

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Judge John Gaudiosi Presiding
November 2, 2006
9:00 A.M. –1:30 P.M.

Staff Present:

Assistant City Attorney
Farida Mohammed, Admin Aide
Debra Maxey, Clerk III
Maurice Murray, Code Enforcement Supervisor
Thomas Clements, Fire Inspector
Andre Cross, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
Lee Kaplan, Code Enforcement Officer
Karl Lauridsen, Landscape Inspector
Al Lovingshimer, Code Enforcement Officer
Mike Maloney, Code Enforcement Officer
Cheryl Pingitore, Code Enforcement Officer
William Snow, Code Enforcement Officer
Ivette Spence-Brown, Fire Inspector
Tuchette Torres, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer
Peggy Burks, Code Enforcement Officer
Mike Champion, Code Enforcement Officer
Ingrid Gottlieb, Code Enforcement Officer
Sue Holmes, Secretary to the Special Magistrate
Sue Manning, Secretary to the Special Magistrate
Ursula Thime, Code Enforcement Officer
Luis Abelo, Code Enforcement Officer

Also Present:

CE06080177: Kenneth Cooper, owner
CE06090444: A. Peter Manousakis, owner
CE06071802: Alan Wentnick, owner
CE06050380: Ralph Holmes, owner
CE06081558: William Alexander, owner
CE06091540: Bernardo Petreccia, owner
CE06051042: Thomas Taylor, owner
CE06090357: Shiela Dieufaite, tenant
CE06100441: Kaleel Coker, Landscaper;
James H. Kelly, Walgreen's foreman
CE06061656: Hubert Henry, owner
CE06082342: Ricky Lewis, owner

CE06090497: Rodwell Moses, owner
CE06040246: Fernando Adolfo Wytrykusz, owner
CE06090435: Esau Dalrymple, owner
CE06090424: Freddy Ramos Arocho, owner
CE06071818: Sidney Calloway, Attorney; Maurice Clark, Jr., President
CE06032005: Joan Gilbertson, Registered Agent
CE06061516: Brad Hertz, owner
CE06050642: Edzer Ledain, owner
CE06051224: Jessie Walden, owner
CE01100212: Robert M. Trinkler, Attorney
CE06061697: Ruben D. Alvarado, owner
CE06021312: Julia G. McElvy, Business Manager
CE06081320: Rochenel Metayer, owner
Ce06030808: George E. DeRico, leases building
CE06051332: Anthony H. Henry, owner
CE06072294: Arthur L. Caruana, 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 9:05 A.M. Judge Gaudiosi introduced himself and explained his role in ensuring adherence with the City's codes.

Case: CE06080177

Kenneth Cooper
400 Southeast 8th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/17/06.

Mr. Len Ackley, Code Enforcement Officer, testified to the following violation:

- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE VEHICLE UNDER A CLOTH COVER ON THE PROPERTY, AS WELL AS AN UNLICENSED BOAT AND TRAILER.

Inspector Ackley recommended ordering compliance within 10 days or a fine of \$100 per day would be imposed.

Mr. Kenneth Cooper, owner, stated that he would register the boat and trailer. He further explained that the car was the subject of a product liability lawsuit that would go to trial next summer and he must keep it for evidence. Judge Gaudiosi remarked that the car was no longer a motor vehicle; it was a piece of evidence. He asked Mr. Cooper to keep the inspector apprised of the lawsuit situation.

Judge Gaudiosi found in favor of the City and ordered Mr. Cooper to register the boat and trailer within 10 days or a fine of \$100 per day would be imposed.

Case: CE06090444

Angeliki & Peter Manousakis
209 Southwest 21st Way

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/13/06.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

- 9-304(b) : THERE ARE VEHICLES PARKED ON THE GRASS SURFACE ON THIS PROPERTY.

Inspector Viscusi presented photos of the property and a copy of his case file and recommended ordering compliance within 4 weeks or a fine of \$25 per day.

Mr. Peter Manousakis, owner, stated he had purchased the gazebo and put down pea gravel to park the car out of the sun. He agreed to put down additional pea gravel. Inspector Viscusi said this would be acceptable, provided any grass beneath the area was killed. He reminded Mr. Manousakis that if he intended to extend his driveway, he would probably need a permit. Supervisor Murray confirmed this and asked to confer with Mr. Manousakis.

After conferring with the owner, Supervisor Murray reported that Mr. Manousakis agreed to kill all weeds and grass in the area and put down additional pea gravel.

Judge Gaudiosi found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day would be imposed.

Case: CE06071802

Alan & Sharon Wentnick
2669 Northwest 24th Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/6/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violations:

- 9-281(b): THERE ARE UNLICENSED/INOPERABLE VEHICLES ON THE PROPERTY: PURPLE CHEVY.
- BCZ 39-275(6)(b): THERE ARE MISCELLANEOUS ITEMS STORED OUTSIDE ON THE PROPERTY.

The following violation was now complied:

- 25-4: THERE ARE LAWN CHAIRS AND OTHER MISCELLANEOUS ITEMS ON THE SIDEWALK IN FRONT OF THE PROPERTY THAT OBSTRUCT ITS PUBLIC USE.

Inspector Torres presented photos of the property and a copy of her file 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 with BCZ 39-275(6)(b) within 2 weeks or a fine of \$50 per day.

Mr. Alan Wentnick, owner, said he had asked the tenant to comply but he had not cleaned up the property yet. Mr. Wentnick said that in response to Judge Gaudiosi's order, he would file a demand notice for the tenant to comply. If the tenant failed to comply, Mr. Wentnick intended to file a lawsuit to evict the tenant. He asked Judge Gaudiosi to stop the fines from running if he needed to file a lawsuit, since he could not legally remove someone else's belongings from the property.

The Assistant City Attorney informed Judge Gaudiosi that the tenant could be named on the notice, but the City usually issued the order to the property owner, since they could rarely identify tenants. Judge Gaudiosi felt that including the tenant's name on the order would give Mr. Wentnick "ammunition to convince his tenant with." The Assistant City Attorney felt this could "create a very confused situation" since it deviated from the City's usual practice and from what the law required, which was to rely on the tax collector's database. She also felt that absent proof, the tenant's name was hearsay.

Mr. Wentnick related the tenant's full name, and stated he had resided there for over 20 years. He noted that eviction notices were sometimes sent naming "John Doe and all those residing at" and thought the tenant could be noticed the same way regarding this proceeding.

Mr. Maurice Murray, Community Inspections Supervisor, suggested that Judge Gaudiosi rule against the property owner, and that certified mail be sent to the tenant. Judge Gaudiosi felt that this did not address the continuing, underlying problem and wanted to address this immediately. If the Judge were doing something incorrectly, he said he would "like it brought up someplace and it'll be addressed."

The Assistant City Attorney reminded Judge Gaudiosi that the special Magistrate's order became a lien on the real property, in which the tenant had no interest. Judge Gaudiosi wanted to grant an extension and said, "I'm going to suggest that it goes to the Mayor." Supervisor Murray suggested that the case be continued, and Judge Gaudiosi agreed.

Judge Gaudiosi continued the case to December 21, 2006.

Case: CE06050380

R.L. & Estella Holmes
3071 Southwest 2nd Court

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/7/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:

- 47-19.9: THERE IS OUTSIDE STORAGE OF AUTO PARTS AND MISCELLANEOUS MATERIALS STORED ON PROPERTY.
- 47-21.8 : THERE ARE AREAS OF DEAD AND MISSING GROUND COVER ON THIS PROPERTY.
- 47-34.1 A.1. : CUSTOMERS ARE CONSTANTLY WORKING ON CARS IN THIS RESIDENTIAL AREA.
- 9-281(b) : THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED ON THIS PROPERTY: WHITE NISSAN SENTRA.

Inspector Cross presented photos of the property and a copy of his case file and recommended ordering compliance with 47-19.9 and 47-34.1.A.1. within 2 weeks or a fine of \$25 per day, per violation; with 47-21.8 within 4 weeks 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.

Mr. R.L. Holmes, owner, said he had been ill recently, but intended to move everything himself. He said he could put all of the articles out for bulk trash pick up except the car. He requested 30 days to replace the sod.

Judge Gaudiosi found in favor of the City and ordered compliance with 47-19.9, 47-21.8 47-34.1 A.1. within 28 days or a fine of \$25 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.

Case: CE06081558

William & Lorraine Alexander
3001 Northwest 21st Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/16/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:

- BCZ 39-275(6)(b): THERE ARE MISCELLANEOUS ITEMS STORED OUTSIDE ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of her file and recommended ordering compliance within 2 weeks or a fine of \$25 per day.

Mr. William Alexander, owner, said the items had been in a shed that was demolished by Hurricane Wilma and he had been waiting since February for the City to issue a permit for a new shed. Inspector Torres reported that Mr. Alexander had agreed to put the items out for bulk pickup next week, which would be prior to her 2-week deadline.

Judge Gaudiosi found in favor of the City and ordered compliance within 2 weeks or a fine of \$25 per day would be imposed.

Case: CE06091540

Bernard & Rita Petreccia
11 Southwest 11th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/23/06.

Mr. Len Ackley, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THE PROPERTY IS OVERGROWN AND COVERED WITH TRASH, LITTER AND DEBRIS.
- 9-306: THE BUILDING IS DIRTY WITH PEELING AND CHIPPED PAINT.
- 9-308(a): THE ROOF IS NOT SECURE AND WATER TIGHT.

The following violation had been withdrawn:

- 9-328(a): THE PROPERTY IS OVERGROWN AND COVERED WITH TRASH, LITTER AND DEBRIS.

Inspector Ackley presented photos of the property and a copy of the case file and explained that the case was begun in 1999 but after the fines running for years, the order was vacated due to lack of service. Inspector Ackley had therefore begun a new case. He recommended ordering compliance with 18-27(a), 9-306 and 9-308(a) within 28 days or a fine of \$100 per day, per violation.

Mr. Bernard Petreccia, owner, stated he had bought the property in February 2006 and immediately wrote to the City requesting all of the code violation information and tried to evict the squatters from the property. A court case filed against the title in May had prevented Mr. Petreccia from taking any action at the property. Mr. Petreccia offered to pay the demolition costs if the City would condemn the property.

The Assistant City Attorney stated that it was important that the City proceed with their case against the property because of the title dispute; whoever eventually gained title to the property would then be notified that violations existed and must be complied. Mr. Petreccia said a mediation meeting was scheduled for this month.

Judge Gaudiosi agreed to find that the violations existed. The Assistant City Attorney wanted Judge Gaudiosi to order the property owner to correct the violations as well; Mr. Petreccia could return in 9 weeks to report on the progress. Mr. Petreccia agreed to report on the status of the title case.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a), 9-306 and 9-308(a) within 9 weeks or a fine of \$100 per day, per violation and ordered Mr. Petreccia to appear at the January 4, 2007 hearing. .

Case: CE06051042

Thomas Taylor
1404 Northeast 1st Avenue

Ms. Mohammed announced that service was via posting on the property on 9/11/06 and posting at City Hall on 10/19/06.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THERE IS OVERGROWTH, TREE DEBRIS AND RUBBISH ON THE ENTIRE PROPERTY.

The following violations were now complied:

- 9-280(b) : THE DOORS AND WINDOWS ARE NOT BEING MAINTAINED IN A SECURED WEATHER AND WATER TIGHT MANNER.
- 9-313(a) : HOUSE NUMBERS NOT DISPLAYED ON THE STRUCTURE.

Inspector Westbrook presented photos of the property and a copy of the inspection report and recommended ordering compliance with 18-27(a) within 2 weeks or a fine of \$25 per day.

Mr. Thomas Taylor, owner, said he had hired someone to take care of the overgrowth; if this person did not complete the work by the deadline, Mr. Thomas agreed to find someone else to do the work and comply the violation.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a) within 2 weeks or a fine of \$25 per day would be imposed.

Case: CE06090357

Tristan & Yadira Keen
951 Southwest 16th Street

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

Mr. Dick Eaton, Code Enforcement Officer testified to the following violations:

- 18-27(a) : THERE IS OVERGROWTH, TRASH AND DEBRIS THROUGHOUT THE PROPERTY.
- 47-19.9: THERE IS OUTDOOR STORAGE THROUGHOUT THE PROPERTY, INCLUDING, BUT NOT LIMITED TO FURNITURE, TIRES, ETC.
- 9-281(b) : THERE ARE SEVERAL INOPERABLE VEHICLES ON THE PROPERTY, INCLUDING A FOUR (4) DOOR BROWN FORD AND A FOUR (4) DOOR GREEN VEHICLE.

Inspector Eaton explained that the vehicles were a constant problem at this property and at his reinspection there were two different vehicles on the property: a gold Dodge Intrepid and a red sedan. He presented photos of the property and recommended ordering compliance with 18-27(a) and 47-19.9 within 3 weeks 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 vehicles would be towed.

Ms. Seela DeFey, the tenant's daughter, said the red sedan and trash did not belong to her family, but to a neighbor. She stated that the other vehicles were on another property and that the overgrowth had been removed. Inspector Eaton explained that there were multiple tenants on the property. Inspector Eaton presented photos of the property taken on October 31 showing the presence of trash, overgrowth and vehicles. He informed Judge Gaudiosi that the owner had asked the tenant to attend the hearing on his behalf. Ms. DeFey could not tell Judge Gaudiosi whether the Intrepid, which belonged to her brother, was registered.

Supervisor Murray said Ms. DeFey did not have any document in her possession giving her the authority to represent the landlord in this matter, and the City had no service on the case, so they could not legally hear it today. The Assistant City Attorney stated the City would withdraw the case for lack of proper service.

Case: CE06061623

H.A. & Irma Pulliam
2618 Tortugas Lane

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/13/06.

Mr. Lee Kaplan, Code Enforcement Officer, testified to the following violations:

- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE VAN PARKED ON PROPERTY. THERE ARE THREE (3) UNLICENSED TRUCKS, INCLUDING POP-UP TRAILER THAT ARE UNLICENSED.
- 9-304(b): PARKING ON GRASS SURFACE IS PROHIBITED.

Inspector Kaplan presented photos of the property and a copy of his case file and recommended ordering compliance with 9-304(b) within 10 days or a fine of \$100 per day and with 9-281(b) within 10 days or a fine of \$100 per day would be imposed.

Judge Gaudiosi found in favor of the City and ordered compliance with 9-304(b) within 10 days or a fine of \$100 per day and with 9-281(b) within 10 days or a fine of \$100 per day would be imposed.

Case: CE06100441

WMA Investors Limited Partnership
1 West Sunrise Boulevard

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/14/06.

Mr. Karl Lauridsen, Landscape Inspector, testified to the following violation:

- 47-21.8 A.: MISSING CODE REQUIRED - LANDSCAPE MATERIALS.

Inspector Lauridsen said some trees were lost in last year's hurricanes and were never replaced and some extant trees required trimming. He presented photos of the property and recommended ordering compliance within 28 days or a fine of \$25 per day.

Mr. Talib Coker, representative of the owner, said they would comply within the 28 days.

Judge Gaudiosi found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would be imposed.

Case: CE06061656

Hubert Henry
2640 Northwest 20th Street

Ms. Mohammed announced that service was via posting on the property on 10/12/06 and posting at City Hall on 10/19/06.

Ms. Tchette Torres, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH, TRASH AND DEBRIS ON THIS PROPERTY.
- 9-280(h)(1): THERE IS A CHAIN LINK FENCE IN DISREPAIR ON THE PROPERTY.
- BCZ 39-79(e) : THERE ARE AREAS OF MISSING LAWN COVER ON THE PROPERTY.

The following violation was now complied:

- BCZ 39-217(f) : THERE ARE VEHICLES STORED/PARKED ON THE LAWN AT THIS PROPERTY.

Inspector Torres noted that the overgrowth had been removed, but the trash remained. She presented photos of the property and a copy of the case history and recommended ordering compliance with 18-27(a) within 2 weeks or a fine of \$25 per day, with 9-280(h)(1) and BCZ 39-79(e) within 4 weeks or a fine of \$25 per day, per violation.

Mr. Hubrt Henry, owner, requested 3 weeks to comply the property.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a), 9-280(h)(1) and BCZ 39-79(e) within 28 days or a fine of \$25 per day, per violation would be imposed.

Case: CE06082342

Ricky Lewis
1433 Northwest 8th Avenue

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

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violations:

- 18-27(a) : THERE IS SOME OVERGROWTH, RUBBISH, TRASH AND DEBRIS LOCATED IN THE BACK YARD OF THE PROPERTY.
- 9-278(g): THE SCREENS ARE MISSING FROM THE WINDOWS.
- 9-280(b) : THE WINDOWS, WALLS AND DOORS ON THE PROPERTY ARE IN DISREPAIR. THERE ARE WATER STAINS ON THE CEILING.
- 9-280(f) : THE BATHROOMS AND KITCHEN PLUMBING ARE NOT IN A GOOD, SAFE WORKING CONDITION.
- 9-280(g) : THE ELECTRICAL OUTLETS, FIXTURES, REFRIGERATOR AND AIR CONDITIONING UNIT ARE NOT WORKING IN A GOOD, SAFE WORKING CONDITION.
- 9-308(a): THERE IS A LEAK IN THE APARTMENT BELOW.

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

Mr. Ricky Lewis, Landlord, stated that when he purchased the property in January, the violations did not exist, and the tenant had repeatedly refused to grant Mr. Lewis access to the unit to make repairs. Mr. Lewis had complained to the tenant about late rent payments, and felt this damage and the complaint to Code Enforcement was retaliation for his complaints. Mr. Lewis presented a letter from his assistant, stating his inability to gain entry to the unit. Mr. Lewis explained that the lease stated it was the tenant's responsibility to maintain the yard and interior of the unit. The tenant had not maintained the exterior, and Mr. Lewis had hired someone to do it.

Mr. Lewis provided a copy of the lease agreement and pointed out that in paragraph 23, section J, it stated that the tenant was responsible to maintain the yard.

The Assistant City Attorney confirmed that the tenant had initiated the case by making the complaint. She stated it was the property owner's responsibility to maintain the premises. She asked Judge Gaudiosi to find the violations existed as cited and set a deadline for compliance.

Mr. Lewis reiterated that he had tried several times to make repairs to the unit but the tenant had refused to allow him entry or provide him a key, and that this had become an issue after he asked the tenant to pay his rent on time. He noted that this tenant had been at the building prior to Mr. Lewis's ownership and all damage was caused by the tenant.

Judge Gaudiosi advised Mr. Lewis to hire a locksmith to gain access to the unit.

Judge Gaudiosi wanted to impose a fine of \$10 per day, per violation for non-compliance and the Assistant City Attorney advised him that \$50 was the norm for commercial properties. Judge Gaudiosi said he recognized that the tenant was causing the problem for the owner, and while the landlord wanted to comply, the tenant was not cooperating.

Judge Gaudiosi found in favor of the City and ordered compliance with all violations within 10 days or a fine of \$10 per day, per violation.

Case: CE06090497

Rodwell Moses
132 Southwest 21st Way

Ms. Mohammed announced that certified mail addressed to the owner was accepted [date illegible].

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS TRASH, RUBBISH AND DEBRIS LITTERING THIS PROPERTY AND AREAS OF GRASS/PLANT OVERGROWTH.
- 47-19.9: THERE ARE MULTIPLE ITEMS BEING STORED OUTSIDE ON THIS PROPERTY IN THE CARPORT, CONSISTING OF TIRES, WOOD, CABINETS, BUCKETS, ETC.
- 47-21.8.A. : THERE ARE AREAS OF MISSING/DEAD GROUND/LAWN COVER ON THIS PROPERTY.
- 9-281(b): THERE ARE DERELICT/INOPERABLE VEHICLES ON THIS PROPERTY, SPECIFICALLY TAN CHEVROLET PICK-UP AND WHITE TOYOTA PICK-UP TRUCK WITH NO LICENSE PLATES.

Inspector Viscusi testified that upon his reinspection the previous day, the tan Chevy pickup was gone and the Toyota had an expired temporary tag affixed to it. He presented photos of the property and a copy of his case file and informed Judge Gaudiosi that he had spoken with the owner and agreed to recommend ordering compliance within 4 weeks or a fine of \$25 per day, per violation.

Mr. Rodwell Moses, owner, asked to confer with Inspector Viscusi. Upon returning, Inspector Viscusi reported that Mr. Moses had shown him the vehicle registration, therefore, 9-281(b) was complied. Inspector Viscusi recommended ordering compliance with 18-27(a), 47-19.9 and 47-21.8.A. within 4 weeks or a fine of \$25 per day, per violation. Mr. Moses agreed to comply.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a), 47-19.9 and 47-21.8.A. within 4 weeks or a fine of \$25 per day, per violation would be imposed.

Case: CE06040246

Fernando Wytrykusz

Request for Extension

1301 Northeast 13th Avenue

Ms. Mohammed announced that this case was first heard 5/18/06 to comply by 7/17/06: 1 section at \$50 per day. An extension had been granted from 8/3/06 to 11/2/06.

Ms. Maria Armendaris, representative of the owner, requested additional time to comply.

Mr. Len Ackley, Code Enforcement Officer, explained that the owner had applied for the permit in a timely manner, but the City had not yet issued it. He recommended a 9-week extension.

Judge Gaudiosi granted a 9-week extension to January 4, 2007.

Case: CE06090435

Esau & Julie Dalrymple
220 Southwest 21st Way

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/11/06.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

- 25-56(b) : THERE ARE AREAS OF THE SIDEWALK IN DISREPAIR IN FRONT OF THIS PROPERTY.

The following violations were now complied:

- 47-19.9: THERE IS OUTSIDE STORAGE OF MULTIPLE ITEMS IN THE CARPORT ON THIS PROPERTY.
- 9-304(b): THERE ARE VEHICLES PARKED ON A GRASS SURFACE ON THIS PROPERTY.

Inspector Viscusi reported that the owner was in discussion with the City Engineer's Office and Public Services, but they had not agreed yet as to who was responsible for the sidewalk repair. Inspector Viscusi presented photos of the property and a copy of his case file and recommended ordering compliance in 12 weeks or a fine of \$25 per day.

Mr. Esau Dalrymple, owner, stated that the sidewalks were damaged by the bulk trash pickup equipment. He said he had spoken with someone at bulk pickup who told him that insurance might pay for the damages.

Judge Gaudiosi found in favor of the City and ordered compliance within 12 weeks or a fine of \$25 per day would be imposed.

Case: CE06090424

Freddy & Esmerelda Ramos
231 Southwest 21st Way

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

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

- 47-21.8.A. : THERE ARE AREAS OF DEAD OR MISSING GROUND COVER ON THIS PROPERTY.

Inspector Viscusi presented photos of the property and a copy of his case file and recommended ordering compliance within 4 weeks or a fine of \$25 per day. He had spoken with the owner, who agreed to remove the ground cover entirely and replace it with rocks for a parking area.

Mr. Freddy Ramos, owner, agreed to comply within 4 weeks.

Judge Gaudiosi found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day would be imposed.

Case: CE06081320

Rochene & Marianne Matayer
2170 Northwest 21st Terrace

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/18/06.

Ms. Tchetti Torres, Code Enforcement Officer, testified to the following violation:

- 9-281(b): THERE IS A WHITE ISUZU IMPULSE WITH AN EXPIRED TAG, W75DBC, EXPIRED ON 06/06, PARKED ON THE PROPERTY.

The following violation was now complied:

- BCZ 39-275(6)(b): THERE ARE MISCELLANEOUS ITEMS STORED OUTSIDE ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of her file and said she had spoken to the owner earlier and agreed to recommend ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Judge Gaudiosi 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.

Case: CE06061697

Ruben Alvarado
1409 Northwest 8th Avenue

Ms. Mohammed announced that service was via posting on the property on 10/3/06 and posting at City Hall on 10/19/06.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violations:

- 18-27(a) : THERE IS OVERGROWTH, TRASH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE.
- 47-20.20.H : THE PARKING AREA NOT MAINTAINED. THE PARKING BUMPERS AND STRIPES ARE FADED. THE PAVEMENT DAMAGED.
- 9-306: THE EXTERIOR STRUCTURE NOT MAINTAINED. THE PAINT IS DIRTY, CHIPPED AND STAINED.

Inspector Westbrook presented photos of the property and a copy of the inspection report and reported that she had spoken with the owner earlier and agreed to recommend ordering compliance with 18-27(a) within 10 days or a fine of \$50 per day, and with 47-20.20.H and 9-306 within 91 days or a fine of \$50 per day, per violation.

Judge Gaudiosi 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 47-20.20.H and 9-306 within 91 days or a fine of \$50 per day, per violation would be imposed.

Case: CE06071818

Massey Hearing

West Broward Church of God Inc.
1040 Northwest 20th Street

Ms. Mohammed announced that this case was first heard first heard 9/7/06 to comply by 9/8/06 or a fine of \$10 per day per violation; after 9/22/06, the fines increased to \$100 per day, per violation. The property was in compliance and the City was requesting imposition of \$3,980 in fines.

Mr. Sidney Calloway, representative of the church, testified that the church had repaired the fence as quickly as possible, but had not pulled a permit. They had since pulled a permit and the property was now fully complied. Mr. Calloway remarked that the property was currently not on the tax roll, but would soon be sold to a private developer and would become taxable. He stated the church wanted to spend the money that would otherwise go toward the fine on new landscaping.

Ms. Cheryl Pingitore, Code Enforcement Officer, reminded Judge Gaudiosi that he had issued the original order in September reflecting the leniency for the first two weeks the property was not complied. The fines had stopped on the date the permit was pulled. Inspector Pingitore requested that Judge Gaudiosi impose the full fine amount.

Judge Gaudiosi asked when the landscaping Mr. Calloway promised would be installed. Mr. Calloway agreed this would be done within 2 weeks.

Judge Gaudiosi reduced the fine to \$1,990, provided the landscaping was installed within 14 days.

Case: CE06030808

Massey Hearing

TIITF/HRS
807 Northwest 8th Avenue

Ms. Mohammed announced that this case was first heard 6/15/06 to comply by 9/13/06: 1 section at \$50 per day. The property was not in compliance and the City was requesting imposition of \$2,450 in fines and their continued accrual until the property was complied.

Mr. Bill Snow, Code Enforcement Officer, testified that 9-281(h)(1) was still not complied. He had spoken with the reverend and agreed to request a 91-day extension. Supervisor Murray asked Judge Gaudiosi to impose the existing \$2,450 fine.

Judge Gaudiosi granted a 91-day extension.

Case: CE06032005

Massey Hearing

George Gilbertson
500 Southwest 7th Street

Ms. Mohammed announced that this case was first heard 6/1/06 to comply by 6/11/06 & 7/1/06: 2 sections at \$25 per day, per violation. The property was in compliance and the City was requesting imposition of \$3,325 in fines.

Ms. Gilbertson, owner, explained that her daughter had been occupying the property and had "trashed" it. She stated she was on a fixed income and must sell the property because she could not afford to keep it. She requested abatement of the fine.

Mr. Mike Maloney, Code Enforcement Officer, confirmed that Ms. Gilbertson's daughter had caused many problems. He acknowledged that it had taken Ms. Gilbertson some time to make repairs because of her fixed income. He said Ms. Gilbertson had worked with him and done the best she could.

Judge Gaudiosi reduced the fine to \$1,662.50.

Case: CE06061516

Massey Hearing

1044 Northwest 7th Avenue Land Trust
Bradley Hertz, Trustee
1044 Northwest 7th Avenue

Ms. Mohammed announced that this case was first heard 9/7/06 to comply by 9/17/06 & 10/7/06: 1 section at \$50.00 per day. The property was in compliance and the City was requesting imposition of \$1,000 in fines.

Mr. Brad Hertz, trustee, explained that a former tenant had been responsible for maintaining the property and had 11 children living with her. He had tried to evict the tenant, but the state had intervened to keep Mr. Hertz out of the property. Ultimately, the woman was evicted and all 11 children were removed from her care. Mr. Hertz

explained the efforts he had made to improve the property and requested reduction of the fine.

Ms. Irma Westbrook, Code Enforcement Officer, recommended imposition of the full fine. She acknowledged that Mr. Hertz had problems with the former tenant. Mr. Hertz confirmed that there were new tenants, and their lease also specified that they were responsible for the maintenance.

Judge Gaudiosi reduced the fine to \$500.

Case: CE06050642

Massey Hearing

Edzer & Shirlene Ledain & Lidena Michel
1676 North Dixie Highway

Ms. Mohammed announced that this case was first heard 8/3/06 to comply by 10/2/06: 3 sections @ \$100 per day, per violation. The property was not in compliance and the City was requesting imposition of \$9,000 in fines and their continued accrual until the property was complied.

Mr. Edzer Ledain, owner, stated he lived out of town and a relative was helping with the property because Mr. Ledain had been in poor health and could not visit often enough to maintain the property himself. He stated he had missed the last hearing because he was not well enough to travel. Mr. Ledain said it had been difficult to find a contractor and then the work was postponed while a new survey was completed. He was currently awaiting the permit, which he estimated would take 12 more weeks. He asked Judge Gaudiosi to abate the existing fines.

Mr. Adam Feldman, Code Enforcement Officer, recommended imposing the existing fines, but had no objection to a 91-day extension because of the permit delay. He explained that the owner intended to install a new irrigation system after the parking area was repaired, so the ground cover violation would exist until the parking area was complete.

Judge Gaudiosi granted an 84-day extension.

Case: CE06051224

Massey Hearing

Jessie Walden
2336 Northwest 15th Street

Ms. Mohammed announced that this case was first heard 9/7/06 to comply by 10/7/06: 1 section at \$25 per day. The property was not in compliance and the City was requesting imposition of \$650 in fines and their continued accrual until the property was complied.

Ms. Tuchette Torres, Code Enforcement Officer, said she had spoken with Mr. Walden, who said he was trying to slowly get rid of the trash by bulk pickup. Inspector Torres said Mr. Walden was “not in a position ... to maintain or clean the property.” He admitted to her that there were still some cans stored in the backyard. Inspector Torres recommended a 4-week extension for her to assess what was still on the property.

Judge Gaudiosi granted a 4-week extension.

Case: CE06071522

Enclave at the Oaks Townhomes LLC

502 Southwest 20th Avenue

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on 10/2/06.

Mr. Mike Maloney, Code Enforcement Officer, testified to the following violations:

- 18-27(a): OVERGROWTH AND TRASH ON PROPERTY AND SWALE.
- 9-280(b): THERE IS A BROKEN WINDOW ON THE BUILDING.
- 9-280(h)(1): THE CHAIN LINK FENCE IS IN DISREPAIR.
- 9-306: THE STRUCTURE IS NOT BEING MAINTAINED: CHIPPED AND PEELING PAINT.

Inspector Maloney recommended ordering compliance within 28 days or a fine of \$25 per day, per violation. He informed Judge Gaudiosi that new construction was planned for the property in the next few months and he expected the property would be demolished.

Judge Gaudiosi found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day, per violation would be imposed.

Case: CE06100333

Nancy Lafferty

125 West Sunrise Boulevard

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/12/06.

Mr. Karl Lauridsen, Landscape Inspector, testified to the following violation:

- 47-21.6 A: CODE REQUIRED LANDSCAPING NEVER INSTALLED AS APPROVED UNDER PAVING PERMIT #02102308

Inspector Lauridsen explained that the owner had pulled a paving permit and landscaping was supposed to be installed with that permit, but the landscaping was never installed and the permit never signed off. He stated that the permit must either be renewed or a new permit pulled for just the landscaping. Inspector Lauridsen recommended ordering compliance within 28 days or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would be imposed.

Case: CE05100329

Boaz Derisse
225 Southwest 12th Avenue

Ms. Mohammed announced that service was via posting on the property on 10/2/06 and posting at City Hall on 10/19/06.

Mr. Thomas Clements, Fire Inspector, testified to the following violations:

- NFPA 10 6.3.1: FIRE EXTINGUISHERS HAVE NOT BEEN SERVICED BY A STATE LICENSED COMPANY WITHIN THE PAST 12 MONTHS.
- NFPA 1 1.7.6: STORAGE IN THE ELECTRICAL METER ROOM.

The following violation was now complied:

- NFPA 1 10.13.1.1: APARTMENT NUMBERS ARE NOT POSTED.

Inspector Clements recommended ordering compliance with NFPA 10 6.3.1 within 14 days or a fine of \$250 per day and with NFPA 1 1.7.6 within 14 days or a fine of \$100 per day.

Judge Gaudiosi found in favor of the City and ordered compliance with NFPA 10 6.3.1 within 14 days or a fine of \$250 per day and with NFPA 1 1.7.6 within 14 days or a fine of \$100 per day would be imposed.

Case: CE06050649

Felix Avila
1000 Northeast 14th Place

Ms. Mohammed announced that service was via posting on the property on 10/9/06 and posting at City Hall on 10/19/06.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violation:

- 9-280(h)(1): THE WOOD FENCE IS IN DISREPAIR AND LEANING.

The following violation was now complied:

- 18-27(a): THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY.

Inspector Feldman recommended ordering compliance with 9-280(h)(1) within 4 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance with 9-280(h)(1) within 28 days or a fine of \$25 per day would be imposed.

Case: CE05120277

Dalila & Henry Chavarro
515 Northeast 15th Street

Ms. Mohammed announced that service was via posting on the property on 10/10/06 and posting at City Hall on 10/19/06.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violations:

- 47-21.13: THERE ARE DEAD TREE STUMPS ON THE PROPERTY.
- 9-280(h)(1): THE CHAIN LINK FENCE IS IN DISREPAIR.

Inspector Feldman recommended ordering compliance within 4 weeks or a fine of \$25 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day, per violation would be imposed.

Case: CE06070466

Donald & Arline Goldstein
708 Northeast 16th Court

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

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violation:

- 47-21.8.D. : THERE ARE PLANTS/TREES ON THE SWALE AREA THAT ARE BLOCKING THE VIEW OF ONCOMING TRAFFIC.

Inspector Feldman recommended ordering compliance within 2 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 2 weeks or a fine of \$25 per day would be imposed.

Case: CE06090268

Fourth Avenue Development LLC
1134 Northeast 4th Avenue

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on 10/12/06.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violation:

- 24-7(b) : THERE IS OVERGROWTH AND LANDSCAPE DEBRIS ON THE VACANT LOT.

Inspector Feldman recommended ordering compliance within 10 days or a fine of \$50 per day.

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

Case: CE05111160

Barbara Snyder
1116 Northeast 10th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/14/06.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violation:

- 9-308(a) : THIS ROOF IS IN DISREPAIR, THERE ARE BROKEN AND LOOSE TILES.

Inspector Feldman recommended ordering compliance within 4 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day would be imposed.

Case: CE06061531

Karl Towne
1413 Southwest 31st Street

Ms. Mohammed announced that service was via posting on the property on 10/17/06 and posting at City Hall on 10/19/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:

- 47-19.9: THERE IS A POD PLACED ON THIS PROPERTY AT ALL TIMES.

Inspector Cross presented photos of the property and a copy of the property history and inspection report and recommended ordering compliance within 2 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 2 weeks or a fine of \$25 per day would be imposed.

Case: CE06081158

Markatia Equities Inc.
3031 Davie Boulevard

Ms. Mohammed announced that certified mail addressed to the owner and registered agent were both accepted on 10/18/06.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THIS PROPERTY IS OVERGROWN, NOT MAINTAINED AND RUBBISH, TRASH AND DEBRIS ARE SCATTERED ABOUT THE PROPERTY.
- 47-20.20.H.: THE PARKING LOT AREA IS NOT MAINTAINED. THERE ARE POT HOLES AND PARKING STRIPES THAT ARE IN DISREPAIR.
- 47-22.6.F. : THERE ARE SIGNS ON THIS PROPERTY WHICH ARE IN DISREPAIR.

Inspector Cross presented photos of the property and a copy of his case file and recommended ordering compliance with 18-27(a) within 2 weeks or a fine of \$100 per day, with 47-20.20.H. and 47-22.6.F. within 8 weeks or a fine of \$100 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a) within 2 weeks or a fine of \$100 per day, with 47-20.20.H. and 47-22.6.F. within 8 weeks or a fine of \$100 per day, per violation would be imposed.

Case: CE06091585

Cherokee Acquisition Corporation
6301 Northwest 9th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/5/06, and certified mail addressed to the registered agent was accepted on 10/10/06.

Mr. Thomas Clements, Fire Inspector, testified to the following violation:

- NFPA 101 7.9.2.2: EMERGENCY LIGHT DOES NOT ILLUMINATE.

Inspector Clements recommended ordering compliance within 28 days or a fine of \$50 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day would be imposed.

Case: CE06070482

Fayyaz Hoodbhoy
1616 Northwest 7th Terrace

Ms. Mohammed announced that service was via posting on the property on 9/25/06 and posting at City Hall on 10/19/06.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violation:

- 18-27(a) : THERE IS OVERGROWTH, TRASH AND GARBAGE SCATTERED ABOUT THE ENTIRE PROPERTY.

The following violations were now complied:

- 9-280(h)(1): THE WOODEN FENCE ON THE PROPERTY IS IN DISREPAIR.
- 9-281(b): THERE IS A RED UNLICENSED/INOPERABLE OLDSMOBILE VAN ON THE PROPERTY.

Inspector Westbrook presented photos of the property and a copy of the property history and inspection report and recommended ordering compliance with 18-27(a) within 2 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a) within 2 weeks or a fine of \$25 per day would be imposed.

Case: CE06061774

Howard Matari
1524 Northwest 8th Avenue

Ms. Mohammed announced that service was via posting on the property on 10/12/06 and posting at City Hall on 10/19/06.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violations:

- 18-27(a) : THERE IS OVERGROWTH, TRASH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE.
- 47-20.20.H : THE PARKING AREA NOT MAINTAINED THE PAVEMENT IS DAMAGED AND STRIPING IS MISSING.

Inspector Westbrook presented photos of the property and a copy of the property history and inspection report and recommended ordering compliance with 18-27(a) within 10 days or a fine of \$50 per day and with 47-20.20.H within 91 days or a fine of \$50 per day.

Judge Gaudiosi 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 47-20.20.H within 91 days or a fine of \$50 per day would be imposed.

Case: CE06080055

Sherea Atkins
516 Northwest 18th Avenue

Ms. Mohammed announced that service was via posting on the property on 10/16/06 and posting at City Hall on 10/19/06.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THE PROPERTY IS OVERGROWN WITH PLANT LIFE. THERE IS TRASH SCATTERED ABOUT THE PROPERTY.

Inspector Snow recommended ordering compliance within 2 weeks or a fine of \$50 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 2 weeks or a fine of \$50 per day would be imposed.

Case: CE06081568

New Mount Olive Baptist Church Inc.
901 Northwest 9th Avenue

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/12/06.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:

- 47-19.5.E.7. : THE FENCE IS IN DISREPAIR. THERE ARE BENT POSTS AND BENT / MISSING TOP RAILS.

Inspector Snow said he had spoken with the property's agent, who informed him they had hired a contractor to make repairs. Inspector Snow had agreed to recommend ordering compliance within 63 days or a fine of \$50 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day would be imposed.

Case: CE06090968

Vernest & Flavian Johnson
3311 Auburn Boulevard

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/25/06.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:

- 18-27(a) : THERE IS OVERGROWTH OF GRASS AND WEEDS ON THE PROPERTY.

Inspector Snow said he had spoken with the owner and agreed to recommend ordering compliance within 2 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 2 weeks or a fine of \$25 per day would be imposed.

Case: CE06090755

Rose Flores
900 Guava Isle

Ms. Mohammed announced that personal service was made by Inspector Eaton.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:

- 9-281(b) : THERE ARE INOPERABLE VEHICLES ON THE PROPERTY INCLUDING A RED MUSTANG & A BLUE VEHICLE IN THE DRIVE WITHOUT VALID TAGS.

Inspector Eaton said the property manager had been present earlier and supplied him with photos of the property, but Inspector Eaton must reinspect the property himself to prove compliance. Inspector Eaton recommended ordering compliance within 10 days or a fine of \$100 per day or the vehicles would be towed.

Judge Gaudiosi found in favor of the City and ordered compliance 10 days or a fine of \$100 per day or the vehicles would be towed.

Case: CE06090264

Martha Allen & Jim Parkinson
606 Southwest 16th Street

Ms. Mohammed announced that personal service was made by Inspector Eaton.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:

- 18-27(a) : THERE IS OVERGROWTH ON PROPERTY AND SWALE. THERE IS TRASH AND DEBRIS ON THE PROPERTY.
- 47-19.9 : THERE IS OUTDOOR STORAGE ON PROPERTY, PRIMARILY IN THE CARPORT AREA.
- 9-281(b): THERE ARE SEVERAL INOPERABLE VEHICLES IN THE REAR OF THE PROPERTY, INCLUDING A BROWN PICK-UP, A FOUR (4) DOOR RED STERLING AND A FOUR (4) DOOR WHITE CHEVROLET.
- 9-313(a) : HOUSE NUMBERS ARE NOT VISIBLE FROM THE STREET.

Inspector Eaton said he had spoken with the owner, and a neighbor had been present earlier and given Inspector Eaton a letter from the owner. Inspector Eaton presented photos of the property and copies of the inspection report and the owner's letter and recommended ordering compliance with 18-27(a), 47-19.9 and 9-313(a) within 3 weeks or a fine of \$25 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 Gaudiosi found in favor of the City and ordered compliance with 18-27(a), 47-19.9 and 9-313(a) within 3 weeks or a fine of \$25 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.

Case: CE06090436

Beliveau Family Heirs Trust
219 Southwest 21st Way

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 10/6/06.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS GRASS/PLANT OVERGROWTH AND TRASH, RUBBISH AND DEBRIS LITTERING THIS PROPERTY.
- 47-21.8.A. : THERE ARE AREAS OF DEAD OR MISSING GROUND COVER ON THIS PROPERTY.
- 9-280(b): THERE ARE BROKEN WINDOWS ON THIS HOUSE.

The following violations were now complied:

- 9-281(b) : THERE ARE DERELICT, INOPERABLE VEHICLES ON THIS PROPERTY, SPECIFICALLY, BOAT TRAILER WITH FLAT TIRES AND BOAT.
- 9-304(b): THERE ARE VEHICLES PARKED ON A GRASS SURFACE ON THIS PROPERTY. SPECIFICALLY, BOAT TRAILER WITH BOAT ON IT.

Inspector Viscusi presented photos of the property and a copy of his file and said he had spoken with the owner and agreed to recommended ordering compliance with 18-27(a), 47-21.8.A. and 9-280(b) within 4 weeks or a fine of \$25 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a), 47-21.8.A. and 9-280(b) within 4 weeks or a fine of \$25 per day, per violation would be imposed.

Case: CE06080118

Charles Jenkins
1071 Northwest 23rd Terrace

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/14/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:

- 9-280(h)(1): THERE IS A FENCE IN DISREPAIR ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of the property history and recommended ordering compliance within 4 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day would be imposed.

Case: CE06061837

Geraldine Johnson
2300 Northwest 31st Avenue

Ms. Mohammed announced that service was via posting on the property on 10/6/06 and posting at City Hall on 10/19/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS MISCELLANEOUS TRASH AND DEBRIS ON THE PROPERTY.
- 9-281(b): THERE ARE UNLICENSED/INOPERABLE VEHICLES ON THE PROPERTY: BLACK NISSAN SENTRA.
- BCZ 39-79(e): THERE ARE AREAS OF MISSING LAWN COVER ON THE PROPERTY.

The following violation was now complied:

- 9-308(a): ROOF NOT MAINTAINED ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of the case history and recommended ordering compliance with 18-27(a) within 2 weeks or a fine of \$50 per day, with BCZ 39-79(e) within 4 weeks or a fine of \$50 per day, and with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Judge Gaudiosi found in favor of the City and ordered compliance with 18-27(a) within 2 weeks or a fine of \$50 per day, with BCZ 39-79(e) within 4 weeks or a fine of \$50 per day, and with 9-281(b) within 10 days or a fine of \$100 per day or the vehicle would be towed.

Case: CE06062008

McClair & Racquel Lindsey
1070 Northwest 23rd Terrace

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

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violation:

- 9-306: THE EXTERIOR OF THE HOUSE AND SHED IS NOT MAINTAINED ON THE PROPERTY.

The following violation was now complied:

- 47-19.9: THERE ARE MISCELLANEOUS ITEMS STORED OUTSIDE UNDER THE CARPORT ON THE PROPERTY.

Inspector Torres presented photos of the property and a copy of the case history and said she had spoken with the owner and agreed to recommend ordering compliance with 9-306 within 8 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance with 9-306 within 8 weeks or a fine of \$25 per day would be imposed.

Case: CE06051813

Omni Construction International Inc.
2309 Northwest 20th Street

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/9/06 and certified mail addressed to the registered agent was accepted [no date].

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violations:

- 24-11(a): THERE IS NO SUITABLE CONTAINER FOR SOLID WASTE AND CONSTRUCTION DEBRIS ON CONSTRUCTION SITE.
- 24-11(b) : THERE IS LOOSE DEBRIS ON CONSTRUCTION SITE.
- 24-11(d) : THERE IS SOLID WASTE AND CONSTRUCTION DEBRIS THAT HAS BEEN LAYING AROUND ON THE PROPERTY FOR MORE THAN 24 HOURS.

Inspector Torres presented photos of the property and a copy of the case history and recommended ordering compliance with all violations within 2 weeks or a fine of \$100 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance with all violations within 2 weeks or a fine of \$100 per day, per violation.

Case: CE06060508

Nocole & Wilson Desbrunes
2464 Northwest 21st Street

Ms. Mohammed announced that service was via posting on the property on 9/12/06 and posting at City Hall on 10/19/06.

Ms. Tuchette Torres, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON PROPERTY.
- 9-304(b): THE DRIVEWAY ON THIS PROPERTY IS NOT WELL-GRADED AND/OR WEED FREE.
- 9-306: THE EXTERIOR OF THE STRUCTURE IS NOT BEING MAINTAINED.
- BCZ 39-79(e): THERE ARE AREAS OF MISSING LAWN COVER.

Inspector Torres presented photos of the property and a copy the case history and recommended ordering compliance with 18-27(a), within 2 weeks or a fine of 25 per day, and with 9-304(b), 9-306 and BCZ 39-79(e) within 4 weeks or a fine of \$25 per day, per violation.

Judge Gaudiosi found in favor of the City and ordered compliance 18-27(a), within 2 weeks or a fine of 25 per day, and with 9-304(b), 9-306 and BCZ 39-79(e) within 4 weeks or a fine of \$25 per day, per violation.

Case: CE06021312

Northwest Federated Women's Club of Broward
2161 Northwest 19th Street

Request for Extension

Ms. Mohammed announced that this case was first heard on 5/18/06 to comply by 11/14/06: 2 sections at \$25 per day. The case was not complied, and the owner had been present earlier and requested an extension.

Ms. Tuchette Torres, Code Enforcement Officer, said she had spoken with the owner, who informed her that the tree had already been removed but the fence was still in need of repair. Inspector Torres had agreed to recommend an 8-week extension.

Judge Gaudiosi granted a 56-day extension.

Case: CE06071652

Betine Goodlett
1810 Lauderdale Manors Drive

Ms. Mohammed announced that certified mail addressed to the owner was accepted on 9/15/06.

Ms. Cheryl Pingitore, Code Enforcement Officer, testified to the following violation:

- 9-329(d) : THE BOARD-UP CERTIFICATE ISSUED FOR THE PROPERTY HAS NOT BEEN RENEWED NOR HAS THE BUILDING/STRUCTURE BEEN REPAIRED, REHABILITATED OR SOLD PER THE REQUIREMENTS OF 9-329(d).

Inspector Pingitore recommended ordering compliance within 4 weeks or a fine of \$25 per day.

Judge Gaudiosi found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day would be imposed.

Case: CE06081519

Lizzie White & Zilla Thompson
1629 Northwest 18th Avenue

Ms. Mohammed announced that personal service was made by Inspector Pingitore.

Ms. Cheryl Pingitore, Code Enforcement Officer, testified to the following violation:

- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED ON THE PROPERTY: RED INOPERABLE PICKUP AND GOLD INOPERABLE 4-DOOR MERCURY.

The following violation was now complied:

- 18-27(a) : THERE IS TRASH AND DEBRIS STORED ON THE PROPERTY. THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED.

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

Judge Gaudiosi 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

Case: CE06051332

Request for Extension

Anthony & Ernest Henry
1212 Northwest 19th Avenue

Ms. Mohammed announced that this case was first heard on 9/7/06 to comply by 11/6/06: 2 sections at \$25 per day, per violation. The property owner was present earlier and had a verbal agreement with Inspector Pingitore for an extension.

Ms. Cheryl Pingitore, Code Enforcement Officer, said she did not object to the owner's request for a 60-day extension.

Judge Gaudiosi granted a 63-day extension.

Case: CE03071413

Vacate Orders of 2/5/04 and 1/15/04
Improper Service/Change of Ownership

Ana Maria Rocha
2349 Northwest 14th Street

Judge Gaudiosi vacated the order.

Case: CE03090376

Vacate Order of 7/1/04
Improper Service

Worthy Kelly
525 Northwest 15th Avenue

Ms. Mohammed asked Judge Gaudiosi to vacate the order dated 7/1/04 and to dismiss the fines. She explained to Judge Gaudiosi that the property was complied 350 days late and the City had documentation proving that Mr. Worthy was incapacitated and was therefore unable to sign for the notice and correct the violations. She added that in 2003, the City did not have the ability to tow cited vehicles. Ms. Mohammed presented Judge Gaudiosi the 17th Judicial Circuit Court in Broward County order determining total incapacity for Mr. Worthy. She informed Judge Gaudiosi that the Guardianship Program had been served notice of this hearing.

Judge Gaudiosi vacated the order and dismissed the fines.

Case: CE96090088

Vacate Order of 10/14/04
Improper Service/Change of Ownership

Connie Ives
2631 Southwest 5th Street

Judge Gaudiosi vacated the order.

Case: CE01100212

Vacate Order of 1/17/02
Improper Service

Worthy Kelly

525 Northwest 15th Avenue

Ms. Mohammed asked Judge Gaudiosi to vacate the order dated 1/17/02 and to dismiss the fines.

Judge Gaudiosi vacated the order and dismissed the fines.

Case: CE05121372

Massey Hearing

Ronald Middleton
3644 Southwest 21st Street

Ms. Mohammed announced that this case was first heard on 4/20/06 to comply by 7/19/06: 3 sections at \$25 per day. An extension had been granted from 9/7/06 to 10/8/06. The property was not complied and the City was requesting imposition of \$5,550 in fines and their continued accrual until the property was complied. Service of this hearing was via certified mail to the owner's attorney, Eugene Kennedy, on 10/23/06.

Judge Gaudiosi signed the order to impose the fine.

Case: CE06041302

Massey Hearing

Kurt Pughsley
1712 Northwest 4th Street

Ms. Mohammed announced that this case was first heard 9/21/06 to comply by 10/1/06 & 10/6/06: 1 section at \$100 per day and 1 section at \$25 per day.

Mr. William Snow, Code Enforcement Officer, said he had spoken with the owner and agreed to recommend a 3-week extension. Inspector Snow said he had seen the unlicensed vehicle on the property, but did not believe that there had been a request to tow the vehicle. The owner had informed Inspector Snow that the tenant insisted the vehicle was registered. The owner also thought the property had been cleaned up, but Inspector Snow noted that the trash had returned.

Judge Gaudiosi granted a 3-week extension.

Case: CE06041415

Massey Hearing

Angenell Brooks
490 Southwest 29th Avenue

Ms. Mohammed announced that this case was first heard 9/21/06 to comply by 10/1/06: 1 section at \$100 per day. The property was not in compliance and the City was requesting imposition of \$3,100 in fines and their continued accrual until the property was complied.

Judge Gaudiosi did not understand why the cited car, an unlicensed and inoperable green Mercedes, had not been towed instead of continuing to accrue fines. Supervisor Murray thought that perhaps the car was in a secure, inaccessible area on the property. Judge Gaudiosi asked that the case be continued to determine the situation of this car prior to imposing the fine.

Supervisor Murray had discovered a photo in the case file depicting the car next to the driveway and accessible to a tow truck. He informed Judge Gaudiosi that the right to tow was provided in the original order, and he did not know why the car had not been towed, or where the car was situated right now. He suggested granting an extension to December 7, during which time an inspector could reinspect the property.

Judge Gaudiosi granted an extension to December 7, 2006.

Case: CE06061008

Massey Hearing

G 4 A Holdings Corp.
1501 Southwest 4th Avenue

Ms. Mohammed announced that this case was first heard 9/7/06 to comply by 9/21/06: 1 section at \$50 per day. The property was in compliance and the City was requesting imposition of \$1,600 in fines. Ms. Mohammed informed Judge Gaudiosi that certified mail addressed to the registered agent was accepted on 10/24/06.

Judge Gaudiosi signed the order to impose the fine.

Case: CE06061835

Massey Hearing

Southeast Regional Development Group Inc
2021 Northwest 30th Terrace

Ms. Mohammed announced that this case was first heard 9/21/06 to comply by 10/1/06: 2 sections at \$50 per day. The property was not in compliance and the City was requesting imposition of \$3,100 in fines and their continued accrual until the property was complied.

Ms. Mohammed informed Judge Gaudiosi that certified mail addressed to an officer of the company was accepted [no date] and certified mail was also sent to the owner and registered agent.

Judge Gaudiosi signed the order to impose the fine.

Case: CE06072294

Massey Hearing

Arthur Caruana Revocable Trust
1633 Northeast 3rd Court

Ms. Mohammed announced that this case was first heard first heard 9/21/06 to comply by 10/1/06: 1 section at \$50 per day. The property was in compliance and the City was requesting imposition of \$150 in fines.

Judge Gaudiosi signed the order to impose the fine.

Case: CE06080654

Massey Hearing

BHG Victoria Mark LLC
715 Northeast 6th Street

Ms. Mohammed announced that this case was first heard 9/21/06 to comply by 10/1/06: 1 section at \$50 per day. Certified mail addressed to the owner had been accepted on 10/24/06. The property was in compliance and the City was requesting imposition of \$550 in fines.

Judge Gaudiosi signed the order to impose the fine.

Cases Complied

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

CE06080594	CE06060361	CE06090491	CE06062067
CE06061281	CE06091659	CE06062123	CE06091572
CE06091582	CE06091584	CE06091099	CE06041800
CE06091674	CE06090780	CE06080393	CE06080753
CE06081799	CE06091369	CE06082005	CE06080121
CE06090926	CE06090967	CE06090242	CE06090243
CE06090931	CE06091095	CE06090921	CE06091107
CE06090411	CE06090418	CE06090451	CE06090441
CE06090459	CE06090523	CE06090533	CE06090527
CE06080754	CE06070954	CE06091399	CE06081420
CE06091831	CE06081522	CE06081521	CE06081517
CE06070367	CE06060809	CE06081520	CE06091574
CE06091578	CE06071893	CE06091580	CE06090731
CE06092027	CE06090455	CE06041453	

Cases Pending Service

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

CE06100331	CE06050911	CE06071377	CE06090846
CE06090935	CE06090952	CE06080125	CE06090919
CE06090273	CE06090823	CE06090521	CE06081540
CE06071365	CE06061380	CE06081770	CE06100348

CE06071883	CE06061578	CE06061577	CE06010652
CE06021536	CE06040585	CE06041428	CE06050707
CE06051057	CE06051640		

Cases Withdrawn

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

CE06050979 CE06080501

Cases Rescheduled

Ms. Mohammed 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:

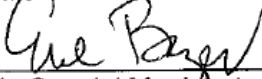
CE06051020 CE06062088

There being no further business, the hearing was adjourned at 1:30 p.m.



Special Magistrate

ATTEST:



Clerk, Special Magistrate