

**SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Special Magistrate Meah Tell Presiding
September 20, 2007
9:00 A.M. – 1:50 P.M.**

Staff Present:

Brian McKelligett, Clerk of Special Magistrate Supervisor
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Assistant City Attorney
Leonard Ackley, Code Enforcement Officer
Leonard Champagne, Code Enforcement Officer
Thomas Clements, Fire Inspector
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
Cheryl Pingitore, Code Enforcement Officer
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Bill Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer
Mark Campbell, Clerk III

Also Present:

CE07040842, CE06091540: Bernard Petreccia, owner
CE07020858: Alan Krinzman, attorney
CE06101382: Donald Lien, owner
CE07022177: Victor Rones, attorney; Beverly Penzell, secretary
CE07061551: Michael Schloss, manager
CE07060442: Juana Drago, owner
CE07051987: John Buckley, part owner
CE05121218: Erika Hernandez, owner
CE07071814: Nicholas Jackson, property manager
CE07050576: Jonathan Edward, owner
CE07071858: Jessica Whatley, owner
CE07011366: Margaret Jobe, niece of the owner; James Sweeney, contractor
CE07080031: Cheryl Williams, owner

CE07021618: Dragan Stanic, power of attorney holder
CE06060543: Louis Cupo, owner
CE07011489: Stephen Healy, representative of the owner
CE06102134: Jeremiah Carter, owner
CE07060694: Victor Clement, owner's representative
CE07071716: Russell Bratt, owner
CE07030572: Agnes Rivers, owner, Willie Rivers, owner
CE07010715: Winston Curtis, representative of the owner
CE06080313: Nectaria Chakas, attorney
CE07070582: William Dawson, owner
CE07020232: Wayne Gierum, representative of the owner
CE07031035: Werner Guntert, owner; Roma Gatos, representative of the owner

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

The meeting was called to order at 9:00 A.M. Ms. Tell cautioned respondents to contact the Code Department if they believed they could not comply by the deadline.

Case: CE07011489
Robert Williamson
1720 South Federal Highway

Ordered to re-appear from 7/19/07
Hearing to impose fine

Mr. McKelligett announced that this case was first heard 4/5/07 to comply by 6/7/07. Fines had been suspended from 7/19 to 9/20/07. The property was complied and the City was requesting imposition of a \$1,560 fine [reduced from \$4,100].

Mr. Stephen Healy, representative of the new owner, explained that Mr. Williams had died while awaiting the demolition permit. The buildings had now been demolished and the site was clear. Mr. Healy requested reduction of the fine.

Ms. Tell said the fine had already been reduced from \$4,100-\$1,560. Mr. Dick Eaton, Code Enforcement Officer, stated that for a period of time, no one had the power to take any action that the property. He said he now supported further reduction of the fine. Officer Eaton said he had spoken with Mr. Healy, and they agreed to a fine of \$500.

Ms. Tell reduced the fine to \$500.

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

Case: CE07040842
Bernard & Rita Petreccia
11 Southwest 11th Avenue

Continued from 8/16/07

Mr. McKelligett announced that the case was continued from 8/16/07, and service was via the appearance of the owner of this hearing.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
9-329(a)

PROPERTY BOARDED BY A-QUICK, BUT NO CERTIFICATE
ISSUED.

Mr. Bernard Petreccia, owner, said he had applied for a permit, but the City informed him prior to obtaining a permit he must appear before the Historic Preservation Board. He said he had tried to apply for a permit and then been told he did not need a permit. Mr. Petreccia said his application to demolish the property had been denied by the Historic Preservation Board, and he had contacted a general contractor to apply for an after-the-fact permit. He requested a two-week extension to obtain the permit.

Officer Ackley felt a two-week extension would be sufficient.

Ms. Tell continued the case to 10/18/07.

Case: CE06091540
Bernard & Rita Petreccia
11 Southwest 11th Avenue

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 11/2/06 with compliance ordered by 1/4/07: 3 sections at \$100 per day each. Fines had been suspended from 1/5 to 4/5/07, from 4/6 to 6/7/07, from 6/8 to 8/2/07 and from 8/16 to 9/20/07.

Mr. Petreccia said this was the property which he had applied to the Historic Preservation Board to demolish. He said it had taken months to obtain clear title to property, and it was settled only recently. Mr. Petreccia said the property was in disrepair and had been vacant for approximately 10 years. He submitted copies of a letter dated 9/5/07, photos of the property taken 8/8/07 and engineering reports into evidence.

Mr. Petreccia said he wanted to demolish the property, but the Historic Preservation Board had denied his application to demolish, and he now intended to appeal this decision at the City Commission level. He requested an extension to meet with the City Commission.

The Assistant City Attorney asked Ms. Tell to find the violations exist, and not grant another continuance. She explained that Mr. Petreccia had taken title to this property in 2002. There had been a contest in the title, but he had been the owner of record all along. The Assistant City Attorney said the properties were located in the Sailboat Bend historic district, and owners of property in this district were required by ordinance

to maintain their properties. She said Mr. Petreccia had not taken care of these properties.

The Assistant City Attorney explained Mr. Petreccia had tried to demolish the properties without a permit in the spring, and the police had been called to stop this. She reported that the City's historic staff and Historic Preservation Board were "absolutely outraged" at what was going on at this property, and the Board had requested that the code enforcement process "make it painful for Mr. Petreccia to continue to commit demolition by neglect," which they believed was occurring. The Assistant City Attorney said staff recognized that an owner could not be compelled to maintain a property as neighbors did, but they also recognized that the City had the ability, through the code enforcement process, to "make it painful" when a property owner failed to maintain his property.

The Assistant City Attorney informed Ms. Tell that this case was begun in September 2006, and over the course of the past year, Mr. Petreccia had been put on the Historic Preservation Board agenda several times and at the last minute had repeatedly withdrawn his case from the agenda.

The Assistant City Attorney again requested that Ms. Tell find the violations exist. She noted that while Mr. Petreccia was awaiting his appeal before the City Commission, they must continue the code enforcement process; otherwise, it appeared that they were not taking the concerns of the neighbors, and the wishes of the Historic Preservation Board, seriously.

Mr. Petreccia said it was true he purchased the property in 2002, but said it was not until March of this year that he was able to do anything with the property. He said he had purchased the property as a "tear down," and had been paying taxes on the property as an empty lot, assessed at \$457,000. Mr. Petreccia said the properties were "beyond anything that can be done."

Ms. Tell imposed the \$3,900 fine and continued its accrual until the property was complied.

Inspector Ackley said a portion of the roof had been destroyed in hurricane Wilma, and Mr. Petreccia had not been permitted to do any work. He said City inspector Bob Pignataro had determined the buildings were unsafe. The Assistant City Attorney said a building inspector's opinion was "just that" until the property was presented to the Unsafe Structures Board. This property had never been presented to the Unsafe Structures Board. She explained that last spring, the building official had inspected the property and determined the buildings could be preserved and instructed the City to board up the buildings. Mr. Petreccia had still not reimbursed the City for the costs to board his property.

Case: CE07080031
Cheryl Williams

1424 Northwest 9th Avenue

Mr. McKelligett announced that service was via the appearance of the owner at this hearing.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violation:
18-27(a)

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON
THE PROPERTY AND SWALE. **REPEAT VIOLATION**
CE07031516.

Complied:
9-304(b)

VEHICLES AT THIS PROPERTY ARE CONTINUALLY PARKING
ON THE GRASS.

Officer Westbrook said she had reinspected the property that morning, and the owner had informed her she was taking care of this, but was in the process of serving jury duty. Officer Westbrook presented photos of the property and the inspection report and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$100 per day.

Ms. Cheryl Williams, owner, said the tenants often threw trash on the property when they moved out. She requested additional time, because she must serve jury duty.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 28 days or a fine of \$100 per day.

Case: CE07061551

Ordered to reappear

New River Condo Association Inc.
451 Northwest 23rd Avenue

Mr. McKelligett announced that the case was first heard on 8/16/07 to comply by 9/20/07. He noted that none of the original six violations was complied.

Mr. William Snow, Code Enforcement Officer, reminded Ms. Tell that she had wanted to monitor progress regarding two of the units. Officer Snow reported that unit eight had been vacated, but he believed unit six was still occupied as of September 17, and no repairs had been done. Officer Snow said the respondent had sent a letter requesting additional time.

Mr. Michael Schloss, manager, said the roof was fully repaired, and the owner of number eight was repairing that unit. Regarding unit six, Mr. Schloss said they could not access this unit; the owner had not responded to their requests. Mr. Schloss reported the fence was being repaired presently, and the developer had determined to replace the railings instead of repair them. They were now accepting bids for this. Mr.

Schloss presented a copy of the bill for the roof repair into evidence. Officer Snow said he believed the roof had been repaired.

Mr. Schloss requested an additional 63 days to comply, noting that they must apply for permits for the railings. Officer Snow confirmed that no fines had accrued as yet. He said the balcony would require an engineering study as well as permits, and did not believe this could be accomplished within 60 days. Officer Snow said the owner of unit six was trying to evict the tenants, but was having difficulty accomplishing this.

Ms. Tell granted a 91-day extension to 12/20/07 and ordered Mr. Schloss to appear at that hearing.

Case: CE07020858

Ordered to reappear

48 Hendricks LLC
40 Hendricks Isle

Mr. McKelligett announced that the case was first heard on 4/19/07 to comply by 5/24/07: 1 section at \$100 per day. Fines had been suspended from 6/21 to 8/16/07 and from 8/17 to 9/20/07. Fines had accrued to \$2,700.

Mr. Alan Krinzman, attorney for the owner, explained that the backup generator was approved and permitted by the City, but during testing, it became evident that the generator was running too loudly. Mr. Krinzman said they had taken the generator off of tests mode, so it would only run during an emergency, when the noise restrictions did not apply. In the meantime, they were attempting to resolve issues with the architect and engineer to determine financial responsibility.

Mr. Leonard Ackley, Code Enforcement Officer, said no further complaint had been received and he believed they had ceased testing the unit. He would therefore consider the case complied.

Mr. Krinzman said the owner had acted in good faith in purchasing and installing the backup generator; it was only in the testing phase that it was discovered that the generator noise levels did not comply.

Ms. Tell advised Mr. Krinzman to consult with Officer Ackley to determine a fair resolution.

Upon returning to the case, Mr. Krinzman said they had intended to comply by removing the generator, but had subsequently discovered there was no independent backup system as the contractor had represented. He requested that the fines be reduced as much as possible.

Officer Ackley felt reducing the fine by 50 percent would be fair. Mr. Krinzman requested it be reduced to \$500 to cover administrative costs. Officer Ackley confirmed that inspectors had made 14 or 15 visits to the property.

Ms. Tell reduced the fine to \$750.

Case: CE07030572

Holy Mission Full Gospel Church
2025 Northwest 24th Avenue

Mr. McKelligett announced that the case was continued from 7/19/07, and service was via the appearance of the owner at this hearing.

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

18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS LITTERING THIS ENTIRE PROPERTY.

9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS PROPERTY THAT ARE IN DISREPAIR OR NOT BEING MAINTAINED. THEY INCLUDE, BUT ARE NOT LIMITED TO WINDOWS, FASCIA BOARDS, SOFFITS, ETC.

9-280(h)(1)

THERE IS A CHAIN-LINK FENCE IN DISREPAIR ON THIS PROPERTY.

9-304(b)

THERE ARE VEHICLES BEING PARKED ON GRASS SURFACES ON THIS PROPERTY. (WHITE CHEVROLET PICK-UP TRUCK, CHEVY DUMP TRUCK).

9-306

THERE ARE AREAS OF MISSING, CHIPPING, PEELING, DIRTY PAINT ON THE EXTERIOR WALLS AND FASCIA BOARDS ON THE HOME ON THIS PROPERTY.

Officer Viscusi explained that there was an issue of ownership, which had resulted in mediation between the owner of the property and Broward County. Ms. Tell had previously asked the owner to find out what the terms were and why they violated the mediation agreement with the County. Officer Viscusi reported that they were painting the home, but all the violations still existed. He presented photos of the property and the case file into evidence.

Ms. Agnes Rivers, owner, said she had contacted a lawyer, and had called the mediator, but the mediator had not returned her call. Ms. Rivers said the state now had a lien on the property, and she could not get a loan to repair the property because of this.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) and 9-304(b) within 14 days or a fine of \$50 per day, per violation, and with 9-280(b), 9-280(h)(1) and 9-306 within 56 days or a fine of \$50 per day, per violation.

Ms. Tell cautioned Ms. Rivers to file a written request for an extension if she could not comply by the deadline.

Case: CE07020232 Ordered to re-appear
Catherine Lawson Trust & Nancy Flack
3542 North Federal Highway

Mr. McKelligett announced that the case was first heard on 4/5/07 with compliance ordered by 6/7/07: 2 sections at \$50 per day each. Fines had been suspended from 7/19 to 9/20/07. The property was not complied.

Mr. Wayne Gierum, representative of the owner, said he had taken care of everything but the permits for the stripes in the parking lot. He was awaiting a signature from the owner for the permit.

Ms. Ingrid Gottlieb, Code Enforcement Officer, confirmed that all the violations except 47-20.20.H, the parking lot, were complied. Mr. Gierum requested another 30 days to finish the parking lot.

Ms. Tell granted an extension to 11/15/07, said the fines would not run between now and then, and ordered the owner to appear at that hearing.

Case: CE07071858
Jessica Whatley
1239 Northeast 15th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/28/07.

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

- 18-27(a)
DISCARDED FURNITURE, APPLIANCES, BOXES AND OTHER RUBBISH, TRASH AND DEBRIS STORED ON THE PROPERTY.
- 9-280(b)
JALOUSIE WINDOW PANES DO NOT FUNCTION PROPERLY; SLIDE OUT OF THE SLOTS. MISSING JALOUSIE WINDOW PANES.
- 9-306
EXTERIOR WALLS ARE DIRTY.

Officer Davis presented photos of the property and the case notes into evidence. She stated this was repeat violation which she had cited multiple times within the past year.

Ms. Jessica Whatley, owner, said she had fired the property manager and was now trying to tend to the property herself. She said she could not manage the properties herself because she "had one crazy tenant before" who had caused some damage. Ms. Whatley said she understood it was her responsibility to take care of this.

Officer Davis reported that every apartment had broken windows, and the exterior walls were still dirty. Ms. Whatley said someone was working to repair the glass as of the previous day.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$50 per day, with 9-280(b) within 14 days or a fine of \$100 per day, and with 9-306 within 42 days or a fine of \$50 per day.

Ms. Tell cautioned Ms. Whatley to file a written request for an extension before the deadline or the fines would accrue.

Case: CE07071814

American Home Mortgage Servicing Inc.
801 Northeast 6th Street

Mr. McKelligett announced that certified mail sent to the owner and registered agent were accepted on 8/30/07.

Mr. Len Champagne, Code Enforcement Officer, testified to the following violation:
9-329(a)

BUILDING IS BOARDED UP AND NO BOARD-UP CERTIFICATE
HAS BEEN OBTAINED.

Officer Champagne presented the case file into evidence and recommended ordering compliance with 9-329(a) within 28 days or a fine of \$100 per day.

Mr. Nicholas Jackson, property manager, reported the property was in the process of a sale. He explained that American Home Mortgage was in bankruptcy proceedings and could not authorize expenditure of any funds on their properties. He requested an extension until the new owner could take possession of property. Ms. Tell said she must enter an order so the new owner would be responsible.

Mr. Jackson said the property was scheduled to close the next day. He said the power had been kept on for inspections but would be turned off the following day. Mr. Jackson said the new owners were diligent and were aware of what needed to be done at the property.

Ms. Tell found in favor of the City and ordered compliance with 9-329(a) within 28 days or a fine of \$250 per day, and ordered the new owner to appear at the 10/18/07 hearing.

Case: CE07060442

Drago Juana
511 Southwest 19th Street

Mr. McKelligett 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.

24-27(b)

THE GARBAGE RECEPTACLES ARE SITTING AT THE FRONT OF THE PROPERTY.

47-19.9

THERE IS OUTDOOR STORAGE THROUGHOUT THE PROPERTY, INCLUDING, BUT NOT LIMITED TO BRICKS, LUMBER AND APPLIANCES.

9-280(b)

THE ROOF ON THIS HOME IS MISSING SHINGLES AND IS IN SEVERE DISREPAIR. THERE IS A BROKEN WINDOW PANE AT THE FRONT OF THE PROPERTY.

9-280(g)

THERE ARE LOOSE ELECTRICAL WIRES HANGING AT VARIOUS SPOTS ON THE EXTERIOR OF THE BUILDING.

9-280(h)(1)

THE FENCE AROUND THIS PROPERTY IS DAMAGED AND IN DISREPAIR, MISSING WHOLE PANELS IN SECTIONS.

9-304(b)

THERE ARE VEHICLES PARKED ON THE LAWN/GRASS AREA. THE GRAVEL DRIVE IS NOT WELL-GRADED AND DUST-FREE.

9-313(a)

THERE ARE NO HOUSE NUMBERS ON THE PROPERTY.

Complied:

9-281(b)

THERE IS AN INOPERABLE MAROON PLYMOUTH GRAND VOYAGER ON THE PROPERTY.

Officer Eaton said the owner had contacted him and they had met on the property to go over the violations, but two weeks later, the owner had not complied any of the violations.

Ms. Juana Drago, owner, said she had been displaced from the home since the 2005 hurricanes. She said the property had been cleaned, the hedges had been cut, and the car had been removed.

Officer Eaton presented his case file and photos taken on September 19, 2007 into evidence. Ms. Drago said someone had cut the grass after the photos were taken the previous day.

Ms. Drago said she had applied to reopen a building permit on the property, and this would comply some of the violations. Ms. Drago said she had been forced to leave this property after the hurricanes and the insurance company was refusing to pay for the damage; she was now considering selling the property to a developer. Ms. Tell informed Ms. Drago that she had the right to contest the insurance company's action.

Ms. Tell found in favor of the City and ordered compliance with 18-27(a), 24-27(b) and 9-313(a) within 10 days or a fine of \$25 per day, per violation, with 47-19.9 and 9-304(b) within 35 days or a fine of \$25 per day, per violation, and with 9-280(b), 9-280(g) and 9-280(h)(1) within 63 days or a fine of \$25 per day, per violation.

Case: CE06060543

Hearing to impose fine

Deborah Campion & Louis Cupo
1613 Northwest 11th Court

Mr. McKelligett announced that this case was first heard 10/19/06 to comply by 11/16/06: 1 section at \$25 per day. Fines had been suspended from 12/7/06 to 1/4/07, from 1/5/07 to 2/1/07, from 2/2/07 to 4/5/07, from 4/6/07 to 5/3/07, and from 5/3/07-6/7/07. The property was complied and the City was requesting imposition of a \$325 fine [reduced from \$650].

Mr. Louis Cupo, owner, requested further reduction of the fine; he explained that much of the delay had been caused by waiting for the permit to be issued.

Ms. Cheryl Pingitore, Code Enforcement Officer, said Mr. Cupo had kept in touch with her, and had experienced permitting and engineering problems; this was why she had recommended reduction of the fines. She said she had visited the site "many times."

Officer Pingitore researched the history of the property and related to this to Ms. Tell, informing her that fines had begun to run on 11/17/06. On that date, Mr. Cupo had phoned the office and requested to be put on the December 6, 2006 agenda to request an extension. Officer Pingitore stated fines had run up to \$650.

Ms. Tell reduced the fine to \$250.

Case: CE07060694

Hearing to impose fine

CNL Restaurant Net Lease

1819 South Federal Highway

Mr. McKelligett announced that the case was first heard on 8/2/07 with compliance ordered by 8/16/07: 1 section at \$100 per day. The property was complied and the City was requesting imposition of a \$350 fine [reduced from \$700].

Mr. Victor Clement, the owner's representative, said he thought he had removed all the signs, but there had been a misunderstanding.

Mr. Dick Eaton, Code Enforcement Officer, said there had been a misunderstanding regarding the signs, and he had finally spoken with the corporate office and cleared up which signs must be removed.

Ms. Tell imposed the \$350 fine.

Case: CE07050576
Edewaard Development
813 Southeast 14th Street

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 7/19/07 with compliance ordered by 8/2/07: 1 section at \$50 per day. The property was complied and the City was requesting imposition of a \$950 fine.

Mr. Jonathan Edward, owner, said he had tried to comply the property but the tenant had not removed his car. He had spoken with the tenant who had agreed to comply from now on. Mr. Edward did not believe the property was out of compliance for a total of 19 days; he felt he was only a few days.

Mr. Dick Eaton, Code Enforcement Officer, said Mr. Edward had called him to the property twice informing him the property was complied, but upon inspection, he had discovered it was not.

Ms. Tell imposed a \$550 fine.

Case: CE07022177
Commercebank
321 Southwest 11th Street

Ordered to reappear

Mr. McKelligett announced that the case was first heard on 4/19/07 to comply by 5/24/07. Fines had been suspended from 7/19 to 9/20/07. The property was now complied.

Mr. Leonard Ackley, Code Enforcement Officer, reported the property had been demolished, but he did not know the exact date.

Mr. Victor Rones, attorney, submitted the following into evidence: photos of the property taken that day; proof of reimbursement to the City for the board-up; a receipt for demolition of the house; a letter summarizing his request for mitigation of the fines.

Officer Ackley said fines had run, and he had been unable to contact the previous owner; as soon as the bank had become involved, the problems we take care of. Officer Ackley said the bank had paid for the board-up and also for the demolition.

Ms. Tell reduced the fine to \$260.

Case: CE07021618

Ragnhild Moberg
1425 Southwest 31st Street

Mr. McKelligett announced that the case was first heard on 7/19/07 to comply by 8/30/07; 1 section at \$100 per day. The property was complied and the City was requesting imposition of a \$1,900 fine.

Mr. Dragan Stanic, power of attorney holder, said they had demolished the property, but it had taken longer than the 45 days they had estimated. He said the day they received the permit, they had demolished the property. Mr. Stanic said he had spoken to someone at the City on the day he submitted the paperwork for the permit application, and had assured her that the minute he had the permit he would demolish the property.

Mr. Lee Kaplan, Code Enforcement Officer, said he had spoken with Mr. Stanic, and said this was the earliest date his case could be scheduled to request an extension.

Ms. Tell reduced the fine to \$260.

Case: CE06080313

HL Holdings LC
3400 Davie Boulevard

Mr. McKelligett announced that this case was first heard 1/4/07 to comply by 7/5/07: 1 section at \$50 per day. The property was complied and the City was requesting imposition of a \$2,000 fine.

Ms. Nectaria Chakas, attorney, said the roof was repaired, but the management company had not notified the code enforcement officer, so the fines had accrued. The property owner had informed her that the roof had been completed prior to the 7/5/07 deadline. She requested reduction of the fine.

Mr. Lee Kaplan, Code Enforcement Officer, said he did not object to a reduction of the fine. Ms. Chakas said she had not been able to obtain a receipt from the property manager prior to this hearing, but if Ms. Tell postponed the hearing, she was sure she could produce it.

Ms. Tell reduced the fine to \$750.

Case: CE07051987

Hearing to impose fine

Francis Buckley
601 Southeast 3rd Avenue

Mr. McKelligett announced that the case was first heard on 7/19/07 with compliance ordered by 8/2/07: 2 sections at \$50 per day each. The property was not complied and the City was requesting imposition of a \$4,800 fine and its continued accrual until the property was complied.

Mr. John Buckley, part owner, said he had been made aware of the problems in August and had begun to address them. He was unsure that proper service had been made to any of the eight owners.

Mr. Leonard Ackley, Code Enforcement Officer, said notice of the violations had been posted on the property. Mr. Buckley said the tenant had left the property months ago, so no one was aware of the violations or the posting.

Mr. Buckley explained that after the last tenant had left, the dumpster company had removed the dumpster, but left all of the trash on the property. He explained work that had been done at the property and said instead of repairing the dumpster, they wanted to remove the doors. Mr. Buckley said the County was interested in the property for a new courthouse site, so they did not want to invest in rehabilitating the property.

Officer Ackley said there was more than one case against this property. He agreed that the hedges had been trimmed, but he said the other issues had never been addressed. Officer Ackley submitted photos of the property into evidence.

Mr. Buckley requested a 30-day extension.

Ms. Tell granted a 28-day extension and ordered the owner to appear at the 10/18/07 hearing.

Case: CE05121218

Ordered to reappear from 7/19/07

Synergy Property Services
705 Northwest 2nd Street

Mr. McKelligett announced that this case was first heard on 6/1/06 with compliance ordered 7/31/06. Fines had been suspended from 9/7/06 to 1/5/07, from 6/21/07 to 7/19/07 and from 7/20/07 to 9/20/07. Mr. McKelligett stated compliance dates and fine periods. The property was not complied and the City was requesting imposition of an \$82,600 fine.

Ms. Erica Hernandez, Synergy Property Services, said the permits had been issued, and work could begin. She requested a continuance to repair the roof and exterior of

the building. Ms. Hernandez said six units in the building must be rehabbed, and she felt this would take six months.

John Gossman, Code Enforcement Supervisor, explained that this property was also going before the Unsafe Structures Board. He did not want to grant a lengthy extension but wanted to keep close tabs on progress of the property.

Ms. Tell granted an extension to 11/1/07 and ordered the owner to appear at that hearing.

Case: CE07010715
2495 East Commercial LLC
2495 East Commercial Boulevard

Ordered to re-appear

Mr. McKelligett announced that this case was first heard 6/21/07 to comply by 7/5/07. Fines had been suspended from 8/16 to 9/20/07. The property was complied and the City was requesting imposition of a \$4,000 fine.

Mr. Winston Curtis, representative of the owner, asked Ms. Tell to reduce the fine to \$250. He said they were now paying for maintenance at the property.

Ms. Ingrid Gottlieb, Code Enforcement Officer, said it had taken Mr. Curtis some time to take down the sign. Officer Gottlieb submitted case history into evidence and said she had visited the property 10 times.

Ms. Tell reduced the fine to \$450.

Case: CE07031035
Werner Guntert
4831 Bayview Drive

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 8/2/07: 2 sections at \$25 per day each. The property was not complied and the City was requesting imposition of a \$1,675 fine and its continued accrual until the property was complied.

Mr. Roma Gatos, representative of the owner, said he had done what he could at the property and the problem now was the water restrictions. He had put down sod, and said Officer Gottlieb informed him he would be permitted to water newly-planted sod, but the police had informed him he could not.

Ms. Ingrid Gottlieb, Code Enforcement Officer, said Mr. Gatos was not maintaining the landscaping, and it was very unattractive. She submitted photos of the property into evidence and noted that the property had overgrowth and weeds. She noted there were still areas where no grass was growing.

Mr. Gatos confirmed that he was requesting an extension and would work with Officer Gottlieb to comply the property.

Ms. Tell granted a 56-day extension to 11/15/07 and ordered the owner to appear at that hearing.

Case: CE06102134
Dania Economic Development
1760 Northwest 25th Avenue

Ordered to re-appear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard 3/1/07 to comply by 7/5/07. Fines had been suspended from 8/16 to 9/20/07. The property was complied and the City was requesting no fine be imposed [reduced from [\$1,900].

Mr. Jeremiah Carter, owner, agreed with Mr. McKelligett.

Ms. Tell imposed no fine.

Case: CE06101382
Donald Lien
240 Southwest 22nd Street

Hearing to impose fine

Mr. McKelligett announced that this case was first heard 1/4/07 to comply by 3/1/07. Fines had been suspended from 4/5/07 to 6/7/07 and from 6/8/07 to 8/2/07. The property was complied and the City was requesting imposition of a \$250 fine [reduced from \$1,700].

Mr. Donald Lien, owner, said he had done everything possible to repair his home after the hurricane, and he would not pay a fine related to that. Ms. Tell informed him that the fines have been reduced.

Ms. Tell imposed a \$250 fine.

Case: CE07011366
Marvic Manor Inc
1354 Bayview Drive

Ordered to re-appear

Mr. McKelligett announced that the case was first heard on 5/3/07 with compliance ordered by 7/5/07. Fines had been suspended from 8/16 to 9/20/07. The property was not complied and the City was requesting imposition of a \$2,050 fine and its continued accrual until the property was complied.

Ms. Margaret Jobe, niece of the owner, said her uncle was 98 years old and had become incapacitated, and she was attempting to handle these problems from New Jersey. She said apparently the property manager had not been doing his job.

Mr. James Sweeney, contractor, said he was aware of the violations and would be submitting a proposal to the owner for repairs. He said these were not serious issues.

Ms. Jobe requested 120 days to complete repairs, and Mr. Sweeney said this would be sufficient time.

Ms. Aretha Davis, Code Enforcement Officer, submitted photos of the property into evidence. She said the case had begun in January, and she was most concerned about the lack of proper doors on the property. She did not want to allow 120 days for compliance. Officer Davis said the awning had been replaced, but the other violations on that code section were not yet complied. She recommended that fines continue, since there had been no progress at the property.

Mr. Sweeney said they would first address the foundation which required a backfill. Then they would replace the doors. Ms. Jobe confirmed that it was the unoccupied apartments that needed new doors.

Ms. Tell imposed a \$550 fine, granted an extension to 10/18/07 and ordered the owner or a representative to appear at that hearing.

[The court took a break from 12:20 to 12:40]

Case: CE07061984

Glen Liebegott
251 Southwest 22nd Street

Mr. McKelligett announced that service was via posting on the property on 8/21/07 and at City Hall on 9/6/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
18-27(a)

THIS PROPERTY IS OVERGROWN AND NOT BEING
MAINTAINED.

Officer Eaton said he had spoken with the owner about the violations and the hearing, but the owner had not shown up. He presented photos of the property and the case file and recommended ordering compliance within 10 days or a fine of \$100 per day.

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

Case: CE07071716

Russell Bratt
1885 South Andrews Avenue

Stipulated agreement

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/30/07 and the officer had a stipulated agreement with the owner to comply.

Violations:

18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS THROUGHOUT THE PROPERTY AND SWALE AREA.

47-20.20 H.

THERE ARE BROKEN AND MISSING WHEELSTOPS THROUGHOUT THE PARKING AREA.

9-280(h)

THERE IS A FOUNTAIN/POND ON THE PROPERTY THAT IS IN DISREPAIR AND FILLED WITH STAGNANT WATER CREATING AN UNSANITARY CONDITION AND BREEDING AREAS FOR MOSQUITOES.

9-306

EXTERIOR OF STRUCTURE IS NOT BEING MAINTAINED. THERE ARE MISSING CEILING PANELS IN THE CANOPY AREAS.

Complied:

47-21.8 A.

LANDSCAPE IS NOT BEING MAINTAINED IN A NEAT MANNER. PLANTS AND SHRUBBERY THROUGHOUT THE PROPERTY IS OVERGROWN.

Mr. McKelligett said Officer Eaton had a stipulated agreement with the owner to comply 18-27(a) and 47-20.20 H. within 14 days or a fine of \$50 per day, per violation, and 9-280(h) and 9-306 within 35 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) and 47-20.20 H. within 14 days or a fine of \$50 per day, per violation, and 9-280(h) and 9-306 within 35 days or a fine of \$50 per day, per violation.

Case: CE07080061

M.E. & Jean Olsen
510 Southeast 12th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/1/07.

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

24-27(f)

THE DUMPSTER LIDS ARE LEFT OPEN ON A REGULAR BASIS.

Complied:

47-19.4.D.1.

THERE IS A 3 CU. YARD DUMPSTER ON THE PROPERTY
THAT IS NOT IN A REQUIRED ENCLOSURE.

9-313(a)

THE ADDRESS NUMBERS ARE NOT CLEARLY DISPLAYED -
DAMAGED AND MISSING NUMBERS.

Officer Eaton recommended ordering compliance with 24-27(f) within 10 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with 24-27(f) within 10 days or a fine of \$50 per day.

Case: CE07061812

German & Lourdes Ramirez
2806 Southwest 9th Street

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:
18-27(a)

THERE IS GRASS/PLANT OVERGROWTH ON PROPERTY.

Officer Rich presented photos of the property and the inspection report and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE07030909

Christiana Bank & Trust Company
Trustee Security Funding Trust
2050 Northwest 29th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/4/07.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:
18-27(a)

THERE ARE AREAS OF OVERGROWN GRASS AND WEEDS ON
THIS PROPERTY.

9-306

THERE ARE AREAS OF DIRTY AND STAINED PAINT ON THIS
HOUSE.

BCZ 39-79(e)

THERE ARE AREAS OF DEAD AND MISSING GROUND COVER
ON THIS PROPERTY.

Officer Cross presented photos of the property, the notice of violation and case history and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day, and with 9-306 and BCZ 39-79(e) within 35 days or a fine of \$25 per day, per 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 9-306 and BCZ 39-79(e) within 35 days or a fine of \$25 per day, per violation.

Case: CE07060820

Barry Khemrajsingh
411 Northwest 12th Avenue

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

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

18-27(a)

THERE ARE AREAS OF OVERGROWN LAWN ON THIS
PROPERTY.

9-278(g)

ONE OR MORE OPENABLE WINDOWS DO NOT HAVE PROPERLY
FITTED SCREENS.

9-306

THERE ARE AREAS OF CHIPPED AND STAINED PAINT ON
THIS HOUSE.

Complied:

6-7(b)(4)

THERE IS A DOG ON THIS PROPERTY WITHOUT PROPER
MAINTENANCE CAUSING SMELL AND UNSANITARY
CONDITIONS.

9-281(b)

THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT
THIS PROPERTY.

9-304(b)

THERE ARE VEHICLES PARKING ON THE LAWN AT THIS
PROPERTY.

Officer Cross presented photos of the property, the inspection report and case history and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day, and with 9-278(g) and 9-306 within 35 days or a fine of \$25 per day, per 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 9-278(g) and 9-306 within 35 days or a fine of \$25 per day, per violation.

Case: CE07070266

Nola Robinson
1313 Northwest 7th Court

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
18-27(a)

THIS PROPERTY HAS BECOME OVERGROWN AND IS NOT
BEING MAINTAINED. THERE IS TRASH AND DEBRIS
SCATTERED ABOUT THE PROPERTY.

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

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

Case: CE07070448

Vendex 2000 Inc.
1708 Northwest 7th Street

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:
18-27(a)

THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN
MAINTAINED. THERE IS TRASH, RUBBISH AND DEBRIS
SCATTERED ABOUT THE PROPERTY.

47-21.10 B.1.

THERE ARE AREAS OF MISSING GROUND COVER AND BARE
SAND.

9-281(b)

THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED
ON THE PROPERTY.

9-304(b)

THERE ARE VEHICLES PARKED ON THE GRASS.

9-306

THERE ARE AREAS OF MILDEWED, DIRTY AND STAINED

PAINT ON THE BUILDING. THE EXTERIOR OF THE
BUILDING HAS NOT BEEN MAINTAINED.

Officer Cross presented photos of the property, the notice of violation and case history and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day, with the right to tow the vehicle, with 18-27(a) and 9-304(b) within 14 days or a fine of \$25 per day, per violation and with 47-21.10 B.1. and 9-306 within 35 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 white Buick, with 18-27(a) and 9-304(b) within 14 days or a fine of \$25 per day, per violation and with 47-21.10 B.1. and 9-306 within 35 days or a fine of \$25 per day, per violation.

Case: CE07061121

Josephine Denis
1508 Southwest 5th Place

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

Mr. Thomas Clements, Fire Inspector, testified to the following violation:
NFPA 10 6.3.1

THE FIRE EXTINGUISHER HAS NOT BEEN SERVICED AND
TAGGED BY A STATE LICENSED COMPANY.

Complied:

NFPA 1 10.13.1.1

THE POSTED ADDRESS IS NOT PER CODE.

Inspector Clements said the owner had informed him the fire extinguisher had been serviced, but he had not yet reinspected. He recommended ordering compliance with NFPA 10 6.3.1 within 28 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 10 6.3.1 within 28 days or a fine of \$50 per day.

Case: CE07051429

50 Isle Of Venice LLC
50 Isle Of Venice

Stipulated agreement

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply.

Violations:

18-27(a)

THERE IS RUBBISH, TRASH AND DEBRIS ACCUMULATED ON THE PROPERTY. DEAD PLANTS AND OVERGROWTH LITTER THE GROUND.

9-306

EXTERIOR WALLS AT THIS PROPERTY, INCLUDING STRUCTURAL PARTS, AS FASCIA, SOFFITS AND BALCONIES, ARE NOT MAINTAINED.

9-329(a)

BUILDING HAS OPEN DOORS AND WINDOWS.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply 18-27(a) and 9-329(a) within 14 days or a fine of \$25 per day, per violation and 9-306 within 90 days or a fine of \$25 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement, and ordered compliance with 18-27(a) and 9-329(a) within 14 days or a fine of \$25 per day, per violation and 9-306 within 90 days or a fine of \$25 per day.

Case: CE07051515

Randy Lynch
915 Northeast 16th Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/24/07.

Mr. Leonard Champagne Code Enforcement Officer, testified to the following violations:
47-20.20.H

THE PARKING LOT IS NOT MAINTAINED. IT HAS AN UNEVEN SURFACE, WITH GRASS GROWING IN THE CRACKS.

Complied:

18-27(a)

PROPERTY IS OVERGROWN.

9-281(b)

THERE IS AN UNLICENSED, INOPERABLE VEHICLE ON THE PARKING LOT.

Officer Champagne recommended ordering compliance with 47-20.20.H within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 47-20.20.H within 28 days or a fine of \$25 per day.

Case: CE07060335

Good Service Realty Inc.
643 Northeast 18th Avenue

Stipulated agreement

Mr. McKelligett announced that certified mail sent to the owner and registered agent were accepted on 8/31/07 and the officer had a stipulated agreement with the owner to comply.

Violations:

18-27(a)

ALL THE YARDS ON THIS PROPERTY ARE OVERGROWN AND LITTERED WITH DEAD PLANTS AND OTHER RUBBISH.

24-27(b)

TRASH BINS ARE STORED CONSTANTLY ON THE FRONT YARD.

9-306

HOUSE HAS EXTERIOR WALLS WHICH ARE NOT MAINTAINED. THEY HAVE CHIPPING PAINT. SOFFITS AND FASCIA NEED TO BE REPAIRED.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply 18-27(a) and 24-27(b) within 15 days or a fine of \$25 per day, per violation, and 9-306 within 90 days or a fine of \$25 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement, and ordered compliance with 18-27(a) and 24-27(b) within 15 days or a fine of \$25 per day, per violation, and 9-306 within 90 days or a fine of \$25 per day.

Case: CE07061973

David & Cynthia Martino
436 Northeast 16th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/24/07.

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

9-304(b)

THERE ARE VEHICLES AND TRAILERS PARKED ON THE GRASS SURFACE OF THIS PROPERTY.

Complied:

18-27(a)

THERE IS RUBBISH, TRASH AND DEBRIS ON THE PROPERTY.

47-21.8 C.3

TREE BRANCHES ARE HANGING VERY LOW IN THE SIGHT-TRIANGLE AREA BLOCKING A CLEAR VISIBILITY OF ONCOMING TRAFFIC.

Officer Champagne recommended ordering compliance with 9-304(b) within 21 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-304(b) within 21 days or a fine of \$25 per day.

Case: CE07070190

Stipulated agreement

Carmella Cerasa Estate
C/O Arno David
1637 Northeast 9th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/7/07 and the officer had a stipulated agreement with the owner to comply.

Violations:

18-27(a)

PROPERTY IS OVERGROWN.

9-280(b)

THE BUILDING HAS BROKEN WINDOWS.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply 18-27(a) and 9-280(b) within 14 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 18-27(a) and 9-280(b) within 14 days or a fine of \$25 per day, per violation.

Case: CE07041601

Richard Krigel
409 Southwest 11th Street

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

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

9-306

THERE IS SOME ROTTEN WOOD AT ENTRY-WAY.

9-308(c)

THE ROOF IS DIRTY AND IN DISREPAIR.

Officer Ackley presented photos of the property, the notice of violation and history, and recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day, per violation.

Case: CE07061655

Darren & Christen Todd
809 Southwest 8th Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/27/07.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
9-281(b)

THERE IS A GRAY ANTIQUE FORD BEHIND RESIDENCE WITH
NO CURRENT TAG.

Officer Ackley presented the notice of violation and history, and recommended ordering compliance within 10 days or a fine of \$100 per day, with the right to tow the vehicle.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day, with the right to tow the grey antique Ford.

Case: CE07071740

US Bank National Association Trust
800 Southeast 9th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/30/07.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
18-27(a)

THE PROPERTY IS OVERGROWN AND IS NOT BEING
MAINTAINED.

Officer Ackley presented photos of the property and 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: CE07081105

Stipulated agreement

Aida Investments Inc.
321 Southwest 6th Street

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply.

Violation:
9-306

THERE IS PEELING AND CHIPPING PAINT ON THE
BUILDING. THERE IS GRAFFITI ON THE BUILDING.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply 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 within 10 days or a fine of \$100 per day.

Case: CE07010731

Douglas Caires
2864 Northeast 36th Street

Mr. McKelligett announced that service was via posting on the property on 8/23/07 and at City Hall on 9/6/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:
8-91(b)

THE DOCK IS FALLING DOWN AND IS UNSAFE.

9-308(b)

THE ROOF ON THE STRUCTURE IS DIRTY.

Officer Gottlieb said she had spoken with the owner who informed her he was in the process of demolishing the house and rebuilding. She said the neighbors were very concerned about the safety of the dock. Officer Gottlieb presented the case history and recommended ordering compliance with 8-91(b) within 14 days or a fine of \$250 per day, and with 9-308(b) within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 8-91(b) within 14 days or a fine of \$250 per day, and with 9-308(b) within 28 days or a fine of \$25 per day.

Case: CE07011750

Frederic & Kosh Jablonski
5811 Northeast 22nd Way

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/30/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:
18-27(a)

THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.

47-21.8.A.

THERE ARE WEEDS COVERING THE PROPERTY AND AREAS OF
MISSING GROUND COVER.

Officer Gottlieb said she had met with the owner on his property, and he was in the process of replanting all of the sod. She presented the case history and said she had agreed to recommend ordering compliance within 63 days or a fine of \$25 per day, per violation.

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

Case: CE07031909

Johnny Olavarria
5331 Northeast 15th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/10/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:
47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE
ARE WEEDS, DEAD PLANT LIFE AND MISSING AREAS OF
GROUND COVER.

9-306

THE EXTERIOR OF THE STRUCTURE IS MISSING PAINT.

9-313(a)

THERE ARE NO HOUSE NUMBERS VISIBLE ON THE
STRUCTURE.

9-308(a)

THERE IS MISSING FASCIA BOARD ON THE ROOF.

Officer Gottlieb said the owner had left her a voice message that he should be complied within two days. She presented photos of the property and the 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: CE07060730

Jeanette Antoione
2152 Northeast 62nd Court

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

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

24-27(b)

THE TRASH CANS ARE BEING LEFT OUT TOO LONG BEFORE OR AFTER COLLECTION.

47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE MISSING AREAS OF GROUND COVER AND THE PROPERTY IS COVERED WITH WEEDS.

9-279.(b)(3)

THE TRASH COLLECTION SERVICE IS NOT ADEQUATE FOR THE AMOUNT OF TRASH BEING GENERATED.

9-280(h)

THE POOL IS NOT BEING MAINTAINED. THE WATER IS GREEN AND HAS BECOME A BREEDING PLACE FOR MOSQUITOES.

9-306

THE EXTERIOR OF THE STRUCTURE IS NOT BEING MAINTAINED. THERE ARE AREAS OF MILDEW, MISSING AND DIRTY PAINT AND ROTTED WOOD.

9-308(a)

THE ROOF IS IN DISREPAIR AND IS DIRTY.

Officer Gottlieb said she thought this was a case of mortgage fraud. She presented photos of the property and the case history and recommended ordering compliance with 24-27(b), 47-21.8.A., 9-279.(b)(3), 9-306 and 9-308(a) within 14 days or a fine of \$25 per day, per violation, and with 9-280(h) within 14 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with 24-27(b), 47-21.8.A., 9-279.(b)(3), 9-306 and 9-308(a) within 14 days or a fine of \$25 per day, per violation, and with 9-280(h) within 14 days or a fine of \$100 per day.

Case: CE07032127

Derinoel Moncher
1637 Northeast 3rd Avenue

Mr. McKelligett announced that service was via posting on the property on 8/21/07 and at City Hall on 9/6/07.

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

9-281(b)

THERE IS A BLUE UNLICENSED, INOPERABLE NISSAN ALTIMA ON THE PROPERTY.

9-313(a)

THE HOUSE NUMBERS NOT DISPLAYED OR VISIBLE FROM

THE STREET.

Officer Westbrook presented photos of the property and the inspection report and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day, and with 9-313(a) within 14 days or a fine of \$50 per day.

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, and with 9-313(a) within 14 days or a fine of \$50 per day.

Case: CE07051365

Stipulated agreement

Evor Badwah
1033 Northwest 7 Terrace

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply.

Violation:
9-329(d)

THE BOARDING CERTIFICATE FOR THIS PROPERTY HAS NOT
BEEN RENEWED AFTER THE INITIAL ONE (1) YEAR.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply within 14 weeks or a fine of \$50 per day.

Ms. Tell found in favor of the City, approved the stipulated agreement, and ordered compliance within 14 weeks or a fine of \$50 per day.

Case: CE07080238

Olivia Charlton
1307 Northwest 8th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/24/07.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violation:
9-281(b)

THERE IS AN UNLICENSED, INOPERABLE VEHICLE ON THE
PROPERTY: BLUE HYUNDAI COUPE.

Officer Westbrook presented photos of the property and the inspection report and recommended ordering compliance within 10 days or a fine of \$100 per day.

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

Case: CE07060995

Stipulated agreement

Althea Stanley
3261 Northwest 65th Street

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply.

Violation:

9-306

THERE ARE AREAS OF MISSING, CHIPPING AND PEELING
PAINT PRESENT ON THE EXTERIOR WALLS OF THE HOME ON
THIS PROPERTY.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply within 28 days or a fine of \$25 per day.

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

Case: CE07070221

Keith Smith
1051 Northwest 49th Street

Mr. McKelligett announced that service was via posting on the property on 8/27/07 and at City Hall on 9/6/07.

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

9-328(b)

THE BOARDED-UP PROPERTY DOES NOT HAVE A CITY
REQUIRED BOARD-UP CERTIFICATE.

Officer Viscusi 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: CE07070582

Stipulated agreement

BRD Realty Inc.
3414 North Ocean Boulevard

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/31/07, certified mail sent to the registered agent was accepted on 9/1/07 and the officer had a stipulated agreement with the owner to comply.

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

- 18-27(a)
THERE ARE AREAS OF GRASS/PLANT OVERGROWTH PRESENT AND THIS PROPERTY IS LITTERED WITH TRASH, RUBBISH AND DEBRIS.
- 47-19.9
THERE IS OUTDOOR STORAGE OF MULTIPLE ITEMS ON THIS PROPERTY. THEY INCLUDE, BUT ARE NOT LIMITED TO PLASTIC CONTAINERS, STEEL DOORS, LIGHT BULBS, ETC.
- 47-20.20.H.
THE PARKING LOT ON THIS PROPERTY IS NOT BEING MAINTAINED.
- 9-280(g)
THERE IS ELECTRICAL WIRING AND ACCESSORIES NOT BEING MAINTAINED IN A GOOD, SAFE, WORKING CONDITION ON THIS PROPERTY.
- 9-306
THERE ARE AREAS OF MISSING, CHIPPED, PEELING, STAINS AND DIRT ON THE EXTERIOR WALLS OF THE BUILDING ON THIS PROPERTY.

Officer Viscusi said he had a stipulated agreement with the owner to comply all violations within 28 days, by 10/18/07, or a fine of \$25 per day, per violation. He submitted the photos and case file into evidence.

Ms. Tell found in favor of the City, approved the stipulated agreement, and ordered compliance with all violations within 28 days, by 10/18/07, or a fine of \$25 per day, per violation.

Case: CE07031488

John & Amy Carter
694 Middle River Drive

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/27/07.

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

- 18-27(a)
THERE IS OVERGROWTH ON THE PROPERTY.
- 9-280(b)
GUTTERS AND FASCIA ARE IN DISREPAIR.
- 9-306
EXTERIOR WALLS HAVE AREAS OF MISSING PAINT.
- 9-308(a)
BROKEN AND MISSING ROOF TILES.

Officer Davis said she had spoken with the owner who said he hoped to sell the property by 10/10/07. She had informed him that he must comply the property by October 28 if he remained the owner. Officer Davis presented photos of the property, the inspection report and case history 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: CE07041677

Sayed Ebrahim Beladi & Safieh Javid
2020 East Oakland Park Boulevard

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/24/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
9-306

EXTERIOR WALLS ARE DIRTY, HAVE MILDEW STAINS AND
AREAS OF CHIPPING PAINT.

Complied:

18-27(a)

TOILET DISCARDED AND STORED IN THE REAR.

9-280(b)

EXTERIOR DOOR TO UTILITY ROOM IS MISSING.

Officer Davis said she had spoken with the owner, who said he intended to clean and repaint the exterior. She presented photos of the property, the original inspection report and case file and recommended ordering compliance with 9-306 within 35 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-306 within 35 days or a fine of \$25 per day.

Case: CE07041793

Chanderdat Debah
1616 Northeast 15th Avenue

Mr. McKelligett announced that service was via posting on the property on 8/22/07 and at City Hall on 9/6/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:
18-27(a)

LARGE PIECES OF CARPET, RUBBISH, TRASH, DEBRIS AND
OVERGROWTH ON THE PROPERTY

9-328(a)

VACANT PROPERTY UNSECURED AS THERE IS AT LEAST ONE
BROKEN WINDOW.

Officer Davis presented photos of the property and the case history and recommended ordering compliance within 14 days or a fine of \$25 per day, per violation, with the right to board the property and to request compensation for the boarding.

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

Case: CE07041804

Stipulated agreement

Jawaher Bint Abdulaziz
2600 Northeast 11th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/25/07 and the officer had a stipulated agreement with the owner to comply.

Violation:

9-281(b)

MULTIPLE DERELICT UNLICENSED VEHICLES STORED IN
THE PARKING LOT. AT THE TIME OF INSPECTION,
CHEVROLET SUBURBAN WITH EXPIRED TAG, STATION
WAGON WITHOUT A TAG, WHITE CARAVAN WITHOUT A TAG,
BLACK JETTA WITHOUT A TAG AND A RED VAN WITHOUT A
TAG.

Complied:

18-27(a)

OVERGROWTH ON THE PROPERTY.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply 9-281(b) within 10 days or a fine of \$100 per day, with the right to tow the vehicles.

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, with the right to tow the gold Chevrolet Suburban, the Volkswagen Jetta and the red van.

Case: CE07060580

Andres Contreras
1617 Northeast 17th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/24/07.

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

9-280(b)
BROKEN WINDOWS AND WINDOWS THAT ARE NOT WATER
TIGHT.

Complied:
18-1

POOL HAS GREEN, STAGNANT WATER CREATING A BREEDING
GROUND FOR MOSQUITOES AND INSECTS.

18-27(a)
OVERGROWTH REMAINS ON THE PROPERTY.

Officer Davis said she had spoken with the owner who promised to repair the windows this week. She presented photos of the property and the case history and recommended ordering compliance with 9-280(b) within 10 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance with 9-280(b) within 10 days or a fine of \$25 per day.

Case: CE07060771

James Samu
1433 Northeast 15th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/24/07.

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

9-280(b)
THE SOFFIT OVER THE CARPORT IS IN DISREPAIR.

9-304(b)
BOAT CONTINUOUSLY PARKED/STORED ON THE GRASS.

9-306
EXTERIOR WALLS ARE DIRTY.

Complied:
18-27(a)

THERE IS LOTS OF OVERGROWTH ON THE PROPERTY.

Officer Davis presented photos of the property and the case file and recommended ordering compliance with 9-304(b) within 10 days or a fine of \$25 per day, and with 9-306 and 9-280(b) within 35 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 9-304(b) within 10 days or a fine of \$25 per day, and with 9-306 and 9-280(b) within 35 days or a fine of \$25 per day, per violation.

Case: CE07071040

Debbie Davis & Gary Lewchuck
2100 Northeast 15th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/31/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
9-279(f)

PROPERTY OCCUPIED WITHOUT BEING CONNECTED TO THE
CITY'S WATER SYSTEM.

Officer Davis said Debbie Davis and a roommate were inhabiting the property. When the case originated, she had explained that they were not permitted to occupy the property without City water service, and a 72-hour notice to vacate was posted. Officer Davis said Ms. Davis inherited property from her father over a year ago, at which time the water account was already delinquent. A new water account had been established in the name of Ms. Davis and Mr. Lewchuck, but the account was never current.

Officer Davis continued that when public works inspected the property, they had discovered a stolen meter on the property and pulled it. Ms. Davis said she was unaware that the meter was stolen, but did not make any payments to have her account activated and had run a hose from the neighbor's property. Officer Davis had visited the property with a police officer to make sure Ms. Davis understood she could not live at the property without water service.

Officer Davis presented the water account history into evidence and recommended ordering compliance within 10 days or a fine of \$250 per day.

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

Case: CE05100249

J. A. & Helga Hindenberger
1313 Northeast 15th Avenue

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 7/6/06 to comply by 11/3/06. Mr. McKelligett described the status of each violation and accrued fines and stated the City was recommending imposition of a \$32,000 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$32,000 fine and continued its accrual.

Case: CE07011539

Ian Sargent & Vanessa Quiles
3460 Southwest 19TH Street

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 8/2/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$950 fine.

Ms. Tell imposed the \$950 fine.

Case: CE07030454

Continued from 7/19/07

Charles & Donna Jordan
716 Southwest 4TH Place

Mr. McKelligett announced that the case was first heard on 6/21/07 with compliance ordered by 7/5/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$3,100 fine [reduced from \$4,650.].

Ms. Tell imposed the \$3,100 fine.

Case: CE07030997

Hearing to impose fine

Heslyn Young
1130 Northwest 7th Avenue

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 8/2/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$775 fine [reduced from \$1,600.].

Ms. Tell imposed the \$775 fine.

Case: CE07022296

Hearing to impose fine

Charles Nichols
1211 Northeast 2nd Avenue

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 8/2/07. The property was not complied and the City was requesting imposition of a \$2,400 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$2,400 fine and its continued accrual.

Case: CE07041009

Hearing to impose fine

Richard Krigel
837 Northwest 14th Way

Mr. McKelligett announced that the case was first heard on 7/19/07 with compliance ordered by 8/2/07. The property was complied and the City was requesting imposition of a \$3,300 fine.

Ms. Tell imposed the \$3,300 fine.

Case: CE07050775

Hearing to impose fine

Winston Patrick Watt
1437 North Andrews Avenue

Mr. McKelligett announced that the case was first heard on 7/19/07 with compliance ordered by 8/2/07. The property was complied and the City was requesting imposition of a \$1,600 fine.

Ms. Tell imposed the \$1,600 fine.

Case: CE07041169

Hearing to impose fine

Carmen Forde
2205 Bayview Drive

Mr. McKelligett announced that the case was first heard on 7/5/07 with compliance ordered by 7/19 and 8/9/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$4,625 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$4,625 fine and continued its accrual.

Case: CE07050554

Hearing to impose fine

Deutsche Bank National
1503 Northwest 8th Avenue

Mr. McKelligett announced that the case was first heard on 7/19/07 with compliance ordered by 8/2/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$4,500 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$4,500 fine and its continued accrual.

Case: CE07060169

Hearing to impose fine

Louis Sager Land Trust
605 Northwest 14th Terrace

Mr. McKelligett announced that the case was first heard on 7/19/07 with compliance ordered by 8/2/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$1,600 fine.

Ms. Tell imposed the \$1,600 fine.

Case: CE06111585
El-Ad Fort Lauderdale Beach LLC
2939 Banyan Street

Request for extension

Mr. McKelligett announced that the case was first heard on 2/15/07 with compliance ordered by 5/17/07. Mr. McKelligett described the status of each violation and accrued fines and stated the City was requesting imposition of a \$10,750 and its continued accrual.

Ms. Tell imposed the \$10,750 fine and continued its accrual until the property was complied.

Case: CE07040183
FV-1 Inc.
1790 Northeast 49th Street

Vacate order of 7/5/07

Mr. McKelligett requested Ms. Tell vacate the order dated 7/5/07.

Ms. Tell vacated the order.

Cases Complied

Mr. McKelligett 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:

- | | | | |
|------------|------------|------------|------------|
| CE07051711 | CE07032036 | CE07041916 | CE07050318 |
| CE07060554 | CE07061167 | CE07080766 | CE07070256 |
| CE07080420 | CE07080064 | CE07070786 | CE07041829 |
| CE07051404 | CE07061728 | CE07071469 | CE07070433 |
| CE07071602 | CE07080037 | CE07061769 | CE07080682 |
| CE07080684 | CE07080685 | CE07080690 | CE07080693 |
| CE07081281 | CE07061279 | CE07070654 | CE07080109 |
| CE07071087 | CE07071406 | CE07071806 | CE07080062 |
| CE07051884 | CE07070760 | CE07071476 | CE07080135 |
| CE07041463 | CE07080281 | CE07080508 | CE07041488 |
| CE07060195 | CE07060992 | CE07070589 | CE07070604 |
| CE07070649 | CE07011230 | CE07020619 | CE07041760 |
| CE07050408 | CE07050870 | CE07052004 | CE07060143 |
| CE07060620 | CE07060759 | CE07060769 | CE07061915 |
| CE07070507 | CE07070508 | CE07070804 | CE07071705 |
| CE07080524 | CE07081110 | CE07061599 | CE07041584 |

Cases Pending Service

Mr. McKelligett 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:

CE07070304	CE07050904	CE07060604	CE07080236
CE07060504	CE07080558	CE07050224	CE07051558
CE07061486	CE07071616	CE07071695	CE07041745
CE07041783	CE07060840		

Cases Withdrawn

Mr. McKelligett 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:

CE07070934 CE07080900

Cases Rescheduled

Mr. McKelligett 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:

CE07051968

There being no further business, the hearing was adjourned at 1:50 p.m.



SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate