

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Judge Floyd Hull, Presiding
October 5, 2006
9:00 A.M. –11:30 A.M.

Staff Present:

Assistant City Attorney

Eve Bazer, Clerk of Special Magistrate Supervisor

Tuchette Bryant-Torres, Community Inspections Officer

Peggy Burks, Community Inspections Officer

Michael Champion, Community Inspections Officer

Andre Cross, Community Inspections Officer

Aretha Davis, Community Inspections Officer

Adam Feldman, Community Inspections Officer

John Gossman, Community Inspections Officer

Robert Guilford, Engineering Inspector

Sue Holmes, Secretary, Special Magistrate

Lee Kaplan, Community Inspections Officer

Gilbert Lopez, Community Inspections Officer

Al Lovingshimer, Community Inspections Officer

Mike Maloney, Community Inspections Officer

Sue Manning, Secretary, Special Magistrate

Maurice Murray, Community Inspections Supervisor

Robert Pignataro, Building Inspector

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

Irma Westbrook, Community Inspections Officer

Also Present:

CE06050236: Lewis Moore, owner

CE06061330: Wayne Manning, owner

CE06051033: Arturo Vales, owner

CE06010516: Al Jackson, owner

CE05121030: Lucille Haynes, property manager

CE06060372: Cynthia Sherr, attorney; Thomas Smith, owner

CE06041836: Robert Albanese, owner

CE06080150: Willette Clowes, owner; Frederick Lehman, owner

CE06072149: Lana Brown, owner

CE06061530: Rosalind Payne, owner

CE05100946: Ari Glazer, attorney

CE06061273: Thomas Pottinger, owner

CE06072188: Clifford Green, owner
CE06030816: Hugh Silvera, owner
CE06081741: Marie Dameus, owner; Salever Bruny, cousin
CE06070271: Jeffrey Gary, manager
CE06010875; CE06010877: Gerard Gerardi, general manager; Lawrence Cichanowicz,
general contractor
CE06060342: Lewis Tunnage, owner's husband
CE06060614: Scott Renberg, owner
CE06010693: Helen Dunsford, owner
CE06060756: Brian McGuire, owner
CE06040336: Annie Jones, owner
CE06011721: Viren Patel, owner; Thomas Swing, sign maker
CE05121293: Victor Marc, owner

NOTE: All individuals who presented information to the Special Magistrate during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 9:00 A.M. Judge Hull introduced himself and explained his role in ensuring adherence with the City's codes. He reminded all respondents that if they found they were unable to comply violations by the ordered date, they must contact the Code Enforcement Department to request an extension.

Reference CE05121030

American Federated Title Corp. Request for Extension
1909 Northwest 9th Avenue

Ms. Bazer announced that this case was originally heard on 5/18/06 with compliance ordered by 6/18/06: 4 sections at \$100 per day. Fines had been suspended from 6/18 to 10/19/06.

Ms. Lucille Haynes, property manager, requested an additional 120 days. They had just applied for the permits and anticipated it would take two months or so to obtain them.

Ms. Cheryl Pingitore, Community Inspections Officer, said the application process had been delayed due to backup at the Building Department. She felt that 120 days should be sufficient time to comply.

Judge Hull granted a 120-day extension.

Reference CE06060342

Cynthia Tunnage Request for Extension
736 Northwest 2nd Avenue

Ms. Bazer announced that this case was originally heard on 9/7/06 with compliance ordered by 10/7/06: 3 sections at \$100 per day.

Mr. Lewis Tunnage, owner's husband, explained that his wife had died last month. He said he had complied most of the violations, but had not received the fence permit yet. He requested another 30 days.

Mr. Gilbert Lopez, Community Inspections Officer, said he had no objection to the extension.

Judge Hull granted a 30-day extension.

Reference CE05121293

Victor Marc
1441 Northeast 10th Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 8/3/06 with compliance ordered by 8/13 and 9/2/06: 2 section at \$100 per day and \$25 per day. The property was not complied and the City was requesting imposition of \$5,975 in fines and their continued accrual until the property was complied.

Mr. Victor Marc, owner, said he was keeping the car for his daughter, and the person making the roof repairs had been called away to another job. He had not requested an extension because he thought repairs would be made in time.

Mr. Adam Feldman, Community Inspections Officer, said he had visited the property several times and spoken with more than one of Mr. Marc's children, but Mr. Marc had never responded. The derelict vehicle had stayed on the property since February and the fascia board was still not repaired. He recommended imposing and continuing the fine.

Judge Hull signed the order to impose \$5,975 in fines and continue their accrual until the property was complied.

Reference CE06030816

Dexter Banton
610 Northwest 9th Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 7/6/06 with compliance ordered by 9/4/06: 1 section at \$50 per day. The property was not complied and the City was requesting imposition of \$1,500 in fines and their continued accrual until the property was complied.

Mr. Hugh Silvera, owner, apologized for missing the last hearing; he had not been notified. Mr. Silvera said they intended to repave the parking area and upgrade the landscaping, and requested an extension of 60 days.

Mr. Gil Lopez, Community Inspections Officer, said Mr. Silvera had obtained permits and begun work, and he did not object to an extension.

Judge Hull granted a 60-day extension.

Reference CE05100946

Rovic Properties Inc
2758 Davie Boulevard

Request for Extension

Ms. Bazer announced that this case was first heard on 6/1/06 with compliance ordered by 9/29/06: 1 section at \$50 per day.

Mr. Ari Glazer, attorney for the owner, said only the parking lot violation still existed. The parking lot required resealing and re-striping, and the City wanted a permit for this work. The permit application had gone back and forth with the City and was currently awaiting approval. Mr. Glazer requested an additional 90 days.

Ms. Peggy Burks, Community Inspections Officer, had no objection to the 90-day extension.

Judge Hull granted a 90-day extension for Section 47-20.20 H.

Reference CE06060372

Washington Park Properties LLC
2350 Northwest 20th Street

Massey Hearing

Ms. Bazer announced that this case was first heard on 8/17/06 with compliance ordered by 8/27/06: 2 sections at \$100 per day. The property was complied and the City was requesting imposition of \$3,000 in fines

Mr. Thomas Smith, owner, stated the "majority of this trash is not even on my lot." He said he had seven 30-yard dumpsters at the property in one month because of neighbors dumping at the adjacent property. Mr. Smith presented photos of the trash dumped on the adjacent property to Judge Hull.

Ms. Tuchette Torres, Community Inspections Officer, recommended imposing the full fine amount; she presented letters of complaint from the neighbors and her own photos of the property.

The Assistant City Attorney noted that the owner was responsible to remove trash from his property, regardless of how it got there. She requested that the fine be imposed, "as an incentive maybe, for him to change something that he's doing." Mr. Smith asked how he could possibly prevent people from trespassing and littering on the property.

Ms. Cynthia Sherr, attorney for the owner, stated that the property was complied and Mr. Smith had spent an “exorbitant amount of money” to keep the property complied, and asked for abatement of the fines.

Mr. Smith said he had cleaned up City-owned lots adjacent to his properties on 5th Terrace and not been reimbursed by the City. He noted that he was building houses costing under \$200,000.

Judge Hull signed the order to impose \$3,000 in fines.

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

Reference CE06010875

Natchez Resort 1997 Ltd.
725 North Fort Lauderdale
Beach Boulevard

Request for Extension

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 10/3/06: 6 sections at \$150 per day.

Mr. Lawrence Cichanowicz, general contractor, said they had been asked to submit a site plan for the property and it had taken some time to find an architect because of the size of the job. He requested a 6-month extension.

Mr. Al Lovingshimer, Community Inspections Officer, said he thought that sufficient time had passed to begin repairs, and the owner had made cosmetic repairs in lieu of safety repairs. He therefore opposed any extension.

Mr. Gerard Gerardi, general manager, said it was a “daunting task” to need to create the overall site plan before doing any work on the building. Only one violation had been complied without the site plan. Inspector Lovingshimer said none of the violations were complied as yet. Mr. Gerardi said he would have made the repairs months ago if he had been permitted to address the violations individually.

Mr. Gerardi explained that the property was damaged in Hurricane Wilma, and the warnings were sent to the hotel operator, whom Mr. Gerardi had hired on someone else’s advice. This person had not responded to the warnings, and upon visiting the property, Mr. Gerardi had discovered this person was a “pedophile crack head” and everyone in the hotel was of the same caliber. It had taken 45 days to remove the tenants prior to starting any cleanup.

The owner had hired someone to clean the property, but they were performing work that did not conform to City codes, and Inspector Pignataro had issued a stop work order on the property. Mr. Gerardi had agreed to take responsibility for the property from that point.

Judge Hull asked if Inspector Lovingshimer would object to a 2-month extension; Inspector Lovingshimer said he did not object to a 2-month extension, but wanted Inspector Pignataro's opinion on the safety violations.

Mr. Robert Pignataro, Building Inspector, said there were life safety issues at the property and people were still living there. He opposed any extension while there were any inhabitants. He noted the broken railings and open electrical boxes, among other life safety issues. He said the owner must get the plan submitted and permits issued before starting work. Inspector Pignataro wanted the inhabitants moved before allowing any more time to comply.

Mr. Gerardi explained that the apartments with missing/broken windows were closed down and unoccupied. Judge Hull suggested a new architect.

Judge Hull denied the extension.

Reference CE06010877

Natchez Resort 1997 Ltd.
735 North Fort Lauderdale
Beach Boulevard

Request for Extension

Ms. Bazer announced that this case was originally heard on 4/6/06 with compliance ordered by 10/3/06: 6 sections at \$150 per day.

Judge Hull denied the extension.

Reference CE06051033

Arturo & Isabel Vales
1640 Northeast 15th Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 7/6/06 with compliance ordered by 9/4/06: 1 section at \$25 per day. The property was not complied and the City was requesting imposition of \$750 in fines and their continued accrual until the property was complied.

Mr. Arturo Vales, owner, said he had wanted to take care of the roof damage before the tree debris. He noted that this repair would create additional debris, and he could have the tree and roof repair debris picked up at the same time. Mr. Vales said he had his roof permit, and had his first inspection scheduled for the following day.

Mr. Len Ackley, Community Inspections Officer, confirmed that the citation was for overgrowth and the tree debris, not the roof. Mr. Vales reiterated that he did not want to do "double work" and clean up the tree debris now and the roof debris later. He offered to show Judge Hull the process he had gone through so far to comply.

Ms. Bazer clarified that she had told Mr. Vales over the phone that if the fine was imposed, he could come in for a lien discussion upon compliance.

Judge Hull signed the order to impose \$750 in fines and continue their accrual until the property was complied.

Reference CE06011721

Roshni Investments Inc.
1251 East Sunrise Boulevard

Massey Hearing

Ms. Bazer announced that this case was first heard on 7/6/06 with compliance ordered by 7/16 and 9/4/06: 2 sections at \$100 per day. The property was not complied and the City was requesting imposition of \$11,000 in fines and their continued accrual until the property was complied.

Viren Patel, owner, said only the sign violation remained; they had waited for a confirmation of a design change for the sign from the corporate office. He felt the sign would be completed in the next 30 to 45 days.

Mr. Adam Feldman, Community Inspections Officer, stated the property was not complied and recommended imposing the fine. He acknowledged receipt of a fax from the manager informing him that the sign company had been hired, and the sign should be completed by 10/28/06.

Judge Hull signed the order to impose \$11,000 in fines and continue their accrual until the property was complied.

Reference CE06070271

Oscar Houseman, Bridget Hector & J Jacobs
715 Southwest 15th Avenue

Massey Hearing

Ms. Bazer announced that this case was first heard on 8/17/06 with compliance ordered by 8/31/06: 1 section at \$25 per day. The property was not complied and the City was requesting imposition of \$850 in fines and their continued accrual until the property was complied.

Mr. Jeffrey Gary, manager, said all the violations were complied and the trashcans had been moved behind the building.

Mr. Mike Maloney, Community Inspections Officer, explained that the tenants were leaving the cans on the landscaping. He agreed to reinspect the property later in the day to confirm compliance.

Judge Hull denied the request to impose a fine. the fine.

Reference CE06010693

W.J. & Helen L. Dunsford
910 Northwest 47th Court

Massey Hearing

Ms. Bazer announced that this case was first heard on 7/6/06 with compliance ordered by 9/4/06: 3 sections at \$25 per day. The property was not complied and the City was requesting imposition of \$2,250 in fines and their continued accrual until the property was complied.

Ms. Helen Dunsford, owner, said she had some health problems that prevented her from complying sooner. She said she also was experiencing problems with the green yard cart refuse pickup on Fridays.

Mr. Sal Viscusi, Community Inspections Officer, said Ms. Dunsford was making progress, and needed a recycler to take away some of her items. He had no objection to an extension. Inspector Viscusi presented photos of the property to Judge Hull. Judge Hull commented that this was "one of the worst cases I've seen of trash, litter, and your whole yard is taken up with everything you can imagine." Ms. Dunsford requested 60 days to comply.

Judge Hull granted a 30-day extension.

Reference CE06072188

Clifford Green
526 Northwest 15th Way

Ms. Bazer announced that certified mail addressed the owner was accepted on 9/26/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified to the following violations:

- ❖ 9-280(f): The bathroom has broken or missing plumbing fixtures and is not being maintained;
- ❖ 9-280(g): There is exposed wiring from a smoke alarm in apt. #6;
- ❖ 9-306: The building is not being maintained and has cracks and missing pieces/stucco plaster.

Inspector Lopez presented photos of the property and a copy of the case file and stated it would take at least 60 days to obtain permits and do the work.

Mr. Clifford Green, owner, said it had taken four months to obtain a state license for the rooming house. Mr. Green thought the property was complied.

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

Reference CE06060756

Suzanne M. & Brian P. McGuire
1010 Northwest 45th Court

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

Mr. Sal Viscusi, Community Inspections Officer, testified to the following violations:

- ❖ 9-281(b): There is a derelict vehicle on this property. Specifically, two (2) door multi-colored Chevrolet pick-up truck with expired Florida tag B47-DRW, 12/00. This vehicle also has flat tire. (Driver side front);
- ❖ 9-304(b): The driveway at this private residence is in disrepair.

Inspector Viscusi presented photos of the property and a copy of the case history to Judge Hull.

Mr. Brian McGuire, owner, said he had been building the truck for approximately 5 years, but he had decided to have it towed. He had a contract with a paving company to repair the driveway in 60 to 90 days.

Judge Hull found in favor of the City and ordered compliance with 9-281(b) within 14 days or a fine of \$100 per day, or the vehicle would be towed, and with 9-304(b) within 60 days or a fine of \$25 per day would be imposed.

Reference CE06050236

Lewis & Sheila Moore
1601 Northwest 10th Avenue

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violation:

- ❖ 9-306: The building has areas of bare concrete and is lacking paint.

Inspector Pingitore presented photos of the property and a copy of the inspection report and said she had spoken with Mr. Moore and agreed to recommend ordering compliance within 60 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance within 60 days or a fine of \$25 per day.

Reference CE06010516

Al & Barbara Jackson
1800 Northwest 3rd Court

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

Mr. Gilbert Lopez, Community Inspections Officer, testified to the following violation:

- ❖ 47-19.9: The property is being used for outdoor storage of goods and materials.

The following violations were complied:

- ❖ 18-27(a): There are areas of the property that are overgrown with plant life;
- ❖ 9-281(b): There is an unlicensed/inoperable vehicle on the property.

Inspector Lopez presented photos of the property and a copy of the case history to Judge Hull.

Mr. Al Jackson, owner, explained that he had stored roofing paper in the yard and a pressure cleaning machine in the yard under a tarp. He requested 7 days to comply.

Judge Hull found in favor of the City and ordered compliance with 47-19.9 within 14 days or a fine of \$25 per day would be imposed.

Reference CE06061530

Rosalind Payne
2791 Northwest 25th Street

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

Ms. Tuchette Torres, Community Inspections Officer, testified to the following violations:

- ❖ 9-281(b): There are unlicensed, inoperable vehicles on the property: a red Ford and a black Cadillac;
- ❖ 9-308(a): There is a roof in disrepair on the property;
- ❖ BCZ 39-275(6)(b): There are miscellaneous items stored under the carport on the property.

The following violation was complied:

- ❖ 9-280(h)(1): There is a fence in disrepair on the property.

Ms. Rosalind Payne, owner, requested 60 days to make repairs and two weeks to register the vehicle.

Judge Hull found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed, with 9-308(a) and BCZ 39-275(6)(b) within 60 days or a fine of \$25 per day, per violation.

Reference CE06040336

Annie Allen Jones
1158 Northwest 9th Terrace

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violation:

- ❖ 9-306: The shutters on the building are mildew stained and need to be painted.

Inspector Pingitore presented photos of the property to Judge Hull.

Ms. Annie Jones, owner, requested 30 days to comply.

Judge Hull found in favor of the City and ordered compliance within 30 days or a fine of \$25 per day.

Reference CE06041836

Robert D. Albanese
2401 Northeast 25th Place

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/6/06.

Mr. Len Ackley, Community Inspections Officer, testified to the following violations:

- ❖ 9-306: There is chipping and peeling paint;
- ❖ 9-308(a): The roof is in disrepair.

Inspector Ackley presented photos of the property and a copy of the inspection report and explained that the owner had done considerable work on the property already and was currently waiting for roof tile that was backordered. Inspector Ackley said the owner would need 30 days.

Mr. Robert Albanese, owner, requested 90 days to comply.

Judge Hull 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 CE06061273

Thomas Pottinger
209 Southwest 22nd Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/7/06.

Ms. Peggy Burks, Community Inspections Officer, testified to the following violations:

- ❖ 9-280(b): There are broken and/or missing jalousie windows;
- ❖ 9-306: There is peeling paint on the exterior walls and the fascia.

The following violations were complied:

- ❖ 18-27(a): There is trash and overgrowth on the property;

- ❖ 9-308(a): The roof is in disrepair.

Mr. Thomas Pottinger, owner, requested 30 days to comply.

Judge Hull found in favor of the City and ordered compliance with 9-280(b) and 9-306 within 30 days or a fine of \$25 per day, per violation would be imposed.

Reference CE06080150

Willette B. C. & Frederick Lehman
2412 Tortugas Lane

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

Mr. Lee Kaplan, Community Inspections Officer, testified to the following violations:

- ❖ 18-27(a): There is overgrowth and trash throughout the property;
- ❖ 9-304(b): Parking on lawns is prohibited.

Inspector Kaplan presented photos of the property and a copy of the case file and recommended ordering compliance within 10 days or a fine of \$25 per day, per violation.

Frederick Lehman, owner, apologized for the car and agreed to move it; he explained that it was operable, licensed, and insured; they just did not drive it in the summertime due to its lack of air conditioning. He agreed to hire a landscaper to clean up the debris on the property.

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

Reference CE06072149

Lana Marie Allen Austin
2700 Northwest 16th Court

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

Mr. Bob Guilford, Engineering Inspector, testified to the following violation:

- ❖ 25-100(a): Non-permitted concrete poles on city right-of-way.

Inspector Guilford presented photos of the property and recommended ordering compliance within 60 days or a fine of \$25 per day.

Ms. Lana Austin, owner, said the poles had been there before she owned the house and they had been installed by the County. She requested 60 days to have the poles removed.

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

Reference CE06060614

Scott Anthony Renberg
841 Northwest 4th Avenue

Ms. Bazer announced that service was via posting at the property on 9/13/06, and at City Hall on 9/21/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified to the following violations:

- ❖ 18-27(a): There is trash, rubbish and debris scattered across the property. The property is overgrown with plant life;
- ❖ 9-306: The building has damage to the exterior, including but not limited to the fascia, soffits and walls;
- ❖ 9-308(a): The roof is in disrepair.

Inspector Lopez presented photos of the property and a copy of the case history to Judge Hull.

Mr. Scott Renberg, owner, said the overgrowth had been taken care of, the truck was gone and he was already repairing the roof. He requested 30 days to complete repairs.

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

Reference CE06081741

Jocelyn & Marie Dameus
661 Southwest 31st Avenue

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

Mr. Andre Cross, Community Inspections Officer, testified to the following violation:

- ❖ 9-281(b): There are unlicensed, inoperable vehicles stored on this property.

The following violation was complied:

- ❖ BCZ 39-275 (10) (a) : There is mechanical work being done on this property in residential area.

Inspector Cross presented photos of the property to Judge Hull, defined vehicle as a Nissan Pathfinder and violation BCZ 39-275 (10) (a) was complied.

Ms. Marie Dameus, owner, said they were waiting for the insurance company to examine the damaged car.

Mr. Salever Bruny, manager, said they had contacted the insurance company last week.

Judge Hull found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

Reference CE06061330

Wayne Manning
1563 West Sunrise Boulevard

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/12/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violations:

- ❖ 47-19.4.G.2.a.: The plans required for the dumpster enclosure have not been submitted. The enclosure does not meet the requirements per code ordinance;
- ❖ 47-20.20.I.: The proper required plans for the restriping of the parking lot have not been submitted;
- ❖ 47-22.6 N.2.: There are streamers tacked to the building on the north and south side walls;
- ❖ 9-280 (g): There are broken and inoperable electrical fixtures attached to the building.

Inspector Pingitore explained that the owner had leased a second dumpster and originally installed it on his neighbor's property. She had told him to remove the dumpster, informing him that he would not be able to get a permit for it. Mr. Manning had moved the dumpster to his own property and surrounded it with a makeshift enclosure, all without plans or permits. The parking area had been restriped without a permit as well.

Inspector Pingitore presented photos of the property and a copy of the Special Magistrate notice to Judge Hull.

Mr. Wayne Manning, owner, said he had recently purchased the property. He said he had renewed the previous owner's existing dumpster contract. When he built the enclosure, he was unaware it required a permit. Mr. Manning said the previous owner had pulled the permit for the striping. Judge Hull made sure Mr. Manning understood that the second dumpster was not allowed on the property, whether or not it was present when he purchased the property, and whether or not he had a contract for it.

Judge Hull found in favor of the City and ordered compliance with 47-19.4.G.2.a. and 47-20.20.I. within 31 days or a fine of \$25 per day, per violation, and with 47-22.6 N.2. within 7 days or a fine of \$25 per day, and with 9-280(g) within 14 days or a fine of \$50 per day.

Reference CE05070403

Wayne S. Abbott Revocable Trust Continued from 8/17/06
421 Isle of Capri

Ms. Bazer announced that the city Attorney's office requested that this case be dismissed without prejudice.

Judge Hull dismissed the case without prejudice.

Reference CE06050334

100 Law Building
18 Southeast 9th Street

Ms. Bazer announced that certified mail addressed to the registered agent and owner were both accepted on 9/15/06.

Ms. Ursula Thime, Community Inspections Officer, testified to the following violations:

- ❖ 18-27(a): The property is overgrown. There are dead plants on the ground and rubbish, trash and debris littering the grounds. There is blue tarp hanging from poles, fences and trees;
- ❖ 25-56(a): Sidewalk is in disrepair.

Inspector Thime presented photos of the property and a copy of the inspection report and case history to Judge Hull.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$25 per day, and with 25-56(a) within 30 days or a fine of \$25 per day would be imposed.

Reference CE06041414

Federic Henri
2860 Southwest 4th Street

Ms. Bazer announced that service was via posting at the property on 9/21/06, and at City Hall on 9/21/06.

Ms. Peggy Burks, Community Inspections Officer, testified to the following violation:

- ❖ 9-281 (b): There is an unlicensed and inoperable white Toyota on the property.

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

Judge Hull 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 CE06040326

Sandra O'Connor

2740 Southwest 2nd Street

Ms. Bazer announced that service was via posting at the property on 9/18/06, and at City Hall on 9/21/06.

Ms. Peggy Burks, Community Inspections Officer, testified to the following violation:

- ❖ 18-27(a): There is overgrowth and trash on the property.

The following violations were complied:

- ❖ 47-21.8.A.: There are large areas of bare sand on property and swale;
- ❖ 9-306: The exterior walls and fascia has either peeling or missing paint.

Inspector Burks presented a copy of her case file and recommended ordering compliance with 18-27(a) within 10 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) within 10 days or a fine of \$25 per day would be imposed.

Reference CE06071792

Virginie DeMerritt & Wanda Jean
6380 Northwest 31st Way

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

Mr. Sal Viscusi, Community Inspections Officer, testified to the following violations:

- ❖ 9-281(b): There is a derelict vehicle located on this property. Specifically, two (2) door tan Jeep with no license plate on it.

Inspector Viscusi recommended ordering compliance within 10 days or a fine of \$100 per day or the vehicle would be towed.

Judge Hull 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 CE06071692

Casa Mia Co-op
140 Isle of Venice

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

Mr. Al Lovingshimer, Community Inspections Officer, testified to the following violations:

- ❖ 18-27(a): Property is overgrown and littered with debris;
- ❖ 9-308(a): Roof is covered with blue tarps.

Inspector Lovingshimer presented photos of the property and a copy of the inspection report and recommended ordering compliance within 30 days or a fine of \$50 per day, per violation.

Judge Hull 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 CE06051523

528 Antioch LLC
528 Antioch Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 8/31/06 and certified mail addressed to the registered agent was accepted on 9/19/06.

Mr. Al Lovingshimer, Community Inspections Officer, testified to the following violation:
❖ 9-306: There are sections of spalling concrete.

Inspector Lovingshimer presented copies of inspection reports and engineering reports supplied by the owner and stated he had a stipulated agreement with the owner to comply within 90 days or a fine of \$50 per day.

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

Reference CE06081718

Augustine & Judy Gonzales
640 East Campus Circle

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/13/06.

Mr. Andre Cross, Community Inspections Officer, testified to the following violations:
❖ 9-281 (b):: There are unlicensed, inoperable vehicles stored on this property:
❖ 9-304(b): There are vehicles constantly parking on lawn.

Inspector Cross presented photos of the property and a copy of the inspection report and history and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed and identified the vehicle as a blue Mercury Mystique, and with 9-304(b) is complied.

Judge Hull found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed..

Reference CE06061220

Christopher L. Mitchell

423 Northwest 21st Terrace

Ms. Bazer announced that service was via posting at the property on 9/15/06, and at City Hall on 9/21/06.

Mr. Gilbert Lopez, Community Inspections Officer, testified to the following violation:

- ❖ 47-20.20.H: The parking striping is faded or missing on the parking area.

The following violation was complied:

- ❖ 18-27(a): The property is overgrown with plant life. There is trash, rubbish and debris scattered about the property.

Inspector Lopez presented photos of the property and a copy of the case file and recommended ordering compliance with 47-20.20.H within 30 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance with 47-20.20.H within 30 days or a fine of \$25 per day would be imposed.

Reference CE06071690

Eldred Oates

1041 Northwest 23rd Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/6/06.

Ms. Tuchette Torres, Community Inspections Officer, testified to the following violation:

- ❖ 18-27(a): There is overgrowth, trash, rubbish and debris on the property.

Inspector Torres presented photos of the property and a copy of the case history and recommended ordering compliance within 10 days or a fine of \$25 per day.

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

Reference CE06060373

Shirley D. & Cheryl L. Weaver

2356 Northwest 14th Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/6/06.

Ms. Tuchette Torres, Community Inspections Officer, testified to the following violations:

- ❖ 18-27 (a): There is trash and debris on the property;
- ❖ 9-304(b): The driveway is not dust free and well graded on the property;
- ❖ 9-306: Exterior of the house is not being maintained on the property;

- ❖ 9-308(a): The roof is in disrepair on this property.

Inspector Torres presented photos of the property and a copy of the case history and recommended ordering compliance with 18-27(a) within 10 days or a fine of \$50 per day, and with 9-304(b), 9-306, and 9-308(a) within 60 days or a fine of \$50 per day, per violation.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) within 10 days or a fine of \$50 per day, and with 9-304(b), 9-306, and 9-308(a) within 60 days or a fine of \$50 per day, per violation.

Reference CE06080444

Lauderdale Manor
Church of the Nazarene
1405 Northwest 15th Court

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/13/06.

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violation:

- ❖ 9-281(b): There are unlicensed, inoperable vehicles stored on the property:.

Inspector Pingitore presented photos of the property and a copy of the case history, notice of violation and Special Magistrate notice and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed and identified the vehicle as a Beige 2 door Domestic.

Judge Hull found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

Reference CE06051694

Glenn & Mara Powell
1511 Northwest 11th Street

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violations:

- ❖ 18-27(a): The property is overgrown and not being maintained. There is trash and litter scattered about the property;
- ❖ 24-27(c): The garbage carts are left in public view after service;
- ❖ 47-21.8: There are areas of dead and missing ground cover;
- ❖ 9-306: The building has areas of chipped and peeling paint.

The following violation was complied:

- ❖ 9-280(b): The building has broken and missing jalousie panes.

Inspector Pingitore presented photos of the property and recommended ordering compliance with 18-27(a), 24-27(c), and 47-21.8 and 9-306 within 10 days or a fine of \$25 per day, per violation.

Judge Hull found in favor of the City and ordered compliance with 18-27(a), 24-27(c), and 47-21.8 and 9-306 within 10 days or a fine of \$25 per day, per violation.

Reference CE06051331

Marie Louis
1118 Northwest 19th Avenue

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

Ms. Cheryl Pingitore, Community Inspections Officer, testified to the following violations:

- ❖ 47-21.8: There are areas of dead and missing ground cover;
- ❖ 9-281(b): There are unlicensed/inoperable vehicles stored on the property: a red Lexus.

Inspector Pingitore presented photos of the property and recommended ordering compliance with 47-21.8 within 10 days or a fine of \$25 per day, and with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

Judge Hull found in favor of the City and ordered compliance with 47-21.8 within 10 days or a fine of \$25 per day, and with 9-281(b) within 10 days or a fine of \$100 per day, or the vehicle would be towed.

Reference CE06070483

Maurice & Merileus Archil
1525 Northwest 8th Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/7/06.

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violations:

- ❖ 47-20.20.H: The parking lot is not maintained. The parking stripes and bumpers are missing. The pavement is damaged.

Inspector Westbrook presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day.

Reference CE06071909

Eric & Minnie Brown
1023 Northwest 7th Terrace

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

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violations:

- ❖ 9-304(b): The gravel driveway is not well graded and/or dust free.

The following violation was complied:

- ❖ 9-281(b): There is an unlicensed/inoperable trailer with a boat on it and a green Oldsmobile on property.

Inspector Westbrook stated the permit for the driveway had already been pulled. She and presented photos of the property and a copy of the inspection report and recommended ordering compliance with 9-304(b) within 60 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance with 9-304(b) within 60 days or a fine of \$25 per day would be imposed.

Reference CE06081025

Bradley L. Hertz
1022 Northwest 2nd Avenue

Ms. Bazer announced that certified mail addressed to the owner was accepted on 9/6/06.

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violations:

- ❖ 18-27 (a): There is overgrowth, trash, litter and debris all over the property and swale;
- ❖ 24-27 (b): The trash carts are being left out in public view;
- ❖ 9-281 (b): There is an unlicensed/inoperable white four (4)door Cadillac on the property;
- ❖ 9-304(b): Vehicles parking on the grass;
- ❖ 9-308(b): The roof is not being maintained. There is debris and trash on the roof;
- ❖ 47-19.9: There is outside storage of tires, refrigerator and miscellaneous items scattered about the property.

Inspector Westbrook presented photos of the property and a copy of the inspection report and recommended ordering compliance with 18-27 (a), 24-27 (b), 9-304(b), 9-308(b), 47-19.9 within 10 days or a fine of \$50 per day, per violation, and with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Judge Hull found in favor of the City and ordered compliance with 18-27 (a), 24-27 (b), 9-304(b), 9-308(b), 47-19.9 within 10 days or a fine of \$50 per day, per violation, and with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Reference CE06060939

Katherine Butler & Tara Coiro
1200 Northeast 2nd Avenue

Ms. Bazer announced that service was via posting at the property on 9/11/06 and at City Hall on 9/21/06.

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violations:

- ❖ 18-1: The pool water is green and stagnant creating a health hazard;
- ❖ 9-280 (h)(1): The wooden fence is in disrepair.

Inspector Westbrook 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.

Judge Hull found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day, per violation.

Reference CE06060611

Natalie Petrarca
1022 Northeast 3rd Avenue

Ms. Bazer announced that service was via posting at the property on 9/12/06 and at City Hall on 9/21/06.

Ms. Irma Westbrook, Community Inspections Officer, testified to the following violations:

- ❖ 9-281(b): There is an unlicensed boat on a trailer stored in the rear of the property;
- ❖ 9-304(b): Parking on the grass.

Inspector Westbrook presented photos of the property and a copy of the inspection report and recommended ordering compliance within 10 days or a fine of \$50 per day, per violation.

Judge Hull found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day, per violation.

Reference CE06070155

Roy & Sherry C. Gilfix
2700 Northeast 26th Terrace

Ms. Bazer announced that this case was rescheduled from the 9/21 hearing.

Mr. Len Ackley, Community Inspections Officer, testified to the following violations:

- ❖ 47-21.8 D.: The tree on the property is obstructing visibility of traffic;
- ❖ 47-21.8.C.: There is a tree which is in violation of the sight triangle as per measurements provided in table 47-2.2.

Inspector Ackley explained that the owner was in the process of removing the tree today. He presented photos of the property and recommended ordering compliance within 14 days or a fine of \$ \$25 per day, per violation.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$ \$25 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:

CE06082348	CE06081653	CE06061007	CE 06062235
CE06070578	CE06071680	CE06060755	CE06071099
CE06081911	CE06082083	CE06080840	CE06082084
CE06082301	CE06041121	CE06010156	CE06080622
CE06080702	CE05110896	CE06080733	CE06081033
CE06080176	CE06080331	CE06080781	CE06040299
CE06051128	CE06071689	CE06082244	CE06081323
CE06072301	CE06050210	CE06070178	CE06071584
CE06081225	CE06072256	CE06080146	CE06060368
CE06040158	CE06081834	CE06081858	CE06070419
CE06070132	CE06071796	CE06080865	CE06081262
CE06080231	CE06080258	CE06081352	CE06081583
CE06011261			

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:

CE05090638	CE06070205	CE06070438	CE06071070
CE06071081	CE06062109	CE06080055	CE06050955
CE06050955	CE05110437	CE06062077	CE06071772
CE06081056	CE06030628	CE06071164	CE06072269

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:

CE06072189

Requests to Vacate Previous Order

Judge Hull vacated the previous orders for the following case(s). Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

Case 9413714, dated 4/7/05: No service, change of ownership

Case CE04090236, dated 1/20/05: No service, change of ownership

Case CE01050578, all previous orders

Approved for Imposition of Fine

Ms. Bazer presented Judge Hull with the following cases to issue an order to impose the fine, which Judge Hull approved based on the affidavits of the inspectors

CE02090776 - \$358,400, and continued accrual until complied.

CE05100855 - \$ 1,500, and continued accrual until complied.

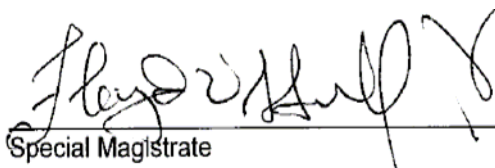
CE05101495 - \$ 1,600, and continued accrual until complied.

CE06030381 - \$ 7,400, and continued accrual until complied.


CE06051881 - \$ 8,550, and continued accrual until complied.

CE06071303 - \$ 15,000.

There being no further business, the hearing was adjourned at 11:30 a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate