

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
JUDGE H. MARK PURDY PRESIDING
JULY 17, 2008
9:00 A.M. – 1:40 P.M.**

Staff Present:

Mary Allman, Secretary Special Magistrate
Sue Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate Supervisor
Dee Paris, Administrative Aide
Cheryl Pingitore, Code Enforcement Supervisor
Ginger Wald, Assistant City Attorney
Len Ackley, Code Enforcement Officer
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Leonard Champagne, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Alejandro Del Rio, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
Ingrid Gottlieb, Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Linda Nigg, Business Tax Inspector
Bridget Patterson, Business Tax Inspector
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Wanda Sappington, Code Enforcement Officer
Bill Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents

CE08031657: Stephen Finta, partner
CE08032160: Debra Donaldson, tenant; Antonio Donaldson, tenant; Oscar Grisales-Racini, attorney; Gustavo Usandizaga, owner
CE07050099; CE08050428: Michael Curry, tenant; Dean Trantalis, attorney; James Bahh, tenant; Mark Steinberger, owner
CE07020570; CE07100417: Frank Wolland, attorney; Edgard Fragelus, owner
CE08011300: Agnes Rivers, owner; Tabitha Richardson, owner's daughter
CE07011635: Frank Caponi, owner
CE07110484: Kazy Jobal, owner
CE04120247: Cynthia Brewer Bulk, owner

CE08020628; CE08020631: Roger Freeman, owner
CE07060442: Michael Stevens, owner
CE07050476: Mark Foster, Power of attorney
CE07051809: Raul Fernandez, owner
CE08030938: Gustavo Usandizaga, owner
CE08060346: Michael Fotergill, owner
CE08032127: Justin Dieujuste, owner
CE08042164: Ari Banegas, owner
CE08031932: Jean Francios, owner
CE07061177: Alex Exposito, owner
CE07120802: Edward O'Sheehan, attorney; Jack Rosenberg, trustee
CE07031377: Rose Bowman, owner
CE08031578: Jeffrey Pedelty, owner; Peter Pedelty, owner
CE08021707: Bruce Toski, owner
CE07080436: Pete Hanna, manager
CE08010088: Dwight Thompson, owner; Calvin Thompson, owner's son
CE08010542: Yolanda Rosado, owner
CE08021602; CE07120575: Brady Cobb, attorney
CE08020917: Charles Donnely, owner
CE07060428: Timothy McEochen, representative of the owner
CE06020579: Brian Murphy, owner; Clare Murphy, owner
CE08040243: Garland Cagle, manager
CE07020750; CE08050350: Charles Urso, business owner
CE08042043 : Rick Kignal, Division Manager

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

The meeting was called to order at 9:00 A.M.

Case: CE08021707

Motion to rescind the stay order of 6/19/08

Bruce Toski
2361 Southwest 36 Terrace

Mr. McKelligett announced that this case was first heard on 5/15/08 to comply by 6/19/08. The order was stayed from 6/20 to 7/17/08. Mr. McKelligett recited violations, compliance dates and potential fines.

Ms. Wald presented the motion to rescind the stay order entered into at the June 19, 2008 Special Magistrate hearing. She explained the owner's notice to appeal was no longer in court records. Ms. Wald included the original affidavit of non-suit from the Clerk of Courts verifying that the appeal was not on record.

Mr. Bruce Toski, owner, submitted a stamped appeal from the Clerk of Courts. He believed this stamp validated his appeal request. Judge Purdy remarked that Mr. Toski had a problem with the Clerk's office regarding this inconsistency.

Ms. Wald requested a ruling from Judge Purdy on her motion to rescind the stay. Mr. Toski objected to this request. He said he wanted the City estopped from proceeding until they complied with his requests for public records. Mr. Toski asserted Ms. Wald had restricted his rights and conspired to deprive him of his constitutional rights.

Judge Purdy informed Mr. Toski that he was not responding to the City's motion to vacate the stay. Mr. Toski believed he was, and requested that no ruling be made until he received a response to his public records request. Judge Purdy reminded Mr. Toski he had an affidavit of non-suit. He granted the City's motion and advised Mr. Toski to work out his problem with the Clerk of Courts.

Mr. Toski made a motion for Judge Purdy to recuse himself, citing a conflict of interest, which Judge Purdy denied.

Case: CE08060346

Michael & Monica Fotergill
927 Southwest 2 Court

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

Mr. William Snow, Code Enforcement Officer, testified to the following violation:
9-279(g)

THE SEWER WASTE PIPES EMPTY WASTE INTO A HOLE IN THE GROUND COVERED WITH PLYWOOD, THE BUILDINGS WASTE PIPES DO NOT EMPTY INTO AN APPROVED SEPTIC TANK. THE WASTE PIPES HAVE NOT BEEN MAINTAINED IN GOOD, SANITARY WORKING CONDITION AND POSE A HAZARD TO THE COMMUNITY.

Officer Snow explained there had been a complaint from the adjacent property owner. He presented photos of the property and the case file and recommended ordering compliance within 2 weeks or a fine of \$100 per day. Officer Snow explained the owner must connect to the new sewer system.

Mr. Michael Fotergill, owner, said he was having financial problems getting the work done. He also stated the land on which the old septic was located had been "adversely possessed." He requested 30 days to comply. Officer Snow noted that even if the tenants left, the violation would remain. Mr. Fotergill said he was in the process of removing the tenant.

Judge Purdy found in favor of the City and ordered compliance within 2 weeks or a fine of \$100 per day.

Case: CE07051809

Hearing to impose fine

Raoul & Gabriela Fernandez and
Matthew Whitehead
731 Northwest 4 Avenue

Mr. McKelligett announced that this case was first heard on 5/15/08 to comply by 5/29/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the City was requesting imposition of a \$21,700 fine which would continue to accrue until the property complied.

Mr. Wilson Quintero, Code Enforcement Officer, reported the property had been inspected 14 times and he had many conversations with the owner regarding the violations.

Mr. Raul Fernandez, owner, explained that Matthew Whitehead no longer had an interest in the property. He said the new management company had lied to him regarding their cooperation with Officer Quintero and complying the violations. Mr. Fernandez stated there was only one tenant in one unit now, and he promised the last violation, the two broken windows, would be repaired within 15 days.

Officer Quintero confirmed that as soon as Mr. Fernandez was made aware of the violations, he had worked diligently. Officer Quintero did not object to an extension.

Judge Purdy granted a 21-day extension to 8/7/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE07020750

Request for extension

Arnold Mittelman
6001 Northwest 9 Avenue

Mr. McKelligett announced that this case was first heard on 4/3/08 to comply by 7/24/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the owner was requesting an extension.

Mr. Sal Viscusi, Code Enforcement Officer, said he had spoken with the owner, who needed additional time to have plans drawn and have the dumpster enclosure built.

Mr. Charles Urso, business owner, explained that they had installed fencing around the current enclosures, but issues remained with locating the individual dumpsters behind the building. He requested 180 days to have the plans drawn and to have the work done. Officer Viscusi did not object to the extension.

Judge Purdy granted a 182-day extension to 1/15/09, during which time no fines would accrue.

Case: CE07031377
Bowman Commercial
Properties LLC
1608 Southwest 3 Avenue

Continued from 6/5/08
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 6/7/07 to comply by 8/2/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard and stated the City was requesting imposition of a \$1,300 fine which would continue to accrue until the property complied.

Mr. Dick Eaton, Code Enforcement Officer, explained that Ms. Bowman's property had been damaged in the hurricane and she had subsequently fought with FEMA to obtain funds, and been taken advantage of by more than one contractor. Ms. Bowman had also changed attorneys three times during the course of the case.

Officer Eaton had confirmed with the contractor that all permits had been issued. He did not object to an extension to allow Ms. Bowman's new attorney to appear.

Ms. Rose Bowman, owner, said her attorney could not appear today. She said she had spent over \$150,000 on the repairs, and described problems she had with contractors. Officer Eaton recommended granting an extension to 9/4/08.

Judge Purdy granted a 49-day extension to 9/4/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

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

Case: CE07050099
Mark Steinberger
1243 Northeast 11 Avenue

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 10/18/07 to comply by 1/17/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard.

Ms. Aretha Davis, Code Enforcement Officer, explained that violations 47-20.2.A. and 47-20.4 B.1. had been withdrawn, not complied, in November because the property was vacated.

Officer Davis had reinspected the property on July 15, and reported the parking spaces had been revised and the permit was issued, but final inspection must confirm compliance. She submitted photos of the property into evidence.

Mr. Mark Steinberger, owner, reported the work was complete, and presented his own photos. Officer Davis did not object to allowing time for the property to be inspected to confirm the parking spaces complied. Mr. Steinberger requested an extension for final inspections to take place.

Judge Purdy granted a 28-day extension to 8/7/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08050420

Ordered to reappear

Mark Steinberger
1243 Northeast 11 Avenue

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 7/17/08. Mr. McKelligett recited violations, compliance dates and potential fines.

Ms. Aretha Davis, Code Enforcement Officer, explained that this case re-cited the property for the violations that had been withdrawn in November.

Mr. Dean Trantalis, attorney for the tenants, said his clients were "aggressively working" to find a party willing to enter into an offsite parking agreement. He requested a 60-day extension to allow these negotiations to continue.

Judge Purdy granted a 63-day extension to 9/18/08, during which time no fines would accrue and ordered the respondent to reappear at that hearing.

Case: CE08032127

Justin Dieujuste
1060 Atkinson Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/26/08.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:
9-308(a)

THE ROOF IS MISSING THE REQUIRED DURABLE COVERING.
THERE IS AN EXPIRED PERMIT FOR A NEW ROOF.

Officer Gottlieb reported that on 4/23/08, the permit for the roof had been renewed, but no work had been done.

Mr. Justin Dieujuste, owner, explained he had lost his job and could not afford to repair the roof. He requested 120 more days to have the roof repaired. Officer Gottlieb explained that the permit would soon expire again, and Mr. Dieujuste said he would renew the permit.

Judge Pudy suggested a 91-day extension and Officer Gottlieb suggested Mr. Dieujuste return on 8/7/08 to show he had renewed his permit and was working to comply.

Judge Purdy found in favor of the City, ordered compliance within 91 days, by 10/16/08, and ordered the respondent to reappear at the 8/7/08 hearing to prove he had renewed his permit.

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

Case: CE07020570

Edgard Fragelus
1315 West Sunrise Boulevard

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 7/5/07 to comply by 10/4/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$4,150 fine.

Mr. Frank Wolland, attorney for the owner, requested abatement of the fines. He explained that the 2005 hurricane had devastated Mr. Fragelus' businesses and the property had gone into foreclosure. As a result, Mr. Fragelus was unemployed and his home was being foreclosed upon.

Mr. Andre Cross, Code Enforcement Officer, agreed that Mr. Fragelus had suffered financial problems and was losing his home. Officer Cross did not object to abatement of the fines.

Judge Purdy imposed a fine of \$5 per day.

Case: CE07100417

Edgard Fragelus
1315 West Sunrise Boulevard

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 1/17/08 to comply by 1/31, 2/14 and 3/13/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$12,850 fine.

Judge Purdy imposed a fine of \$5 per day, per violation.

Case: CE07080436

Dill's Real Estate Management Inc
2395 West Commercial Boulevard

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 6/5/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$100 fine.

Mr. Sal Viscusi, Code Enforcement Officer, explained that it had taken some time for the gas station to recover funds from the insurance company to repair the sign. Officer Viscusi recommended no fine be imposed.

Judge Purdy imposed no fine.

Case: CE08042043

Autopar Remainer III LLC
5121 Northwest 9 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/23/08 and certified mail sent to the registered agent was accepted on 6/23/08.

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

THERE IS LAWN/PLANT/TREE OVERGROWTH PRESENT AND
THIS PROPERTY AND DUMPSTER ENCLOSURE AREA ARE
LITTERED WITH TRASH, RUBBISH AND DEBRIS.

Complied:

47-19.4.D.1.

9-281(b)

9-304(b)

Officer Viscusi said he had several conversations with the store managers, who were working to comply the property. Officer Viscusi informed Judge Purdy that the area had a problem with homeless people making a mess of the rear of the property. He stated there may have been a misunderstanding about the area that must be cleaned up. Officer Viscusi presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 4 weeks or a fine of \$25 per day.

Mr. Rick Kignal, Division Manager for Advanced Auto Parts, said he was unaware the area that must be cleaned was on the store property, but he agreed to clean the property.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) within 35 days or a fine of \$25 per day.

Case: CE08042164
EJC Investments LLC
1101 West Prospect Road

Request for extension

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 7/3/08. Mr. McKelligett recited violations, compliance dates and potential fines, which had accrued to \$1,950.

Mr. Sal Viscusi, Code Enforcement Officer, said he did not object to an extension.

Mr. Ari Banegas, owner, explained he needed the extension to have plans for the dumpster drawn by an architect. He said a tenant would now be employed picking up the trash on the property.

Judge Purdy granted a 182-day extension to 1/15/09, during which time no fines would accrue.

Case: CE08032160
Sonata LLC
816 Northwest 4 Avenue

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

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-280(b)

THERE ARE BUILDING PARTS NOT MAINTAINED ON THIS RENTAL PROPERTY INCLUDING, BUT NOT LIMITED TO WALLS INSIDE THE KITCHEN, WINDOWS BOLTED ON BEDROOM AND WALL AIR CONDITIONER NOT SECURED AT NORTH SIDE WALL.

9-280(h)(1)

THERE IS A CHAIN-LINK FENCE IN DISREPAIR ON THIS RENTAL PROPERTY, TOP RAILS NOT PROPERLY SECURED AT SOUTH SIDE.

9-308(a)

THERE IS A ROOF AT THE FRONT ENTRANCE PORCH THAT IS NOT MAINTAINED IN A SAFE, SECURE AND WATERTIGHT CONDITION.

9-308(b)

THERE IS A ROOF AT THE FRONT ENTRANCE PORCH NOT MAINTAINED AND KEPT IN A CLEAN CONDITION, AND FREE OF TRASH AND DEBRIS. THERE ARE CEMENT PAVERS ON TOP OF THE ROOF.

Complied:

9-281(b)

Officer Quintero had spoken with the owner, who informed him he would do no work to comply the violations because he intended to demolish it. As of Inspector Quintero's reinspection on July 15, the violations remained.

Mr. Oscar Grisales-Racini, attorney, said the owner had a "real difficult time trying to collect rent from the current tenant; we believe that there may be some retaliation issues regarding the existence of the violations and the way this has been characterized." He said his client was "willing to comply with certain aspects of the violations" but the tenant would not allow access to the property to correct the violations. The owner had begun eviction proceedings against the tenant.

Mr. Gustavo Usandizaga, owner, said the project planned for this property had gone through the DRC process, and they would soon submit plans for permits to redevelop the property. This was why he wished to evict the tenants and make no improvements on the property.

Officer Quintero presented photos of the property and the case file into evidence.

Ms. Debra Donaldson, tenant, said she had been asking for the repairs to be made for over two years.

Judge Purdy found in favor of the City and ordered compliance with 9-280(b), 9-280(h)(1), 9-308(a) and 9-308(b) within 35 days or a fine of \$50 per day, per violation.

Case: CE08030938

Request for extension

Sole D'Lauderdale LLC
816 Northwest 3 Avenue

Mr. McKelligett announced that this case was first heard on 6/19/08 to comply by 7/3/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated fines had accrued to \$1,450.

Mr. Wilson Quintero, Code Enforcement Officer, reported that all violations were complied except for the board up certificate.

Mr. Gustavo Usandizaga, owner, confirmed that all of the violations were complied except for the board up certificate.

Judge Purdy granted a 63-day extension to 9/18/08, during which time no fines would accrue.

Case: CE07110484
Bayview Petroleum Inc
5900 North Federal Highway

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 2/21/08 to comply by 3/6/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,250 fine.

Ms. Ingrid Gottlieb, Code Enforcement Officer, requested imposition of the full fine amount.

Mr. Kazy Jobal, owner, explained that there was construction going on at the property and he was waiting for this to be completed before taking care of the overgrowth. Officer Gottlieb said the construction was not an issue; the violation was complied prior to the construction.

Judge Purdy imposed the \$1,250 fine.

Case: CE08010088
Stephanie Moncrief &
Joann McLemore, et al
2414 Northwest 23 Lane

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 4/3/08 to comply by 6/5/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of an \$875 fine.

Mr. Todd Hull, Code Enforcement Officer, explained that the owner had signed a stipulated agreement in April to comply the violations by June 5 but the tree stump violation was not complied until July 11.

Mr. Calvin Thompson, owner, explained that the property had 16 heirs, and the siblings had not properly communicated with each other regarding the violations. Once he became aware of the tree stump issue, he had removed it within two days. Mr. Thompson requested that no fine be imposed.

Mr. Dwight Thompson, owner, said it had taken time for the siblings to put the money together to have the tree removed.

Judge Purdy imposed a \$100 fine.

Case: CE07011635
Denise Reinbott & Frank Caponi
3141 Southwest 20 Street

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 8/16/07 to comply by 10/25/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$4,175 fine.

Mr. Len Champagne, Code Enforcement Officer, explained that Judge Hull had imposed a \$3,000 fine on 5/15/08 and ordered the respondent to appear at today's hearing. Officer Champagne stated the property was now complied.

Case: CE04120247
W.C. Jr. & F.J. Brewer
Revocable Living Trust
301 East Sunrise Boulevard

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 3/17/05 to comply by 6/15/05. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$17,050 fine.

Ms. Cynthia Brewer-Bulk, daughter of the deceased owner, stated she thought the extensions she had been granted had prevented the fines from accruing. She explained that the tenant had gone through the DRC process to redevelop the property. During this time, the building had to remain standing to avoid losing 10 feet of the property to the City for a bus stop. She reported the building had now been demolished.

Mr. Andre Cross, Code Enforcement Officer, confirmed that the DRC process had taken 18 months, and Ms. Brewer-Bulk had requested extensions all along.

Judge Purdy imposed a \$100 fine.

Case: CE07120802
Marvic Manor Inc
1354 Bayview Drive #M

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 3/6/08 to comply by 3/20/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard and stated the City was requesting imposition of a \$32,900 fine which would continue to accrue until the property complied.

Mr. Edward O'Sheehan, attorney explained that the corporation was controlled by two trusts, and Mr. Rosenberg had recently been appointed trustee. Mr. Rosenberg had met with Officer Davis at the property, and was in the process of being added to the trust bank account so he would be able to hire someone to make the repairs.

Ms. Aretha Davis, Code Enforcement Officer, stated she had met with Mr. Rosenberg on July 11 at the property. She did not object to a 35-day extension.

Judge Purdy granted a 49-day extension to 9/4/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

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

Case: CE08021602

Rescheduled from 6/5/08

BIMA II LLC

3003 Northeast 32 Avenue

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
47-24.1.B.

THERE IS OUTDOOR DINING AT THE PROPERTY WITHOUT
FIRST OBTAINING A DEVELOPMENT PERMIT.

Officer Sotolongo stated the original inspection report had been hand delivered to the owner on April 3, 2008. He said he had communicated with the owner and his attorneys, who informed him they were "in possession of some documents that would clarify this matter" but he had never received this. Officer Sotolongo presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$50 per day.

Mr. Brady Cobb, attorney, stated he had met with Officer Sotolongo regarding the outdoor dining violation, and said, "Outdoor dining has been recognized, discussed, and even widely known since 1978..." He claimed that items that facilitated the outdoor dining, such as awnings, had been approved on the property. Mr. Cobb said "Under section 47-3.7, the use was permitted and known on the original site plan of B-1 and is still a permitted use under the current zoning designation, which is CB."

Officer Sotolongo said the City did not dispute that outdoor dining was a permitted use, but reported that according to his extensive document research, the owner had never filed for the permit, which was required. He stated the rezoning to CB did not alter this requirement. Officer Sotolongo said the City was not disputing the fact that this was an ongoing use, but the burden of proof was on the owner regarding the permit.

Mr. Cobb did not agree that the burden of proof was on the owner, stating again that the City had not shown that outdoor dining was a non-permitted use. Judge Purdy stated, "The issue is the permit." Officer Sotolongo stated again that the City did not dispute that the use was permitted; the violation concerned the lack of the required permit.

Judge Purdy said he would reset the case for 9/18/08, and hoped that within this time, the City and the owner would "get together and either get a permit or determine whether there was a permit." Officer Sotolongo reminded Judge Purdy that he had met with the

owner several times already, but the documents the owner claimed to have had never been produced for the City. Judge Purdy stated, "Hopefully, the 63 days and \$50 a day thereafter will bring this to a head."

Ms. Wald asked Judge Purdy if he was making a finding of fact that this was a violation of 47-24.1.B. Judge Purdy said he had not made a finding as to that, and said he would reset the case to 9/18/08. Ms. Wald said Judge Purdy was "just continuing the matter to that date...so that evidence can be brought to you to present the case..." Judge Purdy agreed.

Judge Purdy continued the case to 9/18/08.

Case: CE07120575
BIMA II LLC
3003 Northeast 32 Avenue

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 2/21/08 to comply by 4/24/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$2,050 fine, which would continue to accrue until the property complied.

Mr. Mario Sotolongo, Code Enforcement Officer, explained that the permit had been issued, but the owner had not paid for it and picked it up in a timely manner.

Judge Purdy imposed a \$205 fine.

Case: CE07050476
Joseph Vrechek
Revocable Trust
515 Idlewyld Drive

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 12/5/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$300 fine [reduced from \$1,025].

Ms. Cheryl Pingitore, Code Enforcement Supervisor, referred to Officer Thime's records regarding this case, and said Officer Thime's recommendation to reduce the fine to \$300 was based on the owner's serious health issues.

Mr. Mark Foster, Power of Attorney for the owner, thanked Judge Purdy.

Judge Purdy imposed a \$300 fine.

Case: CE08031657

Rescheduled from 6/5/08

James Joiner
416 Southeast 19 Street

Officer Dick Eaton Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

AN ATTORNEY'S OFFICE IS BEING OPERATED AT THIS
LOCATION WHICH IS A NON-PERMITTED LAND USE IN THIS
RMM 25 ZONED AREA.

Officer Eaton reported that this was a law office operating in a residential area. On his reinspection on 4/29/08, Officer Eaton reported he had been allowed into the office by a secretary, and the attorney, Mr. Finta, had been "very irate and demeaning and ordered me to leave the property." Officer Eaton presented a copy of the zoning indicating this was not a permitted use in this area.

Mr. Stephen Finta, partner, stated he had informed Mr. Eaton in April that if he scheduled an appointment, he would be glad to speak with him. Mr. Finta explained that he had plans to redevelop this property and 420 Southeast 19 Street into condominiums. Mr. Finta said this office location was convenient for him and he understood that the business license issued by the City allowed him to "operate out of the house, so to speak, in this instance." He requested time to comply if the office was not allowed.

Officer Eaton reminded Judge Purdy that he had informed Mr. Finta on 3/24/08 that this was a non-permitted use, so he had four months already to address the problem. Officer Eaton recommended ordering compliance within 21 days or a fine of \$100 per day.

Mr. Finta insisted the code allowed him to operate a business out of his home, explaining that he lived at this property during the week and in North Miami on the weekends. Mr. Eaton clarified that Mr. Finta had paid a business tax to the City, but this was located at another address. He explained that some home businesses were allowed, but employees were not permitted. Mr. Finta stated, "There is no chicanery in this particular instance about using another address; the address is 416 Southeast 19th Street." Officer Eaton reiterated his belief that the tax had been paid on a different address.

Officer Eaton informed Judge Purdy that this was a single-family home, and his citing the property was the result of complaints from neighbors that a business was being run out of the home.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, reported that there was a current business tax license for 416 Southeast 19th Street. She remarked that the problem was the employees on the property.

Judge Purdy stated he would review the code section and rehear the case on August 7, 2008.

Judge Purdy continued the case to 8/7/08.

Case: CE08031578

Jeffrey & Peter Pedelty
1725 Southwest 5 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/20/08.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:
8-148(a)

THERE ARE BOATS FOUND TO BE OF UNSIGHTLY APPEARANCE OR IN BADLY DETERIORATED CONDITION WHICH IS LIKELY TO CAUSE DAMAGE TO PRIVATE OR PUBLIC PROPERTY, PARKED AT THE DOCK OF THIS PROPERTY.

8-91(b)

THE DOCK OR OTHER MOORING STRUCTURE IS IN GENERAL DISREPAIR WITH CRACKS AND DETERIORATED WOOD, MAKING DOCK UNSAFE TO WALK ON.

9-306

THERE IS CHIPPED, FADED AND MILDEW STAINED PAINT ON THE BUILDING AND FASCIA BOARD.

9-308(a)

THE ROOF ON THIS PROPERTY IS IN DISREPAIR, NOT MAINTAINED, INCLUDING, BUT NOT LIMITED TO MISSING ROOF TILES.

9-308(b)

THE ROOF ON THIS PROPERTY IS DIRTY AND HAS MILDEW STAINS.

Complied:

18-27(a)

9-280(h)(1)

9-281(b)

Officer Cross presented photos of the property and the case file into evidence.

Mr. Peter Pedelty, owner, explained he was having financial problems, and he had been in an accident two months ago and broken his arm. He requested additional time to comply.

Officer Cross recommended ordering compliance with 8-148(a) within 14 days or a fine of \$25 per day, and with 8-91(b), 9-306, 9-308(a) and 9-308(b) within 63 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 8-148(a) within 14 days or a fine of \$25 per day, and with 8-91(b), 9-306, 9-308(a) and 9-308(b) within 63 days or a fine of \$25 per day, per violation.

Case: CE07060428

Hearing to impose fine

Altaire Village II LLC

3201 Northeast 32 Avenue # 1B

Mr. McKelligett announced that this case was first heard on 9/6/07 to comply by 11/8/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard and stated the City was requesting imposition of a \$6,900 fine.

Mr. Timothy McEochen, representative of the owner, explained that there had been five cases against Altaire Village which had been complied by demolishing the properties. He stated there had been a lapse in management for this one case, which resulted in the fines accruing. Mr. McEochen said he had spoken with Officer Feldman, and believed he supported a reduction of the fines to \$500 for administrative fees.

Mr. Adam Feldman, Code Enforcement Officer, agreed there had been a lapse of management, but after Mr. McEochen took over, the property was cleaned up. He recommended reducing the fine to \$500.

Judge Purdy imposed a \$500 fine.

Case: CE07061177

Ordered to reappear

Alex, Elizabeth & Aimee Exposito

Hearing to impose fine

1301 Southwest 33 Terrace

Mr. McKelligett announced that this case was first heard on 1/17/08 to comply by 4/24/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard and stated the City was requesting imposition of a \$1,025 fine which would continue to accrue until the property complied.

Mr. Alex Exposito, owner, explained that Citizens Insurance had paid their claim just three months ago and the mortgage company was distributing payment. He was now in the process of having plans submitted and approved.

Mr. Len Champagne, Code Enforcement Officer, said the permit applications had not been submitted. Mr. Exposito presented a contractor he had with a contractor to do the work.

Judge Purdy said he would grant an extension to 8/7/08 and advised Mr. Exposito to have all paperwork submitted by then.

Judge Purdy granted an extension to 8/7/08 and ordered the respondent to reappear at that hearing.

Case: CE07060442

Drago Juana
511 Southwest 19 Street

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 9/20/07 to comply by 10/25 and 11/22/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$5,250 fine which would continue to accrue until the property complied.

Mr. Dick Eaton, Code Enforcement Officer, explained that only three of the original nine violations remained. He supported allowing another extension to complete the work.

Mr. Michael Stevens, owner, requested additional time to comply. He said they were currently suing Citizens Insurance because they had paid nothing on the claim and the approximate \$100,000 repair costs had been paid by the owners.

Judge Purdy granted a 35-day extension to 8/21/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08020917

Charles Donnelly
3018 Northeast 20 Court

Rescheduled from 6/5/08

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violations:
9-306

THE EXTERIOR WALLS, ROOF FASCIA BOARDS AND SOFFITS
OF THE BUILDING ARE NOT BEING PROPERLY MAINTAINED.
THERE ARE AREAS OF STAINED, MISSING AND PEELING
PAINT ON THE EXTERIOR WALLS, ROOF FASCIA BOARDS
AND SOFFITS.

9-308(b)

THE TILE ROOF OVER THE BUILDING IS NOT BEING
PROPERLY MAINTAINED. THE ROOF IS DIRTY AND IN
NEED OF PAINT.

Withdrawn:
9-280(b)

Officer Sotolongo presented photos of the property and the case file into evidence and said he had spoken with Mr. Donnelly, and they had reached an agreement to comply 9-306 and 9-308(b) within 63 days or a fine of \$25 per day, per violation.

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

Case: CE08011300

Hearing to impose fine

Agnes Rivers

2701 Northwest 21 Street

Mr. McKelligett announced that this case was first heard on 5//8/08 to comply by 5/22 and 6/5/08. 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.

Mr. Todd Hull, Code Enforcement Officer, reported this case had been started in January, and there had been no response from the owner until June, when she requested Officer Hull grant an extension. He advised her to appear at this hearing to request the extension.

Ms. Agnes Rivers, owner, introduced her daughter, who she stated was making the repairs.

Ms. Tabitha Richardson, the owner's daughter, stated originally her brother had agreed to handle the property for their mother but he had not done so, so she had recently assumed the responsibility, including paying the mortgage. Ms. Richardson had tried to renegotiate the mortgage and discovered the violations. Officer Hull informed Judge Purdy that the grass and overgrowth on the property were now maintained, but there was some trash; his main concern was the condition of the building exterior.

Ms. Richardson explained that since her brother had stopped paying the mortgage and the property insurance, the interest rate had increased and she had spent all of her money to get these things in order. Ms. Richardson had hired someone to repair the house, and she said work would begin soon.

Judge Purdy said he would waive the fine for 18-27(a) in anticipation of it's being complied immediately, and grant a 49-day extension to 9/4/08 to comply 9-306, during which time fines would accrue, and advised Ms. Richardson to bring proof that the exterior repairs were being made.

Mr. McKelligett advised Judge Purdy that since Officer Hull had not reinspected the property to confirm compliance of 18-27(a), Judge Purdy should grant extensions for both violations.

Judge Purdy granted a 49-day extension to 9/4/08 for both violations.

Case: CE06020579
Brian & Clare Murphy
4860 Northwest 10 Avenue

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 7/19/07 to comply by 10/18/07. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$2,050 fine which would continue to accrue until the property complied.

Mr. Sal Viscusi, Code Enforcement Officer, explained that the remaining violation concerned a metal shipping container located on the property. He presented a photo of this container into evidence. Officer Viscusi said he had spoken with the owners, who were seeking a solution to removing the container.

Ms. Clare Murphy, owner, explained that her husband had been unable to work for three months, and she had been financially unable to have the container removed. She requested time to catch up with other debts, so she could afford to move the container. Ms. Murphy stated they were working to have a shed installed on the property to hold the items in the container, allowing it to be removed.

Officer Viscusi recognized the Murphy's financial hardship, and stated he had no objection to a 6-month extension.

Judge Purdy granted a 182-day extension to 1/15/09, during which time no fines would accrue. Respondent also ordered to reappear.

Case: CE08010542
Yolanda Rosado
2920 Northwest 69 Court

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 5/8/08 to comply by 6/5/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$350 fine.

Mr. Sal Viscusi, Code Enforcement Officer, said Ms. Rosado had suffered a financial hardship, but had managed to find someone to remove the tree. He recommended no fine be imposed.

Judge Purdy imposed no fine.

Court was in recess from 11:58 – 12:23

Case: CE08021474

Allied Mortgage & Financial Corporation
1800 Northwest 8 Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/20/08 and certified mail sent to the registered agent was accepted on 6/20/08.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THIS PROPERTY INCLUDING, BUT NOT LIMITED TO PIECES OF CEMENT AND CINDER BLOCKS AND DEAD TREE LIMBS.

9-280(h)(1)

THE CHAIN-LINK FENCE AT THIS VACANT PROPERTY IS LYING ON THE GROUND AND IS IN DISREPAIR.

Officer Sappington reported she had inspected the property three times, and there had been no improvement or contact from the owner. She presented photos of the property and the case file and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day, per violation.

Case: CE08041594

Gerard Vinci
1029 Northeast 16 Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/18/08.

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

THERE IS AN UNLICENSED, INOPERABLE VEHICLE BEING STORED ON THE PROPERTY INCLUDING, BUT NOT LIMITED TO A RED FOUR DOOR HONDA. THE VEHICLE DESCRIBED HAS AN EXPIRED LICENSE TAG, WOODZH ON 1/08. THE CITY REQUESTS THE RIGHT TO TOW AS THE VEHICLE POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Complied:
24-27(b)

Officer Rich 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 the red Honda.

Judge Purdy 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 red Honda.

Case: CE08021573

Robert & Sofia Castro
645 Flamingo Drive

Mr. McKelligett announced that this case was being continued to 8/7/08 at the owner's attorney's request.

Case: CE08060612

Sonia & Anthony O'Hara
1480 Northwest 20 Court

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/23/08.

Ms. Linda Nigg, Business Tax Inspector, testified to the following violation:
15-28.

ENGAGING IN BUSINESS WITHOUT FIRST OBTAINING A
BUSINESS TAX RECEIPT FOR ANTHONY O'HARA.

Inspector Nigg recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE08050402

Andres Contreras
1137 Northeast 17 Avenue

Mr. McKelligett announced that service was via posting on the property on 6/12/08 and at City Hall on 7/3/08.

Ms. Bridget Patterson, Business Tax Inspector, testified to the following violation:
15-28.

ENGAGING IN A BUSINESS WITHOUT FIRST OBTAINING A

BUSINESS TAX RECEIPT FOR SEVEN (7) UNIT APARTMENT
AND ONE (1) WASHER, ONE (1) DRYER OWNER, ANDRES
CONTRERAS BUSINESS ID #9051944.

Inspector Patterson recommended ordering compliance within 14 days or a fine of \$50 per day.

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

Case: CE08020554

Phillip & Joyce Schuman
443 Hendricks Isle

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/26/08.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violations:
24-27(b)

THE TRASH/LAWN CONTAINERS ARE LEFT ON THE SWALE.

47-34.1 A.1.

THERE IS OUTDOOR STORAGE ON THIS PROPERTY,
INCLUDING, BUT NOT LIMITED TO WOOD PLANKS,
PLYWOOD, CONSTRUCTION MATERIALS, BUCKETS, CARPET
PIECES, PAINT CANS, RUSTED PROPANE TANKS AND OTHER
ITEMS, WHICH ARE A NON-PERMITTED LAND USE IN RMM25
ZONING, PER ULDR TABLE 47-5.19. (SEE 47-19.9)

9-306

THERE IS CHIPPED AND PEELING PAINT ON THE BUILDING
AND FASCIA BOARD.

Complied:

18-27(a)

9-280(b)

9-280(h)(1)

9-281(b)

Officer Feldman presented photos of the property and the case file and recommended ordering compliance with 24-27(b), 47-34.1.A.1 and 9-306 within 21 days or a fine of \$25 per day, per violations.

Judge Purdy found in favor of the City and ordered compliance with 24-27(b), 47-34.1.A.1 and 9-306 within 21 days or a fine of \$25 per day, per violations.

Case: CE08050711

Helen & Michael Seligman
637 Northeast 18 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/26/08.

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

THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT THE PROPERTY INCLUDING, BUT NOT LIMITED TO APPLIANCES AND BOXES. THE PROPERTY HAS BECOME OVERGROWN AND THE LAWN IS LITTERED WITH DEAD PLANTS.

18-1

THE WATER IN THE POOL ON THIS VACANT PROPERTY IS GREEN AND STAGNANT. THE PUMP WHICH FILTERS THE WATER IS NOT WORKING. THE WATER IN THE POOL IS A POTENTIAL BREEDING GROUND FOR MOSQUITOES. THIS POOL POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE TO THE SURROUNDING PROPERTIES AND TO THE COMMUNITY AS A WHOLE.

Officer Feldman 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 18-1 within 14 days or a fine of \$100 per day.

Judge Purdy 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 18-1 within 14 days or a fine of \$100 per day.

Case: CE07071090

Shalonda Copeland
2123 Northwest 7 Court

Mr. McKelligett announced that service was via posting on the property on 6/3/08 and at City Hall on 7/3/08.

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

THERE IS A LARGE RED STEEL SHIPPING CONTAINER STORED ON THE PROPERTY. THE PROPERTY IS A VACANT LOT THAT IS ZONED RMM-25. OUTSIDE STORAGE IS NOT A PERMITTED USE OF RMM-25 ZONED PROPERTY PER TABLE 47-5.19.

Withdrawn:

47-19.9

Officer Snow presented photos of the property and the case file and recommended ordering compliance with 47-34.1.A.1. within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance with 47-34.1.A.1. within 14 days or a fine of \$50 per day.

Case: CE07101101

Stipulated agreement

JPG Bell Property LLC
618 Northwest 6 Avenue

Violations:

47-19.5.H.3

THERE IS BARBED WIRE ATTACHED TO THE CHAIN-LINK FENCE THAT IS VISIBLE FROM THE STREET.

47-19.9.A.2.a.

THERE IS OUTDOOR STORAGE OF GOODS AND MATERIALS VISIBLE FROM THE PUBLIC RIGHT-OF-WAY.

47-20.20 F.

THE OWNER IS USING COMMERCIAL VEHICLES ON THE PARKING FACILITIES FOR BUSINESS DURING REGULAR HOURS OF BUSINESS.

47-20.20.D.

THE PARKING FACILITIES ARE BEING USED FOR STORAGE OF MERCHANDISE.

47-20.20.H.

THE PARKING LOT ON THE PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED. THERE ARE CRACKS, POTHOLES AND THE ASPHALT TOP COAT IS LOOSE AND MISSING IN SOME AREAS. WHEELSTOPS ARE MISSING, LOOSE OR BROKEN.

9-280(h)(1)

THE CHAIN-LINK FENCE ON THE PROPERTY IS IN DISREPAIR AND IS RUSTED.

WITHDRAWN

47-19.9.A.2.b.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-19.5.H.3, 47-20.20 F., 47-20.20.D., 47-20.20.H. and 9-280(h)(1) within 63 days or a fine of \$50 per day, per violation, and 47-19.9.A.2.a. within 63 days or a fine of \$200 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-19.5.H.3, 47-20.20 F., 47-20.20.D., 47-20.20.H. and 9-280(h)(1)

within 63 days or a fine of \$50 per day, per violation, and 47-19.9.A.2.a. within 63 days or a fine of \$200 per day.

Case: CE08020628

Stipulated agreement

Roger & Vienna Freeman
401 Northwest 7 Street

Violations:

18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS SCATTERED ALL AROUND THE PROPERTY AND SWALE AREA.

47-19.5.G.3

THERE IS BARBED WIRE FENCING ON THE PROPERTY, VISIBLE FROM THE STREET.

47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED AND THERE ARE MISSING AND/OR BARE AREAS OF LAWN COVER.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE OF MATERIALS ON THE PROPERTY INCLUDING, BUT NOT LIMITED TO WOOD, CHAIRS, FURNITURE, PLASTIC CONTAINERS, LADDERS AND MECHANICAL EQUIPMENT, ETC.

9-280(g)

THE OUTDOOR ELECTRICAL WIRES/FIXTURES ARE IN DISREPAIR.

9-280(h)(1)

THE CHAIN-LINK FENCE ON THE PROPERTY IS IN DISREPAIR.

9-304(b)

THE GRAVEL DRIVEWAY ON THE PROPERTY IS NOT WELL-GRADED AND DUST-FREE.

9-306

THE EXTERIOR WALLS, FASCIA, SOFFITS, WINDOWS, WINDOW FRAMES AND WINDOW AWNINGS ARE IN DISREPAIR.

9-307(a)

THE WINDOWS AND DOORS ARE NOT SECURED IN A TIGHT-FITTING AND WATERPROOF MANNER.

Complied:

24-27(b)

Withdrawn:

47-19.9

9-280(b)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 18-27(a), 47-19.5.G.3, 47-21.8.A., 47-34.1.A.1., 9-280(g), 9-280(h)(1), 9-304(b), 9-306, and 9-307(a) within 49 days or a fine of \$50 per day, per violation.

Judge found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a), 47-19.5.G.3, 47-21.8.A., 47-34.1.A.1., 9-280(g), 9-280(h)(1), 9-304(b), 9-306, and 9-307(a) within 49 days or a fine of \$50 per day, per violation.

Case: CE08020631

Stipulated agreement

Roger & Vienna Freeman
415 Northwest 7 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/26/08.

Violations:

18-27(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS SCATTERED ALL AROUND THE PROPERTY AND SWALE AREA.

24-27(b)

THE TRASH/LAWN RECEPTACLES ARE BEING STORED AT THE FRONT OF THE PROPERTY ON A CONTINUAL BASIS.

47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED AND THERE ARE MISSING AND/OR BARE AREAS OF LAWN COVER.

9-280(h)(1)

THE CHAIN-LINK AND WOODEN FENCE IS IN DISREPAIR.

9-304(b)

THE GRAVEL DRIVEWAYS ON THE PROPERTY ARE NOT WELL-GRADED AND DUST- FREE.

9-306

THE EXTERIOR WALLS, FASCIA, SOFFITS, WINDOWS, WINDOW FRAMES AND WINDOW AWNINGS ARE IN DISREPAIR.

9-307(a)

THE WINDOWS AND DOORS ARE NOT SECURED IN A TIGHT-FITTING AND WATERPROOF MANNER.

Withdrawn:

47-19.9

47-19.9 A.2.a.

47-19.9 A.2.b.

47-19.9 A.2.d.

9-328(a)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 18-27(a), 24-27(b), 47-21.8.A., 9-280(h)(1), 9-304(b), 9-306 and 9-307(a) within 49 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a), 24-27(b), 47-21.8.A., 9-280(h)(1), 9-304(b), 9-306 and 9-307(a) within 49 days or a fine of \$50 per day, per violation.

Case: CE08021350

Stipulated agreement

Terrill Motor Machine Co. Inc.
901 Northwest 5 Avenue

Violations:

47-19.5.H.3

THERE IS BARBED WIRE ATTACHED TO THE CHAIN-LINK FENCE WHICH IS VISIBLE FROM THE STREET.

47-20.20.H.

THE PARKING AREA OF THE PROPERTY IS NOT BEING MAINTAINED. THERE IS LOOSE AND MISSING ASPHALT AND WHEEL STOPS MISSING, LOOSE OR BROKER.

Complied:

25-56(b)

47-21.8.A.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-19.5.H.3 and 47-20.20.H. within 91 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-19.5.H.3 and 47-20.20.H. within 91 days or a fine of \$50 per day, per violation.

Case: CE08030152

Justina Bryan
906 Northwest 4 Avenue

Mr. McKelligett announced that service was via posting on the property on 6/6/08 and at City Hall on 7/3/08.

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

THE FRONT PARKING LOT IS NOT BEING MAINTAINED.

9-280(h)(1)

THE FRONT CHAIN-LINK FENCE ON THE SOUTH SIDE OF THE PROPERTY IS IN DISREPAIR ALONG WITH THE WOODEN

FENCE ON THE SOUTH SIDE OF THE PROPERTY.

Complied:
18-27(a)

Officer Champagne presented photos of the property and the case file and recommended ordering compliance with 47-20.20.H. and 9-280(h)(1) within 14 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 47-20.20.H. and 9-280(h)(1) within 14 days or a fine of \$50 per day, per violation.

Case: CE08050421

Glen Singh
1740 Northwest 29 Terrace

Mr. McKelligett announced that service was via posting on the property on 6/9/08 and at City Hall on 7/3/08.

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

THE BUILDING ON THIS PROPERTY IS VACANT WITH
BROKEN OR MISSING DOORS, WINDOWS, OR OTHER
OPENINGS ALLOWING UNAUTHORIZED ACCESS TO THE
INTERIOR. THE CITY REQUESTS THE RIGHT TO BOARD-UP
THE BUILDING AS IT POSES A THREAT TO THE HEALTH,
SAFETY AND WELFARE OF THE COMMUNITY.

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

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day with the right to Board the property.

Case: CE08050506

Ron Smith
2761 Northwest 24 Street

Mr. McKelligett announced that service was via posting on the property on 6/9/08 and at City Hall on 7/3/08.

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

THE BUILDING ON THIS PROPERTY IS VACANT WITH
BROKEN OR MISSING DOORS, WINDOWS, OR OTHER

OPENINGS ALLOWING UNAUTHORIZED ACCESS TO THE INTERIOR. THE CITY REQUESTS THE RIGHT TO BOARD-UP THE BUILDING AS IT POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

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

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day with the right to Board the property.

Case: CE08060366

Christiana Bank & Trust Co Trustee/
Security Funding Trust
2050 Northwest 29 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/25/08.

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

THE BUILDING ON THIS PROPERTY IS VACANT WITH BROKEN OR MISSING DOORS, WINDOWS OR OTHER OPENINGS ALLOWING UNAUTHORIZED ACCESS TO THE INTERIOR. THE CITY REQUESTS THE RIGHT TO BOARD-UP THE BUILDING AS IT POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

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

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day with the right to Board the property.

Case: CE08011134

Stipulated agreement

Waterfront MM LLC
521 North Fort Lauderdale Beach Boulevard

Violations:
9-280(b)

THE METAL ROOF ON THE BUILDING IS IN DISREPAIR. THERE ARE SECTIONS OF RUSTED AND TORN METAL ROOFING MATERIAL.

9-306

THE ROOF FASCIA BOARDS AND SOFFITS ARE NOT BEING PROPERLY MAINTAINED. THERE ARE AREAS OF STAINED, MISSING AND PEELING PAINT ON THE FASCIA BOARDS AND SOFFITS.

Complied:
9-280(g)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 9-280(b) within 12 weeks, by 10/9/08, or a fine of \$50 per day, and 9-306 within 4 weeks, by 8/14/08, or a fine of \$50 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 9-280(b) within 12 weeks, by 10/9/08, or a fine of \$50 per day, and 9-306 within 4 weeks, by 8/14/08, or a fine of \$50 per day.

Case: CE08030001

Stipulated agreement

Michael & Nancy Green
2610 Center Avenue

Violation:

47-34.1.A.1.

THERE IS A 20 FOOT STEEL CONTAINER BEING STORED ON THE SIDE YARD OF THE PROPERTY.

Complied:
9-281(b)
18-27(a)
24-27(b)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-34.1.A.1 within 8 weeks or a fine of \$25 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-34.1.A.1 within 8 weeks or a fine of \$25 per day.

Case: CE08022085

Stipulated agreement

Beach Boys Plaza Inc
401 South Atlantic Boulevard

Violation:

47-22.9

A NEW WALL SIGN HAS BEEN INSTALLED ON THE BUILDING WITHOUT FIRST OBTAINING A PERMIT.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply within 91 days or a fine of \$50 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 91 days or a fine of \$50 per day.

Case: CE08050754

Deutsche Bank Trust Co. Trustee
361 Southwest 31 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/30/08.

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

THERE ARE MULTIPLE WINDOWS AND DOORS THAT ARE IN DISREPAIR.

9-280(h)(1)

THE WOOD FENCE IS IN SERIOUS DISREPAIR.

18-27(a)

THERE IS MISCELLANEOUS RUBBISH, TRASH, DEBRIS AND LITTER SCATTERED OVER THE PROPERTY.

9-328(b)

MULTIPLE WINDOWS HAVE BEEN BOARDED WITHOUT OBTAINING A BOARD-UP PERMIT AND SUBSEQUENT BOARD-UP CERTIFICATE.

Withdrawn:

9-328(a)

Officer Davis presented photos of the property and the case file and recommended ordering compliance with 9-280(b), 9-280(h)(1), 18-27(a) and 9-328(b) within 35 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 9-280(b), 9-280(h)(1), 18-27(a) and 9-328(b) within 35 days or a fine of \$50 per day, per violation.

Case: CE08040528

Aliandro Mayouf
1644 Northeast 15 Avenue

Mr. McKelligett announced that service was via posting on the property on 6/20/08 and at City Hall on 7/3/08.

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

THERE IS AN ACCUMULATION OF OVERGROWTH ON THE PROPERTY AND THE SWALE. THERE IS ALSO A PILE OF YARD WASTE/TREE DEBRIS IN THE FRONT YARD.

Complied:
47-19.2.II.4.a.

Officer Davis 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.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$25 per day.

Case: CE08042205

Jelisaveta & Milanka Pantic
1111 Southwest 25 Avenue

Mr. McKelligett announced that service was via posting on the property on 6/26/08 and at City Hall on 7/3/08.

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

THERE IS AN EXTREME AMOUNT OF OVERGROWN PLANT LIFE ON THIS VACANT PROPERTY.

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

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

Case: CE08060618

Bank Of New York Trustee
3800 Jackson Blvd

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/3/08.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
18-1

THERE IS DIRTY, STAGNANT WATER IN THE POOL CREATING A BREEDING GROUND FOR MOSQUITOES AND OTHER INSECTS. THE CITY OF FORT LAUDERDALE CONSIDERS THIS TO BE A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Officer Davis presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$200 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$200 per day.

Case: CE08042149

David Gillis & Douglas McKinney
4601 Northwest 10 Avenue

Mr. McKelligett announced that service was via posting on the property on 6/9/08 and at City Hall on 7/3/08.

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

THERE IS LAWN/PLANT/TREE OVERGROWTH PRESENT ON
THIS PROPERTY.

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance within 4 weeks or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance within 4 weeks or a fine of \$25 per day.

Case: CE08050350

Stipulated agreement

Mahjabin Zehtabi
6100 Northwest 31 WY

Violation:
18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS LITTERING THE
FRONT AND REAR YARDS ON THIS PROPERTY.

Complied:
18-1

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 18-27(a) within 4 weeks or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) within 4 weeks or a fine of \$25 per day.

Case: CE08031932

Stipulated agreement

Jean Francios
1205 Northeast 5 Avenue

Violations:

18-27(a)

THERE IS TRASH AND DEBRIS CONSTANTLY SCATTERED
AROUND THE PROPERTY.

9-280(b)

THERE IS ROTTED FASCIA BOARD ON THE STRUCTURE.
THE GARAGE DOOR IS IN DISREPAIR. IT DOES NOT
CLOSE PROPERLY ALLOWING FOR EXPOSURE TO THE
ELEMENTS AND ACCESS FOR RODENTS.

9-308(a)

THERE IS A LARGE AREA OF MISSING TILES ON THE
ROOF.

Complied:

9-278(e)

Withdrawn:

FBC 105.1

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 18-27(a) within 4 weeks or a fine of \$25 per day, and 9-280(b) and 9-308(a) within 91 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) within 4 weeks or a fine of \$25 per day, and 9-280(b) and 9-308(a) within 91 days or a fine of \$25 per day, per violation.

Case: CE08032049

Douglas Fleishman

1816 Northeast 11 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/24/08.

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

THERE ARE HOLES IN THE DRIVEWAY AND THE SEALCOAT
HAS WORN OFF.

9-308(a)

THE ROOF IS MISSING THE REQUIRED DURABLE COVERING.
THERE IS AN EXPIRED PERMIT FOR A NEW ROOF.

Complied:

9-281(b)

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 47-20.20.H. and 9-308(a) within 35 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 47-20.20.H. and 9-308(a) within 35 days or a fine of \$50 per day, per violation.

Case: CE08050570

Guillermo Brunstein
715 Northeast 14 Place

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/16/08.

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

THE FASCIA BOARD ON THE STRUCTURE IS ROTTED AND IN DISREPAIR.

9-281(b)

THERE IS AN UNLICENSED WHITE BOX TRAILER ON THE PROPERTY. THE CITY REQUESTS THE RIGHT TO TOW, AS THE VEHICLE PRESENTS A THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE.

9-304(b)

THERE ARE VARIOUS VEHICLES BEING PARKED ON THE GRASS ON THE PROPERTY.

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 9-280(b) and 9-304(b) within 14 days or a fine of \$25 per day, and with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the white box trailer.

Judge Purdy found in favor of the City and ordered compliance with 9-280(b) and 9-304(b) within 14 days or a fine of \$25 per day, and with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the white box trailer.

Case: CE08050518

Homer Sapp
405 Northwest 19 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/18/08.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
9-304(b)

THERE ARE VEHICLES PARKING ON THE LAWN AT THIS RESIDENCE, INCLUDING, BUT NOT LIMITED TO A GREY FORD.

Complied:
9-281(b)

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

Judge Purdy found in favor of the City and ordered compliance with 9-304(b) within 14 days or a fine of \$25 per day.

Case: CE08050816

Wells Fargo Bank NA
C/O Wachovia Mortgage Corp.
1133 Northwest 2 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/20/08.

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

THE BUILDING IS DIRTY AND HAS PEELING AND CHIPPED
PAINT.

Withdrawn:
18-27(a)

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

Judge Purdy found in favor of the City and ordered compliance with 9-306 within 28 days or a fine of \$100 per day.

Case: CE08051086

Reconor Miami LLC
802 Northwest 3 Street

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 6/28/08.

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

THE PROPERTY IS OVERGROWN AND HAS TRASH AND DEBRIS
ON THE PROPERTY AND IS NOT BEING MAINTAINED.

9-306

THE BUILDING IS DIRTY, HAS MILDEW, CHIPPING PAINT
AND UNPAINTED SURFACES.

Officer Ackley 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.

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

Case: CE08051162

Novastar Mortgage Inc
447 Northwest 20 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/30/08.

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

THE PROPERTY IS OVERGROWN WITH TRASH AND LITTER.
THE BUSHES NEED TRIMMING.

9-306

THE BUILDING HAS CHIPPED AND PEELING PAINT AND
AREAS THAT ARE DIRTY AND FADED.

9-307(a)

SOME WINDOWS ARE BROKEN OR IN DISREPAIR.

9-328(a)

THE BUILDING HAS BROKEN WINDOWS ALLOWING ENTRY AND
CREATING A NUISANCE TO THE NEIGHBORHOOD. THIS
BUILDING IS OPEN AND ABANDONED.

Officer Ackley 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, with the right to board the building.

Judge Purdy found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day, per violation with the right to board the building.

Case: CE06080285

Rescheduled from 1/17/08

Leroy Tunnage
2511 Northwest 27 Avenue

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

THE BUILDING, A SINGLE FAMILY RESIDENTIAL
PROPERTY, HAS BEEN BOARDED FOR MORE THAN SIX (6)
MONTHS AND THE REQUIRED BOARD-UP CERTIFICATE HAS
NOT BEEN ISSUED.

Officer Quintero presented photos of the property and the case file and said he had spoken with the owner's wife and agreed to recommend ordering compliance within 12 weeks or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance within 12 weeks or a fine of \$25 per day.

Case: CE08010521

Stipulated agreement

Church Of Christ Holiness
Unto the Lord Inc
2301 Northwest 22 Street

Violation:

BCZ 39-275(6)(a)

UNPERMITTED STORAGE OF BUILDING MATERIALS AND
CONSTRUCTION MATERIALS ON PROPERTY BACK YARD.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply within 49 days or a fine of \$50 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 49 days or a fine of \$50 per day.

Case: CE08021650

Second City Entertainment Co
220 Southwest 2 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/18/08 and certified mail sent to the registered agent was accepted on 6/18/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-306

EXTERIOR OF STRUCTURE IS NOT MAINTAINED ON THIS
COMMERCIAL PROPERTY. THERE IS GRAFFITI ON THREE
(3) PLACES, FADED AND MISSING PAINT, BROKEN WALL
ON Southwest 2 AVE., NORTH OF ENTRANCE TO ALLEYWAY.

Complied:

18-27(a)

9-280(g)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 9-306 within 14 days or a fine of \$100 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-306 within 14 days or a fine of \$100 per day.

Case: CE08031332

Keith Hope & Yolanda Williams
808 Northwest 3 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/11/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-304(b)

THERE IS A GRAVEL DRIVEWAY AT NORTH SIDE OF THIS VACANT PROPERTY, NOT WELL-GRADED AND DUST-FREE, WITH WEEDS AND GRASS GROWING INTO IT.

Complied:

18-27(a)

9-280(h)(1)

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

Judge Purdy found in favor of the City and ordered compliance with 9-304(b) within 35 days or a fine of \$25 per day.

Case: CE08042194

Harold Hines
1709 Northwest 6 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/10/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
24-27(b)

THERE ARE TRASH RECEPTACLES STORED AT NORTH SIDE OF THIS VACANT PROPERTY ALL THE TIME.

9-280(b)

THERE ARE BUILDING PARTS NOT MAINTAINED ON THIS VACANT PROPERTY, INCLUDING, BUT NOT LIMITED TO DOOR REMOVED FROM THE FRAME, DOORS WITHOUT LOCKS AND AWNINGS DOWN AND IN DISREPAIR.

9-280(h)(1)

THERE IS A WOODEN FENCE IN DISREPAIR AT NORTH SIDE OF THIS VACANT PROPERTY, LEANING ON ONE SIDE AND BROKEN, ALSO MISSING LINKS.

9-304(b)

THERE IS A GRAVEL DRIVEWAY ON THIS VACANT PROPERTY, NOT WELL-GRADED AND DUST-FREE, WITH WEEDS AND GRASS GROWING INTO IT.

9-328(a)

THERE ARE DOORS AT NORTH SIDE WIDE OPEN AND SEPARATE FROM FRAME AND MISSING LOCKS, ALLOWING ACCESS TO THE INTERIOR.

Complied:
18-27(a)

Officer Quintero reported the property was in foreclosure and the bank was aware of the violations. He presented photos of the property and the case file and recommended ordering compliance with 24-27(b), 9-280(b), 9-280(h)(1), 9-304(b) and 9-328(a) within 14 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 24-27(b), 9-280(b), 9-280(h)(1), 9-304(b) and 9-328(a) within 14 days or a fine of \$100 per day, per violation.

Case: CE08042287

Daniel Carusi
1328 Northwest 6 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/6/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-306

THE EXTERIOR OF THE STRUCTURE IS NOT MAINTAINED ON THIS RENTAL PROPERTY. THERE ARE FASCIA, WINDOW AIR CONDITIONER SUPPORT WOOD BOARDS AT NORTH SIDE AND WOOD SUPPORT POSTS IN NEED OF PAINT.

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

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day.

Case: CE08050328

Hattie Mae Johnson
1632 Northwest 5 Avenue

Owner is deceased

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/21/08.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED IN

FRONT OF THIS VACANT PROPERTY AND SWALE.

47-20.20.H.

THERE IS AN ASPHALT DRIVEWAY IN NEED OF MAINTENANCE ON THIS VACANT PROPERTY. THERE ARE AREAS THAT NEED TO BE RESURFACED, PATCHED AND SEALED.

9-280(b)

THERE ARE BUILDING PARTS NOT MAINTAINED AND IN DISREPAIR ON THIS VACANT PROPERTY. THEY ARE NOT WEATHER AND WATER TIGHT AND RODENT PROOF, INCLUDING, BUT NOT LIMITED TO FASCIA AND SOFFIT ROTTED IN FRONT OF THE PROPERTY, AIR CONDITIONER WALL WINDOW OPENING COVERED WITH A PIECE OF WOOD FROM THE INSIDE.

9-306

THE EXTERIOR OF STRUCTURE IS NOT MAINTAINED IN A SECURE AND ATTRACTIVE MANNER ON THIS VACANT PROPERTY. THERE ARE AREAS WITH FADED, PEELING AND MISSING PAINT, WALLS WITH CRACKS AND HOLES.

Complied:

24-27(b)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 47-20.20.H., 9-280(b) and 9-306 within 28 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a), 47-20.20.H., 9-280(b) and 9-306 within 28 days or a fine of \$25 per day, per violation.

Case: CE08050391

Duquela Francois

1405 Northwest 5 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/26/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
24-27(b)

THERE ARE TRASH RECEPTACLES STORED IN FRONT OF THIS PROPERTY AT NORTH SIDE OF THE PARKING LOT ALL THE TIME.

47-19.9

THERE IS OUTDOOR STORAGE THAT DOES NOT MEET CODE REQUIREMENTS IN FRONT AND BOTH SIDES OF THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO PAVERS AND

CONSTRUCTION MATERIALS.

Complied:
9-281(b)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 24-27(b) and 47-19.9 within 14 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 24-27(b) and 47-19.9 within 14 days or a fine of \$25 per day, per violation.

Case: CE08031915

Holland Mobile Home Park Inc
1300 Southwest 21 Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 6/23/08.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
9-306

THERE IS GRAFFITI SPRAYED ALONG THE BUFFER WALL
SURROUNDING THIS MOBILE HOME PARK.

Officer Cross presented photos of the property and the case file and recommended ordering compliance within 35 days or a fine of \$100 per day.

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

Case: CE08040750

Rudolph & Tammy Herman
2843 Southwest 14 Street

Mr. McKelligett announced that service was via posting on the property on 6/24/08 and at City Hall on 7/3/08.

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

THERE ARE UNLICENSED, INOPERABLE VEHICLES BEING
STORED ON THE PROPERTY, INCLUDING, BUT NOT LIMITED
TO A WHITE CHEVROLET VAN AND A RED HONDA CIVIC.
THE VEHICLES DESCRIBED HAVE NO TAGS AND BOTH HAVE
FLAT LEFT FRONT TIRES. THE CITY REQUESTS THE
RIGHT TO TOW AS THE VEHICLES POSE A THREAT TO THE
HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Complied:
18-27(a)
9-304(b)

Officer Cross presented photos of the property and the case file and recommended ordering compliance with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the white Chevrolet van and the red Honda Civic.

Judge Purdy found in favor of the City and ordered compliance with 9-281(b) within 10 days or a fine of \$100 per day with the right to tow the white Chevrolet van and the red Honda Civic.

Case: CE08040851

Haim Bazelnov
240 Southwest 20 Avenue

Mr. McKelligett announced that service was via posting on the property on 6/24/08 and at City Hall on 7/3/08.

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

THE BUILDING IS VACANT AND HAS BROKEN OR MISSING
WINDOWS OR DOOR, OR OTHER OPENINGS THAT ALLOW
UNAUTHORIZED ACCESS TO THE INTERIOR.

Officer Cross 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 board the property.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day, with the right to board the property.

Case: CE07082026

Karia Group LLC
3401 Davie Boulevard

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 1/17/08 to comply by 4/3/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard, and stated the City was requesting imposition of a \$1,025 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,025 fine.

Case: CE07091446
Northeast 14th Street Dev. Inc
725 Northeast 14 Street

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 5/15/08 to comply by 6/12/08. 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 Purdy imposed the \$1,700 fine.

Case: CE07100535
Florida Medical Providers Inc
606 Northwest 8 Avenue

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 4/3/08 to comply by 6/5/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was recommending no fine be imposed [reduced from \$1,950].

Judge Purdy imposed no fine.

Case: CE07111277
Ruby Ferguson
2448 Northwest 21 Street Apt.A

Request to vacate order of 5/15/08

Judge Purdy vacated the order.

Case: CE07120154
Mary Beth Nielsen
308 Southwest 11 Street

Ordered to reappear
Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 3/6/08 to comply by 5/8/08. Mr. McKelligett recited violations, compliance dates and potential fines, listed extensions to the compliance deadline that had been granted since the case was first heard and stated the City was requesting imposition of a \$175 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$175 fine.

Case: CE08010508
Arnold Bethea & Robin Hankerson
1541 Northwest 19 Avenue

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 5/15/08 to comply by 5/25 and 5/29/08. Mr. McKelligett recited violations, compliance dates and potential fines

and stated the City was requesting imposition of a \$7,100 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$7,100 fine.

Case: CE08030360 Hearing to impose fine
Amera Federal 400 Ltd
417 Northeast 7 Avenue

Mr. McKelligett announced that this case was first heard on 5/8/08 to comply by 6/7/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was recommending no fine be imposed [reduced from \$400].

Judge Purdy imposed no fine.

Case: CE08030363 Hearing to impose fine
Amera Federal 400 Ltd
421 Northeast 7 Avenue

Mr. McKelligett announced that this case was first heard on 5/8/08 to comply by 6/7/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the City was recommending no fine be imposed [reduced from \$400].

Judge Purdy imposed no fine.

Case: CE08030364 Hearing to impose fine
Amera Federal 400 Ltd
425 Northeast 7 Avenue

Mr. McKelligett announced that this case was first heard on 5/8/08 to comply by 6/7/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the City was recommending no fine be imposed [reduced from \$400].

Judge Purdy imposed no 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:

CE08041305	CE08050753	CE08060910	CE08060912
CE08050044	CE08050121	CE08060683	CE08060556
CE08030794	CE08050347	CE08051006	CE08030439
CE08060917	CE07080788	CE08040148	CE08042102
CE07060832	CE08060823	CE08031806	CE08040487

CE08051397	CE08050524	CE08050730	CE08050820
CE08051610	CE08051691	CE08030870	CE08042100
CE08042304	CE08031738	CE08040039	CE08041875
CE08041896	CE08042012	CE08042018	CE08042110
CE08050463	CE08050716	CE08050797	CE08010423

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:

CE08051868	CE07110212	CE08042139	CE08050539
CE08042144	CE08051052	CE07121153	CE08042322
CE08022069	CE08060371	CE08041782	CE08060615
CE08040850	CE08050709	CE08061124	CE08042135
CE08042136	CE08042238	CE08042240	CE08050120
CE08042606	CE08050898	CE08050367	CE08050369

Cases Rescheduled

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

CE08041836	CE08051348	CE08051349	CE08042072
CE08050652	CE08060957	CE08030898	CE08050010
CE07081906			

Cases Withdrawn

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

CE08050823	CE08052141	CE08042134	CE08040544
CE07100502	CE07121355	CE08020296	CE08020655
CE08021255	CE08030155	CE08030774	CE08040199
CE08020068			

There being no further business, the hearing was adjourned at 1:40 p.m.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services