

**SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Meah Rothman-Tell Presiding
October 18, 2007
9:00 A.M. – 1:30 P.M.**

Staff Present:

Brian McKelligett, Clerk of Special Magistrate Supervisor
Sue Manning, Secretary, Special Magistrate
Mary Allman, Secretary Special Magistrate
Assistant City Attorney
Lindwell Bradley, Code Enforcement Supervisor
Peggy Burks, Code Enforcement Supervisor
Leonard Champagne, Code Enforcement Officer
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
Karl Lauridsen, Landscape Inspector
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Bill Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Irma Westbrook, Code Enforcement Officer

Also Present:

CE07040842: Bernard Petreccia, owner
CE06072243: Brian Burns, contractor; William Cohen, attorney; David Hered, owner
CE07081377: David Shanks, owner
CE06080035: Hope Calhoun, attorney
CE06091641: Gladys Hart, owner
CE07090511: Roger Livingston, owner
CE06111095: Daniel Kaleky, contractor
CE07051417: Jennifer Ashlin, owner
CE07050964: Brent Bowden, owner
CE07050099: Mark Steinberger, owner
CE07071652: Steven Kates, owner; Terrence Sumnicht, neighbor; John Hajjar, neighbor
CE07081990: Raul Briceno, owner
CE06021604: Adrian Bino, owner
CE07071079: David Jackson, tenant
CE06111652, 06111136: Arturo Bengochea, architect
CE05120358: Shimon Mazar, owner; Andrew Levy, manager

CE07060614: Gustav Hosbach, owner
CE07060696: Maurice Walker, owner
CE07090095: Andre Robinson, owner
CE07041070: Magda Sedra, owner
CE05120654: Douglas Bell, attorney
CE06111585: John Aurelius, attorney; Lior Avidor, tenant; Frank Mormanos, contractor
CE07091245: Neil Schiller, attorney; Michael Guerriori, owner
CE07061924: Sandra Reus, representative of the owner
CE06081765: Alvin Johnson, owner
CE06020579: Brian Murphy, owner
CE06121060: Elva Barger, owner
CE06051145: Cleris Nascimbeni, owner
CE07011741: Mark Mazzurco, real estate agent
CE06110572: Kevin Court, owner
CE06101076: Alzena McCall, owner
CE07031488: John Carter, owner; Zennon Mierowa, contractor
CE07020506: Leo Hansen, architect
CE07041847: Providence DeLiard, owner
CE07040432: Nader Hmeidon, 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: CE07071652

The Isles at Coral Ridge
Condo Association Inc.
1400 Northeast 56th Street

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 10/1/07.

Adam Feldman, Code Enforcement Officer, testified to the following violation:
47-19.5.D.5.

THE CONCRETE BUFFER WALL ON THE PROPERTY IS IN
DISREPAIR, IN THAT THERE ARE BROKEN/MISSING
CONCRETE SLATS AND ALSO A LARGE SECTION OF WALL ON
THE SOUTH SIDE OF THE PROPERTY THAT IS MISSING AND
NEEDS TO BE REPLACED.

Officer Feldman presented photos of the property into evidence.

Mr. Steven Kates, owner, stated he had a signed contract with the fencing company to repair the fence, and the contractor had already hired an engineer. Until the repairs were made they would secure the property by other means. Mr. Kates anticipated the project would be complete within 45 days, and requested additional time.

Officer Feldman submitted the inspection report to Ms. Tell and recommended ordering compliance within 45 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 49 days or a fine of \$100 per day.

Case: CE07071079

Flora James
1527 Northwest 11th Place

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

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

THERE IS AN UNLICENSED/INOPERABLE PURPLE CHEVY S10
PICK UP STORED ON THIS PROPERTY.

Officer Cross presented photos of the property and recommended ordering compliance within 10 days or a fine of \$100 per day, with the right to tow the vehicle.

Mr. David Jackson, tenant, agreed to comply within 10 days.

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 purple Chevrolet S-10 pickup.

Case: CE06091641

Continued from 6/21/07

Etoe Hart
740 Northwest 20th Avenue

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

Mr. Lindwell Bradley, Code Enforcement Supervisor, testified to the following violation:
9-329(d)

THE REQUIRED CERTIFICATE FOR THE BOARDED BUILDING
HAS NOT BEEN OBTAINED.

Supervisor Bradley presented photos of the property and the case history and recommended ordering compliance within 63 days or a fine of \$25 per day.

Ms. Gladys Hart, the deceased owner's daughter-in-law, explained they must locate all of the heirs in order to complete probate, and she had refinanced her home to accomplish this. She stated she could not be certain how long this would take. Ms. Hart provided her address so she could be noticed with all future correspondence regarding this case.

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

Case: CE07020506

First Church of Christ Scientist
1005 South Federal Highway

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

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
47-22.6.F.

THERE IS A SIGN IN DISREPAIR.

Officer Ackley presented photos of the property and the case history and recommended ordering compliance within 35 days or a fine of \$25 per day.

Mr. Leo Hansen, architect, explained that the plastic sign was wind storm damaged. He said they intended to move the sign, and were awaiting permits to do this. In the meantime, they had applied for a building permit to use the existing sign with temporarily affixed plastic letters.

Ms. Tell found in favor of the City and ordered compliance within 35 days, by 11/22/07, or a fine of \$25 per day.

Case: CE07090511

R.P. & Marguerite Livingston
801 Southwest 18th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/29/07.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
25-100.(a)

THERE ARE SEVERAL LARGE FLOWER POTS THAT ARE
NON-PERMITTED OBSTRUCTIONS IN THE RIGHT OF WAY IN
FRONT OF THIS PROPERTY.

Officer Eaton presented photos of the property and said he had spoken to the owner's son to explain why the flower pots could not remain.

Mr. Roger Livingston, owner, said he had installed the flower pots to protect the sod the City had planted in the right-of-way. Officer Eaton said the owners did not have the right to prevent anyone from parking on City right-of-way. He recommended ordering compliance within 14 days or a fine of \$25 per day. Mr. Livingston presented photos of other properties in the neighborhood in the same situation, and said he did not appreciate having been singled out for the citation.

Mr. Lindwell Bradley, Code Enforcement Supervisor, advised Mr. Livingston he could install some alternative to prevent cars from parking on the right-of-way.

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

Case: CE07050099

Mark Steinberger
1243 Northeast 11th Avenue

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

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

47-20.2.A.

PROPERTY DOES NOT MEET MINIMUM PARKING SPACE
REQUIREMENTS AS SPECIFIED IN TABLE 1 FOR A
BAR/NIGHTCLUB.

47-20.20.J.

PARKING SPACES WERE CHANGED WITHOUT PERMITS OR
APPROVAL AND DO NOT MEET ULDR REQUIREMENTS.

47-20.4 B.1.

OFF-SITE PARKING THAT HAS NOT BEEN PERMITTED OR
APPROVED.

Officer Davis explained there was a very unusual parking situation at this property. She stated the tenant had decided to vacate the property.

Mr. Mark Steinberger, owner, said he had met with Don Morris and Officer Davis the previous day. He stated the violations were complied with the exception of the parking lot striping, which required a permit. He requested 60 days to comply. Officer Davis reminded Mr. Steinberger that at the meeting he had been advised to have a survey done to ensure that the rear deck had not encroached upon existing parking spaces.

Officer Davis explained that Mr. Steinberger must bring the parking spaces back into compliance as they were originally permitted. Once the tenant had vacated, Officer Davis must also confirm that the interior space was being used only for storage. She recommended ordering compliance within 91 days, by 1/17/2008. Ms. Tell advised Mr. Steinberger to file a written request for an extension if he could not comply by the ordered date.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$50 per day, per violation.

Case: CE06101076

Alzena McCall Ceasar
429 Northwest 22nd Avenue

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

Adam Feldman, Code Enforcement Officer, testified to the following violation:
9-306

THERE ARE AREAS OF FASCIA BOARD AND SOFFIT THAT ARE ROTTED AND IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR WALLS THAT ARE IN DISREPAIR IN THAT LARGE AREAS OF STUCCO ARE MISSING AND THERE ARE AREAS OF MISSING/PEELING PAINT.

Complied:

9-280(g)

ELECTRICAL FIXTURE NEAR THE FRONT ENTRANCE IS MISSING AND HAS EXPOSED WIRES.

Officer Feldman explained that the owners were trying to go through the Community Economic Development Department to rehabilitate the property, but there were title problems with the property. He recommended ordering compliance with 9-306 within 42 days or a fine of \$25 per day. Officer Feldman presented the photos and the inspection report to Ms. Tell.

Ms. Alzena McCall, owner, said she understood what must be done to comply the property. Ms. McCall's daughter, Phoebe, explained that someone would be supplying the paint by the first of November. Ms. Tell suggested 63 days instead of 42.

Ms. Tell found in favor of the City and ordered compliance with 9-306 within 63 days or a fine of \$25 per day.

Case: CE07091245

A.G. Florida Realty LLC
3245 South Andrews Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 10/4/07.

Violation:
25-100(a)

NON-PERMITTED GATE BLOCKING THE CITY RIGHT OF Way
IN THE ALLEY AT THE REAR OF THE PROPERTY.

Mr. Neil Schiller, attorney, said the property was in a commercial/industrial area and was rented to tenants. Mr. Schiller said the gate had been in place prior to his client's purchase of the property in 1976. He presented a permit for the fence dated 1975. Mr. Schiller said there had never been an issue with this gate until an adjacent property owner who had been at his location since 1991 had filed a complaint earlier this year. Mr. Schiller requested a 91-day continuance to file an application with the Right-of-way Committee to vacate that portion of the alleyway where the fence was located.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$50 per day.

Case: CE07011741

Hearing to impose fine

Columbia Living Trust/
Adam Mackenzie, trustee
5740 Northeast 18th Avenue

Mr. McKelligett announced that the case was first heard on 6/7/07 to comply by 7/5/07 and 9/27/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$3,775 fine and its continued accrual until the property was complied.

Mr. Mark Mazzurco, real estate agent, stated he had power of attorney to represent Simon Underwood, the owner of the property. He explained that the public records did not indicate the proper ownership information, so Mr. Underwood had not received notice of the violations. Mr. Mazzurco said as soon as the owner was aware of the violations he had made the repairs. He presented photos to Ms. Tell and said the repairs had been made six months ago.

Ms. Tell advised Mr. Mr. Mazzurco to confer with Officer Gottlieb.

Upon returning to the case, Code Supervisor Lindwell Bradley stated he and the owner had agreed to a 49-day extension.

Ms. Tell granted a 49-day extension for 47-20.20.H and advised Mr. Mazzurco to appear to request reduction of the fines.

Case: CE07031488

Request for extension

John & Amy Carter
694 Middle River Drive

Mr. McKelligett announced that the case was first heard on 9/20/07 to comply by 10/18/07. Mr. McKelligett stated five violations on the property were still not complied.

Mr. John Carter, owner, reported he had a contract to sell the house on 10/26/07. If the house did not sell, he said he had already obtained bids to demolish the house. Mr. Carter said the new owner intended to demolish the house.

Ms. Aretha Davis, Code Enforcement Officer, stated she did not object to an extension to allow time to close on the property. She said the City would need to create a new case against the new owner once the house changed hands. Officer Davis said she was not insisting on compliance because she was aware that either the present or the new owner would demolish the property.

Ms. Tell informed Mr. Carter that once she entered an order, sale of the house would not remove his responsibility to comply the violations, or he would be fined.

Ms. Tell granted a 14-day extension for 18-27(a), and a 91-day extension for 9-280(b), 9-306 and 9-308(a).

Case: CE07090095

Andre Robinson
2508 Southwest 34th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/21/07.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:
9-304(b)

THERE ARE VEHICLES CONSTANTLY PARKING ON THE LAWN
AT THIS PROPERTY.

BCZ 39-275(7)(a)

THERE ARE COMMERCIAL VEHICLES PARKED ON THIS
PROPERTY WITH THE BUSINESS LOGO ADVERTISED ON THE
SIDES.

BCZ 39-280.

THERE IS MECHANICAL WORK BEING PERFORMED AT THIS
PROPERTY WORKING ON BOATS.

BCZ 39-572.(b)

THERE ARE TWO BOATS STORED IN FRONT OF THIS
PROPERTY.

Officer Cross informed Ms. Tell that the property was currently complied, but had come in and out of compliance several times. He therefore recommended ordering compliance within 14 days or a fine of \$100 per day, per violation.

Mr. Andre Robinson, owner, promised to keep the property complied in the future.

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

Case: CE07041847

Hearing to impose fine

Providence DeLiard
1633 Northwest 8th Avenue

Mr. McKelligett announced that the case was first heard on 6/21/07 to comply by 7/5/07 and 7/19/07. The compliance date had been extended from 8/16/07 to 9/20/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of an \$850 fine [reduced from \$4,250]

Mr. Providence DeLiard, owner, stated he was not working, and suffered from diabetes.

Ms. Irma Westbrook, Code Enforcement Officer, said after she met Mr. DeLiard at the property to explain what must be done, had he had taken care of all of the violations.

Ms. Tell imposed a \$260 fine.

Case: CE07081377

David & Flora Belle Shanks
520 Northwest 21st Avenue

Mr. McKelligett announced that service was via posting on the property on 9/14/07 and at City Hall on 10/4/07.

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

18-27(a)

THE YARD IS OVERGROWN WITH GRASS AND WEEDS. THERE IS ROOFING DEBRIS AND OTHER TYPES OF SOLID WASTE ON THE PROPERTY.

Officer Snow said he had spoken with Mr. Shanks, and they had agreed to his recommending compliance be ordered to within 21 days or a fine of \$25 per day. Officer Snow presented photos of the property to Ms. Tell.

Mr. David Shanks, owner, said he understood what must be done to comply the property. Ms. Tell cautioned him to request an extension in writing prior to November 8, if he could not comply in time.

Ms. Tell found in favor of the City and ordered compliance within 21 days or a fine of \$25 per day.

Case: CE07081380

David & Flora Belle Shanks
520 Northwest 21st Avenue

Mr. McKelligett announced that service was via posting on the property on 9/14/07 and at City Hall on 10/4/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violations:
9-306

THE PAINT ON THE FRONT DOOR IS STAINED AND FADED.
THERE IS PEELING PAINT ON THE DOOR FRAME.

9-307(a)

THERE ARE ONE OR MORE BROKEN WINDOWS.

9-308(a)

THE ROOF IS NOT SAFE, SECURE AND WATERTIGHT. THE
ROOF DECKING ABOVE THE FRONT PORCH IS ROTTED AND
WATER STAINED. THERE ARE ROTTED ROOF RAFTERS
ABOVE THE FRONT PORCH.

Officer Snow said he had discussed this case with Mr. Shanks as well, and he had agreed to recommend ordering compliance with 9-306 and 9-307(a) within 35 days or a fine of \$25 per day, per violation, and with 9-308(a) within 63 days or a fine of \$25 per day.

Mr. David Shanks, owner, stated he would be able to complete the work in the allotted time.

Officer Snow submitted photos of the property and the case file into evidence.

Ms. Tell found in favor of the City and ordered compliance with 9-306 and 9-307(a) within 35 days or a fine of \$25 per day, per violation, and with 9-308(a) within 63 days or a fine of \$25 per day.

Case: CE07081990

LHP Intracoastal II LLC
1518 Northeast 11th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 10/1/07 and certified mail sent to the registered agent was accepted on 10/1/07.

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

OVERGROWTH ALONG THE SWALE.

24-11(d)

LOOSE AND UNSECURED SOLID WASTE AND CONSTRUCTION
DEBRIS ON SITE FOR MORE THAN 24 HOURS.

Officer Davis submitted photos of the property into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Mr. Raul Briceno, owner, requested 30 days to comply. He explained he was awaiting the City's approval on plans for construction on the property. Mr. Briceno said most of the debris on the property was not generated on the site, but was thrown there by passersby.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, per violation.

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

Case: CE06111652
D. & Marion Mann
1541 Cordova Road

Request for extension

Mr. McKelligett announced that the case was first heard on 4/15/07 to comply by 6/7/07. The compliance date had been extended from 7/19/07 to 9/20/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$3,400 fine. The respondent was requesting an extension.

Mr. Arturo Bengochea, architect, stated this property was almost complied. He requested 30 days to have the valet parking agreement approved with the City, or they would remove the tables to comply.

Ms. Tell granted a 35-day extension to 11/22/07 and stopped the fines from accruing.

Case: CE06111136
Quarterdeck Properties LC
2933 East Las Olas Boulevard

Request for extension

Mr. McKelligett announced that the case was first heard on 2/15/07 to comply by 4/19/07. The compliance date had been extended from 5/17/07 to 6/21/07 and from 8/20/07 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 \$4,050 fine. The respondent was requesting an extension.

Mr. Arturo Bengochea, architect, requested to 35-day extension. He said they would remove the tables at this property.

Ms. Tell granted a 35-day extension to 11/22/07 and stopped fines from accruing.

Case: CE05120358

FLM Properties Inc.
1605 Northwest 7th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 10/1/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:
9-308(b)

THE ROOF IS NOT MAINTAINED IN A CLEAN CONDITION.
THERE IS A BLACK TARP ON THE ROOF.

Mr. Shimon Mazar, owner, requested time to determine whether the roof could be repaired or must be replaced.

Officer Snow presented photos of the property and explained that the damage dated to hurricane Wilma in 2005. He recommended ordering compliance within 63 days or a fine of \$50 per day.

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

Case: CE06110572

Ordered to reappear

Kevin & Deena Court
6800 Northwest 26th Terrace

Mr. McKelligett announced that the case was first heard 5/17/07, to comply by 6/21/07. The compliance date had been extended from 6/22/07 to 7/5/07 and from 8/16/07 to 10/18/07. Mr. McKelligett recited violations and compliance dates and stated 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.

Mr. Kevin Court, owner, said the entire house had new stucco and new fascia. He only needed to repaint. He requested a 35-day extension to complete the painting.

Mr. William Snow, Code Enforcement Officer, explained the code specified that stucco must be painted in order to comply.

Ms. Tell granted a 35-day extension to 11/22/07 and stopped the fines from accruing.

Case: CE06072243

Hearing to impose fine

David Hered
200 Rose Drive

Mr. McKelligett announced that the case was first heard 5/17/07, to comply by 8/16/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$475 fine.

Mr. William Cohen, attorney, claimed that the issue of a fine was never brought up at any hearing he attended.

Mr. Cohen reported his client had been harassed because the notice was affixed to his client's home and had marred the paint. He said his client was being further harassed by a new notice of violation regarding a plastic box containing accessories on the property. Mr. Cohen requested that an inspector other than Mr. Ackley continue with this case and said he would take this up with the City.

Mr. Cohen stated, "Fines were never assessed; there were never findings of fact or conclusions of law. My client's in full compliance. We respectfully request that all fines be waived."

Mr. Leonard Ackley, Code Enforcement Officer, explained to Ms. Tell that the property had been posted because the certified mail had not been accepted. Mr. David Hered, owner, said he had received the notice of violation in the mail prior to this.

Mr. Lindwell Bradley, Code Enforcement Supervisor, objected to Mr. Cohen's argument regarding Officer Ackley.

Mr. Cohen stated his client had complied in a timely manner and the compliance date was delayed because he had waited for Officer Ackley to reinspect the property. Ms. Tell advised Mr. Cohen and Mr. Hered to confer with Supervisor Bradley.

Ms. Tell remembered that the pump had been permitted by the City and the owner had been surprised to discover that it was located improperly. She believed they should consider not imposing the fine because of this. Supervisor Bradley conferred with Officer Ackley.

Upon returning to the case, Supervisor Bradley stated he strongly objected to Mr. Cohen's character assassination of any Code Department personnel. He admitted there seemed to be some inconsistencies in the case paperwork that would require research of the audio records, and stated they would accept the recommendation Ms. Tell had made earlier. Supervisor Bradley added that there were additional issues at this property and the City would go forward regarding these issues.

Ms. Tell defended Officer Ackley's actions in response to the neighbor's complaint about Mr. Hered's property, stating this was Officer Ackley's job. She said she did not believe there was any personal vendetta on Officer Ackley's part.

Ms. Tell reminded Mr. Cohen that the goal of Code Enforcement was compliance, and advised him that regarding the other matter, his client should concentrate on effectuating compliance.

Ms. Tell imposed no fine.

Case: CE06111095

Hearing to impose fine

Peter Sobelevsky
1006 Northwest 6th Avenue

Mr. McKelligett announced that the case was first heard 2/1/07, to comply by 3/1/07. The compliance date had been extended from 4/5/07 to 5/24/07 and from 7/5/07 to 8/2/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$2,950 fine [reduced from \$6,100]

Mr. Daniel Kaleky, contractor, stated he had been hired by the owner to board the property and had done so on April 24, 2007. He explained that that the process to obtain the board-up certificate had taken much longer. Mr. Kaleky did not know if the owner had requested an extension.

Ms. Irma Westbrook, Code Enforcement Officer, said she had heard from the owner on 9/22/07, who told her he would send a representative to this hearing. Officer Westbrook said Mr. Kaleky had informed her in August that he was applying for the board-up certificate. Mr. Kaleky requested further reduction of fine on behalf of the owner. Ms. Tell advised Mr. Kaleky to phone the owner to determine if there were any additional extenuating circumstances to warrant further reduction of fine.

Upon returning to the case, Mr. Kaleky reported he had spoken with the owner, who lived in New York and had been unaware of the proper procedure to comply the property. The next-door tenant had recommended Mr. Keleky to the owner to rectify the problem. Officer Westbrook reiterated the City's request that the \$2,950 fine be imposed.

Ms. Tell imposed a \$1,500 fine.

Case: CE07060614

Hearing to impose fine

Gus & Chris Hosbach
2122 Northwest 7th Court

Mr. McKelligett announced that the case was first heard on 8/2/07 to comply by 9/13/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$300 fine [reduced from \$1,700].

Mr. William Snow, Code Enforcement Officer, explained that Mr. Hosbach had difficulty finding the curbstones for the parking area; this had delayed compliance and was the reason Officer Snow had recommended reduction of the fine.

Mr. Gustav Hosbach, owner, confirmed it had been difficult to locate the curbstones, and added that rain had delayed the painting of the stripes. He said he had spoken with Officer Snow on the phone but had not filed a written request for an extension. Officer Snow said he had visited the property four or five times.

Ms. Tell imposed a \$150 fine.

Case: CE06080035

Ordered to reappear

Kygo LLC
597 South Andrews Avenue

Mr. McKelligett announced that the case was first heard on 1/4/07 to comply by 3/1/07. The compliance date had been extended from 4/19/07 to 8/16/07, and from 8/17/07 to 10/18/07. The property was not complied.

Ms. Hope Calhoun, attorney, explained that their site plan had been rejected by the City, and requested a continuance.

Mr. Leonard Ackley, Code Enforcement Officer, admitted this was a very complicated case, and did not object to the continuance.

Ms. Tell continued the case to 12/20/07 and stopped the fines from accruing. Ordered to reappear on that date.

Case: CE05120654

Ordered to reappear

Emma Joe Bartlett Estate
2617 Southwest 7th Street

Mr. McKelligett announced that the case was first heard 2/1/07, to comply by 3/1/07 and 4/5/07. The compliance date had been extended from 8/16/07 to 10/19/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$7,475 fine and its continued accrual until the property was complied.

Mr. Douglas Bell, attorney, explained there were issues regarding the ownership of the property; the trustee was claiming ownership of the property over the trust, and the case was making its way through probate court. Mr. Bell said he had fired the first contractor

and hired a new one, who had applied for permits to rebuild the garage. The fence have been removed and the building had been painted months ago. Mr. Bell requested an extension to stop the fine accrual.

Mr. Andre Cross, Code Enforcement Officer, said he would visit the property today to confirm that the fence was removed. He informed Ms. Tell that Mr. Bell had been working to comply the property.

Ms. Tell granted a 126-day extension to 2/21/08 and stopped the fines from accruing. Also ordered to reappear.

Case: CE07060696

Request for extension

Maurice Walker
2308 Northwest 26th Street

Mr. McKelligett announced that the case was first heard on 8/2/07 to comply by 9/6/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$4,100 fine and its continued accrual until the property was complied. The owner was requesting an extension.

Mr. Maurice Walker, owner, stated he was a real estate agent, and he needed to clear the title on another property in order to sell it raised funds to demolish this property. He said he had presented a letter addressed to Officer Champagne to Code Enforcement in which he requested an extension.

Mr. Len Champagne, Code Enforcement Officer, stated he was "highly against" granting an extension. He reported this was a recurring violation, and there was an additional case on the property with running fines. Officer Champagne submitted photos of the property into evidence and stated there were large piles of dirt, debris, cement and blacktop on the property.

Mr. Walker said he had purchased the property with the intent to build on it. He stated he had permitted someone to bring dirt to the property in order to level it. After that was done, this person had returned and deposited another 71 loads of dirt without Mr. Walker's permission. He had been trying to get this person to level the property again. Officer Champagne said neighbors had complained there were rats inhabiting the property.

Officer Champagne reminded Ms. Tell that this was a recurring violation that had been going on for two to three years. Ms. Tell advised Mr. Walker to confer with Officer Champagne and Supervisor Bradley.

Upon returning to the case, Ms. Peggy Burks, Code Enforcement Supervisor, reported they had agreed to grant Mr. Walker a 14-day extension and he had assured her the problem would be taking care of by then.

Ms. Tell granted a 14-day extension to 11/1/07.

Case: CE06121060 Hearing to impose fine
Hugh & Elva Barger
5510 Northeast 18th Avenue

Mr. McKelligett announced that the case was first heard on 6/21/07 to comply by 9/13/07. Mr. McKelligett recited violations and compliance dates and stated 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. Elva Barger, owner, explained that the contractor had installed windows without a permit. She said the electric was signed off, and the plumber would finish that day. Ms. Barger explained her husband suffered from several health issues. She presented photos taken the previous day to describe progress on the property. Ms. Tell reminded Ms. Barger that the paint was the outstanding violation. Ms. Barger said they intended to paint the house as soon as they could afford it in the next couple of months.

Ms. Ingrid Gottlieb, Code Enforcement Officer, confirmed that the overgrowth and landscaping issues were complied; only the wall repair/paint violation remained. Ms. Barger said she needed at least 60 more days.

Ms. Tell granted a 63-day extension to 12/20/07 and ordered the respondent to reappear at that hearing.

Case: CE07061924 Hearing to impose fine
Maximo & Esther Alvarez
3339 South Federal Highway

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 stated the property was complied and the City was requesting imposition of a \$3,700 fine [reduced from \$7,400].

Ms. Sandra Reus, representative of the owner, explained that the person they had hired to clean the property reported that it had been cleaned, but the work had not been done. They then received a notice that the City was going to clear the property, and they had paid the City for this service. They subsequently received notice that the property was in compliance, so Ms. Rues assumed the notice of the continuing violation was an error. When she received the second notice, Ms. Rues hired a landscaper, who worked on the property twice pursuant to Officer Eaton's direction.

Mr. Dick Eaton, Code Enforcement Officer, confirmed that the property had been cited under two different cases and this had been confusing to Ms. Rues. He had recommended reduction of the fine because once Ms. Rues realized this was a new case, she had worked to comply the property.

Ms. Rues requested additional mitigation of the fine; she said they had hired a contractor to install a fence at the property which would hopefully prevent a recurrence of the violation. Officer Eaton said he did not object to additional mitigation of the fine. He reported he had visited the property approximately 10 times.

Ms. Tell imposed a \$1,500 fine.

Case: CE07051417

Ordered to reappear

Bradley Ashlin & Jennifer Oliveri
1028 Southeast 11th Court

Mr. McKelligett announced that the case was first heard on 8/16/07 to comply by 10/18/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied.

Ms. Jennifer Ashlin, owner, reported their demolition contractor had applied for the permit the previous day.

Mr. Mr. Leonard Ackley, Code Enforcement Officer, said they had been delayed while waiting for a disconnect letter from FP&L. They also had problems arranging refinancing for the property. He recommended a 90-day extension.

Ms. Tell granted a 91-day extension to 1/17/08.

Case: CE07041070

Hearing to impose fine

Michael & Magda Sedra
2520 East Commercial Boulevard

Mr. McKelligett announced that the case was first heard on 6/7/07 to comply by 7/5/07. The compliance date had been extended from 8/16/07 to 8/30/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$6,633.22 fine and its continued accrual until the property was complied.

Ms. Magda Sedra, owner, said there was frequent illegal dumping on this empty lot. Currently, the property was clean.

Ms. Ingrid Gottlieb, Code Enforcement Officer, presented photos of the property and pointed out an area which Ms. Sedra did not believe was her property. Ms. Tell informed Ms. Sedra that they must get a survey to confirm whether this property was theirs or not. Ms. Sedra stated she had a survey, and Ms. Tell advised her to meet with Officer Gottlieb to resolve this. Ms. Sedra requested an extension to meet with Officer Gottlieb.

Ms. Tell granted a 14-day extension to 11/1/07.

Case: CE06111585

El-Ad FI Beach LLC
2939 Banyan Street

Vacate order of 9/20/07
and request imposition of fines

Mr. McKelligett announced that the case was first heard 2/15/07, to comply by 5/17/07. The compliance date had been extended from 7/5/07 to 9/6/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting vacation of the order dated 9/20/07, imposition of a \$14,950 fine and its continued accrual until the property was complied. The owner was requesting an extension.

Mr. John Aurelius, attorney for the lessee, Central Beach, confirmed he was requesting a 63-day extension in anticipation of the permits being issued.

Mr. Mario Sotolongo, Code Enforcement Officer, agreed to the 63-day extension.

Ms. Tell granted a 63-day extension and ordered the respondent to reappear at the 12/20/07 hearing.

Case: CE07040432

Esa & David Natour
2162 Northwest 6th Street

Hearing to impose fine

Mr. McKelligett announced that the case was first heard on 6/21/07 to comply by 9/13/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$5,100 fine and its continued accrual until the property was complied.

Mr. William Snow, Code Enforcement Officer, informed Ms. Tell that violation 9-280(b) was now complied.

Mr. Nader Hmeidon, representative of the owner and tenant, said he had paid the contractor, who had disappeared after completing only half the work. He requested 40 additional days.

Ms. Tell granted a 49-day extension to 12/6/07.

Case: CE06021604

Adrian Bino
1520 Northeast 63rd Court

Request For Extension

Mr. McKelligett announced that the case was first heard on 4/5/07 to comply by 7/5/07 and 5/3/07. The compliance date had been extended from 8/2/07 to 10/4/07. Mr.

McKelligett recited violations and compliance dates and stated the owner was requesting an extension.

Mr. Adrian Bino, owner, confirmed there were two items left to be complied. Ms. Tell informed him the landscaping violation still existed and Mr. Bino said this was due to the continuing water restrictions. He said he would reinstall sod after construction on the house was complete and once the water restrictions were lifted. Mr. Bino reported they had not been able to pull the permit for the roof repair due to some issues with the plans. He requested 90 days.

Ms. Tell granted a 91-day extension to 1/17/08.

Case: CE06081765

Ordered to reappear

Alvin Johnson
3440 Berkeley Boulevard

Mr. McKelligett announced that the case was first heard 4/5/07, to comply by 4/15/07. The compliance date had been extended from 6/21/07 to 7/19/07 and 10/18/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$17,150 fine and its continued accrual until the property was complied.

Mr. Alvin Johnson, owner, reported the property was complied.

Mr. Andre Cross, Code Enforcement Officer, said he must reinspect the property to confirm compliance.

Ms. Tell granted a 14-day extension.

Case: CE06020579

Request for extension

Brian & Clare Murphy
4860 Northwest 10 Avenue

Mr. McKelligett announced that the case was first heard on 7/19/07 to comply by 10/18/07. The property was not complied and the owner was requesting an extension.

Mr. Brian Murphy, owner, stated his property had sustained \$25,000 worth of damage in hurricane Wilma. He explained it had taken a very long time to obtain the fence permit.

Mr. William Snow, Code Enforcement Officer, stated he was representing Officer Viscusi who recommended granting an extension.

Mr. Murphy presented a photo of a steel container that was on the property, and said he needed this for storage while he rebuilt the garage. Officer Snow said Officer Viscusi had noted that the container must be removed. He advised Mr. Murphy to indicate on the permit for the garage repair that the container was needed for storage during construction.

Ms. Tell granted a 105-day extension to 1/31/08.

Case: CE07050964

Brent Bowden
1033 Northwest 3rd Avenue

Mr. McKelligett announced that the case was first heard on 7/19/07 to comply by 8/2/07 and 9/20/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied.

Mr. Brent Bowden, owner, explained that his contractor had become ill, and he needed additional time to complete the property rehabilitation. He requested 49 days.

Ms. Irma Westbrook, Code Enforcement Officer, stated she did not object to an extension.

Ms. Tell granted a 49-day extension to 12/6/07.

Case: CE06051145

Ordered to reappear

Adriana Nascimbeni
5712 Northeast 17th Terrace

Mr. McKelligett announced that the case was first heard on 1/4/07 to comply by 3/1/07. The compliance date had been extended from 4/5/07 to 6/7/07, from 6/8/07 to 10/4/07 and from 10/5/07 to 10/18/07. Mr. McKelligett recited violations and compliance dates and stated 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, said they had put new sod in the front yard but they must also do this in the backyard. She stated the sod would be delivered that day, and requested a 14-day extension.

Ms. Tell granted a 14-day extension.

Case: CE06081310

Hearing to impose fine

KCH Holdings LLC
1790 East Commercial Boulevard

Mr. McKelligett announced that the City wished to continue this case to 12/6/07.

Ms. Tell continued the case to 12/6/07.

Case: CE06120852

Hearing to impose fine

Robert & Shirley Grigelaitis,
220 Southwest 21st Street

Mr. McKelligett announced that the case was first heard on 4/5/07 to comply by 4/19/07 and 5/3/07. The compliance date had been extended from 5/4/07 to 9/6/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$1,150 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$1,150 fine.

Case: CE07090594

Crown Liquors Broward Inc.
901 West Sunrise Boulevard

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/29/07 and certified mail sent to the registered agent was accepted on 9/29/07.

Violation:
47-21.8.A.

MISSING LANDSCAPE MATERIALS REQUIRED FOR CODE.

Inspector Lauridsen explained there had been an approved landscape plan for the property, and in order to comply the owner could retrieve this and verify the replacements or present a new landscaping plan. He recommended ordering compliance within 42 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day.

Case: CE07041765

Hearing to impose fine

Richard Baird
600 Southwest 24th Avenue

Mr. McKelligett announced that the case was first heard on 8/16/07 to comply by 8/30/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$200 fine plus board-up costs of \$483.

Ms. Tell imposed the \$683 fine.

Case: CE07020654

Hearing to impose fine

John Field, Patricia Coleman &
Clara Gettman
1355 West Sunrise Boulevard

Mr. McKelligett announced that the case was first heard on 6/7/07 to comply by 8/9/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$3,100 fine.

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

Case: CE07031031

Hearing to impose fine

Neriton Rodrigues
4821 Bayview Drive

Mr. McKelligett announced that the case was first heard on 7/19/07 to comply by 8/2/07. Mr. McKelligett recited violations and compliance dates and stated the property was not complied and the City was requesting imposition of a \$3,800 fine and its continued accrual until the property was complied.

Ms. Tell imposed the \$3,800 fine.

Case: CE07050516

Hearing to impose fine

Donovan Harriott
2711 Northwest 25th Street

Mr. McKelligett announced that the case was first heard on 7/19/07 to comply by 8/23/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$1,175 fine.

Ms. Tell imposed the \$1,175 fine.

Case: CE07050986

Hearing to impose fine

Boaz Derisse
225 Southwest 12th Avenue

Mr. McKelligett announced that the case was first heard on 8/16/07 to comply by 8/30/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$4,500 fine.

Ms. Tell imposed the \$4,500 fine.

Case: CE07051541

Hearing to impose fine

Susan Breckenridge, Robert Hirsh &
Donna Sherfield
5821 Northeast 20th Avenue

Mr. McKelligett announced that the case was first heard on 8/16/07 to comply by 9/13/07. Mr. McKelligett recited violations and compliance dates and stated 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. Tell imposed the \$850 fine.

Case: CE07061757

Hearing to impose fine

Wilna Aritus
1712 Northeast 7th Avenue

Mr. McKelligett announced that the case was first heard on 8/16/07 to comply by 8/30/07. Mr. McKelligett recited violations and compliance dates and stated the property was complied and the City was requesting imposition of a \$1,950 fine.

Ms. Tell imposed the \$1,950 fine.

Case: CE07070538

Hearing to impose fine

1440 Southwest 4th Avenue LLC
1440 Southwest 4th Avenue

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 stated the property was complied and the City was requesting imposition of a \$2,800 fine.

Ms. Tell imposed the \$2,800 fine.

Case: CE07070278

Vacate order of 8/16/07

B M C Enterprises LLC
420 Southeast 16th Street

Mr. McKelligett announced that the City was requesting vacation of the order dated 8/16/07.

Ms. Tell vacated the order.

Case: CE07050904

Vera Sharpe
2420 Southwest 5th Place

Mr. McKelligett announced that service was via posting on the property on 9/25/07 and at City Hall on 10/4/07.

Mary Rich, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THE CHAIN-LINK FENCE ON THIS PROPERTY IS DAMAGED
AND NOT MAINTAINED.

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

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

Case: CE07011756

Stipulated agreement

Steven Pike
3437 Riverland Road

Violations:

9-278(e)

THERE ARE WINDOWS COVERED WITH WOOD BOARDS ON THIS PROPERTY, OBSTRUCTING LIGHT AND VENTILATION.

9-280(b)

THERE ARE BUILDING COMPONENTS IN DISREPAIR ON THIS PROPERTY, INCLUDING BUT NOT LIMITED TO: SOFFIT, FASCIA AND WALLS.

9-281(b)

THERE IS A WHITE FORD RANCHERO PARKED ON DRIVEWAY WITH EXPIRE TAG V38WSY SINCE 2005.

9-306

THERE IS AN EXTERIOR OF STRUCTURE NOT MAINTAINED, CRACKS ON WALLS, MISSING PAINT, STAINS.

Mr. McKelligett stated the officer had a stipulated agreement with the owner to comply 9-281(b) within 2 weeks or a fine of \$100 per day and to comply 9-278(e), 9-280(b) and 9-306 within 12 weeks 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 9-281(b) within 2 weeks or a fine of \$100 per day and to comply 9-278(e), 9-280(b) and 9-306 within 12 weeks or a fine of \$25 per day, per violation.

Case: CE07070304

Erma Bethel Estate
2349 Northwest 15th Street

Mr. McKelligett announced that service was via posting on the property on 9/26/07 and at City Hall on 10/4/07.

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

9-280(b)

THE INTERIOR FLOORS, WALLS, CEILINGS AND DOORS ARE IN DISREPAIR.

9-280(g)

THERE IS EXPOSED ELECTRICAL WIRING AND ELECTRICAL
FIXTURES IN DISREPAIR ON THE PROPERTY.

9-306

THE EXTERIOR OF THE STRUCTURE IS DIRTY AND HAS
AREAS OF MISSING PAINT.

9-308(a)

THE ROOF IS IN DISREPAIR AND IS NOT BEING
MAINTAINED.

Officer Champagne presented photos of the property and the case file 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: CE07081507

Stipulated agreement

Chloris Underwood
2307 Northwest 13th Street

Violations:

9-280(b)

THERE IS A FREE STANDING STRUCTURE ON THE PROPERTY
THAT REMAINS FROM THE PARTIAL DEMOLITION OF THE
CARPORT.

9-280(g)

THERE IS ELECTRICAL WIRE AND FIXTURES ATTACHED TO
A FREE STANDING STRUCTURE IN DISREPAIR.

9-306

THE FASCIA BOARD ON THE PROPERTY IS IN DISREPAIR.

Complied:

18-27(a)

THERE IS RUBBISH, TRASH AND DEBRIS ON THE
PROPERTY.

Mr. Len Champagne, Code Enforcement Officer, stated he had a stipulated agreement with the owner to comply 9-280(b), 9-280(g) and 9-306 within 91 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 9-280(b), 9-280(g) and 9-306 within 91 days or a fine of \$25 per day, per violation.

Case: CE07081301

Vincent Peritore & Sandra Walker

720 Southeast 15th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 10/2/07.

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

THERE IS TRASH AND DEBRIS ON THE PROPERTY.

Complied:

9-313(a)

THERE ARE NO VISIBLE HOUSE NUMBERS DISPLAYED ON THE PROPERTY.

Officer Eaton presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$50 per day.

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

Case: CE07071475

Laura Inglis

5110 Northeast 18th Avenue

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

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

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE.

47-20.20.H

THERE ARE POTHoles IN THE PARKING AREA. THE STRIPES AND SEALCOAT HAVE FADED.

9-280(b)

THE SOFFIT IS IN DISREPAIR.

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day, and with 47-20.20.H and 9-280(b) within 6 weeks 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 47-20.20.H and 9-280(b) within 6 weeks or a fine of \$25 per day, per violation.

Case: CE07080558

Isabela Passos
5741 Bayview Drive

Mr. McKelligett announced that service was via posting on the property on 9/26/07 and at City Hall on 10/4/07.

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.

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE WEEDS AND MISSING LAWN COVER ON THE PROPERTY AND SWALE.

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

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

Case: CE07080578

George Georgakopoulos
5700 Northeast 20th Avenue

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

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

THE HEDGES ARE OVERGROWN AND ARE NOT BEING MAINTAINED IN AN ATTRACTIVE MANNER.

24-29(a)

THERE IS TRASH BEING LEFT OUTSIDE OF THE TRASH RECEPTACLE.

9-279.(b)(3)

THERE IS INADEQUATE TRASH SERVICE FOR THE AMOUNT OF TRASH BEING PRODUCED.

9-280(b)

THERE IS A WINDOW ON THE STRUCTURE THAT IS IN DISREPAIR. THERE IS A PLEXIGLAS PANEL TAPED ON IT.

Officer Gottlieb presented photos of the property and the case file 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: CE07041745

Mark Morin
1123 Northeast 15th Avenue

Mr. McKelligett announced that service was via posting on the property on 10/2/07 and at City Hall on 10/4/07.

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

9-280(b)

SOFFIT OVER CARPORT IS IN DISREPAIR. BROKEN ROOF
TILES.

9-280(h)(1)

WOOD FENCE IS IN SERIOUS DISREPAIR.

9-281(b)

DERELICT VEHICLE CONTINUES TO BE STORED ON THE
PROPERTY, A FOUR (4) DOOR GOLD NISSAN SENTRA WITH AN
EXPIRED TAG.

9-306

EXTERIOR WALLS ARE DIRTY AND HAVE AREAS OF
CHIPPING PAINT.

Complied:

9-280(h)(2)

POOL HAS GREEN WATER

Officer Davis presented the case file and recommended ordering compliance with 9-280(b), 9-280(h)(1), 9-281(b) and 9-306 within 28 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 9-280(b), 9-280(h)(1), 9-281(b) and 9-306 within 28 days or a fine of \$50 per day, per violation.

Case: CE07060840

Francisco Burbano
1609 Northeast 18th Avenue

Mr. McKelligett announced that service was via posting on the property on 10/2/07 and at City Hall on 10/4/07.

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

18-27(a)

LOTS OF OVERGROWTH ON THE PROPERTY.

47-21.8.A.

LANDSCAPING IS POORLY MAINTAINED. THERE IS A PILE

OF DIRT WITH WEEDS.

Officer Davis presented photos of the property and the case file 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: CE07052153

Barry Khemrajsingh
411 Northwest 12th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 10/1/07.

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

THE GARAGE ROOF IS NOT STRUCTURALLY SOUND, WEATHER AND WATER TIGHT. THE ROOF DECKING AND RAFTERS ARE ROTTED ALLOWING THE ROOF, RAFTERS, SOFFITS AND FASCIA TO HANG DOWN CREATING A HAZARDOUS CONDITION. THE DEFECTIVE ROOF ELEMENTS ARE IN DANGER OF COLLAPSE.

Officer Snow presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$50 per day.

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

Case: CE07081067

Unlimited Investment Group LLC
301 Southwest 9th Street

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

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

THERE IS AN UNLICENSED AND INOPERABLE TRAILER IN THE DRIVEWAY.

Officer Ackley submitted the 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: CE07040842
Bernard & Rita Petreccia
11 Southwest 11th Avenue

Continued from 9/6/07
Stipulated Agreement

Violation:
9-329(a)

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

Officer Ackley stated he had a stipulated agreement with the owner to comply within 14 days or a fine of \$100 per day.

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

Case: CE07080236
Charlotte & Joseph Deverteuil
305 Southwest 11th Avenue

Mr. McKelligett announced that service was via posting on the property on 9/25/07 and at City Hall on 10/4/07.

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

THE PROPERTY IS OVERGROWN.

25-5

THE SIDEWALK IS OBSTRUCTED BY OVERGROWTH OF THE
BUSHES.

Officer Ackley presented the case file and recommended ordering compliance within 10 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City, approved the stipulation and ordered compliance within 10 days or a fine of \$50 per day, per violation.

Case: CE07060604
Theron Boyd
638 Northwest 22nd Road

Mr. McKelligett announced that service was via posting on the property on 9/27/07 and at City Hall on 10/4/07.

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

18-27(a)
THERE ARE AREAS OF OVERGROWN LAWN ON THIS PROPERTY WHICH ARE NOT BEING MAINTAINED.

9-280(h)(1)
THE CHAIN-LINK FENCE ON THIS PROPERTY IS IN DISREPAIR.

9-306
THERE ARE AREAS OF DIRTY AND STAINED PAINT ON THIS BUILDING.

Officer Cross presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day, and with 9-280(h)(1) and 9-306 within 35 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) within 14 days or a fine of \$25 per day, and with 9-280(h)(1) and 9-306 within 35 days or a fine of \$25 per day, per violation.

Case: CE07071616
Abigail Holdings LLC
611 Northwest 13th Street

Mr. McKelligett announced that service was via posting on the property on 9/24/07 and at City Hall on 10/4/07.

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

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

9-304(b)
GRAVEL DRIVEWAY IS NOT WELL-GRADED AND/OR DUST-FREE.

9-305(b)
LANDSCAPE IS NOT BEING MAINTAINED. IT IS WEED INFESTED.

Complied:

47-19.9
THERE IS OUTSIDE STORAGE OF FURNITURE AND OTHER MISCELLANEOUS ITEMS ON THE PROPERTY.

9-281(b)
THERE IS A BLACK, UNLICENSED, INOPERABLE MERCEDES ON THE PROPERTY.

Officer Westbrook presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 9-304(b) and 9-305(b) within 14 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City, approved the stipulation, and ordered compliance with 18-27(a), 9-304(b) and 9-305(b) within 14 days or a fine of \$25 per day, per violation.

Case: CE07081106

1038 Northwest 7 Avenue Land Trust
1038 Northwest 7th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 10/4/07.

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

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON THE PROPERTY AND SWALE.

9-280(b)

THERE ARE BROKEN WINDOWS, WALLS WITH HOLES AND MISSING EXTERIOR DOOR(S) ON THE PROPERTY.

9-280(g)

THE OUTLETS, EXTERIOR/INTERIOR LIGHT FIXTURES, AIR CONDITIONER UNIT AND ELECTRICAL WIRING IS NOT IN A GOOD, SAFE WORKING CONDITION.

9-280(h)(1)

FENCE IN DISREPAIR.

9-306

THE PAINT ON THE STRUCTURE IS DIRTY AND STAINED.

9-308(b)

THE ROOF TILES ARE DIRTY AND STAINED.

Complied:

9-280(f)

THE PLUMBING IS IN DISREPAIR IN THE BATHROOM AND KITCHEN. THE WATER BACKS UP INTO THE SINKS, TOILET AND TUB.

9-304(b)

VEHICLES PARKING ON THE GRASS.

Officer Westbrook presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 9-280(b), 9-280(g), 9-280(h)(1), 9-306 and 9-308(b) within 14 days, by 11/1/07, 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), 9-280(b), 9-280(g), 9-280(h)(1), 9-306 and 9-308(b) within 14 days, by 11/1/07, or a fine of \$25 per day, per violation.

Case: CE07081695

Charles Nichols
1211 Northeast 2nd Avenue

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

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

THERE IS A GREY UNLICENSED, INOPERABLE TOYOTA VAN
ON THE PROPERTY.

Officer Westbrook presented photos of the property and the case file and recommended ordering compliance within 10 days or a fine of \$100 with the right to tow.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 with the right to tow the grey Toyota van.

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:

CE07080469	CE07081490	CE07081171	CE07090029
CE07070255	CE07081770	CE07090048	CE07060504
CE07081817	CE07081971	CE07010474	CE07080673
CE07080960	CE07081196	CE07070248	CE07081245
CE07090309	CE07050955	CE07071286	CE07071814
CE07081289	CE07061486	CE07071695	CE07080969
CE07050224	CE07081536	CE07090041	CE07090043

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:

CE07091106	CE07090600	CE07060135	CE07071745
CE07081882	CE07070749	CE07080619	CE05110917
CE07070669	CE07061158	CE07071623	CE07081691
CE07060720	CE07071794	CE07081533	CE07081425

CE07082085

CE07071714

CE07052093

CE07060330

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:

CE07011366

CE07080789

CE07041783

CE07080795

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:


CE07070259

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



SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate