

**SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Judge Floyd Hull Presiding
October 4, 2007
9:00 A.M. – 1:15 P.M.**

Staff Present:

Brian McKelligett, Clerk of Special Magistrate Supervisor
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Mark Campbell, Clerk III
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
Ingrid Gottlieb, Code Enforcement Officer
Mike Maloney, Code Enforcement Officer
Skip Margerum, Community Inspections Supervisor
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
Salvatore Viscusi, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer

Also Present:

CE07040234: Constantinos Kapakos, owner
CE06110590: Cynthia Jones, owner
CE07012339: Hinm DuyNauyen, owner, Robert Wood, contractor
CE06010875: Michael Liss, attorney
CE06010877: Gerald Gerardi, owner's agent, Michael Liss, attorney
CE07060447: Dawn Meyna, realtor
CE07081876: Celestin Mercurieu, owner
CE06121706: Gerald Brooks, property manager
CE07052072: Daina Scott, owner
CE07060573: Joseph Mondelli, owner
CE07022265: Terry Benowitz, owner
CE06091655: Nancy Pelosi, owner's attorney
CE07030031: Sherry Bell, owner's representative
CE06080917: Gladys Hart, the owner's wife

CE07011608: Joseph Roberts, owner
CE07010247: Charles Dale, attorney
CE07081897: Abe Berujerdi, owner
CE06111637: Edward Carlisle, owner
CE06110492, CE06110489: William Isenberg, owner
CE06092002: Susan Pedersen, owner, Charles Dale, attorney
CE07051758: Angela Cope, owner
CE07060049: Krzysztof Tylinski, owner
CE06061892: Luis Leon, contractor
CE06102845: James Dundorf, owner
CE07080900, CE07090491: Christian Ballesteros, owner's representative
CE07030233: Laura Cocks, daughter of the owner
CE06091445: Edward Smith, owner's representative, Gavin Banta, attorney
CE06051145: Cleris Nascimbeni, owner
CE07031566: Bob Mandel, property manager

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. Judge Hull cautioned respondents to contact the Code Department if they believed they could not comply by the deadline.

Case: CE07051758 Request for extension
Daniel & Angela Cope
2011 Northeast 18th Street

Mr. McKelligett announced that this case was first heard 8/16/07 to comply by 9/20/07.

Ms. Aretha Davis, Code Enforcement Officer, reported that 18-27(a) was now complied.

Ms. Angela Cope, owner, requested reduction of the fine. Officer Davis did not object to dismissal of the fines.

Judge Hull imposed no fine.

Case: CE07031566 Hearing to impose fine
Villa Medici Association Inc.
1033 Northeast 17th Way

Mr. McKelligett announced that this case was first heard 7/19/07 to comply by 8/2/07. The property was complied and the City was requesting imposition of a \$1,100 fine.

Mr. Bob Mandel, property manager, said there were a few residents who had not complied with the rules and had left their trash containers in the swale after service. He had sent several notices to unit owners, alerting them to stop this practice. Mr. Mandel said he had also been in constant communication with Officer Davis. Mr. Mandel explained that a condo association had not been formed yet so he was still the responsible party. Mr. Mandel asked that no fine be imposed.

Judge Hull said he intended to impose the full fine, and Mr. Mandel felt this was unfair because all of the owners would be assessed for a fine accrued by a few owners who had not complied.

Judge Hull imposed the \$1,100 fine.

Case: CE07081876

Celestin & Viergeline Mercidieu
1026 Northwest 3rd 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 violations:
18-27(a)

THERE IS LITTER, RUBBISH AND DEBRIS SCATTERED
ABOUT THE PROPERTY AND SWALE.

9-281(b)

THERE IS A RED UNLICENSED, INOPERABLE CAVALIER AND
RED CHRYSLER ON THE PROPERTY.

Officer Westbrook said she had spoken with the respondent, who informed her the vehicle and rubbish had been removed from the property. She recommended ordering compliance within 14 days or a fine of \$25 per day, per violation to allow her time to reinspect the property. Officer Westbrook explained the owner had been present earlier and signed a letter of stipulation. She presented photos of the property, a copy of the inspection report and a copy of the stipulated agreement into evidence.

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

Case: CE07030233

Hearing to impose fine

Katherine Harrington Revocable Trust
3101 Northeast 57th Court

Mr. McKelligett announced that this case was first heard 6/21/07 to comply by 7/12/07 and 8/16/07. The property was complied and the City was requesting imposition of a \$1,700 fine.

Ms. Laura Cocks, daughter of the owner, reported her mother was hospitalized and unable to attend the hearing. She explained the cats had been removed.

Ms. Ingrid Gottlieb, Code Enforcement Officer, explained the occupant of the house was keeping the cats without the owner's knowledge. When Ms. Cocks was made aware of the problems she had made an effort to comply immediately and taken extraordinary and measures to do so.

Ms. Cocks explained that her mother was 85 years old and had been in and out of the hospital since June. Ms. Cocks stated the occupant who owned the cats was the girlfriend of her brother who had been killed in August and she had refused to leave the home when asked. The family had bought a trailer for the former girlfriend and she had left the premises. Ms. Cocks reported she and her sisters had removed several of the cats, and the former girlfriend had taken the remainder.

Judge Hull imposed no fine.

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

Case: CE07080900

Port Saint Lucie Projects LLC
3050 Northwest 68th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/18/07 and certified mail sent to the registered agent was accepted on 9/20/07.

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

THERE IS GRASS/PLANT OVERGROWTH PRESENT ON THIS
PROPERTY AND THE PROPERTY IS LITTERED WITH TRASH,
RUBBISH AND DEBRIS.

9-280(h)(1)

THE CHAIN LINK FENCE ON THIS PROPERTY IS IN
DISREPAIR.

Officer Viscusi said he had spoken with the owner on numerous occasions regarding this property. He presented photos of the property and case history and recommended ordering compliance within 4 weeks or a fine of \$100 per day, per violation. Officer Viscusi explained that this property was a vacant pool house which once belonged to an adjacent condo complex. The property was fenced and was vacant.

Mr. Christian Ballesteros, the owner's representative, stated this was a one-acre property. He said they did have a maintenance crew taking care of the property and the fence. Mr. Ballesteros said they were awaiting a permit to demolish the property. He agreed to remove the overgrowth within 30 days.

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

Case: CE07090491

Port Saint Lucie Projects LLC
3050 Northwest 68th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/18/07 and certified mail sent to the registered agent was accepted on 9/20/07.

Mr. Salvatore Viscusi, Code Enforcement Officer, testified to the following violation:
9-328(a)

THERE ARE SEVERAL BUILDINGS AND A POOL ON THIS
PROPERTY THAT ARE OPEN AND ABANDONED ALLOWING
ACCESS TO THE INTERIORS OF THE BUILDINGS AND POOL.

Officer Viscusi reported the buildings were vacant and the pool was unused. Even though the property was surrounded by a six-foot fence, officer Viscusi felt it posed a health and safety hazard to the community. Officer Viscusi recommended the owner obtain a board up certificates within nine weeks or a fine of \$250 per day.

Mr. Ballesteros agreed to comply within nine weeks.

Officer Viscusi reported that with the recent rains, the pool was half full and the water was green and stagnant. He presented photos of the property taken in August into evidence. Judge Hull was concerned about children climbing the fence and accessing the pool. Mr. Ballesteros said they were more concerned about teenagers jumping the fence than young children. He promised Judge Hull they would remove the pool water and keep it empty.

Judge Hull found in favor of the City and ordered compliance within 9 weeks, or a fine \$250 per day.

Case: CE06092002

Continued from 7/5/07

Susan Pedersen
2001 Southeast 25th Avenue

Mr. McKelligett announced that this case was continued from 7/5/07 and service was via the appearance of the owner.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
9-280(b)

CARPORIT IS MISSING ROOF AND HAS DAMAGED WALLS.

Officer Sotolongo presented photos of the property and the case history into evidence.

Mr. Charles Dale, attorney, explained that the property damage was the result of hurricane Wilma. Since then, the owner had been negotiating with Citizens Insurance regarding her claim for property damage. They had filed suit against the company recently because the negotiations had resulted in an impasse. Mr. Dale requested time to resolve the legal issues. Mr. Dale hoped a court would soon determine that the owner had done everything she could, and direct the insurance company to appoint an appraiser. He said he intended to file a motion for summary judgment the next week.

Mr. Dale explained that the insurance company only wanted to pay for the replacement value of the carport, but it was not possible to replace the carport without bringing the property up to code, which would be much more expensive. Mr. Dale said his client did not have the ability to refinance the home to make the repairs herself. Mr. Dale stated the policy limit was \$176,000 and the insurance company had offered \$53,000; the damages were in excess of \$200,000. He informed Judge Hull that his client did have a trust, of which he was the executor, worth approximately \$150,000.

Judge Hull found in favor of the City and ordered compliance by 1/17/08 or a fine of \$250 per day, and ordered the respondent to appear at the 1/17/08 hearing.

Case: CE07010247

Request for extension

Pavlos Nickolaidis & Louis Condos
1730 East Sunrise Boulevard

Mr. McKelligett announced that this case was first heard 6/7/07 to comply by 9/5/07. The property was not complied and the owner was requesting an extension.

Mr. Charles Dale, attorney for the owner, explained they had hired a sign company to reduce the height of the sign and to alter the face of the sign in order to comply.

Judge Hull granted an extension to 1/17/08 and ordered the respondent to appear at that hearing.

Case: CE07081897

Zahra Bahrami
1842 East Oakland Park Boulevard

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/18/07.

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

THERE IS OVERGROWTH ON THIS VACANT LOT. PROPERTY OWNER CITED FOUR (4) TIMES THIS YEAR FOR THE SAME VIOLATION. REPEAT VIOLATION.

Officer Davis said she had spoken to the property owner several times over the course of the past year regarding the condition of the lot. She presented photos of the property, the case history and previous inspection reports into evidence.

Mr. Abe Berujerdi, owner, said the grass had been cut the previous day. He explained to Judge Hull that they planned a three-story building project on the property, and were in the permit process now.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$150 per day.

Case: CE06110590

Hearing to impose fine

Cynthia Jones

540 Southwest 28th Terrace

Mr. McKelligett announced that the case was first heard on 5/17/07 with compliance ordered by 6/21/07. The property was complied in the City was requesting a fine of \$1,880 be imposed [reduced from \$4,700].

Ms. Cynthia Jones, owner, explained that they had repaired the fence, but it had broken again. She said she had misunderstood something about the gate poles and Officer Cross and explained to her son what must be done to comply.

Mr. Andre Cross, Code Enforcement Officer, stated Ms. Jones had cleaned up the front portion of the property but some debris from the fence repairs remained in the rear. He agreed there had been a misunderstanding regarding the fence posts, and confirmed he had explained to the owner's son that these must be removed. Officer Cross recommended further reduction of the fine.

Judge Hull imposed a \$1000 fine.

Case: CE07081197

George Massey Enterprises Inc.

1602 Northeast 1st Street

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

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

24-11(a)

THERE IS NO SUITABLE CONTAINER FOR SOLID WASTE AND
CONSTRUCTION DEBRIS AT THIS CONSTRUCTION SITE.

24-11(d)

CONSTRUCTION DEBRIS REMAINS PILED UP AT THE
CONSTRUCTION SITE FOR WEEKS.

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

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

Case: CE07061894

Claudia Bolivar
1019 Northwest 14th Court

Mr. McKelligett announced that service was via posting on the property on 9/18/07 and at City Hall on 9/20/07.

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

THE PROPERTY AND SWALE ARE OVERGROWN AND NOT BEING MAINTAINED.

Withdrawn:

9-280(h)

THE POOL IS FILLED WITH GREEN, UNCIRCULATING WATER AND HAS NOT BEEN MAINTAINED. THE POOL IN ITS CURRENT STATE IS A HEALTH HAZARD.

Officer Pingitore stated the property was still not complied as of 10/03/07. She presented photos of the property and the case history into evidence and recommended ordering compliance with 18-27(a) within 10 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance with 18-27(a) within 10 days or a fine of \$100 per day.

Case: CE07071100

Bessie Casey
1147 Northwest 16th Way

Mr. McKelligett announced that service was via posting on the property on 9/18/07 and at City Hall on 9/20/07.

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

THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER IT COMES INTO COMPLIANCE PRIOR TO THE HEARING OR NOT. (CE06061941)

Officer Pingitore presented photos of the property and noted the property's lengthy history of overgrowth problems and recommended ordering compliance within 1 day or a fine of \$250 per day.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$150 per day.

Case: CE07030413

Stipulated agreement

James Wallace
1949 Northwest 21st Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/18/07 and the officer had a stipulated agreement with the owner to comply.

Violations:

18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS LITTERING THIS PROPERTY.

47-19.9

THERE IS OUTDOOR STORAGE PRESENT ON THIS PROPERTY THAT INCLUDES, BUT IS NOT LIMITED TO WOOD, DRUMS, BUCKETS, WINDOWS, CINDER BLOCKS, APPLIANCES, ETC.

9-280(b)

THERE ARE WINDOWS ON THE BUILDING OF THIS PROPERTY THAT ARE BROKEN OR IN DISREPAIR, AND THERE IS A DOOR THAT IS IN DISREPAIR AS WELL.

Complied:

9-281(b)

THERE ARE DERELICT, INOPERABLE VEHICLES PRESENT ON THIS PROPERTY. SPECIFICALLY BLACK FORD RANGER PICK-UP TRUCK WITH FLAT TIRES.

9-304(b)

THERE ARE VEHICLES/TRAILERS PARKED ON GRASS COVERED SURFACE IN THE REAR YARD ON THIS PROPERTY.

Mr. McKelligett said the officer had a stipulated agreement with the owner to comply 18-27(a), 47-19.9 and 9-280(b) within 8 weeks or a fine of \$25 per day, per violation.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a), 47-19.9 and 9-280(b) within 8 weeks or a fine of \$25 per day, per violation.

Case: CE06111637

Continued from 7/5/07

Edward Carlisle Trust
1901 South Federal Highway

Mr. McKelligett announced that this case was first heard 3/1/07 to comply by 3/15/07 and 6/7/07. The compliance date for 47-22.6.F. had been extended from 4/5/07 to 7/5/07 and from 7/6/07 to 10/4/07; and the compliance date for 9-308(a) had been extended from 6/8/07 to 7/5/07 and from 7/6/07 to 10/4/07.

Mr. Edward Carlisle, owner, said he had worked with Inspector Eaton, and all the work was completed; they were just waiting for the permits to be closed out.

Mr. Dick Eaton, Code Enforcement Officer, said Mr. Carlisle had gone "above and beyond" and performed major renovations on this property. He recommended a 90-day extension.

Judge Hull granted a 105-day extension to 1/17/08 and said no fines would accrue in the interim.

Case: CE07060049

Ordered to reappear from 9/6/07

Alba Tylinski
2319 Northeast 35th Drive

Mr. McKelligett announced that the case was first heard 7/19/07, to comply by 8/2/07. The compliance date had been extended from 8/3/07 to 9/6/07 and from 9/7/07 to 10/4/07. The property was not complied.

Mr. Adam Feldman, Code Enforcement Officer, reported he had visited the property three times since the owner's last appearance. A dumpster was on the property and a fence had been erected without a permit, but some of the debris remained on the property despite the contractor's promise to remove it. Officer Feldman submitted photos of the property into evidence.

Mr. Jorg Hruschka, building inspector, said he had visited the site today and put a stop work order on the property because there was a missing tie beam creating an unsafe worksite. He remarked that there was also debris all over the site, resulting in an uneven work surface.

Mr. Chris Tylinski, owner, said the debris pointed out to him at the previous hearing had been cleaned up. He said he was unaware of the unsafe working conditions, and these were new violations. Officer Feldman said some of the original debris remained on the property.

Officer Hruschka recommended ordering the site to be cleaned up within 10 days, or a fine of \$250 per day.

Mr. Tylinsky said he now lived on the west coast, but promised he would stay "as long as it takes to clean up this mess."

Judge Hull granted an extension to 11/1/07 and ordered property owner to reappear 11/1/07.

Case: CE07060187

Stipulated agreement

Dennis Peters
1110 Northwest 6th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted [no date] and the officer had a stipulated agreement with the owner to comply.

Violations:

9-280(b)

THERE ARE BUILDING COMPONENTS (FASCIA BOARDS) IN DISREPAIR OF THE HOME ON THIS PROPERTY.

9-306

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

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply within 8 weeks or a fine of \$25 per day, per violation.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance within 8 weeks or a fine of \$25 per day, per violation.

Case: CE07061483

Stipulated agreement

Aaron Newman
750 Southwest 2nd Street

Mr. McKelligett announced that service was via posting on the property on 9/17/07 and at City Hall on 9/20/07 and the officer had a stipulated agreement with the owner to comply.

Violations:

9-280(f)

THE PLUMBING IS NOT IN GOOD WORKING ORDER. THE SEPTIC TANK BACKS UP INTO SOME OF THE APARTMENTS.

9-280(g)

SOME OF THE ELECTRIC OUTLETS WERE NOT WORKING, INCLUDING WATER HEATER.

9-278(g)

THERE ARE MISSING SCREENS ON SOME OF THE WINDOWS.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply by 11/16/07 or a fine of \$50 per day, per violation.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance by 11/16/07 or a fine of \$50 per day, per violation.

Case: CE07061737

Mary Jackson
1707 Southeast 12th Court

Mr. McKelligett announced that service was via posting on the property on 9/17/07 and at City Hall on 9/20/07.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
8-91(b)

THE DOCK AND SEA WALLS ARE IN DISREPAIR AND ARE
UNSAFE.

Officer Ackley reported that work was already underway, and recommended ordering compliance within 98 days or a fine of \$50 per day. He presented photos of the property and the case history into evidence.

Judge Hull found in favor of the City and ordered compliance within 98 days or a fine of \$50 per day.

Case: CE07081099

Stipulated agreement

R. L. & Ida Jackson
1204 Northwest 23rd Terrace

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

Violations:

18-27(a)

THE PROPERTY AND SWALE HAVE GRASS AND PLANT
OVERGROWTH ALONG WITH RUBBISH, TRASH AND DEBRIS.

24-27(b)

THE TRASH AND LAWN RECEPTACLES ARE LOCATED ON THE
FRONT LAWN OF THIS PROPERTY.

9-280(b)

THE WINDOWS AND WINDOW AWNINGS AND COVERINGS ARE
IN DISREPAIR.

9-306

THE OUTSIDE WALLS AND FASCIA BOARDS ARE DIRTY,
CHIPPED AND IN DISREPAIR.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply within 28 days, by 11/1/07 or a fine of \$25 per day, per violation.

Judge Hull found in favor of the City, approved the stipulated agreement and ordered compliance within 28 days, by 11/1/07 or a fine of \$25 per day, per violation.

Case: CE07081720

Berniece Lewis Estate
2720 Northwest 22nd Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/19/07.

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

THERE IS AN UNLICENSED/INOPERABLE WHITE CHEVROLET
VAN PARKED ON THE PROPERTY.

Officer Champagne submitted the case file into evidence and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to tow.

Judge Hull 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 white Chevrolet van.

Case: CE07070112

Olince Celestin
3128 Southwest 12th PL

Mr. McKelligett announced that service was via posting on the property on 9/18/07 and at City Hall on 9/20/07.

Mr. Thomas Clements, Fire Inspector, testified to the following violations:
NFPA 1 13.6.3.5

THERE IS NO STRIKING DEVICE FOR THE FIRE
EXTINGUISHER CABINET THAT IS MOUNTED OUTSIDE.

NFPA 10 6.3.1

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

Complied:

NFPA 1 1.7.6

THERE IS STORAGE IN THE ELECTRICAL METER ROOM.

Inspector Clements stated this was a life safety issue and recommended ordering compliance with NFPA 1 13.6.3.5 and NFPA 10 6.3.1 within 14 days or a fine of \$250 per day, per violation.

Judge Hull found in favor of the City and ordered compliance with NFPA 1 13.6.3.5 and NFPA 10 6.3.1 within 14 days or a fine of \$250 per day per violation.

Case: CE07070114

Charlotte & Joseph Deverteuil
307 Southwest 11th Avenue

Mr. McKelligett announced that service was via posting on the property on 9/18/07 and at City Hall on 9/20/07.

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

NFPA 1 1.7.6

THERE IS STORAGE IN THE ELECTRICAL METER ROOM.

Inspector Clements stated this was a life safety issue and recommended ordering compliance within 14 days or a fine of \$250 per day.

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

Case: CE07071465

Jose & Aimee Arevalo
3716 Southwest 13th Court

Mr. McKelligett announced that service was via posting on the property on 9/18/07 and at City Hall on 9/20/07.

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.

Inspector Clements stated this was a life safety issue and recommended ordering compliance within 14 days or a fine of \$250 per day.

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

Case: CE07071281

Tyler Tuchow
1553 Northwest 15th Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/26/07

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

9-279(f)

THE CITY WATER SERVICE TO THIS OCCUPIED BUILDING
HAS BEEN DISCONNECTED DUE TO NON-PAYMENT OF THE
ACCOUNT.

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

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

Case: CE03100702

Element Three Inc
2900 Southeast 6th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted [no date] and certified mail sent to the registered agent was accepted on 9/18/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
47-20.20 H.

THE PARKING LOT HAS MISSING AND FADED STRIPES AND
BROKEN AND/OR MISSING WHEEL STOPS.

Officer Eaton submitted photos of the property and the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day.

Case: CE07070155

Second Avenue LLC
3008 Southeast 4th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/24/07 and certified mail sent to the registered agent was accepted on 9/18/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violations:
9-280(f)

HOT WATER HEATER IS DAMAGED AND NOT WORKING,
DENYING TENANT ACCESS TO HOT WATER.

9-306

THE EXTERIOR OF THIS STRUCTURE HAS AREAS OF
MISSING AND PEELING PAINT.

Complied:

18-1

THERE ARE POOLS OF STAGNANT WATER ACCUMULATING INSIDE AND UPON AN INOPERABLE BOAT ON THIS PROPERTY, CREATING A BREEDING GROUND FOR MOSQUITOES AND THUS A HEALTH AND SAFETY ISSUE.

9-281(b)

THERE IS AN INOPERABLE BOAT ON TRAILER SITTING IN THE FRONT DRIVE.

Officer Eaton presented the case file into evidence and recommended ordering compliance with 9-280(f) and 9-306 within 28 days or a fine of \$50 per day, per violation. He said he had spoken with the property manager, who agreed to these terms.

Judge Hull found in favor of the City and ordered compliance with 9-280(f) and 9-306 within 28 days or a fine of \$50 per day, per violation.

Case: CE07081369

Jorge Cimitier & Beverly Lewis
1415 Southwest 3rd Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/11/07 and service was via posting on the property on 9/4/07 and at City Hall on 9/16/07.

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

18-27(a)

THE PROPERTY IS OVERGROWN AND STREWN WITH TRASH AND DEBRIS.

24-27(b)

THE GARBAGE RECEPTACLES ARE SITTING IN THE FRONT DRIVE OF THE PROPERTY.

47-19.9

THERE IS OUTDOOR STORAGE INCLUDING, BUT NOT LIMITED TO INDOOR TYPE FURNITURE AND AUTO RELATED ITEMS.

47-20.20.H.

THE PARKING LOT HAS BROKEN AND/OR MISSING WHEEL STOPS.

9-280(b)

THERE IS AN ENTRANCE DOOR TO ONE OF THE UNITS THAT IS DAMAGED AND IN DISREPAIR.

9-281(b)

THERE IS AN INSEPARABLE GOLD TOYOTA CAMRY IN THE FRONT OF THE PROPERTY.

9-314

THERE ARE CLOTHES DRAPED ON THE CHAIN-LINK FENCE.

Officer Eaton presented the case file and recommended ordering compliance with 18-27(a), 24-27(b), 47-19.9, 47-20.20.H., 9-280(b) and 9-314 within 14 days or a fine of \$50 per day, per violation, and with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow.

Judge Hull found in favor of the City and ordered compliance with 18-27(a), 24-27(b), 47-19.9, 47-20.20.H., 9-280(b) and 9-314 within 14 days or a fine of \$50 per day per violation, and with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the gold Toyota Camry.

Case: CE07081174

Jorge Cimitier & Beverly Lewis
1415 Southwest 3rd Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/11/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
9-279(f)

THERE IS NO CITY WATER SERVICE TO THIS OCCUPIED
RENTAL PROPERTY.

Officer Eaton presented the case file and recommended ordering compliance within 10 days or a fine of \$100 per day.

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

Case: CE07060573

Hearing to impose fine

United Realty Management Inc.
1400 Northwest 8th Avenue # A

Mr. McKelligett announced that the case was first heard on 8/2/07 to comply by 8/16/07: one section at \$100 per day. The property was complied and the City was requesting imposition of the \$2,700 fine.

Mr. Joseph Mondelli, owner, explained this was a Section 8 tenant who had signed a lease in February 2007. When Mr. Mondelli received notice of the violation, he had sent a letter to the tenant and copied the City, instructing the tenant to turn the water on or vacate the apartment. The tenant had left, but her furniture remained in the apartment for some time after she moved out. Mr. Mondelli explained to Judge Hull that the utilities and water were the tenant's responsibility, as stated in the lease.

Judge Hull said he had ordered in August that the water be provided regardless of what the lease stated. Mr. Mondelli said he had vacated the tenant instead of supplying the water in order to comply.

Ms. Irma Westbrook, Code Enforcement Officer, said Mr. Mondelli he had phoned her on 9/13 to inform her that the apartment was vacant. Mr. Mondelli located the section of the order that stated he could either provide water service or vacate the property in order to comply. Mr. Mondelli said the tenant had vacated sometime in July. Officer Westbrook said when she visited the property on August 17 there were curtains in the windows, and she could not tell if the property was vacant or not, but it appeared occupied to her, so she started the fines running.

Judge Hull imposed no fine.

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

Case: CE06010875 Continued from 7/5/07
Natchez Resort 1997 Ltd.
725 North Fort Lauderdale Beach Boulevard

Mr. McKelligett announced that the case was first heard on 4/6/06 with compliance ordered by 10/3/06. Time for compliance had been extended from 11/16/06 to 1/4/07, from 1/5/07 to 4/5/07, from 4/6/07 to 7/5/07, and from 7/6/07 to 10/4/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$32,250 fine and its continued accrual until the property was complied.

Case: CE06010877 Continued from 7/5/07
Natchez Resort 1997 Ltd
735 North Ft. Lauderdale Beach Boulevard

Mr. McKelligett announced that the case was first heard on 4/6/06 with compliance ordered by 10/3/06. Time for compliance had been extended from 11/16/06 to 1/4/07, from 1/5/07 to 4/5/07, from 4/6/07 to 7/5/07, and from 7/6/07 to 10/4/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$32,250 fine and its continued accrual until the property was complied.

Mr. Michael Liss, attorney, said the properties had been vacated and gutted and they were awaiting the issuance of the demolition permit. Mr. Liss requested until December 27 to update Judge Hull on the property's status. He hoped the buildings would be demolished by then.

Mr. Mario Sotolongo, Code Enforcement Officer, said he had inherited this case from another officer and had been instructed to request imposition of the full fine amounts

and the fines' continued accrual until the property was complied. He was unsure how long it would take for the demolition permit to be issued, or how long after that until the building would be demolished.

Mr. Liss explained the history of the case to Judge Hull, and stated originally the City had wanted the property brought into compliance, but then had changed its mind and wanted the property demolished. Mr. Liss said he had been granted the last extension on the condition that they apply for the demolition permits. Since then, he had applied for the permits, the properties were vacant and the utilities were cut off.

Judge Hull said he was concerned about the time that had elapsed during which Mr. Liss had not requested extensions. Mr. Liss said this has occurred under a previous attorney in the early stages of the case. He explained that they had originally hired contractors to provide estimates for all of the work that would be needed to comply the property, and then the City had wanted the property demolished. Mr. Liss said Judge Hull had granted the extensions with the City's acquiescence.

The Assistant City Attorney said the case was first heard in April 2006 and nothing had been done on the property since then. She said the City did not direct property owners how to comply their properties. The Assistant City Attorney said the City was requesting imposition of the fines and the continued accrual because there had been no effort to correct the violations either by repairing the property or demolishing the property. The Assistant City Attorney explained that after compliance was achieved staff would meet with the owner to discuss mitigating circumstances.

Mr. McKelligett clarified that the fines had only run at the beginning of the cases, from 10/3/06 to 11/16/06. The Assistant City Attorney suggested Judge Hull could ignore and the existing fines, and start the fines running as of now.

Mr. Liss requested an extension to December 27 2007 and hoped the demolition would be complete by then.

Judge Hull did not impose the existing fines, but granted no extension, so fines would begin to accrue on 10/5/07. He ordered Mr. Liss to attend the January 17, 2008 hearing to address the fines, and cautioned him to request an extension if the property would not be complied by the deadline. He later stated he was granting an extension to January 17, 2008.

Case: CE07012339

Hearing to impose fine

701 Gas Corp
701 West Broward Boulevard

Mr. McKelligett announced that this case was first heard 5/3/07 to comply by 8/23/07. The property was not complied, and the City was requesting imposition of the \$2,050 fine and its continued accrual until the property was complied.

Mr. William Snow, Code Enforcement Officer, reported the property was complied as of 10/3/07. He stated the owner had worked diligently to make the repairs and had been the victim of fraud with his first contractor, and recommended reducing the fines to \$200.

Judge Hull imposed a \$200 fine.

Case: CE07052072

Request for extension

Daina Scott
1307 Northwest 11th Court

Mr. McKelligett announced that this case was first heard 7/19/07 to comply by 9/20/07. The property was not complied, and the owner was requesting an extension.

Ms. Daina Scott, owner, reported that the property was now complied.

Ms. Cheryl Pingitore, Code Enforcement Officer, requested 10 days to reinspect the property and confirm compliance.

Judge Hull granted an extension to 11/1/07, and ordered the owner to attend that hearing to address the fines.

Case: CE06091655

Hearing to impose fine

William Wallace
1540 Northeast 3rd Avenue

Mr. McKelligett announced that this case was first heard 3/15/07 to comply by 3/29/07. Time to comply had been extended from 5/3/07 to 7/5/07, and from 7/6/07 to 9/6/07. The property was complied, and the City was requesting imposition of the \$3,400 fine

Ms. Nancy Pelosi, attorney, reminded Judge Hull that the deceased owner's nephew had not made the owner's widow aware of the violations, and had claimed ownership of the property when he had no legal claim to it. The owner first became aware of the violations when the property was foreclosed in January 2007. The owner had performed a title search and discovered that the nephew did not own the property, but her deceased husband had owned it. The widow then probated the estate and had become the titleholder of record in August 2007. Since then, the owner's son had worked to comply the property.

Ms. Irma Westbrook, Code Enforcement Officer, said she had heard from the deceased owner's son on May 3 inquiring about the violations, and she had informed him of what must be done to comply the property. Officer Westbrook confirmed that Ms. Pelosi had remained in contact with her, and that Mr. Wallace had performed all of the work on the property.

Judge Hull imposed no fine.

Case: CE07022265

Request for extension

Terry Benowitz
1509 Northeast 16th Avenue

Mr. McKelligett announced that this case was first heard 6/7/07 to comply by 7/12/07. The property was not complied, and the owner was requesting an extension.

Ms. Aretha Davis, Code Enforcement Officer, said the owner had informed her one of the hedges for which she had been cited belonged to a neighbor, so it was unclear if 47-21.8 C.1. was a violation against this property. Officer Davis withdrew this violation and any fines that had accrued for it. Officer Davis submitted photos of the property to Judge Hull.

Officer Davis said she had spoken with the owner on September 11 regarding another violation and learned the owner had been unaware of this case. Once she was aware of it she had worked diligently to comply the violation. Officer Davis recommended an extension to reinspect the property.

Ms. Terry Benowitz, owner, confirmed that the hedges belonged to her neighbor; he had planted them and maintained them. Judge Hull advised Ms. Benowitz to get a survey to prove this.

Officer Davis submitted the case history and notes into evidence.

Judge Hull granted an extension to 11/1/07 and ordered the owner to appear at that hearing to address the fines.

Case: CE07011608

Hearing to impose fine

Joseph Roberts
1710 Northwest 9TH Street

Mr. McKelligett announced that this case was first heard 5/3/07 to comply by 5/17/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$1,575 fine [reduced from \$3,150].

Mr. Joseph Roberts, owner, requested that no fine be imposed. He reminded Judge Hull of another case regarding another one of his properties for which Judge Hull had imposed no fine. He explained that this property was in the same situation as the previous property.

Judge Hull imposed no fine.

Case: CE06121706

Hearing to impose fine

Crown Liquors Of Broward, Inc.

1035 Northwest 9th Avenue

Mr. McKelligett announced that this case was first heard 8/2/07 to comply by 8/16/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting that no fine be imposed [reduced from \$1,350].

Judge Hull imposed no fine.

Case: CE06091445

Continued from 7/5/07

Nancy Sacks
3408 North Ocean Boulevard

Mr. McKelligett announced that this case was first heard 4/5/07 to comply by 7/5/07. Time for compliance had been extended from 7/6/07 to 10/4/07 and no fines had accrued to date.

Mr. Gavin Banta, attorney, reported they had closed on the property, and had applied for the board-up permit. They had hired a contractor, and a structural engineer to complete the drawings. He requested a 60-day extension to submit the drawings for permits.

Mr. Mario Sotolongo, Code Enforcement Officer, did not object to a 63-day extension.

Judge Hull granted a 63-day extension to 12/6/07 and said no fine would accrue in the interim. He ordered the owner to appear at the 12/6/07 hearing.

Case: CE06061892

Ordered to reappear from 9/6/07
to discuss fines

Scherry Jenkins
3000 North Federal Highway # 9

Mr. McKelligett announced that this case was first heard 9/7/06 to comply by 10/7/06. Time for compliance had been extended from 10/19/06 to 3/1/07, from 3/2/07 to 5/3/07, from 5/4/07 to 6/7/07, from 6/8/07 to 7/5/07, from 8/2/07 to 9/6/07 and from 9/7/07 to 10/4/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$1,900 fine and its continued accrual until the property was complied.

Mr. Luis Leon, contractor, reported that the structural repairs had been accomplished. They were now waiting for the concrete deck to cure sufficiently to install the roof. He explained the concrete company had been backed up due to the rain. He requested a 30-day extension.

Mr. Leonard Ackley, Code Enforcement Officer, did not object to the extension.

Judge Hull granted an extension to 12/6/07 and said no fines would accrue in the interim. He ordered the respondent to reappear at the 12/6/07 hearing to address the fines.

Case: CE07060447
National City Mortgage Co.
1026 Northeast 3rd Avenue

Hearing to impose fine

Mr. McKelligett announced that this case was first heard 8/2/06 to comply by 8/16/06. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$600 fine [reduced from \$3,500].

Ms. Dawn Meyna, realtor, said she had hired a contractor to board the property because it had been broken into several times. It has taken some time for the contractor to have the sewer and water lines capped to obtain the certificate.

Ms. Irma Westbrook, Code Enforcement Officer, said she recommended the reduction of the fine to \$600.

Judge Hull imposed a \$600 fine.

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

Case: CE06110489
Grif-Ko Apartments Inc.
2075 South Federal Highway

Ordered to reappear from 9/6/07
35-day extension requested

Mr. McKelligett announced that this case was first heard 1/18/07 to comply by 3/22/07. Time to comply had been extended from 4/19/07 to 6/21/07, from 6/22/07 to 8/16/07 and from 9/6/07 to 10/4/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$4,700 fine and its continued accrual until the property was complied.

Judge Hull granted an extension to 11/1/07 and ordered property owner to reappear 11/1/07 to discuss fines.

Case: CE06110492
Grif-Ko Apartments Inc.
2001 South Federal Highway

35-day Extension requested

Mr. McKelligett announced that this case was first heard 1/18/07 to comply by 3/22/07. Time to comply had been extended from 4/19/07 to 6/21/07, and from 6/22/07 to 8/16/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied.

Ms. Bell informed Judge Hull that the property and was now in litigation. She wanted to purchase the property, but two of the owners did not want to sell the property to her. Ms. Bell said they were awaiting the Special Master's decision on the case.

Ms. Cheryl Pingitore, Code Enforcement Officer, said she had complied the property on 7/19, but on 8/28 she revisited the property and found overgrowth and trash in the rear of the property. He presented photos of the property taken on 8/28. Ms. Bell said she had not understood that the rear of the property was in violation as well. She explained that two of the owners had no interest in the home and allowed people to dump things in the rear yard.

Judge Hull continued the case to 11/1/07, said no fines would accrue in the interim and ordered Ms. Bell and the owners to attend that hearing.

Case: CE06051145

Continued from 6/7/07

Adriana Nascimbeni
5712 Northeast 17th Terrace

Mr. McKelligett announced that this case was first heard 1/4/07 to comply by 3/1/07 and 4/5/07. Time to comply had been extended from 4/5/07 to 6/7/07 and from 6/8/07 to 10/4/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of an \$850 fine and its continued accrual until the property was complied.

Ms. Cleris Nascimbeni, owner, explained she had not had the money to make the repairs. She said her husband was not working due to a car accident.

Ms. Ingrid Gottlieb, Code Enforcement Officer, said she had inspected the property on 10/2/07, and there was still a lot of dead or missing grass. Mr. Nascimbeni had informed her they had put down some additional sod in the side and rear yards. Officer Gottlieb remarked that the overgrowth had been complied for some time. She said she was not opposed to allowing another two weeks to install the remaining sod.

Judge Hull granted a 2-week extension to 10/18/07 and ordered the owner to reappear at that hearing to address the fines.

Case: CE06102845

Hearing to impose fine

New Daniel Investments LLC
3001 North Ocean Boulevard

Mr. McKelligett announced that this case was first heard 4/5/07 to comply by 5/3/07. Time to comply had been extended from 6/21/07 to 8/23/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$2,225 fine and its continued accrual until the property was complied.

Mr. James Dundorf, owner, said he had not received notice that his case had been postponed from August to September, so he had missed the September hearing.

Mr. Dundorf said he planned to demolish the building and redevelop on the property. He requested 60 days to go through the development planning process and to make sure his development plan was viable.

Mr. Mario Sotolongo, Code Enforcement Officer, did not object to an extension.

Judge Hull granted an extension to 12/6/07 and said no fines would accrue in the interim. He ordered the owner to attend the 12/6/07 hearing to address the fines.

Case: CE07040317 Hearing to impose fine
Benito Delos Santos
1204 Northeast 11th Avenue

Mr. McKelligett announced that this case was first heard 7/19/07 to comply by 8/16/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$7,200 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$7,200 fine.

Case: CE06080917 Hearing to impose fine
Edward Hart
1700 Northwest 26th Avenue

Mr. McKelligett announced that this case was first heard 5/3/07 to comply by 8/2/07. Mr. McKelligett recited violations and compliance dates and said the property was complied and the City was requesting imposition of a \$525 fine.

Ms. Gladys Hart, the owner's wife, said the property was complied August 3, and she had notified Officers Torres, who advised her to call Officer Champagne. Officer Champagne was away and would not return for one week, so Ms. Hart had left voicemail messages, but he had never called her back. Ms. Hart confirmed she had done all the work herself.

Mr. Leonard Champagne, Code Enforcement Officer, confirmed the property was complied and he did not object to imposing no fine.

Judge Hull imposed no fine.

The hearing recessed from 12:15 to 12:40

Case: CE07060861 Hearing to impose fine
Jorge Cimitier & Beverly Lewis

1808 Southwest 11th Court

Mr. McKelligett announced that this case was first heard 7/19/07 to comply by 8/2/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$15,500 fine and its continued accrual until the property was complied.

Mr. Thomas Clements, Fire Inspector, stated the violations existed as cited. He recommended imposition of the fines, as there were people living on the property and this was a life safety issue.

Judge Hull imposed the \$15,500 fine and continued its accrual.

Case: CE07060875 Hearing to impose fine
Jorge Cimitier & Beverly Lewis
1816 Southwest 11 Court

Mr. McKelligett announced that this case was first heard 7/19/07 to comply by 8/2/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$15,500 fine and its continued accrual until the property was complied.

Mr. Thomas Clements, Fire Inspector, stated the violations existed as cited. He recommended imposition of the fines, as there were people living at the property and this was a life safety issue. Inspector Clements said service was via posting the property and he did not know if the owner was aware of the violation.

Judge Hull imposed the \$15,500 fine and continued its accrual.

Case: CE07061005 Hearing to impose fine
700 Southwest 15 Avenue LLC
700 Southwest 15th Avenue

Mr. McKelligett announced that this case was first heard 8/2/07 to comply by 8/16/07. Mr. McKelligett recited violations and compliance dates and said the property was complied and the City was requesting imposition of a \$500 fine.

Mr. Thomas Clements, Fire Inspector, stated the violations existed as cited.

Judge Hull imposed the \$500 fine.

Case: CE07040518 Stipulated agreement
David & Iris Chen
2721 Northeast 58th Street

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

Violations:

8-91(b)

THE BOAT DOCK IS IN DISREPAIR.

9-280(b)

THE WALL ON THE EAST SIDE OF THE PROPERTY HAS AN OPENING WHERE AN AIR CONDITIONING UNIT USED TO BE, CAUSING THE STRUCTURE TO NOT BE WATER TIGHT AND WEATHERPROOF.

9-280(h)

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

Mr. McKelligett said the officer had a stipulated agreement with the owner to comply 8-91(b) within 10 weeks or a fine of \$25 per day, 9-280(b) within 4 weeks or a fine of \$25 per day, and 9-280(h) within 4 weeks or a fine of \$100 per day.

Judge Hull found in favor of the City, approved the stipulation and ordered compliance with 8-91(b) within 10 weeks or a fine of \$25 per day, 9-280(b) within 4 weeks or a fine of \$25 per day, and 9-280(h) within 4 weeks or a fine of \$100 per day.

Case: CE07050156

Rose Pierre

4761 Northeast 19th Avenue

Mr. McKelligett announced that service was via posting on the property on 9/18/07 and at City Hall on 9/20/07.

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

18-27(a)

THE PLANT LIFE ON THE PROPERTY IS EXTREMELY OVERGROWN.

47-21.8.A.

THE PROPERTY IS COVERED WITH WEEDS.

Officer Gottlieb presented the case history and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

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

Case: CE07051416

Pedro Perez
2911 Northeast 55th Place

Mr. McKelligett announced that service was via posting on the property on 9/17/07 and at City Hall on 9/20/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:
9-280(h)

THE POOL WATER IS GREEN AND DIRTY.

Officer Gottlieb presented the case history and recommended ordering compliance within 14 days or a fine of \$100 per day.

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

Case: CE07051427

John Burkett
2701 Northeast 49th Street

Mr. McKelligett announced that service was via posting on the property on 9/14/07 and at City Hall on 9/20/07.

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

THERE IS A WHITE COMMERCIAL TRUCK AND A BLACK
SCOOTER WITH EXPIRED TAGS ON THIS PROPERTY.

Officer Gottlieb presented the case history and recommended ordering compliance within 14 days or a fine of \$100 per day with the right to tow.

Judge Hull found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day with the right to tow the commercial truck and the black scooter.

Case: CE07061805

Wells Fargo Bank Trustee
C/O HomeQ Servicing Corp.
1811 Northeast 57th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/19/07.

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

THERE ARE WEEDS AND BARE AREAS OF LAWN COVER ON
THE ENTIRE PROPERTY.

9-280(h)

THE POOL IS NOT BEING MAINTAINED. THE WATER IS GREEN AND UNCIRCULATING, CREATING A BREEDING PLACE FOR MOSQUITOES.

Officer Gottlieb presented the case history and recommended ordering compliance with 47-21.8.A. within 14 days or a fine of \$25 per day and with 9-280(h) within 14 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance with 47-21.8.A. within 14 days or a fine of \$25 per day and with 9-280(h) within 14 days or a fine of \$100 per day.

Case: CE07051361

Bilkis Bawaney
1015 Northwest 7th Terrace

Mr. McKelligett announced that service was via posting on the property on 9/14/07 and at City Hall on 9/20/07.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violation:
9-328(a)

BUILDING OPENING HAS BEEN SECURED WITHOUT A VALID AND CURRENT BOARDING CERTIFICATE.

Officer Westbrook submitted photos of the property and the inspection report and recommended ordering compliance within 35 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day.

Case: CE07050677

Justina Bryan
1535 Northwest 8th Avenue

Mr. McKelligett announced that service was via posting on the property on 9/14/07 and at City Hall on 9/20/07.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THE CHAIN-LINK FENCE IS IN DISREPAIR.

Complied:

24-27(b)

THE TRASH CARTS ARE LEFT OUT IN PUBLIC VIEW AFTER TRASH PICK-UP.

9-304(b)

THE PARKING STRIPES ARE FADED OR MISSING.

Officer Westbrook submitted photos of the property and the inspection report and recommended ordering compliance with 9-280(h)(1) within 14 days or a fine of \$25 per day.

Judge Hull found in favor of the City and ordered compliance with 9-280(h)(1) within 14 days or a fine of \$25 per day.

Case: CE07070584

Evian Cuellar & Cecilio Matias
701 Northeast 17th Court

Mr. McKelligett announced that service was via posting on the property on 9/17/07 and at City Hall on 9/20/07.

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

THERE IS OVERGROWTH, RUBBISH AND DEBRIS ON THE
SWALE.

Officer Westbrook explained that the overgrowth had been cut, but there was still debris on the swale. She submitted photos of the property and the inspection report and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE07071277

Thomas Glasson
1545 Northeast 1st Avenue

Mr. McKelligett announced that service was via posting on the property on 9/14/07 and at City Hall on 9/20/07.

Ms. Irma Westbrook, Code Enforcement Officer, testified to the following violations:
9-280(b)

THE WINDOWS ON THIS PROPERTY ARE IN DISREPAIR.
THE WINDOWS ARE BROKEN.

9-305(b)

LANDSCAPE NOT BEING MAINTAINED. THE HEDGES ARE
OVERGROWN AND WEED INFESTED.

Complied:

18-27(a)

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON

THE PROPERTY AND SWALE.

9-328(a)

THE DOORS, WINDOWS AND OTHER OPENINGS ARE BROKEN,
SO AS TO ALLOW ACCESS TO THE INTERIOR.

Withdrawn:

9-276(c)(2)

THE WATER IN THE POOL IS GREEN AND STAGNANT
CREATING AN UNSAFE, UNSANITARY CONDITION.

Officer Westbrook submitted photos of the property and the inspection report and recommended ordering compliance with 9-280(b) and 9-305(b) within 14 days or a fine of \$25 per day, per violation.

Judge Hull found in favor of the City and ordered compliance with 9-280(b) and 9-305(b) within 14 days or a fine of \$25 per day, per violation.

Case: CE07080514

Jack Rust Trust

1107 Northeast 9th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted [no date].

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

OVERGROWTH ON THE PROPERTY AND PARKING AREA.

Officer Davis presented photos of the property and the case history and recommended ordering compliance within 10 days or a fine of \$50 per day.

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

Case: CE07070506

North Gate LLC

1100 North Federal Highway

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/6/07 and certified mail sent to the registered agent was accepted on 9/5/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
47-22.3.S

EXXON GAS STATION CONTINUOUSLY DISPLAYING ILLEGAL,
PROHIBITED SNIPE SIGNS.

Complied:

47-22.3.C

**EXXON GAS STATION CONTINUOUSLY DISPLAYING ILLEGAL,
UNPERMITTED BANNERS.**

Officer Davis presented photos of the property and the case history and recommended ordering compliance with 47-22.3.S within 10 days or a fine of \$50 per day.

Judge Hull found in favor of the City and ordered compliance with 47-22.3.S within 10 days or a fine of \$50 per day.

Case: CE07080317

Glenn Wright Construction & Development Inc
1604 Northeast 17th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/18/07 and certified mail sent to the registered agent was accepted on 9/18/07.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
9-280(h)(2)

POOL CONTAINS BLACK, STAGNANT WATER WITH DRAGON
FLIES CIRCLING, INDICATING MOSQUITOES AND/OR
LARVAE.

Complied:
24-11(a)

THERE IS NOT A SUITABLE CONTAINER ON SITE FOR THE
LOOSE, UNSECURED CONSTRUCTION DEBRIS.

Officer Davis said she had spoken to the owner several times regarding the condition of the pool. She presented photos of the property and the case history and recommended ordering compliance with 9-280(h)(2) within 10 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance with 9-280(h)(2) within 10 days or a fine of \$100 per day.

Case: CE07080396

HSBC Bank USA
1230 Northeast 11th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/7/07.

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

PROPERTY HAS OVERGROWTH, RUBBISH, TRASH AND DEBRIS
THAT IS ATTRACTING RODENTS AND VERMIN.

Officer Davis reported that the address of this property was previously listed on the Broward County property appraiser's web site as 1228 Northeast 11th Avenue, but the

folio, block and lot number were the same. There had been citations at that address for overgrowth as well. Officer Davis presented photos of the property and the case history and recommended ordering compliance within 10 days or a fine of \$150 per day.

Judge Hull found in favor of the City and ordered compliance within 10 days or a fine of \$150 per day.

Case: CE07051805 Hearing to impose fine
US Bank NA
6340 Northwest 32nd Avenue

Mr. McKelligett announced that this case was first heard 8/2/07 to comply by 8/16/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$1,200 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$1,200 fine and continued its accrual.

Case: CE07030796 Hearing to impose fine
D. F. & Rosa Dudley
2100 Northwest 28th Terrace

Mr. McKelligett announced that this case was first heard 7/19/07 to comply by 8/23/07. Mr. McKelligett recited violations and compliance dates and said 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.

Judge Hull imposed the \$2,050 fine and continued its accrual.

Case: CE07030483 Hearing to impose fine
Richard Hinton
2900 Northwest 20th Street

Mr. McKelligett announced that this case was first heard 6/21/07 to comply by 7/26/07. Mr. McKelligett recited violations and compliance dates and said the property was complied and the City was requesting imposition of a \$700 fine.

Judge Hull imposed the \$700 fine.

Case: CE06120594 Ordered to reappear from 9/6/07
Smallwoods 13 LLC to discuss fines
1672 Southeast 10TH Avenue

Mr. McKelligett announced that this case was first heard 2/15/07 to comply by 4/16/07. Time to comply had been extended from 4/17/07 to 5/16/07, from 5/17/07 to 6/21/07,

from 7/5/07 to 9/6/07 and from 9/7/07 to 9/21/07. Mr. McKelligett recited violations and compliance dates and said the property was complied and the City was requesting no fine be imposed.

Judge Hull imposed no fine.

Case: CE07041141

Hearing to impose fine

Claudette Renalls
1212 Northwest 7TH Street

Mr. McKelligett announced that this case was first heard 8/16/07 to comply by 8/30/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$15,200 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$15,200 fine and continued its accrual.

Case: CE07011999

Hearing to impose fine

Tipapou Etienne
3134 Southwest 15TH Court

Mr. McKelligett announced that this case was first heard 6/21/07 to comply by 8/23/07. Mr. McKelligett recited violations and compliance dates and said 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.

Judge Hull imposed the \$1,025 fine and continued its accrual.

Case: CE07041065

Hearing to impose fine

Althea & Bernard Graves
3751 Southwest 23 Street

Mr. McKelligett announced that this case was first heard 8/16/07 to comply by 8/30/07. Mr. McKelligett recited violations and compliance dates and said the property was not complied and the City was requesting imposition of a \$6,800 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$6,800 fine and continued its accrual.

Case: CE07012041

Hearing to impose fine

H. R. & Judy Moody
3110 Southwest 21ST Street

Mr. McKelligett announced that this case was first heard 8/2/07 to comply by 8/16/07. Mr. McKelligett recited violations and compliance dates and said 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.

Judge Hull imposed the \$4,800 fine and continued its accrual.

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:

CE07071206	CE07081405	CE07061078	CE07070307
CE07071597	CE07060953	CE07081500	CE07071410
CE07070664	CE07071249	CE07080963	CE07070106
CE07082022	CE07082028	CE07082029	CE07070348
CE07071328	CE07081162	CE07081164	CE07081621
CE07051092	CE07070097	CE07081240	CE07081299
CE07090291	CE07071658	CE07080738	CE07080827
CE07081304	CE07081407	CE07081522	CE07081583
CE07081697	CE07081713	CE07081706	CE07041750
CE07050157	CE07052012	CE07061342	CE07070439
CE07080314	CE07080395		

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:

CE07051406	CE07071662	CE07071257	CE07071403
CE07080670	CE07082025	CE07041641	CE07071746
CE07081173	CE07070577	CE07080136	CE07080809
CE07081274	CE07081611	CE07040381	CE07080721

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:

CE07071132 CE07081711

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:

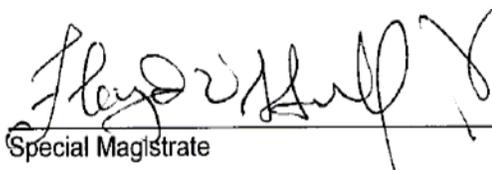
CE07050575

Cases Closed

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

CE06111107

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


Special Magistrate

ATTEST:


Clerk, Special Magistrate