

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Special Magistrate Meah Tell Presiding
March 15, 2007
9:00 A.M. –1:20 P.M.

Staff Present:

Assistant City Attorney
Eve Bazer, Clerk of Special Magistrate
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Diana Cahill, Clerk III
Leonard Ackley, Code Enforcement Officer
Len Champagne, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
John Gossman, Code Enforcement Supervisor
Ingrid Gottlieb, Code Enforcement Officer
Lee Kaplan, Code Enforcement Officer
Al Lovingshimer, Code Enforcement Officer
Cheryl Pingitore, Code Enforcement Officer
Wilson Quiñtero, Code Enforcement Officer
William Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Tuchette Torres, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer

Also Present:

CE06072243: William Cohen, attorney
CE07011957: Terrence Ballard, area manager
CE05051547: John Nicholls, owner; Carl Cascio, owner
CE06091211: Lee Williams, builder
CE06120600: Jose Salmeron, owner
CE06110798: Robert Burgess, owner
CE06101109: Rafael Haque, owner
CE06091644: CE06091645: Joshua Geller, owner
CE06111087: Kenneth Butler, construction manager
CE06110987: Victor Gonzales, realtor, Robert Mencia, realtor
CE07011429: Carrie Gadson, owner; Jana Gardner, owner
CE07012090: Joanel Joseph, owner
CE06121150: Robin James, tenant

CE07010513: Robert Webster, owner
CE06061577: Bernadette Waisome, owner
CE06061380: Kofi Benton, owner's granddaughter
CE06120092: Leon Teawalt, owner
CE06071118: Danny Nicholas, owner
CE06120342: Marcus McDonald, owner
CE06101651: George Criscione, owner
CE07011180: Mark O'Connell, owner
CE06121565: Ramon Cabrera, owner
CE06060759: Sarah White, owner
CE06080315; CE06080316; CE06080317; CE06080318: Mary Grace owner's daughter
CE06111662: Michael Spiegel, business owner
CE06020782: Anjanie Rambarrat, owner
CE06111171: Jaime Morales, owner
CE06111048: Russell Moses, owner
CE06080300: Alla Gerenshteyn, owner; Dimitriy Tener, spouse

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

The meeting was called to order at 9:00 A.M. Ms. Tell introduced herself and reminded all respondents to call the Code Department if they needed additional time to comply.

Case: CE06110798

Robert Burgess
537 Southwest 22nd Avenue

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

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 47-19.9: THERE IS OUTDOOR STORAGE UNDER CARPORT AREA.
- 9-306: THE EXTERIOR OF STRUCTURE NOT MAINTAINED. THE ROOF FASCIA IS IN NEED OF PAINT.
- 9-308(c): THE ROOF IS IN DISREPAIR AND NOT MAINTAINED.

Officer Sotolongo presented photos of the property and the inspection report and recommend ordering compliance within 63 days or a fine of \$25 per day, per violation.

Mr. Robert Burgess, owner, stated he was dealing with his insurance company regarding the roof repairs. Ms. Tell informed Mr. Burgess about the hurricane claim mediation program. Mr. Burgess explained that the wood stored in the carport was for the roof repairs.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$25 per day, per violation.

Case: CE07011429

William & Carrie Gadson
1137 Northwest 15th Street

Ms. Bazer announced that certified mail addressed to the owner was accepted on 2/22/07.

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

- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE VEHICLE STORED ON THE PROPERTY: GRAY FOUR (4) DOOR MAZDA.

Officer Pingitore presented photos of the property, the hearing notice, property history, and inspection report, and said she had been informed by a representative that there were extenuating circumstances. Officer Pingitore recommended ordering compliance within 63 days or a fine of \$100 per day. She stated the property was currently in probate, and the vehicle was behind a locked gate.

Ms. Carrie Gadson, owner, agreed to Officer Pingitore's deadline. Ms. Tell warned Ms. Gadson to request additional time if it appeared she would be unable to meet the deadline.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$100 per day.

Case: CE06120342

Marcus McDonald
2197 Southwest 37th Terrace

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

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:

- 47-21.8.A.: THE LANDSCAPE IS NOT MAINTAINED ON THIS PROPERTY. THERE ARE BARE AND MISSING AREAS OF LAWN COVER.
- 9-306: THE EXTERIOR OF THIS STRUCTURE IS NOT MAINTAINED. THERE ARE FASCIA, SOFFIT, DOOR AND WINDOWS IN DISREPAIR. PROPERTY HAS AREA OF MISSING PAINT.

The following violations were now complied:

- 9-305(a): THERE IS GRASS AND WEEDS ENCROACHING THE RIGHT-OF-WAY ON THIS PROPERTY.
- 18-27(a): THERE IS RUBBISH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE.

Officer Quintero presented photos of the property and the case history and stated the owner had requested 91 days to comply.

Mr. Marcus McDonald, owner, said he was making progress, but it was a "money issue" affording the materials to complete the work. He said he was working to upgrade the entire property and requested 98 days.

Ms. Tell found in favor of the City and ordered compliance with 47-21.8.A and 9-306 within 98 days or a fine of \$25 per day, per violation.

Case: CE06080300

Hearing to Impose Fine

Alla Gerenshteyn
3770 Southwest 19th Street

Ms. Bazer announced that this case was first heard 1/18/07 to comply by 2/15/07: 1 section at \$50 per day and 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$4,050 fine and its continued accrual until the property was complied.

Ms. Alla Gerenshteyn, owner, stated the tenant had not alerted her to the violations until January 4, 2007. She had asked the tenant to clean up the property, but the tenant had ignored the request, stopped paying rent and chained the property. Ms. Gerenshteyn then began eviction proceedings against the tenant, and had received a letter the previous day informing her that the judge would allow her to evict the tenant. She presented the judge's decision to Ms. Tell and requested time to remove the tenant.

Ms. Tell granted a 35-day extension to April 19, 2007, and ordered the owner to reappear at that hearing.

Case: CE06120600

Jose & Aurora Salmeron
509 Southeast 23rd Street

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/16/07.

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

- 47-21.8 A.: THERE ARE AREAS OF BARE AND MISSING GROUND COVER.
- 9-304(b): GRAVEL DRIVE IS NOT WELL-GRADED AND/OR DUST-FREE.

The following violations were now complied:

- 18-27(a): THERE IS TRASH AND DEBRIS ON THE PROPERTY.
- 47-19.9: THERE IS OUTDOOR STORAGE ON THE PROPERTY.
- 9-280(b): THERE ARE DAMAGED/BOARDED WINDOWS ON THE PROPERTY.
- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES ON THE PROPERTY, INCLUDING A SILVER LINCOLN.

Officer Eaton presented photos of the property and the case file and said he had a stipulated agreement with the owner to comply 47-21.8.A and 9-304(b) within 56 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City, approved the stipulated agreement, and ordered compliance with 47-21.8.A and 9-304(b) within 56 days or a fine of \$25 per day, per violation.

Case: CE06072243
David Michael Hered
200 Rose Drive

Ordered To Reappear From 2/15/07 Hearing

Ms. Bazer announced that at the 2/15/07 hearing, Special Magistrate Tell had ordered the owner to appear today.

Mr. William Cohen, attorney for the owner, stated he believed the sight triangle violation was now complied. Regarding the location of the pool pump, Mr. Cohen said the owner had filed for a variance.

Mr. Leonard Ackley, Code Enforcement Officer, confirmed that the hedge was complied. Officer Ackley presented a history of the property created by Supervisor Murray.

The Assistant City Attorney said the property owner had been advised to seek a variance. Mr. Cohen said he had been waiting to meet with the City regarding the setback, but he had "received no cooperation" and he asked Ms. Tell to dismiss that violation. He said he had provided copies of permits and inspections from 10 years ago, and allowed the City time to meet, but they had not set up a meeting. Mr. Cohen said that apparently there was some "bad blood" between his client and the City. Ms. Tell thought the neighbor had complained.

Mr. Cohen provided photos of other properties in the area that had pool pumps located in the same sight triangle, who had not been cited for a violation, and Ms. Tell advised him to provide this information to the inspector to issue citations.

The Assistant City Attorney noted that the inability to meet with the City was not sufficient grounds to dismiss the violation. She recommended that the owner return in 30 days with proof of having submitted the variance application.

Officer Ackley testified that a neighbor had phoned Code Enforcement to complain about the pump, and Officer Ackley had inspected the property and photographed the pool pump. He noted during his inspection that the pump appeared to be in the setback. At the previous hearing, they made arrangements to view the survey and visit the property to measure. Officer Ackley referred to Supervisor Murray's entry stating that when asked if he had the survey, the owner stated that he did not. This made the meeting to measure impossible.

Officer Ackley explained that Building Department inspections indicated that everything was built properly, but did not address the setbacks. It was therefore the owner's responsibility to prove the pump was not in the setback, or to move the pump out of the setback, or to obtain a variance.

Mr. Cohen wanted Ms. Tell to order the inspector to meet with Mr. Hered and measure the pump's location. Ms. Tell thought this was pointless without a survey, and Mr. Cohen said, "And we will have this survey, the only thing we're waiting on is a fax, and I can arrange that fax any time."

Mr. Cohen asked Officer Ackley to call him this afternoon to set up a meeting, preferably within 7 days. Ms. Tell advised Mr. Cohen to phone his office now to set up a meeting date.

Upon returning to the case, Officer Ackley stated they had agreed to meet at 9:00 a.m. on March 19.

Ms. Tell continued the case to the 5/17/07 hearing.

Case: CE06011662

3904 Southwest 13 Partners LLC
3904 Southwest 13th Court

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

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- 47-20.20.H.: THERE IS A PARKING LOT IN DISREPAIR ON THIS PROPERTY.
- 47-21.8.A.: THERE ARE MISSING/BARE AREAS OF GROUND COVER.
- 9-306: THERE ARE FASCIA, SOFFIT AND WINDOWS IN DISREPAIR ON SOME APARTMENTS AT THIS RENTAL PROPERTY. ALSO, AREAS OF MISSING PAINT.

The following violation was now complied:

- 47-19.4.D.1.: THERE IS A DUMPSTER NOT CURRENTLY ENCLOSED ON THIS RENTAL PROPERTY.

Inspector Quintero presented photos of the property and the case history and recommended ordering compliance with 47-20.20.H. within 84 days or a fine of \$50 per day, with 47-21.8.A. within 28 days or a fine of \$50 per day and with 9-306 within 56 days or a fine of \$50 per day. He explained that the City was currently working on the sewers in the area, and this was why he had recommended such an extended period of time to repair the parking area.

The owner agreed with the deadlines, but reminded Ms. Tell about the sewer work the City was doing. Ms. Tell reminded him to call for an extension if it became necessary.

Ms. Tell found in favor of the City and ordered compliance with 47-20.20.H. within 84 days or a fine of \$50 per day, with 47-21.8.A. within 28 days or a fine of \$50 per day and with 9-306 within 56 days or a fine of \$50 per day.

Case: CE06060759

Sarah Mackin Trust & P.L. & Phillip Jacobs
3440 Southwest 20th Street

Ms. Bazer announced that service was via posting on the property on 2/20/07 and at City Hall on 3/1/07.

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

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

The following violations were now complied:

- 9-280(b): THERE ARE BROKEN WINDOWS THROUGHOUT THE PROPERTY.
- 9-280(g): POOL PUMP IS NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION.

Officer Kaplan presented photos of the property and the case file and recommended ordering compliance with 9-280(h)(1) within 35 days or a fine of \$25 per day.

Ms. Sarah Mackin, owner, said she had been trying to get the permit. Officer Ackley said he had advised Ms. Mackin how to obtain the permit, and she planned to do this today. He felt she would get her permit within 72 hours.

Ms. Tell found in favor of the City and ordered compliance with 9-280(h)(1) within 35 days or a fine of \$25 per day.

Case: CE06111087

Hearing to Impose Fine

B I C Corp.
990 West Commercial Boulevard

Ms. Bazer announced that this case was first heard 2/1/07 to comply by 2/15/07: 1 section at \$25 per day. The property was complied and the City was requesting imposition of a \$250 fine.

Mr. Kenneth Butler, construction manager, explained that the delay was caused by their requirement to go through KFC's sign contractor.

Ms. Tuchette Torres, Code Enforcement Officer, testified that on February 22, the monument sign was repaired, but the two pole signs had not been completely removed. Officer Viscusi had reinspected on February 26 and the property was complied. She read from Officer Viscusi's notes on the case. Mr. Butler said they had removed the signs, but were unaware that they must also remove the poles.

Ms. Tell referred to the order issued pursuant to the violations, which read, "Remove, repair or replace all damaged signage on this property; obtain all necessary permits." She noted that photos had been provided by the inspector as well.

Ms. Tell signed the order to impose a \$50 fine.

Case: CE06121565

Elizabeth Sorto
3100 Southwest 21st Street

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

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- BCZ 39-79(e): THERE IS LANDSCAPING THAT FACES SOUTHWEST 31 AVE. WITH MISSING AND BARE AREAS OF LAWN COVER.

The following violation was now complied:

- 9-304(b): THERE ARE VEHICLES PARKED ON THE LAWN AT THIS PROPERTY AT ALL TIMES.

Officer Quintero presented photos of the property and a copy of the case history, and recommended ordering compliance with BCZ 39-79(e) within 28 days or a fine of \$25 per day.

Mr. Ramon Cabrera, owner, agreed to comply within 28 days.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day.

Case: CE06111171

Jaime Morales
3759 Southwest 16th Court

Ms. Bazer announced that service was via posting on the property on 2/20/07 and at City Hall on 3/1/07.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- 47-21.8.A.: LANDSCAPE IS NOT BEING MAINTAINED, MISSING AND/OR BARE AREAS OF LAWN COVER ON THE FRONT OF THIS PROPERTY.

The following violations were now complied:

- 9-280(h)(1): THERE IS A CHAIN-LINK FENCE IN DISREPAIR AT THIS PROPERTY.
- 9-304(b): THERE IS A VEHICLE PARKED ON THE LAWN.
- 9-280(b): THERE IS A FRONT ENTRANCE DOOR NOT MAINTAINED AT THIS PROPERTY.

Officer Quintero presented photos of the property and the case history and recommended ordering compliance with 47-21.8.A. within 28 days or a fine of \$25 per day.

Mr. Jaime Morales, owner, agreed to comply in the ordered time.

Ms. Tell found in favor of the City and ordered compliance with 47-21.8.A. within 28 days or a fine of \$25 per day.

Case: CE07011180

Mark & Susan O'Connell
3001 North Atlantic Boulevard

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/21/07.

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violation:

- 25-5: TWO POSTS IN RIGHT-OF-WAY OBSTRUCTING SWALE.

Officer Lovingshimer presented photos of the property and a copy of the inspection report to Ms. Tell.

Mr. Mark O'Connell, owner, presented his own photos of the property to Ms. Tell. Mr. O'Connell explained that his property was constantly being damaged by cars cutting the corner and running over his lawn. Mr. O'Connell drew Ms. Tell's attention to one of the photos that showed City property across the street from his home that utilized the same poles to prevent cars from entering the beach area. Officer Lovingshimer said the posts to which Mr. O'Connell referred actually supported a gate to control beach access.

Officer Lovingshimer recommended Mr. O'Connell use the round curb stones to prevent drivers running over his property. Ms. Tell advised Mr. O'Connell to discuss this with the supervisor to try to find a solution.

Upon returning to the case, Officer Lovingshimer recommended ordering compliance within 91 days or a fine of \$25 per day. He recommended replacing the posts with the round concrete curb stones.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$25 per day.

Case: CE07010513

Robert Webster
1436 Northwest 2nd Avenue

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

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

- 9-308(a): THE ROOF IS NOT IN A SAFE, SECURE AND WATER TIGHT MANNER. IT IS COMPLETELY COVERED WITH A GREY TARP, WITH SAND BAGS PLACED ON IT TO SECURE IT.

Officer Westbrook presented photos of the property and a copy of the case history and recommended ordering compliance within 91 days or a fine of \$25 per day.

Mr. Robert Webster, owner, presented Ms. Tell with a letter stating his plans for completing the work.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$25 per day.

Case: CE06111796

Steven Cox Trust
1821 Southwest 36th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/20/07.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- 47-21.8.A.: THERE IS LANDSCAPING THAT IS NOT BEING MAINTAINED, WITH MISSING AND BARE AREAS OF LAWN COVER, ON THIS PROPERTY.

The following violations were now complied:

- 18-27(a): THERE IS GRASS/PLANT OVERGROWTH ON THIS PROPERTY.
- 25-4: THERE ARE PLANTS OBSTRUCTING THE SIDEWALK AT THIS PROPERTY.
- 47-19.9: THERE IS OUTSIDE STORAGE OF SHUTTERS AND TIRES ON THIS PROPERTY.
- 9-281(b): THERE IS A FORD, RED CONTOUR WITH EXPIRED TAG SINCE 11/06, STORED AT THIS PROPERTY.
- 9-305(a): THERE IS GRASS AND WEEDS ENCROACHING ON THE RIGHT-OF-WAY, (SIDEWALK), ON THIS PROPERTY.

Officer Quintero presented photos of the property and stated he had a stipulated agreement with the owner to comply 47-21.8.A. within 56 days or a fine of \$25 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 47-21.8.A. within 56 days or a fine of \$25 per day.

Case: CE06120092

Leon Teawalt, Pauletta Moran & Mary Hammonds
1931 Southwest 37th Terrace

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

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- 47-19.9: THERE IS OUTDOOR STORAGE IN THE CARPORT, BACK YARD, AND SOUTH SIDE OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO GAS TANKS, SCRAP METAL, BENCHES (METAL & WOOD), ETC.

The following violation was now complied:

- 9-281(b): THERE IS AN UNKNOWN BLUE CAR WITH EXPIRED TAG SINCE 2005.THE REAR TIRES OF THE CAR ARE FLAT.

Officer Quintero presented photos of the property and the case history and recommended ordering compliance with 47-19.9 within 56 days or a fine of \$25 per day. He noted that Mr. Teawalt had been very cooperative.

Mr. Leon Teawalt, owner, agreed to comply by the ordered date.

Ms. Tell found in favor of the City and ordered compliance with 47-19.9 within 56 days or a fine of \$25 per day.

Case: CE06111194

William Mackey
1800 Coral Ridge Drive

Ms. Bazer announced that the inspector had a stipulated agreement with the owner to comply.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:

- 47-19.9: THERE ARE CRATES, BOXES, HOUSEHOLD ITEMS, AND AN EXTREME AMOUNT OF MISCELLANEOUS ITEMS STORED OUTSIDE, BENEATH THE CARPORT AND IN THE REAR.
- 9-281(b): THERE ARE DERELICT VEHICLES ON THE PROPERTY.

Officer Davis presented the case file and stated she had a stipulated agreement with the owner to comply 47-19.9 within 56 days or a fine of \$25 per day, and to comply 9-281(b) within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 47-19.9 within 56 days or a fine of \$25 per day and with 9-281(b) within 10 days or a fine of \$100 per day.

Case: CE06111500

Parkway Commerce Center Ltd.
1919 Northwest 19th Street

Ms. Bazer announced that the inspector had a stipulated agreement with the owner to comply.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:

- 9-280(h)(1): THERE IS A CHAIN-LINK FENCE IN DISREPAIR AT THIS PROPERTY.

Officer Sotolongo presented a copy of the inspection report and stated he had a stipulated agreement with the management company to comply within 63 days or a fine of \$50 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance within 63 days or a fine of \$50 per day.

Case: CE07012090

Joanel Joseph
1301 Northwest 7th Avenue

Ms. Bazer announced that the inspector had a stipulated agreement with the owner to comply.

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

- 47-21.8.A.: THERE ARE AREAS OF DEAD AND MISSING GROUND COVER. THERE ARE AREAS OF BARE SAND.
- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE VEHICLE ON THE PROPERTY: BLACK FORD.
- 9-304(b): VEHICLES PARKING ON THE GRASS.
- 9-306: THE PAINT IS DIRTY, CHIPPED AND STAINED ON THE STRUCTURE.
- 18-27(a): THERE IS OUTSIDE STORAGE, TRASH AND DEBRIS ON THE PROPERTY.

Officer Westbrook presented photos of the property, a copy of the inspection report and stated she had a stipulated agreement with the owner to comply the following:

9-281(b) within 10 days or a fine of \$100 per day;
9-304(b) and 18-27(a) within 14 days or a fine of \$50 per day;
47-21.8.A. within 28 days or a fine of \$50 per day and

9-306 within 42 days or a fine of \$50 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with:

9-281(b) within 10 days or a fine of \$100 per day;
9-304(b) and 18-27(a) within 14 days or a fine of \$50 per day;
47-21.8.A. within 28 days or a fine of \$50 per day and
9-306 within 42 days or a fine of \$50 per day.

Case: CE07011021

Agatha Lawrence
651 East Evanston Circle

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/15/07.

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

- 9-313(a): THERE ARE NO HOUSE NUMBERS ON THIS PROPERTY THAT ARE VISIBLE FROM THE STREET.

The following violation was now complied:

- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE BEIGE AND BROWN FORD VAN STORED ON THIS PROPERTY

Officer Cross presented photos of the property, the property history and inspection report and recommended ordering compliance with 9-313(a) within 14 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-313(a) within 14 days or a fine of \$25 per day.

Case: CE07011839

Hammocks At Edgewood Developers Inc.
2807 Southwest 15th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 3/8/07 and certified mail sent to the registered agent was accepted on 2/22/07.

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

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

Officer Kaplan presented photos of the property and the case file to Ms. Tell and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

Case: CE06120703

Glendale Federal Bank
2661 Northwest 20th Street

Ms. Bazer announced that service was via posting on the property on 2/23/07 and at City Hall on 3/1/07.

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

- 18-27(a): THERE IS MISCELLANEOUS TRASH AND DEBRIS ON THE PROPERTY.
- 9-306: THE BUILDING, INCLUDING THE FASCIA BOARD, ON THE PROPERTY HAS CHIPPED, MISSING AND/OR STAINED PAINT.
- 9-313(a): THERE ARE NO VISIBLE BUILDING NUMBERS ON THE PROPERTY.
- BCZ 39-79(e): THERE ARE AREAS OF MISSING LAWN COVER (GRASS) ON THE PROPERTY

Officer Torres presented photos of the property and the case history and recommended ordering compliance with 18-27(a) and 9-313(a) within 14 days or a fine of \$100 per day, per violation, and with 9-306 and BCZ 39-79(e) within 21 days or a fine of \$100 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) and 9-313(a) within 14 days or a fine of \$100 per day, per violation, and with 9-306 and BCZ 39-79(e) within 21 days or a fine of \$100 per day, per violation.

Case: CE06120708

William Harris
2657 Northwest 20th Street

Ms. Bazer announced that service was via posting on the property on 2/23/07 and at City Hall on 3/1/07.

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

- BCZ 39-79(e): THERE ARE AREAS OF MISSING LAWN COVER (GRASS) ON THE PROPERTY.
- BCZ 39-215.(f): THE WHEEL STOP ON THE PROPERTY IS CRACKED.

Officer Torres presented photos of the property and a copy of the inspection report and case history to Ms. Tell and recommended ordering compliance within 21 days or a fine of \$100 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 21 days or a fine of \$100 per day, per violation.

Case: CE06121571

Michael McCray
2337 Northwest 14th Street

Ms. Bazer announced that service was via posting on the property on 2/23/07 and at City Hall on 3/1/07.

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

- 18-27(a): THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY.
- 47-34.4.B.3.a.: THERE IS A COMMERCIAL VEHICLE PARKED/STORED ON THE PROPERTY.
- 9-304(b): THE GRAVEL DRIVEWAY IS NOT WEED-FREE ON THE PROPERTY.

Officer Torres presented photos of the property and a copy of the inspection report and case history and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day, per violation.

Case: CE06121102

St. James Lodge #83 Inc
670 Northwest 22nd Road

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/22/07, and certified mail sent to the registered agent was accepted on 2/21/07.

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

- 18-27(a): THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE AREA.
- 47-19.4.D.8.: THE DUMPSTER ENCLOSURE IS IN DISREPAIR IN THAT THERE ARE WOOD SECTIONS THAT ARE MISSING AND/OR DAMAGED.
- 9-280(b): THERE IS A WINDOW WITH A BROKEN GLASS PANE.

Officer Feldman presented photos of the property and the inspection report and recommended ordering compliance with 47-19.4.D.8. and 9-280(b) within 28 days or a fine of \$50 per day, per violation, and with 18-27(a) within 14 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 47-19.4.D.8. and 9-280(b) within 28 days or a fine of \$50 per day, per violation, and with 18-27(a) within 14 days or a fine of 450 per day.

Case: CE07012247

Charaf Investments of Florida Inc.
817 Southeast 17th Street

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/22/07, and certified mail sent to the registered agent was accepted on 2/22/07.

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

- 47-22.3.C.: THERE ARE TWO (2) UNPERMITTED BANNERS ON THIS BUSINESS.

Officer Eaton explained that he had visited the property several times and the tenant would not remove the banners, and had told Officer Eaton to take him to court. The owner had phoned Officer Eaton and informed him the banners would be removed, but upon reinspection, Officer Eaton found that the one of the banners remained. He presented photos of the property and the inspection report and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Tell stated she was “particularly displeased with the lack of respect that was shown to the inspector” and would therefore increase the possible fine to \$250 per day. She advised Officer Eaton if he spoke with the owner or the tenant to inform them she was imposing the maximum fine and if she could have imposed a higher fine, she would have done so.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

Case: CE06110201

Lopez Land Trust
2011 Northeast 17th Street

Ms. Bazer announced that service was via posting on the property on 2/26/07 and at City Hall on 3/1/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:

- 18-27(a): PROPERTY HAS LARGE AMOUNTS OF RUBBISH, TRASH AND DEBRIS ON THE WEST AND EAST SIDE OF THE PROPERTY INCLUDING TWO (2) INOPERABLE, UNLICENSED BOATS AND MISCELLANEOUS HOUSEHOLD AND COMMERCIAL RUBBISH AND DEBRIS.
- 9-306: EXTERIOR OF PROPERTY HAS MISSING BOARDS ON THE FASCIA.
- 9-308(a): THERE ARE MISSING AND BROKEN ROOF TILES.
- 9-280(h)(1): CONCRETE POSTS FOR FENCE ARE BROKEN AND FENCE IS IN DISREPAIR.

Officer Davis said she had spoken with the owner, who had done some work but not complied the property. She presented photos of the property and the case file to Ms. Tell and recommended ordering compliance within 14 days or a fine of \$100 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day, per violation.

Case: CE06111459

Richard Knaur
3043 Center Avenue

Ms. Bazer announced that service was via posting on the property on 2/22/07 and at City Hall on 3/1/07.

Mr. Al Lovingshimer, Code Enforcement Officer, testified to the following violation:

- 9-308(b): ROOF IS DIRTY AND SECTIONS OF ROOF ARE DAMAGED.

The following violations were now complied:

- 9-280(g): ELECTRICAL FIXTURES AND WIRING IN DISREPAIR.
- 9-280(h)(1): FENCE IS DOWN AND IN DISREPAIR.

Officer Lovingshimer said he had a verbal agreement with the property representative to comply 9-308(b) within 91 days or a fine of \$25 per day. Officer Lovingshimer presented photos of the property and the inspection report.

Ms. Tell found in favor of the City and ordered compliance with 9-308(b) within 91 days or a fine of \$25 per day.

Case CE06061577

Maurice & Bernadette Waisome
1470 Northwest 21st Street

Ordered To Reappear From 1/18/06 Hearing

Ms. Bazer announced that at the 1/18/07 hearing, Judge Hull had ordered the owner to appear at today's hearing. Ms. Bazer stated that this case was first heard 11/16/06 to comply by 11/30/06: 2 sections at \$50 per day. The property was complied and the City was requesting that no fine be imposed.

Ms. Bernadette Waisome, owner, thanked Ms. Tell.

Ms. Tell imposed no fine.

Case CE06110987

Wells Fargo Bank
1016 Northwest 6th Avenue

Hearing to Impose Fine

Ms. Bazer announced that this case was first heard 1/18/07 to comply by 2/15/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$2,700 fine and its continued accrual until the property was complied.

Mr. Victor Gonzales, realtor, explained that this was a bank-owned property they hoped to close on next month, and requested an extension. Ms. Tell noted that if she did not impose the lien, there would be no incentive for the owner to comply. She pointed out that the new owner must be made aware of the violations on the property.

Ms. Tell signed the order to impose the fine.

Case: CE06101651

Hearing to Impose Fine

George Criscione
2221 Southwest 28th Way

Ms. Bazer announced that at the 2/15/07 hearing, Special Magistrate Tell had ordered the owner to appear today. Ms. Bazer stated that this case was first heard 12/21/06 to comply by 1/4/07 and 1/25/07: 3 sections at \$50 per day. The property was complied and the City was requesting imposition of a \$3,100 fine.

Mr. George Criscione, owner, insisted there was “never abnormal debris on that property for the magnitude of the construction that was going.” He said he had paid for his own dumpster because the City had refused to pick up his bulk trash.

Mr. Adam Feldman, Code Enforcement Officer, said Mr. Criscione was referring to trash deposited near the front curb, and drew Ms. Tell’s attention to trash located on the northwest side of the home. He explained that this was the trash for which Mr. Criscione had been cited. Ms. Tell advised Mr. Criscione to confer with the Assistant City Attorney.

Upon returning to the case, Officer Feldman asked Ms. Tell to impose the fine.

Mr. Criscione explained the process they had taken to remove the demolition debris from the property. Mr. Criscione said, “What he’s showing me there, relative to the construction that we did is ridiculous.” He said other inspectors had commented on the neatness of the property. Mr. Criscione said he felt he had already been penalized because the City had refused to remove the construction debris from the property. Mr. Criscione tried to present Ms. Tell with photos of other properties in the area.

Mr. Criscione said the pile of debris in the photo was garbage he had needed to remove from a dumpster in order for the waste company to remove the dumpster. He had then needed to wait for the dumpster to return to the yard.

The Assistant City Attorney objected to Mr. Criscione’s attempt to present the photos of the neighbors’ properties as these were not relevant. Mr. Criscione presented photos of

his property to Ms. Tell. The Assistant City Attorney objected, noting that it had already been determined that a violation existed; the only question was when the property was complied. Ms. Tell felt that Mr. Criscione was presenting proof of mitigating factors.

Ms. Tell stated she would not impose the fine for the electrical violation because she believed it had been impossible to turn the electric on to comply.

Mr. Criscione assured Ms. Tell that the pool violation was complied prior to Christmas. The Assistant City Attorney noted that the case had been heard on December 21, 2006, with a compliance deadline of January 4, 2007. Officer Feldman stated he had visited the property on January 8 and the pool electric and plumbing were in disrepair and there was water in the pool. When he visited the property on January 26, the pool was drained and the pool violations were complied. Mr. Criscione reminded Ms. Tell that he had explained the presence of the pool water at the previous hearing; it was ground water that remained in the pool for equalization after he punched a hole in the bottom of the pool. Mr. Criscione said he had consulted the EPA and determined how much chlorine could be used in the water and maintained that amount.

Ms. Tell imposed a \$1,000 fine.

Case: CE06111048

Hearing to Impose Fine

Russell Moses

3411 Southwest 20th Street

Ms. Bazer announced that this case was first heard 1/18/07 to comply by 2/15/07: 1 section at \$50 per day. The property was complied and the City was requesting imposition of a \$300 fine.

Mr. Russell Moses, owner, said this was a rental property, and he had been out of town when the property was cited. The tenants had said they would remove the trash but had not, and Officer Quintero had phoned Mr. Moses to inform him the property was still not complied. He asked Ms. Tell to reduce the fine.

Mr. Wilson Quintero, Code Enforcement Officer, said he had no objection to a reduction of the fine.

Ms. Tell signed the order to impose a \$100 fine.

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

Case: CE06091644

Ordered To Reappear From 2/15/07 Hearing

REO Asset Management Inc

820 Northwest 1st Avenue

Ms. Bazer announced that at the 2/15/07 hearing, Special Magistrate Tell had ordered the owner to appear today.

Mr. Josh Gellar, owner, explained that they had obtained the board-up permits for both properties approximately two weeks ago. He asked Ms. Tell to reduce the fines. Mr. Gellar explained that the contractor had experienced delays, but he had obtained the permits within a week of the last hearing. Mr. Gellar explained that he originally thought he could get the permit himself, and he was initially given incorrect information at the Building Department about whom he needed to speak with about this.

Mr. Al Lovingshimer, Code Enforcement Officer, noted that Mr. Gellar had been diligent in his pursuit of the permit since the last hearing, and the property was secured.

Ms. Tell confirmed compliance and fine dates with Mr. Gellar. Mr. Gellar asked Ms. Tell to reduce the fines to 25% of the original amount.

Ms. Tell reduced the fine to \$375.

Case: CE06091645

Ordered To Reappear From 2/15/07 Hearing

REO Asset Management Inc
824 Northwest 1st Avenue

Ms. Bazer announced that at the 2/15/07 hearing, Special Magistrate Tell had ordered the owner to appear today.

Ms. Tell reduced the fine to \$375.

Case CE06101109

Request For Extension

Sanaa Corp Of Fort Lauderdale Inc
800 Northeast 15th Street

Ms. Bazer announced that this case was first heard 1/18/07 to comply by 2/15/07: 1 section at \$100 per day. The property was complied and the City was requesting imposition of a \$2,400 fine.

Mr. Rafael Haque, owner, asked Ms. Tell to eradicate the fines. He explained that he applied for the permit and the City had not issued it for over six weeks; this was the reason for the delay. Mr. Haque stated he applied for the permit on February 11, 2007. He said he had been unable to attend the January hearing because his daughter was seriously ill, but he had phoned Sue Manning to request that his case be put on the February agenda to request an extension. Mr. Haque said he had no idea that the permit would take so long to process. He pointed out that the work had cost him only \$200 and the permit had cost \$168.

Ms. Tell advised Mr. Haque to discuss the matter with Ms. Manning and Officer Westbrook.

Ms. Irma Westbrook, Code Enforcement Officer, said Mr. Haque had phoned her on February 16, and she advised him to call Ms. Manning. He had spoken with Ms. Manning on February 19.

Ms. Tell imposed no fine.

Case: CE06071118

Danny Nicholas & Amanda Williams
2156 Northeast 62nd Street

Ms. Bazer announced that service was via posting on the property on 2/27/07 and at City Hall on 3/1/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 9-281(b): THERE IS A 1973 BLACK MUSTANG WITH AN EXPIRED TAG ON THE PROPERTY.

The following violation was now complied:

- 18-27(a): THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.

Officer Gottlieb said she had visited the property several times, and the car now had a temporary tag that was about to expire. As of her last visit on March 13, the vehicle was being worked on and was inoperable.

Mr. Danny Nichols, owner, said he had only discussed the vehicle registration status with Officer Gottlieb. After he obtained the temporary tag, Officer Gottlieb had asked for the car keys to determine if it was operable. Mr. Nichols could not locate the keys by Officer Gottlieb's next visit, and she informed him she would now cite him for the vehicle's being inoperable. He explained that the hood was open on Officer Gottlieb's visit to allow him to replace the battery. Mr. Nichols said his daughter had misplaced the keys and he must have a locksmith make a new set.

Ms. Tell suggested 14 days to comply, and Officer Gottlieb noted that Mr. Nichols had "plenty of notice" to comply. She explained that he had been scheduled to appear at the previous hearing, but could not participate because he had brought no identification.

Officer Gottlieb presented photos of the property and the case history, and recommended the right to tow the vehicle if the violation was not complied within 2 weeks.

Ms. Tell found in favor of the City and ordered compliance with 9-281(b) within 14 days or a fine of \$100 per day, with the right to tow the Mustang.

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

Case CE06080318

Catherine Harber Trust

Hearing to Impose Fine

3811 Davie Boulevard

Ms. Bazer announced that this case was first heard 12/21/06 to comply by 2/15/07: 2 sections at \$25 per day. The City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Mary Grace, the owner's daughter, explained that this was one warehouse building, but the City had assigned each door a separate case number. She informed Ms. Tell that they had signed a contract for demolition on January 24, and applied for a demolition permit on January 29. The permit was issued on March 7. She had not attended the February 15 hearing, believing that if she had applied for the permit she did not need to. Officer Kaplan had informed her that the fines would run until the property was demolished. Ms. Grace said they were in the process of demolishing the property, and requested an extension.

Ms. Grace said she had faxed Officer Kaplan a copy of the demolition contract as soon as she had it to prove she was working to comply.

Mr. Lee Kaplan, Code Enforcement Officer, said he did not object to a 35-day extension.

Ms. Tell granted a 35-day extension and ordered the owner to reappear at the 4/19/07 hearing.

Case CE06080317

Hearing to Impose Fine

Catherine Harber Trust
3809 Davie Boulevard

Ms. Bazer announced that this case was first heard 12/21/06 to comply by 2/15/07: 2 sections at \$25 per day. The City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Tell granted a 35-day extension and ordered the owner to reappear at the 4/19/07 hearing.

Case CE06080315

Hearing to Impose Fine

Catherine Harber Trust
3805 Davie Boulevard

Ms. Bazer announced that this case was first heard 12/21/06 to comply by 2/15/07: 2 sections at \$25 per day. The City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Tell granted a 35-day extension and ordered the owner to reappear at the 4/19/07 hearing.

Case CE06080316

Hearing to Impose Fine

Catherine Harber Trust
3807 Davie Boulevard

Ms. Bazer announced that this case was first heard 12/21/06 to comply by 2/15/07: 2 sections at \$25 per day. The City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Tell granted a 35-day extension and ordered the owner to reappear at the 4/19/07 hearing.

Case CE06061380

Request For Extension

Dorothy, J., L.D. and G.D. Benton
1642 Northwest 25th Terrace

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

Ms. Kofi Benton, the owner's granddaughter, requested a 60-day extension.

Ms. Tuchette Torres, Code Enforcement Officer, said she did not object to an extension.

Ms. Tell granted a 63-day extension.

Case CE05051547

Request For Extension

Nicholls Investment Properties LLC
206 Northeast 16th Avenue

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

Mr. Carl Cascio, owner, informed Ms. Tell they were planning major remodeling of the property and had created architectural plans. He explained that the windows and doors would all be replaced during the remodeling and the building would be painted. He requested another three months to comply.

Ms. Ursula Thime, Code Enforcement Officer, said she had no objection to the extension. She said she had already informed Mr. Cascio to get in touch with her if he needed another extension.

Ms. Tell granted a 98-day extension.

Case CE06121150

Hearing to Impose Fine

Lauderdale Manor Church Of Nazarene
1405 Northwest 15th Court

Ms. Bazer announced that this case was first heard 2/1/07 to comply by 2/11/07: 1 section at \$100 per day. The property was complied and the City was requesting imposition of a \$200 fine.

Ms. Robin James, tenant, explained that she was disabled and the car had been parked on the sidewalk to make it easier for her to get in and out of the vehicle. Ms. James stated that when she asked Officer Pingitore how she could comply the property, Officer Pingitore recommended that she move. Ms. James said it was financially impossible for her to move, as the church let her rent the house for a very reasonable price.

Ms. Cheryl Pingitore, Code Enforcement Officer, assured Ms. Tell she had never advised Ms. James to move. Officer Pingitore said had visited the property several times, and the property had a history of disabled vehicles. She had spoken with Ms. James on December 19, 2006 when there was a Mustang parked on the swale with no tag. Ms. James had promised to remove the vehicle herself, and Officer Pingitore had phoned the reverend to inform him of the situation. The following day, Officer Pingitore said there was a disabled, unlicensed green pickup on the property with the Mustang. Ms. James told Officer Pingitore the vehicles belonged to family members, and Officer Pingitore advised her to ask her family not to leave the vehicles on the property.

Officer Pingitore said there were several year's worth of non-compliance involving vehicles. She related incidents dating to 2001 at the property regarding disabled vehicles. Officer Pingitore said she had not been aware that Ms. James was handicapped. She presented photos of the property, and informed Ms. Tell she had spoken with the reverend several times regarding this.

Ms. James explained that one of the cars in Officer Pingitore's photos belonged to a painter visiting the property. Ms. Tell advised Ms. James to try to stay on top of the situation from now on.

Ms. Tell discussed compliance dates with Ms. James and Officer Pingitore. Officer Pingitore said she had had taken the photo on February 12th and complied the property on the 14th, so the fine had run for two days.

Ms. Tell advised Ms. James to consult with Officer Pingitore and the supervisor.

Upon returning to the case, Supervisor Gossman advised that the City was recommending no fine be imposed. Ms. James promised to stay on top of the vehicle situation.

Ms. Tell imposed no fine.

Case CE06091211
South Florida Urban Developments LLC
320 Southwest 19th Street

Ordered To Reappear From 2/15/07 Hearing

Ms. Bazer announced that at the 2/15/07 hearing, Special Magistrate Tell had ordered the owner to appear today.

Mr. Lee Williams, builder, explained that the property had been illegally boarded by the previous owner, and since they intended to demolish the property they had not bothered to pull a permit for the boarding. The demolition had then been delayed waiting for the utilities to disconnect. Mr. Williams said he had not realized he must request an extension.

Mr. Dick Eaton, Code Enforcement Officer, said the property was originally cited in September 2006 and nothing was done, so Officer Eaton had scheduled the property for the December Special Magistrate hearing. At that hearing, Mr. Williams' partner had informed Officer Eaton about the demolition plans and requested 30 days to get a permit. Officer Eaton said Mr. Williams' partner had been informed of the process for requesting an extension. As the deadline approached, Officer Eaton said he had warned people on the property to request an extension, but no one had. Officer Eaton recommended the full fine be imposed. Mr. Williams reiterated that he was unaware he must request the extension.

Ms. Tell referred to Officer Eaton's notes indicating he had spoken with Mr. Williams on January 16 and advised him to get on the agenda to request an extension.

Ms. Tell advised Mr. Williams to confer with the supervisor.

After returning to the case, supervisor Gossman recommended imposing 50% of the fines. He acknowledged that if an extension had been requested, it probably would have been granted.

Ms. Tell signed the order to impose a \$1,000 fine.

Case CE06020782

Hearing to Impose Fine

Mohammed Hanif & Anjanie Rambarrat
4700 Northwest 10th Avenue

Ms. Bazer announced that this case was first heard 12/21/06 to comply by 1/4/07: 1 section at \$25 per day. The property was not complied and the City was requesting imposition of a \$1,025 fine and its continued accrual until the property was complied.

Ms. Anjanie Rambarrat, owner, stated she had re-sodded the property on Tuesday and called for inspection the previous day.

Ms. Tuchette Torres, Code Enforcement Officer, stated Officer Viscusi was on vacation and she was filling in for him, but she had received no message. She presented photos she had taken dated March 23 showing bare spots on the lawn. Ms. Tell advised Ms.

Rambarrat to provide proof to the inspector of the date the sod was laid when she reinspected the property.

Ms. Tell granted a 35-day extension to April 19 and ordered the owner to reappear at that hearing.

Case: CE06100212

Michael Surprenant
1417 Northeast 56th Court

Ms. Bazer announced that service was via posting on the property on 2/27/07 and at City Hall on 3/1/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.
- 9-280(g): THE POOL PUMP IS NOT CIRCULATING THE POOL WATER. THE POOL WATER IS GREEN AND HAS BECOME A BREEDING PLACE FOR MOSQUITOES.

Officer Gottlieb said she had spoken with the property's realtors, who assured her that the power would be on soon and they would maintain the property. She recommended ordering compliance within 14 days or a fine of \$25 per day, per violation. Ms. Tell recommended a higher fine amount for the pool violation.

Ms. Tell 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 9-280(g) within 14 days or a fine of \$50 per day.

Case: CE06111547

2425 East Commercial LLC
2425 East Commercial Boulevard

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/16/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:

- 24-28(a): THE DUMPSTER LIDS ARE BEING KEPT OPEN. TRASH IS CONSTANTLY OVERFLOWING FROM THE DUMPSTER. THERE IS NOT ADEQUATE COLLECTION SERVICE. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION IS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION, THE CASE MAY BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING.
- 25-5: THE DUMPSTER ENCLOSURE GATES ARE BEING LEFT OPEN AND OBSTRUCTING THE SWALE AND/OR STREET. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION IS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION, THE CASE

MAY BE PRESENTED TO THE SPECIAL MAGISTRATE, EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING.

- 47-19.4.D.4: THE DUMPSTER GATES ARE BEING LEFT OPEN AND THE DUMPSTER ENCLOSURE IS NOT SET BACK THE PROPER DISTANCE FROM THE PROPERTY LINE. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION IS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION, THE CASE MAY BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE HEARING.

Officer Gottlieb explained that this property had been cited three previous times for the same violations and was out of compliance every time she visited. She presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$250 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day, per violation.

Case: CE07010461

John & Anna Denoble
5640 Northeast 27th Avenue

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/24/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:

- 47-21.8: THERE ARE BARE AREAS OF LAWN COVER ON THE PROPERTY AND SWALE. THERE ARE EXPOSED AREAS OF DIRT.

Officer Gottlieb said she had spoken with the property manager, who informed her the previous day that he had put down sod. She requested 10 days to reinspect the property. Officer Gottlieb presented photos of the property and the case file to Ms. Tell.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day.

Case: CE06120940

Anthony Siplin & Jane Willia
923 Northwest 12th Street

Ms. Bazer announced that certified mail sent to the owner was accepted on 3/5/07.

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

- 9-306: THERE ARE AREAS OF CHIPPED AND FADED PAINT.

The following violation was now complied:

- 18-27(a): THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED.

Officer Pingitore presented photos of the property and the inspection report and property history and recommended ordering compliance with 9-306 within 35 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-306 within 35 days or a fine of \$50 per day.

Case: CE07011431

Frances Mc Lamore & Joyce Hamilton
1106 Northwest 14th Court

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/23/07.

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

- 47-21.8: THERE ARE AREAS OF DEAD GROUND COVER ON THE PROPERTY.

The following violations were now complied:

- 9-281(b): THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED ON THE PROPERTY.
- 9-304(b): THERE ARE VEHICLES STORED ON THE GRASS.

Officer Pingitore said she had spoken with the owner, who requested 60 days to put down sod. She presented photos of the property and the case file and recommended ordering compliance with 47-21.8 within 63 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 47-21.8 within 63 days or a fine of \$25 per day.

Case: CE06110819

Walter Johnson
2580 Southwest 6th Court

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/22/07.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS PLANT LIFE OVERGROWTH ON PROPERTY.
- 47-19.9: THERE IS OUTDOOR STORAGE UNDER PORCH AREA.
- 9-278(e): THERE ARE BOARDED UP WINDOWS ON PROPERTY.
- 9-280(h)(1): THERE IS A CHAIN-LINK FENCE IN DISREPAIR ON THE PROPERTY.
- 9-304(b): THERE ARE VEHICLES PARKING ON GRASS SURFACE, SPECIFICALLY WHITE FORD TRUCK.

- 9-306: THE EXTERIOR OF STRUCTURE NOT MAINTAINED, EXTERIOR WALLS IN NEED OF PAINT.

Officer Sotolongo presented photos of the property and a copy of the inspection report and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered c compliance within 28 days or a fine of \$25 per day, per violation.

Case: CE06121424

David Potter

1515 Southwest 9th Street

Ms. Bazer announced that service was via posting on the property on 2/20/07 and at City Hall on 3/1/07.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS TRASH, DEBRIS AND LITTER SCATTERED ALL OVER THIS PROPERTY. THERE ARE OVERGROWN WEEDS. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION FIVE (5) TIMES UNDER THIS OWNER. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.
- 47-21.10 B.1.: THERE ARE AREAS WHERE THE LAWN COVER HAS DIED, IS BARE, OR HAS BEEN OVERTAKEN WITH WEEDS.
- 9-280(h)(1): THE WOOD FENCE IS IN DISREPAIR, IS NOT STRUCTURALLY SOUND AND IS IN DANGER OF FALLING. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION TWO (2) TIMES UNDER THIS OWNER. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.
- 9-281(b): THERE IS A WRECKED UNLICENSED/INOPERABLE RED DODGE STORED ON THIS PROPERTY. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION FOUR (4) TIMES UNDER THIS OWNER. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.
- 9-304(b): THERE ARE VEHICLES PARKING ON THE LAWN AREAS. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION ONE (1) OTHER TIME UNDER THIS OWNER IN 2006. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE PRESENTED TO THE SPECIAL

MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.

- 9-305(a): THE HEDGES ARE ENCROACHING IN THE ROADWAY OBSTRUCTING VEHICULAR TRAFFIC.
- 9-280(b): THE JALOUSIE WINDOWS ARE NOT OPERATING PROPERLY. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION ONE (1) OTHER TIME UNDER THIS OWNER IN 2006. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.

The following violation was now complied:

- 9-306: THERE IS A BROKEN DECORATIVE WINDOW SHUTTER THAT IS FALLING OFF THE WALL OF THE BUILDING.

Officer Sotolongo presented the case file and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow, and with 18-27(a), 47-21.10 B.1., 9-280(h)(1), 9-304(b), 9-305(a) and 9-280(b) within 28 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the Dodge, and with 18-27(a), 47-21.10 B.1., 9-280(h)(1), 9-304(b), 9-305(a) and 9-280(b) within 28 days or a fine of \$25 per day, per violation.

Case: CE06121442

Julina Dorval
700 Southwest 16th Avenue

Ms. Bazer announced that service was via posting on the property on 2/20/07 and at City Hall on 3/1/07.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:

- 18-27(a): THERE IS TRASH, DEBRIS AND LITTER SCATTERED ALL OVER THIS PROPERTY. THERE ARE OVERGROWN WEEDS. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION ONE (1) OTHER TIME UNDER THIS OWNER IN 2006. DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.

The following violation was now complied:

- 9-281(b): THERE ARE SEVERAL UNLICENSED/INOPERABLE VEHICLES STORED ON THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO A GOLD ACURA AND A RED TOYOTA TRUCK. THIS PROPERTY HAS BEEN CITED FOR THIS VIOLATION ONE (1) OTHER TIME UNDER THIS OWNER IN 2006. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS

CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE EVEN IF IT COMES INTO COMPLIANCE PRIOR TO THE HEARING.

Officer Sotolongo presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$100 per day.

Case: CE06102214

Lake Villas LLC
1743 Northwest 29th Way

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/16/07 and certified mail sent to the registered agent was accepted on 2/26/07.

Mr. Leonard Champagne, Code Enforcement Officer, testified to the following violation:

- 9-306: THE EXTERIOR OF THE STRUCTURE IS NOT BEING MAINTAINED ON THE PROPERTY.

The following violations were now complied:

- 9-281(b): THERE IS AN UNLICENSED, INOPERABLE WHITE MAZDA STORED ON THIS PROPERTY.
- 9-304(b): VEHICLE IS BEING PARKED/STORED ON THE LAWN.

Officer Champagne presented photos of the property and the case file and recommended ordering compliance with 9-306 within 14 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-306 within 14 days or a fine of \$25 per day.

Case: CE06110941

Khanh Truong
3501 Fairfax Drive

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/15/07.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:

- 18-27(a): THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED AROUND ON THIS PROPERTY.
- 9-280(h)(1): THERE IS A WOOD FENCE IN DISREPAIR ON THIS PROPERTY.
- 9-305(a): THERE IS GRASS/WEEDS ENCROACHING ON THE RIGHT-OF-WAY, (SIDEWALK), ON THIS PROPERTY.

Officer Quintero presented photos of the property and case file and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day, per violation.

Case: CE06111794

Beverly Martin
3710 Southwest 18th Street

Ms. Bazer announced that service was via posting on the property on 2/20/07 and at City Hall on 3/1/07.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:

- 9-306: THERE IS A CONCRETE WALL NOT BEING MAINTAINED. GRAFFITI, STAINED, MISSING AND CHIPPED PAINT EXIST ON THIS PROPERTY.

Officer Quintero presented photos of the property and case file and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

Case: CE06091655

William Wallice
1540 Northeast 3rd Avenue

Ms. Bazer announced that service was via posting on the property on 2/7/07 and at City Hall on 3/1/07.

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

- 9-329(b): THE BUILDING HAS BEEN BOARDED FOR MORE THAN SIX (6) MONTHS WITHOUT A BOARD-UP CERTIFICATE.

Officer Westbrook presented photos of the property and the inspection report and case history and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

Case: CE06120219

Larry Fisher
1437 Northwest 4th Avenue

Ms. Bazer announced that service was via posting on the property on 2/20/07 and at City Hall on 3/1/07.

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

- 47-19.9: THERE IS OUTSIDE STORAGE OF DEBRIS AND MISCELLANEOUS ITEMS ON THE PROPERTY.
- 9-280(b): THE WINDOWS AND DOORS ARE NOT SECURED IN A WEATHER TIGHT MANNER.
- 9-280(f): THE PLUMBING IN THE BATHROOM AND KITCHEN ARE NOT MAINTAINED IN A GOOD, SANITARY WORKING CONDITION.
- 9-280(g): THE ELECTRICAL OUTLETS AND FIXTURES ARE NOT WORKING PROPERLY.

Officer Westbrook presented photos of the property and the inspection report and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day, per violation.

Case: CE07011957

Stipulated Agreement

The Harbors LLC
49 Isle Of Venice

Ms. Bazer announced that certified mail sent to the owner was accepted on 2/22/07 and certified mail sent to the registered agent was accepted on 2/22/07. Ms. Bazer stated the inspector had a stipulated agreement with the owner to comply.

Violations:

- 18-27(a): THERE IS A LARGE AMOUNT OF RUBBISH, TRASH AND DEBRIS ACCUMULATED ON THIS PROPERTY. THERE IS DEAD FLORA ON THE GROUND.
- 9-281(b): THERE IS A LIGHT BLUE TWO (2) DOOR VEHICLE ON THIS PROPERTY WITHOUT A TAG.
- 9-304(b): VEHICLES ARE BEING PARKED ON THE LAWN.
- 9-306: THE EXTERIOR WALLS ON THIS PROPERTY ARE NOT MAINTAINED. THE WALLS HAVE DIRTY, CHIPPING PAINT. FASCIA AND SOFFITS ARE DETERIORATED. GUTTERS ARE HANGING DOWN.

The following violation was now complied:

- 24-27(b): TRASH BINS ARE STORED CONSTANTLY ON THE FRONT OF THE PROPERTY, AT PLAIN VIEW FROM THE STREET.

Ms. Bazer informed Ms. Tell that Officer Thime had a stipulated agreement with the owner to comply the following: 18-27(a), 9-281(b) and 9-304(b) within 14 days or a fine of \$25 per day, per violation; 9-306 within 42 days or a fine of \$25 per day.

M. Tell found in favor of the City, approved the stipulated agreement, and ordered compliance with 18-27(a), 9-281(b) and 9-304(b) within 14 days or a fine of \$25 per day, per violation; 9-306 within 42 days or a fine of \$25 per day.

Case: CE06041793

Hearing to Impose Fine

Richard & Deborah Smedley
2397 Southwest 34th Avenue

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$4,500 fine and its continued accrual until the property was complied. She described compliance dates and fines to Ms. Tell.

Ms. Tell signed the order to impose the \$4,500 fine with fines continuing to accrue.

Case: CE06080125

Hearing to Impose Fine

Denise McClendon
642 Northwest 15th Avenue

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$1,350 fine with fines continuing to accrue.

Case: CE06080960

Hearing to Impose Fine

Julie Fulmore & Ruby Harris-Fulmore
449 Southwest 22nd Avenue

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$1,700 fine and its continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$1,700 fine with fines continuing to accrue.

Case: CE06110176

Hearing to Impose Fine

Evelyn Seeley
1716 Northeast 16th Terrace

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$675 fine and its continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$675 fine with fines continuing to accrue.

Case: CE06120838

Hearing to Impose Fine

Mitsy Hill
1224 Northeast 2nd Avenue, Apt. A

Ms. Bazer announced that the property was not complied and the City was requesting imposition of a \$1,350 fine and its continued accrual until the property was complied.

Ms. Tell signed the order to impose the \$1,350 fine with fines continuing to accrue.

Case: CE06101579

Request for Extension

Mount Bethel Baptist Church Inc
1201 Northwest 6th Street

Ms. Bazer announced that the property was complied, and the City was requesting imposition of a \$2,600 fine.

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

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:

CE0701102	CE07010125	CE06111193	CE06111267
CE06102555	CE06121191	CE07010345	CE07010020
CE07011014	CE07011794	CE06090192	CE06110417
CE06111082	CE06121285	CE07010856	CE06091562
CE06091984	CE06101078	CE07011222	CE07012093
CE07012286	CE07011465	CE07010663	CE07011030
CE07020142	CE07020224	CE07020931	CE06120157
CE06120369	CE06120391	CE06121443	CE06121445
CE06110828	CE06102262	CE06111327	CE06121105
CE06121251	CE07011758	CE07012091	CE07012160
CE07012297	CE07012309	CE07020171	CE06080339
CE06121490	CE06102005	CE06121664	CE07010466
CE07012303	CE07020163	CE07020218	CE07020255
CE07020428	CE07020432		

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:

CE07021006	CE07021014	CE07021044	CE07020102
CE07020177	CE06121525	CE06091159	CE06110223
CE06110429	CE07012142	CE06111451	CE07010651
CE07010972	CE07020234	CE06120376	CE07011920
CE07011951	CE06091626	CE06102710	CE06111675
CE06121363	CE06121518	CE07010110	CE07010516

CE07012213

CE07020165

Cases Withdrawn

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

CE06102495

CE05111753

CE06121569

CE06102399

Cases Rescheduled

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

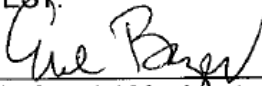
CE06111652

There being no further business, the hearing was adjourned at 1:20 p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate