

SPECIAL MAGISTRATE HEARING
City Commission Meeting Room
Judge O. Edgar Williams, Jr. Presiding
December 6, 2007
9:00 A.M. – 2:04 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
Ginger Wald, Assistant City Attorney
Cheryl Pingitore, Code Enforcement Supervisor
Leonard Champagne, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
Ingrid Gottlieb, Code Enforcement Officer
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
Tuchette Torres, Code Enforcement Officer
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Also Present:

CE06070473: Louis Scholnik, attorney; Chad Bleibel, owner
CE05051547: John Nicholls, owner; Carl Cassio, attorney
CE07070577: John Dorenkott, owner
CE07080236: Joseph Deverteuil, son of the owner
CE07090409: Daniel Franco, owner's representative
CE07070238: Alan Jones, owner
CE06121043: Heidi Knapp, attorney
CE07020485: Thomas Shoop, owner
CE07071477: Sean Maloney, attorney
CE07031787: M. Piccirillo, owner's son
CE07081969: Joseph Hall, owner
CE07010560: John C. Rose, III, owner's son
CE07031506: Inales Osias, owner
CE07091460: Paul Russell, owner
CE07100951: Shantay Durham, owner's daughter
CE07070698: Frederick Jablonski, owner's representative
CE06051819: Eric Salazar, owner; Luis Pellot, owner
CE07041070: Luis Orodnez, attorney; Magda Sedra, owner

CE05120655: Ellen Feld, attorney
CE07030387: Elmon Wilkerson, owner
CE07031744: Martha Hendrix, niece of the owner
CE06061892: Luis Jose Leon, general contractor; Richard Jenkins, owner
CE06102845: James Dundorf, owner
CE07061044: Adam Zucker, power of attorney
CE07030490: Gloria King, owner's daughter
CE06091626: Kelly Taylor, owner
CE06091445: Gavin Banta, attorney; Edward Smith, owner
CE06081765: Alvin Johnson, owner
CE07020150: Michael Compo, attorney

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.

Case: CE07031506

Continued from 11/1/07

Inales & Violette Osias
1731 Fairfax Drive

Mr. McKelligett announced that this case was continued from 11/1/07.

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

THERE IS TRASH, RUBBISH AND DEBRIS ON THE NORTH SIDE OF THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO TIRES, BUCKETS, ETC.

9-278(e)

THERE ARE WINDOWS COVERED WITH SHUTTERS AT SOUTH SIDE OF THIS PROPERTY, OBSTRUCTING LIGHT AND VENTILATION TO BEDROOMS.

9-280(b)

THERE ARE BROKEN WINDOWS COVERED WITH PLASTIC AT THIS PROPERTY.

9-306

THE EXTERIOR STRUCTURE OF THIS PROPERTY NEEDS PAINT. THERE ARE STAINS AND DIRT IN MANY PLACES.

9-305(a)

THERE ARE WEEDS/GRASS ENCROACHING THE PEDESTRIAN RIGHT-OF-WAY AT THIS PROPERTY.

Complied:

9-281(b)

THERE IS A RED, FOUR (4) DOOR PASSENGER VEHICLE

STORED AT THIS PROPERTY DRIVEWAY WITH EXPIRED TAG
#V099WQ SINCE 02/07.

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 9-305 within 14 days or a fine of \$25 per day and with 9-278(e), 9-280(b) and 9-306 within 35 days or a fine of \$25 per day, per violation. Officer Quintero reported he had performed approximately six inspections of the property since May 2007.

Mr. Inales Osias, owner, testified through an interpreter, and informed Judge Williams that his wife, who was currently living at the property, had a restraining order against him and he could not enter the property to make the repairs. Mr. Osias testified that his wife had actually committed much of the damage to the property.

Mr. Osias testified he had purchased the property with his sister prior to his marriage. His sister owned most of the property, and he had a hearing at 10 a.m., with his sister regarding ownership of the house.

Mr. Osias stated he was aware of the violations, and wanted to make the repairs, but could not because of the restraining order. Ms. Wald asked Judge Williams for a finding of fact that the violations existed, and an order to comply.

Judge Williams found in favor of the City and ordered compliance with 18-27(a) and 9-305 within 14 days or a fine of \$25 per day and with 9-278(e), 9-280(b) and 9-306 within 35 days or a fine of \$25 per day, per violation.

Case: CE06121043
Commerce Bank, NA
1215 Southeast 17th Street

Ordered to reappear from 11/15/07

Mr. McKelligett announced that this case was first heard on 3/1/07 to comply by 3/29/07. Time to comply had been extended from 4/5/07 to 6/7/07, from 6/8/07 to 7/19/07, from 7/20/07 to 9/20/07, and from 11/15/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Dick Eaton, Code Enforcement Officer, stated the canopy had been removed, but the permit could be signed off until the entire building was demolished, which he predicted would happen the following week. He recommended an extension to 1/17/08.

Ms. Heidi Knapp, attorney, confirmed that fines had not been accruing since her previous appearance.

Judge Williams granted a 42-day extension to 1/17/08 and ordered the respondent to reappear at that hearing.

Case: CE07100951

Paul Durham
1824 Northwest 25th Terrace

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

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

THE BUILDING IS OCCUPIED AND DOES NOT HAVE CITY
WATER SERVICE.

Officer Champagne recommended ordering compliance within 14 days or a fine of \$25 per day.

Ms. Shantay Durham, the owner's daughter, agreed to comply by the ordered date.

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

Case: CE06061892

Scherry Jenkins
3000 North Federal Highway # 9

Hearing to impose fine
Ordered to reappear from 10/4/07

Mr. McKelligett announced that this case was first heard on 9/7/06 to comply by 10/7/06. Time to comply 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, from 9/7/07 to 10/4/07 and from 10/5/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,900 fine which would continue to accrue until the property complied.

Mr. Richard Jenkins, owner, stated the property was now complied. The roof had been completed, but had not passed final inspection yet. He explained the delay was caused by the need to replace the structural deck for the roof.

Mr. Leonard Ackley, Code Enforcement Officer, said he must wait for final inspection by a building inspector to comply the property.

Mr. Luis Jose Leon, general contractor, confirmed that the roof was made 100 percent watertight approximately 10 days ago.

Mr. Jenkins requested that no fine be imposed. He explained that he had missed one of the hearings due to a "serious, fatal illness" and fines had accrued. Mr. Jenkins stated letters from his doctor and his attorney were already in the case file.

Ms. Wald advised Judge William he must determine if the property was actually complied and then determine the appropriate fine to impose, if any. She confirmed

there was a letter in the file dated April 2007 attesting to Mr. Jenkins's, illness and stating he would be unable to attend the May hearing. There was another letter dated 2006 describing a medical issue, requesting an extension as well.

Mr. McKelligett clarified dates when fines had accrued for Judge Williams. Judge Williams stated he would impose the fines. Mr. Leon explained the difficulty and expense they had gone through to comply, and asked the Judge to consider this and not impose the fines. Officer Ackley confirmed there were delays for material deliveries and additional expenses on the project.

Judge Williams imposed no fine.

Case: CE07070698

KOSH

2180 Northeast 62nd Street

Mr. McKelligett announced that service was via posting on the property on 11/13/07 and at City Hall on 11/15/07.

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

THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.

47-21.8.A.

THERE ARE WEEDS AND BARE AREAS OF GROUND COVER ON THE PROPERTY AND SWALE.

9-306

THERE ARE AREAS OF MISSING AND DIRTY PAINT ON THE STRUCTURE.

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 2 weeks or a fine of \$25 per day and with 47-21.8.A. and 9-306 within 6 weeks or a fine of \$25 per day, per violation.

Mr. Frederick Jablonski, the owner's representative, said he was confused about the corrective actions. He said the condition of the ground cover was mostly due to the water restrictions. Officer Gottlieb confirmed she had met with the property owner and explained what must be done to comply. She said she had allowed additional time to comply due to the owner's health issues. Mr. Jablonski and Officer Gottlieb discussed what the code required to comply.

Judge Williams found in favor of the City and ordered compliance with 18-27(a) within 2 weeks or a fine of \$25 per day and with 47-21.8.A. and 9-306 within 6 weeks or a fine of \$25 per day, per violation.

Case: CE07091460

Paul Russell

1810 Northeast 54th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/19/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:
47-20.20.H.

THE DRIVEWAY IS IN DISREPAIR. THERE ARE LARGE
AREAS OF MISSING AND UNEVEN PAVEMENT.

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance within 6 weeks or a fine of \$25 per day.

Mr. Paul Russell, owner, believed this case was the result of a “vindictive neighbor that’s using Code Enforcement to get back at me for I don't know what.” Officer Gottlieb informed him she had cited the property based on her own observation, not the complaint of a neighbor. Mr. Russell noted that there was a second layer of asphalt underneath top layer and believed he should therefore not be required to repave. Inspector Gottlieb informed him that code required that the paving must be smooth and evenly graded.

Judge Williams found in favor of the City and ordered compliance within 6 weeks or a fine of \$25 per day.

Case: CE07071477

Federal National Mortgage Association c/o Summary Final Judgment
1430 Northeast 62nd Street
C/O Summary Final Judgment

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/25/07.

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

THE PROPERTY AND SWALE ARE COVERED WITH WEEDS OR
MISSING GROUND COVER.

Complied:
18-27(a)

THERE IS OVERGROWTH ON THE PROPERTY AND SWALE.
THERE ARE LOOSE BRICKS IN FRONT OF THE DOOR.

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 47-21.8.A. within 4 weeks or a fine of \$50 per day.

Mr. Sean Maloney, attorney for the tenant, said he had discussed this case with Officer Gottlieb, and he had requested 4 weeks to replace the sod.

Judge Williams found in favor of the City and ordered compliance with 47-21.8.A. within 4 weeks or a fine of \$50 per day.

Case: CE07030387

Elmon Wilkerson
2711 Northwest 16th Court

Hearing to impose fine
Ordered to reappear from 11/1/07

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 8/16/07. Time to comply had been extended from 9/6/07 to 11/1/07 and from 11/2/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,000 fine.

Mr. Elmon Wilkerson, owner, explained he had experienced medical and financial problems while doing the work, making it difficult for him to comply in time.

Mr. Leonard Champagne, Code Enforcement Officer, confirmed that the property was now complied.

Judge Williams imposed no fine.

Case: CE06081765

Alvin Johnson
3440 Berkeley Boulevard

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 4/5/07 to comply by 4/15/07 and 4/19/07. Time to comply had been extended from 6/12/07 to 7/19/07, from 10/18/07 to 11/1/07, from 6/21/07 to 10/18/07 and from 10/19/07 to 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$4,520 fine [reduced from \$17,150].

Mr. Alvin Johnson, owner, confirmed the property was now complied. Mr. McKelligett confirmed dates the fines had accrued.

Ms. Tchette Torres, Code Enforcement Officer, explained to Mr. Johnson why and when the fines had accrued. Mr. Johnson did not understand why fines had accrued when he had done everything Inspector Cross instructed him to do. He informed Judge Williams Inspector Cross told him there would be no fines if he complied. Officer Torres said there was nothing in the file to indicate Inspector Cross had made this agreement. Mr. McKelligett informed Judge Williams it was within his discretion to further reduce the fines.

Judge Williams imposed no fine.

Case: CE07080236

Charlotte & Joseph Deverteuil

Hearing to impose fine

305 Southwest 11th Avenue

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 10/28/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,000 fine.

Mr. Joseph Deverteuil, son of the owner, explained his mother was very depressed and had not opened mail for a year. As soon as he became aware of the situation, he had the work done.

Mr. Leonard Ackley, Code Enforcement Officer, confirmed that Ms. Deverteuil was a recluse, and that Mr. Deverteuil had done the work as soon as he was aware of the situation.

Judge Williams imposed no fine.

Case: CE07070577

Request for extension

John Dorenkott
304 Southeast 21st Street

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 11/29/07 and 12/13/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the owner was present to request additional time.

Mr. Dick Eaton, Code Enforcement Officer, reported that 9-289(h)(1) was now complied, and the owner was working to resolve the remaining two issues. He recommended a 63-day extension to 2/7/08.

Mr. John Dorenkott, owner, reported it had been very difficult to find a contractor willing to do this small job. He reported he was awaiting permit approval now.

Judge Williams granted a 63-day extension to 2/7/08 to and ordered the respondent to reappear at that hearing.

Case: CE06091626

Hearing to impose fine

Kelly Taylor
3111 Southwest 20th Street

Mr. McKelligett announced that this case was first heard on 4/19/07 to comply by 5/31/07. Time for compliance had been extended from 6/1/07 to 6/21/07 and from 6/22/07 to 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,700 fine which would continue to accrue until the property complied.

Ms. Kelly Taylor, owner, explained that her father had died in London in October, and she was currently working to settle his estate in Europe. She confirmed she did have contractors to do the work here. She requested six months to comply.

Mr. Wilson Quintero, Code Enforcement Officer, informed Judge Williams that the case had been open since 9/25/06 and he had received complaints from the neighbors. Ms. Taylor said she had been communicating with Supervisor Murray, who was no longer with the Code Enforcement Department. Officer Quintero opposed a six-month extension, and reminded Judge Williams of the neighbors' complaints.

Judge Williams granted a 42-day extension to 1/17/08 and ordered the respondent to reappear at that hearing.

Case: CE07061044

Franco & L. Antimucci & G. Daverio
3015 East Commercial Boulevard

Hearing to impose fine
Request for extension

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,400 fine which would continue to accrue until the property complied.

Mr. Adam Zucker, power of attorney/tenant, said he had applied for a permit to make the repairs, and had a contractor lined up. The work was being delayed waiting for the permit to be issued.

Ms. Ingrid Gottlieb, Code Enforcement Officer, did not object to an extension. Mr. Zucker had also informed her that the overgrowth violation was complied, and she requested time to reinspect the property to confirm this.

Judge Williams granted a 2-week extension for 18-27(a) and a 6-week extension to 1/17/08 for 47-20.20.H and ordered the respondent to reappear at that hearing.

Case: CE05120655

Emma Joe Bartlett Estate
2633 Southwest 7th Street

Continued from 9/6/07

Mr. McKelligett announced that this case was first heard on 2/1/07 to comply by 4/5/07. Time to comply had been extended from 5/3/07 to 9/6/07 and from 9/7/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,700 fine which would continue to accrue until the property complied.

Ms. Ellen Feld, attorney, said she had spoken with Officer Torres, and they had agreed to a 126-day extension. She explained the owner had a contract for the work.

Judge Williams granted a 126-day extension to 4/10/08.

Case: CE07031744

Hearing to impose fine

Irene Holden
2951 Northwest 21st Street

Mr. McKelligett announced that this case was first heard on 7/5/07 to comply by 8/9/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of an \$800 fine.

Ms. Martha Hendrix, niece of the owner, explained her aunt was in a nursing home since July. She informed Judge Williams that all of her aunt's funds were going toward her nursing home care, and Ms. Hendricks was paying for the home's upkeep.

Ms. Tuchette Torres, Code Enforcement Officer, confirmed the property was complied.

Judge Williams imposed no fine.

Case: CE07010560

Hearing to impose fine

John Rose
1709 Southwest 4th Street

Mr. McKelligett announced that this case was first heard on 5/3/07 to comply by 5/13/07, 5/17/07 and 5/31/07. Mr. McKelligett recited violations and compliance dates and stated the City was requesting imposition of a \$24,250 fine.

Mr. John Rose, the owner's son, explained his father was physically unable to attend the hearing. He informed Judge Williams that he had found the hearing notice in his father's yard a few months ago, and then acted himself to comply the violations.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, agreed there were extenuating circumstances in this case due to Mr. Rose's extreme medical condition. She requested that the fines be reduced to administrative costs of \$1,500. Mr. Rose promised the violations would not recur on his father's property.

Judge Williams imposed a \$1,500 fine.

Case: CE07031787

Hearing to impose fine
Request for extension

Angelo & Josephine Piccirillo
1461 Southwest 29th Street

Mr. McKelligett announced that this case was first heard on 8/2/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,400 fine and its continued accrual until the property was complied and the owner was present to request additional time.

Mr. Piccirillo, the owner's son, explained that the damage had been caused by a hurricane, and they had received a settlement from the insurance company in October. Mr. Piccirillo said he had hired an architect and a contractor, and was currently waiting for pressure tests for the window and door replacements. He described repairs that still must be made, and requested a 90-day extension.

Mr. Adam Feldman, Code Enforcement Officer, did not object to an extension.

Judge Williams granted a 91-day extension to 3/6/08 and ordered the owner to appear at that hearing.

Case: CE07090409

Bernice Volz
509 Southwest 5th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/6/07.

Mr. Leonard Ackley Code Enforcement Officer, testified to the following violation:
9-306

THE FASCIA ON THE HOUSE AND GARAGE ARE IN
DISREPAIR.

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

Mr. Daniel Franco, the owner's representative, said he was only made aware of the violations a couple of weeks ago, but since then, he had been working to comply the property.

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

Case: CE07070238

Alfred Holdings Inc
1200 South Federal Highway

Request for extension

Mr. McKelligett announced that this case was first heard on 11/1/07 to comply by 12/6/07. Mr. McKelligett recited the violation, compliance date and potential fines and stated the owner was present to request additional time.

Mr. Dick Eaton, Code Enforcement Officer, said he was working with the owner to resolve the situation. They had spoken prior to the hearing and agreed to a 35-day extension to 1/10/08.

Mr. Alan Jones, owner, said the contractor had informed him that the architect should be finished by the end of this week; the plans would then go to the structural engineer and be submitted to the City for permit.

Judge Williams granted a 35-day extension to 1/10/08.

Case: CE06070473

Sabco Properties Inc
101 Southwest 31st Avenue

Hearing to impose fine
Ordered to reappear from 9/6/07
Request for extension

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 7/19/07. Time to comply had been extended from 9/6/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$14,400 fine and its continued accrual until the property was complied, and the owner was present to request additional time.

Mr. Louis Scholnik, attorney, explained that the original contractor had abandoned the project and done some work without permits, so the owner had fired him and hired a new contractor. They had begun the process with a new contractor, which required new plans for a new permit. Mr. Scholnik felt they needed 6 months to comply the property and requested abatement of the fine.

Ms. Tuchette Torres, Code Enforcement Officer, presented photos of the property to Judge Williams, and said she had not been aware a new permit would be required for the work.

Mr. Scholnik agreed to reappear in 60 days to give a status report, but pointed out it was unlikely the work would be completed within 60 days.

Judge Williams granted a 63-day extension to 2/7/08 and ordered the respondent to reappear at that hearing.

Case: CE07020150

A.L. & Maria Castro
3490 West Broward Boulevard
Tenant: Superstop Express

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 7/19/07 to comply by 9/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,800 fine which would continue to accrue until the property complied.

Mr. Michael Compo, attorney, explained the tenant had made a \$5,000 deposit for the sign a year ago. The sign company had abandoned the permit process and tried to collect additional monies before completing the work, and eventually abandoned the

project. Mr. Compo informed Judge Williams that permission must be obtained from Farms Stores prior to hiring a new contractor, and they had just received the letter authorizing this. Mr. Compo requested 90 additional days to comply.

Ms. Tuchette Torres, Code Enforcement Officer, stated she had seen the letter from Farms Stores. Officer Torres did not object to an extension.

Judge Williams granted a 91-day extension to 3/6/08 and ordered the respondent to reappear at that hearing.

Case: CE06091445

Ordered to reappear from 10/4/07

Nancy Sacks

3408 North Ocean Boulevard

Mr. McKelligett announced that this case was first heard on 4/5/07 to comply by 7/5/07. Time to comply had been extended from 7/6/07 to 10/4/07 and from 10/5/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Gavin Banta, attorney, clarified that he represented Edward Smith, the new owner. He reported that his client had applied for the permit and requested another 60 days to have the work done.

Ms. Christine Teel, District One Commissioner, informed Judge Williams that neighbors had complained to her regarding this property since hurricane Wilma in 2005. She read one letter she had received from a neighboring property owner, describing the property as unsafe and unsecure, and submitted this letter into evidence. Commissioner Teel requested a 14-day extension to see that the new owner was operating in good faith, that permits were issued, and work was begun by the contractor.

Mr. Banta reminded Commissioner Teel that his client was not responsible for the condition of the property, and that 14 days would not be sufficient time to comply. He did not object to returning in 14 days for progress report.

Ms. Wald explained this property had been originally cited in 2006 when Nancy Sacks owned the property. The new owner purchased the property in August 2007, and Ms. Wald explained that the former owner's name remained on the Code Enforcement case until the property was complied.

Mr. Mario Sotolongo, Code Enforcement Officer, recommended the respondent return in 14 days with a progress report.

Judge Williams granted a 14-day extension to 12/20/07 and ordered the respondent to reappear at that hearing.

Case: CE07020485

Thomas & Charlene Shoop
1220 South Miami Road

Ordered to reappear from 11/1/07

Mr. McKelligett announced that this case was first heard on 5/3/07 to comply by 7/5/07. Time to comply had been extended from 7/6/07 to 9/6/07, from 9/7/07 to 11/1/07, and from 11/2/07 to 12/7/07. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Dick Eaton, Code Enforcement Officer, informed Judge Williams that Mr. Shoop had been working diligently and had made great progress. Officer Eaton anticipated final inspections that day, and he requested a 28-day extension.

Judge Williams granted a 28-day extension to 1/3/08.

Case: CE05051547

Nicholls Investment Properties LLC
206 Northeast 16th Avenue

Ordered to reappear from 11/1/07
Complied

Mr. McKelligett announced that this case was first heard on 12/21/06 to comply by 3/16/07. Time to comply had been extended from 3/16/07 to 6/21/07, from 8/2/07 to 11/1/07, and from 11/2/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the City was requesting imposition of a \$4,100 fine.

Mr. Carl Cassio, attorney, said the gap from June to August was because his office had not been notified of the hearing, so he had not appeared to request an extension. He had then sent a letter to Ms. Manning explaining that he should be notified of future hearings. He believed they would have been granted an extension, had he appeared on June 21.

Ms. Ursula Thime, Code Enforcement Officer, reported the owner was working diligently to comply the property. She pointed out that many things must be custom-made for the old building in this represented a significant investment of both time and money. Officer Thime said she did not object to reducing the fine to \$0.

Judge Williams imposed no fine.

Case: CE07030490

W. & Annie Byas
3064 Northwest 20th Street

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 6/21/07 to comply by 10/26/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,025 fine which would continue to accrue until the property complied.

Ms. Gloria King, the owner's daughter, explained her mother was 93 and currently in a rehab facility. Ms. King said she was in the process of complying the driveway. She was obtaining a survey, and her pastor, who had previously represented her mother, informed her that a permit application had been submitted.

Ms. Tuchette Torres, Code Enforcement Officer, said there was no record of a permit application at the property.

Judge Williams granted a 63-day extension to 2/7/08 and ordered the respondent to reappear at that hearing.

Case: CE07041070

Hearing to impose fine

Michael & Magda Sedra
2520 East Commercial Boulevard

Mr. McKelligett announced that this case was first heard on 6/7/07 to comply by 7/5/07. Time to comply had been extended from 8/6/07 to 8/30/07 and from 10/18/07 to 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$6,633.22 fine.

Mr. Luis Orodnez, attorney, requested no fines be imposed. He explained that the original violation concerned a contractor who had left equipment on the Sedras' property, and his clients had disagreed that the overgrowth violations were actually on their property. The Sedras had cured the overgrowth situation in order to comply.

Ms. Ingrid Gottlieb, Code Enforcement Officer, agreed that the construction company had illegally used the Sedras' lot to store equipment. Officer Gottlieb informed Judge Williams she had visited the property 12 times during the course of the case.

Ms. Wald agreed there were extenuating circumstances, but since the officer had returned to the property numerous times, she requested Judge Williams impose fines to cover administrative costs in the amount of \$500

Judge Williams imposed a \$500 fine.

Case: CE06102845

Hearing to impose fine

New Daniel Investments LLC
3001 North Ocean Boulevard

Ordered to reappear from 10/4/07

Mr. McKelligett announced that this case was first heard on 4/5/07 to comply by 5/3/07. Time to comply had been extended from 6/21/07 to 8/23/07 and from 10/4/07 to 12/6/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,225 fine which would continue to accrue until the property complied.

Mr. James Dundorf, owner, requested an extension to January. He explained the property was currently secure, and said the delay was caused by his awaiting a decision from Starbucks whether or not they would take over the property.

Mr. Mario Sotolongo, Code Enforcement Officer, stated he did not object to an extension to January 17, 2008.

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

Court recessed for lunch from 12:10 to 12:40

Case: CE07091269

Stipulated agreement

Elaine & James Lyons
2304 Northwest 14th Court

Violations:

9-281(b)

THERE IS AN UNLICENSED, INOPERABLE DODGE VAN
PARKED ON THE PROPERTY.

9-304(b)

THE GRAVEL DRIVE IS NOT WELL GRADED AND IS NOT
BEING MAINTAINED.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply within 49 days or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City, approved the stipulated agreement and ordered compliance within 49 days, by 1/24/08, or a fine of \$25 per day, per violation.

Case: CE07091272

Stipulated agreement

Janks Jones
2309 Northwest 14th Court

Violation:

9-304(b)

THE GRAVEL DRIVE IS NOT WELL-GRADED AND DUST-FREE.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply within 42 days or a fine of \$25 per day.

Judge Williams found in favor of the City, approved the stipulation and ordered compliance within 42 days, by 1/17/08, or a fine of \$25 per day.

Case: CE07081024

Sharon & Willie Sols
3300 Northwest 63rd Street

Mr. McKelligett announced that service was via posting on the property on 11/6/07 and at City Hall on 11/15/07.

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

18-27(a)

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

24-27(b)

THERE ARE TRASH, LAWN AND RECYCLING RECEPTACLES BEING STORED IMPROPERLY ON THE DRIVEWAY ON THIS PROPERTY.

9-281(b)

THERE ARE DERELICT, INOPERABLE VEHICLES PRESENT ON THIS PROPERTY, SPECIFICALLY, SILVER STEP VAN (NO MAKE, NO MODEL), WITH NO LICENSE PLATE ON IT.

9-304(b)

THERE IS A LARGE SILVER STEP VAN ON THIS PROPERTY, PARTIALLY PARKED ON THE RIGHT SIDE LAWN OF THIS PROPERTY.

BCZ 39-275(6)(b)

THERE IS OUTDOOR STORAGE PRESENT ON THE PROPERTY. THE ITEMS INCLUDE, BUT ARE NOT LIMITED TO BOXES, TIRES, TELEVISION, CHAIRS, BUCKETS, ETC.

BCZ 39-275(7)(a)

THERE IS A COMMERCIAL VEHICLE BEING PARKED/STORED ON THIS RESIDENTIAL PROPERTY OVERNIGHT.

Complied:

9-279(f)

THIS PROPERTY IS BEING OCCUPIED WITHOUT CONNECTION TO THE CITY OF FT. LAUDERDALE WATER SERVICE.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow, with 9-304(b) and BCZ 39-275(7)(a) within 14 days or a fine of \$25 per day, per violation, and with 18-27(a), 24-27(b) and BCZ 39-275(6)(b) within 4 weeks or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City and ordered compliance with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the silver step van, with 9-304(b) and BCZ 39-275(7)(a) within 14 days or a fine of \$25 per day, per violation, and with 18-

27(a), 24-27(b) and BCZ 39-275(6)(b) within 4 weeks or a fine of \$25 per day, per violation.

Case: CE07071403

David Gillis & Douglas McKinney
4601 Northwest 10th Avenue

Mr. McKelligett announced that service was via posting on the property on 10/8/07 and at City Hall on 11/15/07.

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

THERE ARE AREAS OF GRASS/PLANT TREE OVERGROWTH
PRESENT ON THIS PROPERTY.

9-280(b)

THE GARAGE DOOR ON THE HOME ON THIS PROPERTY IS IN
DISREPAIR AND NOT REASONABLY WEATHER/WATER TIGHT
OR RODENT PROOF DUE TO THE FACT THAT IT IS
PARTIALLY OPEN.

9-280(h)

THERE IS A POOL IN THE REAR YARD OF THIS PROPERTY
THAT HAS GREEN, STAGNANT WATER PRESENT.

9-306

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

Complied:

24-27(b)

THERE ARE TRASH/RECYCLING RECEPTACLES BEING STORED
IMPROPERLY ON THE DRIVEWAY ON THIS PROPERTY.

BCZ 39-275(6)(b)

THERE IS OUTDOOR STORAGE OF A WINDOW AWNING
PRESENT ON THE RIGHT SIDE OF THE HOUSE ON THIS
PROPERTY.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 9-280(b), 9-280(h) and 9-306 within 4 weeks or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City and ordered compliance with 18-27(a), 9-280(b), 9-280(h) and 9-306 within 4 weeks or a fine of \$25 per day, per violation.

Case: CE07081151

Robert Digney
1320 Northwest 44th Court

Mr. McKelligett announced that service was via posting on the property on 11/6/07 and at City Hall on 11/15/07.

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

18-27(a)

THERE IS GRASS/PLANT OVERGROWTH PRESENT ON THIS PROPERTY.

9-306

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

Complied:

18-1

THE POOL AT THIS LOCATION IS FILLED WITH GREEN, STAGNANT AND UNCIRCULATING WATER. IN ITS PRESENT CONDITION THE POOL IS OBJECTIONABLE, UNSIGHTLY AND UNSANITARY. THE POOL MAY FURNISH A BREEDING PLACE FOR MOSQUITOES AND COULD ENDANGER THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING PROPERTIES.

9-280(h)(1)

THERE IS A WOOD FENCE ON THIS PROPERTY THAT IS IN DISREPAIR, (GATE DAMAGED).

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 9-306 within 4 weeks or a fine of \$25 per day, per violation.

Judge Williams found in favor of the city and ordered compliance with 18-27(a) and 9-306 within 4 weeks or a fine of \$25 per day, per violation.

Case: CE07090347

Orlando Land Trust
700 Northwest 14th Way

Mr. McKelligett announced that service was via posting on the property on 11/13/07 and at City Hall on 11/15/07.

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

18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE PROPERTY.

47-21.8.D.

THERE ARE PLANT MATERIALS (SHRUBBERY) THAT ARE BLOCKING THE VIEW OF ONCOMING TRAFFIC.

9-280(h)(1)

THE WOOD FENCE IS IN DISREPAIR, IN THAT THERE ARE SECTIONS LEANING, THERE ARE MISSING/BROKEN SLATS AND THE GATES ARE LEANING AND DO NOT CLOSE PROPERLY.

Officer Feldman presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 47-21.8.D within 14 days or a fine of \$25 per day, per violation and with 9-280(h)(1) within 28 days or a fine of \$25 per day.

Judge Williams found in favor of the City and ordered compliance with 18-27(a) and 47-21.8.D within 14 days or a fine of \$25 per day, per violation and with 9-280(h)(1) within 28 days or a fine of \$25 per day.

Case: CE07110353

Christopher Moody & Royce Smith
1737 Northeast 15th Street

Mr. McKelligett announced that service was via posting on the property on 11/26/07 and at City Hall on 11/26/07.

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

9-280(f)

THE PLUMBING IS NOT BEING MAINTAINED IN THAT THE POOL PUMP IS NOT OPERATIONAL, CAUSING THE WATER IN THE POOL TO BECOME GREEN AND STAGNANT.

9-280(g)

THE ELECTRIC IS NOT BEING MAINTAINED WHICH IS CAUSING THE POOL PUMP TO BE NON-OPERATIONAL.

9-280(h)(2)

THE POOL AT THIS LOCATION IS FILLED WITH GREEN STAGNANT AND UN-CIRCULATING WATER. IN IT'S PRESENT CONDITION, THE POOL IS UNSIGHTLY AND UNSANITARY. THE POOL MAY FURNISH A BREEDING PLACE FOR MOSQUITOES AND COULD ENDANGER THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING PROPERTIES.

Officer Feldman presented photos of the property and the case file and recommended ordering compliance with 9-280(f) and 9-280(g) within 14 days or a fine of \$25 per day, per violation and with 9-280(h)(2) within 14 days or a fine of \$100 per day.

Judge Williams found in favor of the City and ordered compliance with 9-280(f) and 9-280(g) within 14 days or a fine of \$25 per day, per violation and with 9-280(h)(2) within 14 days or a fine of \$100 per day.

Case: CE07081042

Corey Dacres
1340 Northeast 1st Avenue

Mr. McKelligett announced that service was via posting on the property on 11/6/07 and at City Hall on 11/15/07.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, testified to the following violations:
9-306

THE PAINT ON THE STRUCTURE IS CHIPPED AND STAINED.

Supervisor Pingitore presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE07091257

Jean Gabelus Pierre-Paul
1021 Northwest 3rd Avenue

Mr. McKelligett announced that service was via posting on the property on 11/6/07 and at City Hall on 11/15/07.

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

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

9-279(f)

OCCUPIED STRUCTURE WITHOUT CITY WATER SERVICES.

9-280(b)

THERE ARE BROKEN AND/OR MISSING WINDOWS ON THE
STRUCTURE.

Supervisor Pingitore presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 9-280(b) within 14 days or a fine of \$50 per day, per violation, and with 9-279(f) within 14 days or a fine of \$250 per day. She noted that there was a minor child living in one of the apartments.

Judge Williams found in favor of the City and ordered compliance with 18-27(a) and 9-280(b) within 14 days or a fine of 50 per day, per violation, and with 9-279(f) within 14 days or a fine of \$250 per day.

Case: CE07091306

Bank of New York
612 Southwest 11th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/19/07 and certified mail sent to the registered agent was accepted on 11/16/07.

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

THERE IS A BLUE TARP ON THE ROOF AND REPAIRS NEED
TO BE MADE.

Officer Ackley presented the case file and recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE07101198

Jeffrey Graf
729 Southwest 4th Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/15/07.

Mr. Leonard Ackley Code Enforcement Officer, testified to the following violation:
24-27(b)

THE TRASH CONTAINERS ARE NOT REMOVED FROM THE
SWALE AFTER TRASH PICK-UP DAY.

Officer Ackley presented the case file and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE07101240

Villas Santa Fe Corp
1111 Southwest 4th Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/15/07 and certified mail sent to the registered agent was accepted on 11/15/07.

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

THERE IS A DERELICT GRAY MERCEDES ON THE PROPERTY.

Compliance:

24-27(b)

THE DUMPSTER IS NOT BEING REPLACED INSIDE THE ENCLOSURE.

Officer Ackley presented the case file and recommended ordering compliance with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow.

Judge Williams found in favor of the City and ordered compliance with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the gray Mercedes.

Case: CE07100100

Key West Hobe Sound LLC
2650 North Federal Highway

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

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

VACANT LOT AND SWALES CONTINUE TO HAVE AN EXTREME AMOUNT OF OVERGROWTH.

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

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

Case: CE07081235

Richard & Saraswati Devi Bachan
2817 Southwest 8th Street

Mr. McKelligett announced that service was via posting on the property on 11/9/07 and at City Hall on 11/15/07.

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

THERE ARE TWO INOPERABLE VEHICLES PARKED IN

DRIVEWAY, SPECIFICALLY ONE WHITE VOLKSWAGEN BEETLE
AND ONE BLUE VOLKSWAGEN BEETLE WITH FLAT TIRES.

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

Judge Williams 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 white and blue Volkswagen Beetles.

Case: CE07090460

Zargaran Properties Inc
214 South Federal Highway

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/15/07 and certified mail sent to the registered agent was accepted [no date].

Ms. Ursula Thime, Code Enforcement Officer, testified to the following violations:
47-20.20.H

THE PARKING LOT IS NOT MAINTAINED. SOME
WHEELSTOPS ARE BROKEN OR MISSING. SURFACE OF THE
PARKING LOT PRESENTS POTHOLES. PARKING STRIPES
ARE FADED.

9-306

EXTERIOR BUILDING WALLS AND STRUCTURAL PARTS
INCLUDING FASCIA AND SOFFIT ARE DETERIORATED.
THERE ARE PLANTS GROWING IN CRACKS OF THE WALLS.
DOOR FRAMES AND WINDOW FRAMES ARE DETERIORATED.

Complied:

47-22.6.G.2.

BUSINESS SIGN ATTACHED TO THE NORTH SIDE WALL IS
IN DISREPAIR.

9-308(b)

THERE IS RUBBISH, TRASH AND DEBRIS ACCUMULATED ON
THE ROOF.

Officer Thime presented photos of the property and the case file and recommended ordering compliance with 47-20.20.H and 9-306 within 28 days or a fine of \$100 per day, per violation.

Judge Williams found in favor of the City and ordered compliance with 47-20.20.H and 9-306 within 28 days or a fine of \$100 per day, per violation.

Case: CE07081969

Stipulated agreement

Joseph Hall
1463 Northeast 63rd Court

Violations:

47-20.20.H

THE DRIVEWAY HAS HOLES AND IS IN DISREPAIR. THE SEALCOAT HAS WORN OFF.

9-280(g)

THERE IS AN ELECTRICAL OUTLET WITH WIRES COMING OUT OF IT IN THE FRONT YARD.

9-304(b)

THERE IS A TRAILER PARKED ON THE GRASS.

Complied:

9-281(b)

THERE IS A TRAILER WITH AN EXPIRED TAG ON THE PROPERTY.

9-306

THERE ARE AREAS OF FADED, DIRTY, PEELING, CRACKING AND MISSING PAINT ON THE STRUCTURE. THERE ARE TORN AND FADED AWNINGS.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply 47-20.20.H within 6 weeks or a fine of \$25 per day and to comply 9-280(g) and 9-304(b) within 2 weeks or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City and ordered compliance with 47-20.20.H within 6 weeks or a fine of \$25 per day and with 9-280(g) and 9-304(b) within 2 weeks or a fine of \$25 per day, per violation.

Case: CE07070379

Donna Zappin & Edmund Lackner
5811 Northeast 14th Road

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/14/07.

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

9-308(a)

THE ROOF HAS MISSING TILE AND HAS A BLUE TARP ON IT.

Officer Gottlieb presented the case file and recommended ordering compliance within 10 weeks or a fine of \$50 per day.

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

Case: CE07090312

ABCD Resort Partners Ltd
4140 North Federal Highway

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/14/07 and certified mail sent to the registered agent was accepted on 11/15/07.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:
47-22.9

THERE HAS BEEN A NEW SIGN ERECTED ON THE STRUCTURE
WITHOUT A PERMIT.

Officer Gottlieb presented the case file and recommended ordering compliance within 4 weeks or a fine of \$50 per day.

Judge Williams found in favor of the City and ordered compliance within 4 weeks or a fine of \$50 per day.

Case: CE07091227

Lenore Redinger
5811 Northeast 19th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/16/07.

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 DEAD OR MISSING GRASS ON THE ENTIRE
PROPERTY AND SWALE.

Officer Gottlieb explained homeowner was currently in the hospital and Officer Gottlieb was coordinating with the homeowners association and Commissioner Teel to get assistance for Ms. Redinger. She recommended ordering compliance within 8 weeks or a fine of \$25 per day, per violation.

Ms. Wald recommended the case be continued to 1/17/08 to give the homeowner or a representative the opportunity to appear.

Judge Williams continued the case to 1/17/08.

Case: CE07081699

Andre Plancher
1107 Northwest 15th Street

Mr. McKelligett announced that service was via posting on the property on 11/13/07 and at City Hall on 11/15/07.

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

9-280(g)

THERE IS AN EXTENSION CORD RUNNING FROM INSIDE THIS HOME INTO AN ICECREAM TRUCK CREATING AN ELECTRICAL HAZARD.

9-281(b)

THERE ARE UNLICENSED/INOPERABLE VEHICLES STORED ON THIS PROPERTY.

9-304(b)

THERE ARE VEHICLES PARKING ON THE LAWN AT THIS PROPERTY.

Officer Torres presented photos of the property and the case file and recommended ordering compliance with 9-304(b) within 14 days or a fine of \$50 per day, with 9-280(g) within 14 days or a fine of \$100 per day, and with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow.

Judge Williams found in favor of the City and ordered compliance with 9-304(b) within 14 days or a fine of \$50 per day, with 9-280(g) within 14 days or a fine of \$100 per day, and with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the ice cream truck.

Case: CE05110917

Mattie Bosket
824 Northwest 19th Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/1/07.

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

9-308(a)

THE ROOF IS NOT KEPT FREE OF TRASH AND DEBRIS.
THERE ARE TARPS, PLASTIC SHEETS AND CEMENT BLOCKS ON THE ROOF.

Officer Snow presented photos of the property and the case file and recommended ordering compliance within 26 weeks or a fine of \$25 per day. Officer Snow explained the City was supposed to demolish the home on this property and redevelop.

Judge Williams found in favor of the City and ordered compliance within 26 weeks or a fine of \$25 per day.

Case: CE07012331

Gregory Johnson
1518 Northwest 6th Street

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

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

47-22.6.F.

THE FREE-STANDING SIGN IS NOT IN A GOOD STATE OF REPAIR. THE SIGN IS NOT MAINTAINED. THE TOP OF THE SIGN IS MISSING AND THE STEEL POLE HAS PEELING PAINT.

9-306

THE EXTERIOR WALLS, DOORS AND FASCIA HAVE AREAS OF DIRTY, PEELING OR MILDEWED PAINT. THERE ARE GAPS AND HOLES IN THE FASCIA AND SOFFITS.

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, per violation.

Judge Williams found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day, per violation.

Case: CE07050096

Federal National Mortgage Association
421 Northwest 13th Avenue

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

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

9-308(b)

THE ROOF IS NOT MAINTAINED IN A CLEAN AND TRASH FREE CONDITION. THERE IS A BLUE TARP ON THE ROOF. PART OF THE BLUE TARP IS HANGING FROM THE ROOF.

9-329(b)

THE BUILDINGS, DOORS AND WINDOWS HAVE BEEN BOARDED WITHOUT FIRST OBTAINING A CITY ISSUED BOARD-UP CERTIFICATE.

Officer Snow presented photos of the property and the case file and stated he had a stipulated agreement with the new owner to comply within 98 days or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City, approved the stipulation and ordered compliance within 98 days or a fine of \$25 per day, per violation.

Case: CE07022138

Mary Liantaud
433 Northwest 22nd Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 11/2/07.

Mr. William Snow, Code Enforcement Officer, testified to the following violations:
47-34.1.A.1.

THE PROPERTY IS BEING USED FOR THE SALE OF USED CARS AND TRUCKS. THIS IS A NON-PERMITTED LAND USE OF RM-15 ZONED PROPERTY PER TABLE 47-5.16. THERE ARE SEVERAL VEHICLES PARKED ON THE LAWN WITH THE WINDSHIELDS FACING THE STREET. ON THE WINDSHIELD IS A DESCRIPTION OF THE VEHICLE, PRICE, PHONE NUMBER AND OTHER INFORMATION CONSISTENT WITH INFORMATION THAT IS ON THE WINDSHIELDS OF VEHICLES AT A USED CAR LOT.

9-304(b)

PARKING ON THE LAWN IS NOT PERMITTED. THERE ARE ONE OR MORE VEHICLES PARKED ON THE LAWN.

Complied:

47-19.9

THERE ARE ITEMS BEING STORED IN THE OPEN ON THE OUTSIDE OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO FURNITURE, TOOLS AND AUTO PARTS.

Officer Snow presented photos of the property and the case file and recommended ordering compliance with 9-304(b) within 21 days or a fine of \$25 per day and with 47-34.1.A.1. within 28 days or a fine of \$25 per day.

Judge Williams found in favor of the City and ordered compliance with 9-304(b) within 21 days or a fine of \$25 per day and with 47-34.1.A.1. within 28 days or a fine of \$25 per day.

Case: CE07052140

Benjamin Thomas
1574 Northwest 6th Street

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

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

47-19.4.D.8.

THE DUMPSTER ENCLOSURE IS NOT MAINTAINED IN A GOOD CONDITION. A SECTION OF CHAIN LINK FENCE MATERIAL IS COVERING THE DUMPSTER ENCLOSURE AND THE DUMPSTER. THERE IS RUBBISH AROUND THE DUMPSTER.

Complied:

18-27(a)

AREAS OF THE PROPERTY ARE OVERGROWN WITH GRASS AND WEEDS. TRASH, RUBBISH AND SOLID WASTE IS SCATTERED ABOUT THE PROPERTY.

Officer Snow presented photos of the property and the case file and recommended ordering compliance with 47-19.4.D.8. within 63 days or a fine of \$50 per day.

Judge Williams found in favor of the City and ordered compliance with 47-19.4.D.8. within 63 days or a fine of \$50 per day.

Case: CE07070669

Elliot & Sharon Yaro
409 Northwest 19th Avenue

Mr. McKelligett announced that service was via posting on the property on 11/6/07 and at City Hall on 11/15/07.

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

18-27(a)

THE YARD IS OVERGROWN WITH GRASS AND WEEDS. THERE IS TRASH AND SOLID WASTE INCLUDING CONSTRUCTION DEBRIS ON THE PROPERTY.

9-306

THE GUTTER IS NOT SECURELY ATTACHED TO THE BUILDING. THE FASCIA AND SOFFIT ARE ROTTED AND WATER DAMAGED.

Officer Snow presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 21 days or a fine of \$25 per day and with 9-306 within 49 days or a fine of \$25 per day.

Judge Williams found in favor of the City and ordered compliance with 18-27(a) within 21 days or a fine of \$25 per day and with 9-306 within 49 days or a fine of \$25 per day.

Case: CE07080778

New Life Christian Fellowship Inc
2158 Northwest 6th Court

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 11/15/07.

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

THE REAR OF THE PROPERTY IS OVERGROWN WITH GRASS AND WEEDS. THERE IS TRASH AND SOLID WASTE INCLUDING, BUT NOT LIMITED TO A METAL AND CLOTH CANOPY.

47-34.1.A.1.

THERE IS A COMMERCIAL FREIGHTLINER TRUCK BEING STORED ON THE REAR OF THE PROPERTY. THIS IS A NON-PERMITTED LAND USE OF R5-8 ZONED PROPERTY PER TABLE 47-5.11.

Officer Snow presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 35 or a fine of \$25 per day, and with 47-34.1.A.1. within 49 days or a fine of \$25 per day.

Judge Williams found in favor of the City and ordered compliance with 18-27(a) within 35 or a fine of \$25 per day, and with 47-34.1.A.1. within 49 days or a fine of \$25 per day.

Case: CE07081292

Mercedes Castillo
3040 Northwest 17th Court

Mr. McKelligett announced that service was via posting on the property on 11/2/07 and at City Hall on 11/15/07.

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

THERE IS GRASS AND PLANT OVERGROWTH ON THE PROPERTY.

9-280(h)(1)

THE WOODEN FENCE ON THE SOUTH SIDE OF THE PROPERTY IS IN DISREPAIR.

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

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

Case: CE07090306

Stipulated Agreement

Balvin & Celestine Wright
2717 Northwest 20th Street

Violations:

18-27(a)

THERE IS GRASS AND PLANT OVERGROWTH WITH RUBBISH,
TRASH AND DEBRIS ON THE PROPERTY.

47-19.9

THERE IS OUTDOOR STORAGE ON THE PROPERTY
INCLUDING, BUT NOT LIMITED TO BUILDING MATERIALS,
REFRIGERATOR, KITCHEN CABINETS AND TIRES.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply within 49 days or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City, approved the agreement and ordered compliance within 49 days or a fine of \$25 per day, per violation.

Case: CE07100912

Willie Mae Wilson
2321 Northwest 27th Avenue

Violations:

9-281(b)

THERE IS AN UNLICENSED, INOPERABLE BLACK ISUZU
RODEO PARKED ON THE PROPERTY.

9-304(b)

THERE IS A FORD TRUCK AND FULL SIZE VEHICLE WITH A
COVER PARKED ON GRASS OF THE PROPERTY.

Complied:

9-313(a)

THERE ARE NO HOUSE NUMBERS DISPLAYED OR VISIBLE.

Mr. McKelligett announced that the officer had a stipulated agreement with the owner to comply 9-281(b) and 9-304(b) within 49 days or a fine of \$25 per day, per violation.

Judge Williams found in favor of the City, approved the agreement and ordered compliance with 9-281(b) and 9-304(b) within 49 days or a fine of \$25 per day, per violation.

Case: CE07070155

Hearing to impose fine

Second Avenue LLC
3008 Southeast 4th Avenue

Mr. McKelligett announced that this case was first heard on 10/4/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the City was requesting imposition of a \$1,300 fine.

Judge Williams imposed the fine.

Case: CE07060539

Hearing to impose fine

Milton Williams
2127 Northwest 7th Court

Mr. McKelligett announced that this case was first heard on 8/16/07 to comply by 10/18/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,200 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE06120932

Hearing to impose fine

94-96 Hendricks Isle LLC
94 Hendricks Isle

Mr. McKelligett announced that this case was first heard on 7/19/07 to comply by 10/17/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,975 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07081106

Hearing to impose fine

1038 Northwest 7th Avenue Land Trust
1038 Northwest 7th Avenue

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,300 fine.

Judge Williams imposed the fine.

Case: CE06051819

Hearing to impose fine

Eric Salazar
2509 Northeast 21st Street

Vacate order of 9/21/06 and re-impose

Mr. McKelligett requested that this case be continued to 1/17/08.

Judge Williams continued the case to 1/17/08.

Case: CE07060696

Hearing to impose fine

Maurice Walker
2308 Northwest 26th Street

Mr. McKelligett announced that this case was first heard on 8/2/07 to comply by 9/6/07. Time to comply had been extended from 10/18/07 to 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$7,500 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07070304

Hearing to impose fine

Erma Bethel Estate
2349 Northwest 15th Street

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,400 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE05111264

Hearing to impose fine

Roxana Gonzales
1408 Northwest 9th Avenue

Mr. McKelligett announced that this case was first heard on 6/7/07 to comply by 10/18/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,400 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE06081289

Hearing to impose fine

Winston Patrick Watt
1437 North Andrews Avenue

Mr. McKelligett announced that this case was first heard on 1/4/07 to comply by 2/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,550 fine.

Judge Williams imposed the fine.

Case: CE07030292

Hearing to impose fine

Lorraine Geller
1444 Northwest 6th Avenue

Mr. McKelligett announced that this case was first heard on 5/3/07 to comply by 5/17/07 and 6/21/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$56,450 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07041629

Hearing to impose fine

Bethanie Alfred
1221 Northeast 5th Avenue

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 10/4/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,100 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07022058

Hearing to impose fine

John Burkett
2701 Northeast 49th Street

Ordered to reappear from 11/1/07

Mr. McKelligett announced that this case was first heard on 5/17/07 to comply by 9/20/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,050 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07080578

Hearing to impose fine

George Georgakopoulos
5700 Northeast 20th Avenue

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,700 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07080558

Hearing to impose fine

Isabela Cristina Passos
5741 Bayview Drive

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/1/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,400 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

Case: CE07060604

Hearing to impose fine

Theron Boyd
638 Northwest 22nd Road

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 11/1/07 and 11/22/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$150 fine.

Judge Williams imposed the fine.

Case: CE07070266

Hearing to impose fine

Nola Robinson
1313 Northwest 7th Court

Mr. McKelligett announced that this case was first heard on 9/20/07 to comply by 10/4/07. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,550 fine which would continue to accrue until the property complied.

Judge Williams imposed the fine.

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:

CE07011706	CE07100751	CE07071500	CE07051083
CE07050755	CE07100690	CE07090229	CE07090463
CE07090741	CE07090259	CE07101202	CE07101127
CE07100697	CE07101239	CE07091127	CE07100603
CE07110007	CE07081780	CE07101097	CE07101563
CE07101661	CE07091518	CE07091555	CE07091557
CE07100776	CE07090462	CE07090761	CE07100900
CE07100916	CE07101018	CE07101752	CE07090191
CE07091120	CE07100011	CE07100255	CE07101440

CE07110065	CE07110067	CE07052152	CE07101595
CE07091197	CE07091209	CE07100210	CE07100460
CE07100795	CE07100888	CE07101414	CE07101557
CE07040440			

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:

CE07100048	CE07081307	CE07091428	CE07100765
CE07100897	CE07091295	CE07100761	CE07101616
CE07091402	CE07061925	CE07080712	CE07100704

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:

CE07040653

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:

CE07100544	CE07100994	CE07090264	CE07090694
CE07100032	CE07100101	CE07090436	CE07081771

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:

CE07100554

There being no further business, the hearing was adjourned at 2:04 p.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate