on property;  
Sec. BZC 39-79 (e): Dead and missing ground cover

Ms. Bazer announced that service was via posting at the property on 8/24/06, and at City Hall on 9/7/06.

Ms. Irma Westbrook, Community Inspections Officer, presenting case on behalf of Andre Cross, Community Inspections Officer, testified that there was trash on the property and areas of dead ground cover; Section 18-27 (a) was complied. She presented photos of the property and copies of the inspection report and recommended ordering compliance with Section 9-281 (b) within 10 days and with Section BZC 39-79 (e) within 30 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 9-281(b) within 10 days and with Section BZC 39-79(e) within 30 days or a fine of \$25 per day, per violation would be imposed.

**Reference CE06061835**

Southeast Regional  
Development Group Inc.  
2021 Northwest 30<sup>th</sup> Terrace

Sec. 9-304 (b): Maintenance of parking area;  
Sec. 9-280 (b): Windows broken;  
BCZ 39-275 (6) (b): Outside storage

Supervisor Bradley announced that certified mail addressed to the owner was accepted on 9/8/06 and certified mail addressed to an officer of the company was accepted on 9/2/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that there was a broken window in the building and there was outside storage on the property; Section 9-304(b) was complied. Inspector Torres presented photos of the property and a copy of the case history and recommended ordering compliance with Sections 9-280(b) and BCZ 39-275(6)(b) within 10 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Sections 9-280(b) and BCZ 39-275(6)(b) within 10 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06050677**

Willie Brown  
2230 Northwest 23<sup>rd</sup> Lane

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

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/8/06.

Ms. Tuchette Torres, Community Inspections Officer, testified that there was trash and overgrowth on the property: Section 9-281 (b) was complied. She presented photos of the property and a copy of the case history and recommended ordering compliance with Section 18-27 (a) within 10 days or a fine of \$25 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 \$25 per day would be imposed.

**Reference CE06060367**

Premnath Ganaishlal  
710 Northwest 5<sup>th</sup> Avenue

Sec. 18-27 (a): Overgrowth on property;  
Sec. 47-20.20.H.: Parking area in disrepair;  
Sec. 47-21.8.A: Missing ground cover;  
Sec. 9-280 (g): Broken light fixtures; Sec. 9-281 (b): Unlicensed, inoperable vehicles on property; Sec. 9-306: Walls dirty, need painting;

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

Mr. Gilbert Lopez, Community Inspections Officer, testified that the parking area was in disrepair; there were broken light fixtures on the property; the building walls were dirty

and in need of paint and there were unlicensed, inoperable vehicles on the property; Sections 18-27 (a) and 47-21.8.A. were complied. Inspector Lopez presented photos of the property and recommended ordering compliance with:

- ❖ Section 9-306 within 15 days or a fine of \$50 per day,
- ❖ Section 47-20.20.H. within 90 days or a fine of \$50 per day,
- ❖ Section 9-280 (g) within 90 days or a fine of \$100 per day,
- ❖ 9-281 (b) within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with:

- ❖ Section 9-306 within 15 days or a fine of \$50 per day,
- ❖ Section 47-20.20.H. within 90 days or a fine of \$50 per day,
- ❖ Section 9-280 (g) within 90 days or a fine of \$100 per day,
- ❖ 9-281 (b) within 10 days or a fine of \$100 per day.

**Reference CE0111321**

Trails Pointe LLC  
804 North Andrews Avenue

Sec. 18-27 (a): Overgrowth and trash on property; Sec. 9-329 (b): Boarded without certificate;

Ms. Bazer announced that certified mail addressed to the owner and registered agent were both accepted on 8/21/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash and overgrowth on the property and the property had been boarded for more than six months without a certificate of boarding. He presented photos of the property and a copy of the case file and recommended ordering compliance with Section 18-27 (a) within 10 days and with Section 9-329 (b) within 60 days or a fine of \$100 per day, per violation.

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

**Reference CE06041302**

Kurt Pughsley  
1712 Northwest 4<sup>th</sup> Street

Sec. 18-27 (a): Trash on property;  
Sec. 9-281 (b): Unlicensed, inoperable vehicle on property; Sec. 9-306: Building needs painting

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/29/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified that there was trash and rubbish on the property; the building was in need of paint and there was an unlicensed, inoperable grey Lincoln Continental on the property. Inspector Lopez presented photos of the property and recommended ordering compliance with Section 18-27 (a) within 10

days or a fine of \$25 per day, with Section 9-306 within 15 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 Section 18-27 (a) within 10 days or a fine of \$25 per day, with Section 9-306 within 15 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 CE06070396**

Steven David  
714 Northwest 11<sup>th</sup> Street

Sec. 9-280 (h) (1): Fence in disrepair;  
Sec. 9-304 (b): Vehicles parked on grass;

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21/06.

Ms. Irma Westbrook, Community Inspections Officer, testified that there were vehicles parked on the grass Section 9-280 (h) (1) was complied. Inspector Westbrook submitted photos of the property and a copy of the inspection report and recommended ordering compliance with 9-304 (b) within 10 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-304(b) within 10 days or a fine of \$50 per day would be imposed.

**Reference CE06051249**

James Ober  
1305 Northeast 2<sup>nd</sup> Avenue

Sec. 47-20.20.H.: Parking area in disrepair

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/21/06.

Ms. Irma Westbrook, Community Inspections Officer, testified that the parking area was not maintained, with faded striping and missing bumpers. Inspector Westbrook said she had spoken with the owner, who intended to repave the parking area, and agreed to recommend ordering compliance within 90 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 90 days or a fine of \$50 per day would be imposed.

**Reference CE06050516**

Georges Sanon  
1616 Northwest 8<sup>th</sup> Avenue

Sec. 9-280 (b): Windows not maintained;  
Sec. 9-280 (f): Deteriorated plumbing;  
Sec. 9-280 (g): Electrical wires in disrepair;  
Sec. 9-308 (a): Roof leaking into apartment;

Ms. Bazer announced that service was via posting at the property on 8/24/06 and at City Hall on 9/7/06.

Ms. Irma Westbrook, Community Inspections Officer, testified that the kitchen cabinets and windows were in disrepair; kitchen and bathroom plumbing was not maintained in sanitary working condition; electrical components were not maintained in safe working condition and the roof was leaking. Inspector Westbrook presented photos of the property and a copy of the inspection report and recommended ordering compliance with Section 9-280 (b) within 30 days and with Sections 9-280 (f), 9-280 (g), and 9-308 (a) within 10 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with Section 9-280 (b) within 30 days and with Sections 9-280 (f), 9-280 (g), and 9-308 (a) within 10 days or a fine of \$50 per day, per violation would be imposed.

**Reference CE06050128**

Dorothy Burgess  
1233 Northwest 5<sup>th</sup> Avenue

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

Ms. Bazer announced that personal service was made on 8/7/06.

Ms. Irma Westbrook, Community Inspections Officer, testified that the fence was in disrepair: Section 18-27 (a) was complied. She presented photos of the property and a copy of the inspection report and said she had spoken with the owner, who intended to repair the fence, and agreed to recommend ordering compliance with Section 9-280 (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 9-280 (h) (1) within 60 days or a fine of \$50 per day would be imposed.

**Reference CE03011854**

Murales & Anarose Murat  
1336 Northeast 1<sup>st</sup> Avenue

Request to Vacate 8/7/03 Order

Ms. Tell vacated the order.

**Reference CE06031706**

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

Request to Vacate 8/3/06 Order

Ms. Tell vacated the order.

**Reference CE05121174**

PHD Development LLC

Massey Hearing

809 Southwest 4<sup>th</sup> Avenue

Ms. Bazer announced that this case was first heard on 3/2/06 with compliance ordered by 4/1/06: 3 sections at \$25 per day. The property was complied and the City was requesting imposition of \$11,925 in fines.

Ms. Tell signed the order to impose the \$11,925 fine.

**Reference CE06012138**

Eddie Wright  
2911 Northwest 21<sup>st</sup> Street

Massey Hearing

Ms. Bazer announced that this case was first heard on 6/1/06 with compliance ordered by 7/1/06: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of \$4,050 in fines and their continued accrual until the property was complied.

Ms. Tell signed the order to impose \$4,050 in fines and continue their accrual until the property was complied.

**Reference CE06020500**

Calvin & Lucille Sapp  
131 Florida Avenue

Massey Hearing/Order to Reappear

Ms. Bazer stated that Ms. Tell had ordered the owner to reappear for this hearing at the 8/3/06 hearing. She announced that this case was first heard on 4/20/06 with compliance ordered by 5/20/06: 3 section at \$25 per day. On 7/6/06 the date was extended to 8/4/06; on 8/4/06 the date was extended to 8/25/06. The property was complied and the City was requesting imposition of \$2,600 in fines.

Ms. Tell signed the order to impose the \$2,600 fine.

**Reference CE06021133**

Ricardo Eugene  
1204 Southwest 2<sup>nd</sup> Court

Massey Hearing

Ms. Bazer announced that this case was first heard on 6/1/06 with compliance ordered by 6/15 and 7/1/06: 3 sections at \$25 per day. The property was not complied and the City was requesting imposition of \$6,475 in fines and their continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$6,475 in fines and to continue their accrual until the property was complied.

**Reference CE06030021**

Peter Sgarlato  
1835 South Ocean Drive

Massey Hearing

Ms. Bazer announced that this case was originally heard on 4/20/06 with compliance ordered by 5/20/06: 1 section at \$100 per day. The property was not complied and the City was requesting \$12,300 in fines and their continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$12,300 in fines and to continue their accrual until the property was complied.

**Reference CE06041401**

Melila & Octoleme Guillaume  
2216 Northwest 15<sup>th</sup> Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 7/6/06 with compliance ordered by 7/16/06: 1 section at \$100 per day. The property was complied and the City was requesting imposition of \$1,400 in fines.

Ms. Tell signed the order to impose the \$1,400 fine.

**Reference CE06051819**

Eric Salazar  
2509 Northeast 21<sup>st</sup> Street

Massey Hearing

Ms. Bazer announced that this case was first heard on 8/3/06 with compliance ordered by 9/2/06: 4 sections at \$100 per day. The property was not complied and the City was requesting imposition of \$7,200 in fines and their continued accrual until the property was complied.

Ms. Tell signed the order to impose \$7,200 in fines and continue their accrual until the property was complied.

**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:

CE06071363	CE06061142	CE06080548	CE06031287
CE06060632	CE06061642	CE06080389	CE06061643
CE06061647	CE06020931	CE06061907	CE06061744
CE06051879	CE06080596	CE06081661	CE06082046
CE06061227	CE06071823	CE06071526	CE05101245
CE05101246	CE06071711	CE06071606	CE05111133



CE06030949	CE06070212	CE06070434	CE06071218
CE06071567	CE06072107	CE06072115	CE06072130
CE06061738	CE06050756	CE06050914	CE06041099
CE06071665	CE06071466	CE06071173	CE06071008
CE06070247	CE06060910	CE06051093	CE06051095
CE06031376	CE06050328		

**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:

CE06011777	CE06050649	CE06041800	CE05120277
CE06072291	CE06061384	CE06030276	CE06061531
CE06070954	CE06061837	CE06061656	CE06070482
CE06061774	CE06061697	CE06061426	CE06010652

**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:

CE06070044	CE06061184	CE05011925
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**Cases Rescheduled**

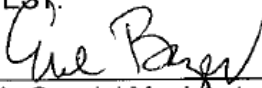
Ms. Bazer announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06070155	CE05110816
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There being no further business, the hearing was adjourned at 1:15p.m.

  
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SPECIAL MAGISTRATE

ATTEST:

  
\_\_\_\_\_  
Clerk, Special Magistrate