

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
ROSE-ANN FLYNN PRESIDING
AUGUST 21, 2008
9:00 A.M. – 11:56 A.M.**

Staff Present:

Mary Allman, Secretary Special Magistrate
Sue Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate Supervisor
Lin Bradley, Code Enforcement Supervisor
Cheryl Pingitore, Code Enforcement Supervisor
Peggy Burks, 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
Karl Lauridsen, Landscape 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
Ursula Thime, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Kimberly Williams, Code Enforcement Officer

Respondents and Witnesses

CE08051409: Carlton Dixon, owner
CE07121213: Thomas Ditommaso, owner's representative
CE07060442: Michael Stevens, owner
CE08060380: Orlando Rosa, owner
CE08040254: Barry Smith, owner
CE08021850: Mylena Mixon, owner; Jice Stokes, contractor
CE08032160: Gustavo Usandizaga, owner

CE08051478: Jerome Teppes, owner
CE08052147: Allen Ross, Sears operations manager
CE08042582: Janel Gomez, owner; Ana Ferreira, daughter
CE08032025: Joshua Geller, property manager
CE08050538: Michael Dupont, owner
CE08060904: Thomas Wolf, owner
CE08052120: Wade Frank, owner
CE08040788; CE08040784: Wing Fai Cheung, owner; Anita Cheung, owner
CE07032078: M. O'Malley-Servellon, owner's representative
CE08042520: Keith Beck, property manager; Jean Higgins, Environmental Specialist for Imperiled Species from Florida Fish and Wildlife
CE08011098: Michael Rodriguez, attorney
CE08060102: Elyse Anne Steinhart, owner
CE08030863: Pauline Campbell, owner; Jamal Lewis, son
CE08030476: Michael Mann, association president

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: CE08040254

Barry Smith & Robin Goldberg
801 Northeast 16 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/6/08.

Ms. Ursula Thime, Code Enforcement Officer, testified to the following violation:
9-306

EXTERIOR WALLS ON THIS PROPERTY ARE NOT
MAINTAINED. THE PAINT IS CHIPPING AND PEELING
OFF WINDOW FRAMES AND WALLS.

Officer Thime presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$25 per day.

Mr. Barry Smith, owner, explained he had encountered roof issues at the property that had delayed the repairs and painting. He hoped to complete the roof repairs within 30 days. Officer Thime recommended 63 days.

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

Case: CE07121213

Request for an extension

Strada 315 Condo Association Inc
315 Northeast 3 Avenue

Mr. McKelligett announced that this case was first heard on 5/8/08 to comply by 8/7/08. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. William Snow, Code Enforcement Officer, reported sound tests had been run on the generator.

Mr. Thomas DiTommaso, owner's representative, reported they were working with acoustic engineers to get the generator to operate within code-required sound levels. Officer Snow recommended a 70-day extension.

Ms. Flynn granted a 70-day extension to 10/30/08, during which time no fines would accrue.

Case: CE08032160

Ordered to reappear

Sonata LLC
816 Northwest 4 Avenue

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines.

Mr. Wilson Quintero, Code Enforcement Officer, reported the tenant had recently been evicted.

Mr. Gustavo Usandizaga, owner, stated some of the outside work had been completed, but they must still perform inside work now that they had access. Officer Quintero recommended a 35-day extension.

Ms. Flynn granted a 35-day extension to 9/25/08, during which time no fines would accrue.

Case: CE08052120

Wade Frank
1661 Northeast 54 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/2/08.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violations:
47-34.1.A.1.

THERE IS FURNITURE AND DEBRIS BEING STORED ON THE
CARPORT AT THIS LOCATION.

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

Mr. Wade Frank, owner, said he had been working with the tenant to have the two remaining bulk items removed from the yard.

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

Case: CE08042520

Mayan Beach Club Inc Co-Op
1850 South Ocean Lane

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/4/08 and certified mail sent to the registered agent was accepted on 8/4/08.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
6-51.(2)

THERE ARE GROUND BOLLARDS THROUGHOUT THE PROPERTY THAT ARE TOO BRIGHT AND CASTING LIGHT TOWARD THE BEACH. THESE LIGHTS ARE CREATING THE POTENTIAL FOR DISORIENTATION OF NESTING AND HATCHING THREATENED SEA TURTLES.

Officer Eaton explained that this property had been identified on a lighting survey conducted by NSU and the Broward County Environmental Department for having lighting violations affecting threatened sea turtles on Fort Lauderdale Beach. Officer Eaton had met with the property manager, Mr. Beck, to discuss the problem, and described Mr. Beck as "very combative and uncooperative." The manager had never responded to Officer Eaton's phone calls or requests for updates and had not replaced or sleeved all of the light bulbs on the property. Officer Eaton described several contacts he had made with the manager and several inspections made to the property that revealed no improvement.

Officer Eaton related that he had conducted a sea turtle information meeting at Points of America for area property owners. Mr. Beck had attended this meeting and suggested to State officials that more lights be installed on the beach to prevent sea turtles from coming ashore. Officer Eaton described communication from Mr. Beck, and said these included some false accusations regarding Officer Eaton.

Officer Eaton had taken photos at the property the previous evening, and presented the photos and the case file and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Jean Higgins, Environmental Specialist for Imperiled Species from Florida Fish and Wildlife, said she and Officer Eaton had been educating the public regarding changes to coastal lighting to decrease turtle disorientation on the beach. She described methods that could be used to decrease turtle-visible light.

Mr. Keith Beck, property manager, claimed that the remaining lights had been on backorder. Mr. Beck believed that his property's distance from the sea meant that the lights were not a violation. Mr. Beck submitted his own photos into evidence and said he had installed the lights and Officer Eaton then informed him he must shield the lights as well

Ms. Higgins explained that once a hatchling keyed in on a landward light, he would walk toward this light and become disoriented and dehydrated. For this reason, all beach lights must be shielded.

Mr. Beck reiterated that the property was 700 feet from the beach, and said he believed the turtle-compliant lighting would present a security issue.

Mr. Lin Bradley, Code Enforcement Supervisor, explained that the City was dedicated to working with beach properties to get the lights shielded to improve the turtle hatch every year.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$100 per day.

Case: CE07032078

Ordered to reappear

LDI Holdings LTD
1715 Southeast 4 Avenue

Mr. McKelligett announced that this case was first heard on 5/15/08 to comply by 8/14/08. Mr. McKelligett recited violations, compliance dates and potential fines, which had accrued to \$350.

Ms. Mary O'Malley, the owner's representative, explained that they had originally intended to demolish and rebuild, but had decided to make the repairs instead.

Mr. Dick Eaton, Code Enforcement Officer, recommended a 56-day extension, with the respondent reappearing to provide a progress report.

Ms. Flynn granted a 56-day extension to 10/16/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08011098

Paramount Building Group LLC
2430 Northeast 51 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/4/08 and certified mail sent to the registered agent was accepted on 8/4/08.

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

THERE ARE BROKEN CONCRETE PARKING STOPS AND FADED
PARKING STRIPING.

Complied
18-27(a)
9-280(b)
9-281(b)

Officer Bass presented photos of the property and the case file and recommended ordering compliance with 47-20.20.H. within 63 days or a fine of \$25 per day.

Michael Rodriguez, attorney, explained that the owner had applied for the painting and seal coating permits on July 27. The application was now backlogged in the City Building Department.

Ms. Flynn found in favor of the City and ordered compliance with 47-20.20.H. within 63 days or a fine of \$25 per day.

Case: CE08030863

Pauline Campbell &
Ina Cunningham
3687 Southwest 1 Street

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 6/19/08 and 7/17/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,950 fine which would continue to accrue until the property complied.

Ms. Ingrid Gottlieb, Code Enforcement Owner, stated the owner was working to comply.

Ms. Pauline Campbell, owner, stated she had applied for the window permit, and requested 90 more days to comply. Officer Gottlieb recommended 8 weeks.

Ms. Flynn granted a 63-day extension to 10/23/08, during which time no fines would accrue.

Case: CE08030476

Link Condo Association
4411 Northeast 21 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/5/08.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violations:
47-20.20 B.

NO PARKING SPACES, WHETHER REQUIRED OR OPTIONAL,
SHALL BE ERECTED OR ALTERED OR USED WITHOUT
MEETING THE REQUIREMENTS OF ULDR.

47-20.20.H.

THERE ARE POTHOLES IN THE ASPHALT THE PARKING LOT
HAS NOT BEEN MAINTAINED AND IS IN DISREPAIR.
THERE ARE MISSING CONCRETE PARKING STOPS AND FADED
SEALANT AND PARKING STRIPES.

Officer Bass presented photos of the property and the case file and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation.

Mr. Michael Mann, association president, said the application had been submitted on May 8 and he was waiting for the permit to be issued.

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

Case: CE08060380

Orlando Rosa
540 Southwest 22 Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/16/08.

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

THERE ARE MULTIPLE DERELICT VEHICLES STORED/PARKED
ON THE PROPERTY AND SWALE, INCLUDING, BUT NOT
LIMITED TO A SILVER MAZDA IN THE DRIVEWAY WITHOUT
A VALID TAG AND A BURGUNDY JEEP ON THE PROPERTY
WITHOUT A VALID TAG. THE CITY OF FORT LAUDERDALE
CONSIDERS THIS TO BE A THREAT TO THE HEALTH,
SAFETY AND WELFARE OF THE COMMUNITY AND REQUESTS
THE RIGHT TO TOW.

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 with the right to tow the silver Mazda and the burgundy Jeep.

Mr. Orlando Rosa, owner, said he was trying to ship the jeep to his sister in Puerto Rico and he planned to bring the Mazda to a garage for work.

Ms. Flynn 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 silver Mazda and the burgundy Jeep.

Case: CE08060904

Coral Point Condo Ftl.
1400 Northeast 54 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/4/08 and certified mail sent to the registered agent was accepted on 8/6/08.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:
47-19.4.D.1.

THE DUMPSTER AT THIS LOCATION IS REQUIRED TO BE
ENCLOSED. THE DUMPSTER IS IN THE CUL-DE-SAC AND
DOES NOT HAVE AN ENCLOSURE.

Complied
18-27(a)

Officer Bass presented photos of the property and the case file and recommended ordering compliance with 47-19.4.D.1. within 63 days or a fine of \$50 per day.

Mr. Thomas Wolf, owner, explained this was a recent condo conversion and the developer had gone out of business. Mr. Wolf said the property had previously been cited for the same violation and been exempted from the dumpster enclosure requirement.

Officer Bass cited the exemption portion of the code which required the dumpster to be located on a hard pad behind the building line, and said that was not the case with this dumpster.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, withdrew the case to allow staff time to conduct further research.

Case: CE08060102

Craig & Elyse Anne Steinhart
2501 Northeast 22 Terrace

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

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

THERE IS A BOAT TRAILER ON PROPERTY WITH FLAT
TIRE.

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

Ms. Elyse Anne Steinhart, owner, explained that her husband was currently out of town, and requested two weeks to comply.

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

Case: CE08051409

Carlton Dixon
300 Southwest 31 Avenue

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

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

THERE IS MISCELLANEOUS RUBBISH, TRASH, AND DEBRIS
ON THE PROPERTY.

47-34.1.A.1.

THIS RESIDENTIAL PROPERTY IS BEING USED TO STORE
CARS, BOATS, AND TRAILERS.

9-281(b)

THERE ARE MULTIPLE DERELICT VEHICLES, BOATS, AND
TRAILERS ON THE PROPERTY INCLUDING BUT NOT LIMITED
TO A DODGE TRUCK WITH A BROKEN REAR WINDSHIELD AND
AN INVALID TAG, A LEXUS WITH FLAT TIRES AND NO
TAG, AT LEAST 3 BOATS AND 4 TRAILERS WHICH ALL
APPEAR INOPERABLE AND DO NOT HAVE VALID TAGS IN
THE DRIVEWAY AND ON THE PROPERTY.

Withdrawn

9-304(b)

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, with 47-34.1.A.1. 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 dodge truck, the Lexus, the boats and trailers.

Mr. Carlton Dixon, owner, stated he used the boats for fishing, and they all had tags, which he agreed to apply. He requested more than 14 days to comply. Officer Davis remarked that the boats did not appear to be in active use, but were being stored on the property. Mr. Dixon reiterated that all of the boats and trailers were operational, had tags and insurance.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a) within 14 days or a fine of \$25 per day, with 47-34.1.A.1. 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 dodge truck, the Lexus, the three boats and four trailers.

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

Case: CE08040784

Wingfal & Anita Xu-Li Cheung
1671 Northeast 56 Street

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

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

THERE IS FADED PARKING STRIPING.

Officer Bass explained that the striping had been completed but the permit had not yet been issued. She presented photos of the property and the case file and recommended ordering compliance within 63 days or a fine of \$50 per day.

Ms. Anita Cheung, owner, said they had applied for the permit but it had not been issued yet.

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

Case: CE08040788

Wingfal & Anita Xu-Li Cheung
1661 Northeast 56 Street

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

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

THERE IS FADED PARKING STRIPING.

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

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

Case: CE08052147

R K Associates #5 Inc
845 Northeast 5 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/28/08.

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

THERE IS TRASH, LITTER AND DEBRIS ALL AROUND AND
IN THE BUSHES OF THE PARKING LOT.

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

Mr. Allen Ross, Sears operations manager, explained that homeless people frequented the parking lot and left debris. He had recently hired a crew to maintain the lot. Officer Ackley stated the cleaning crew had thrown the debris on a neighboring property to remove it.

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

Case: CE08021850

Helen & Mylena Mixon
809 Northwest 15 Avenue

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

Ms. Wanda Sappington, Code Enforcement Officer, testified to the following violation:
9-328(b)

THE BUILDING'S DOORS AND WINDOWS HAVE BEEN BOARDED
WITHOUT OBTAINING A CITY ISSUED BOARD-UP
CERTIFICATE.

Withdrawn
9-329(d)

Officer Sappington presented photos of the property and the case file and recommended ordering compliance with 9-328(b) within 35 days or a fine of \$25 per day.

Mr. Jice Stokes, contractor, explained he had submitted a permit application on July 21. He stated the boards were protecting the windows in this high-crime area until the work could be completed.

Officer Sappington recommended 63 days for a progress report.

Ms. Flynn found in favor of the City and ordered compliance with 9-328(b) within 77 days, by 11/6/08, or a fine of \$25 per day and ordered the respondent to reappear at that hearing.

Case: CE08032025

Washington Mutual Bank
912 Southwest 15 Terrace

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 6/15, 7/10 and 7/17/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$26,500 fine.

Mr. Joshua Geller, property manager, explained this was a foreclosure property. Mr. Geller said he had never received mailed notice, the tenants had removed the postings, and he had first learned of the fines on August 16. Mr. Geller described efforts to evict the tenants and clean up the property. He said the property had recently been sold and the new owner had agreed to make all repairs. Mr. Geller asked that the fines be reduced.

Mr. McKelligett confirmed that Washington Mutual had been properly noticed about the violations and hearings.

Mr. Andre Cross, Code Enforcement Officer, agreed that Mr. Geller had not been notified by Washington Mutual about the violations.

Ms. Flynn imposed a \$6,000 fine.

Case: CE07060442

Drago Juana
511 Southwest 19 Street

Ordered to reappear

Mr. McKelligett announced that this case was first heard on 9/20/07 to comply by 10/25/07 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, said the property was undergoing major renovations. The permit application had been submitted and returned for corrections.

Ms. Michael Stevens, owner, stated the architect would soon attend to the corrections and requested an additional 30 – 35 days to obtain the permit and comply.

Ms. Flynn granted a 42-day extension to 10/2/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08042582

Stipulated agreement

Jaime & Janel Gomez
900 Northwest 10 Terrace

Violations:

47-19.5.H.

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

47-20.2.A.

BASED ON THE USAGE OF THE PROPERTY (BODY/REPAIR SHOPS) THE MINIMUM AMOUNT OF OFF STREET PARKING/LOADING AREA IS NOT BEING PROVIDED.

47-20.20.D.

THE PARKING FACILITIES OF THE PROPERTY ARE BEING USED FOR THE STORAGE, SALE, DISPLAY, WASHING AND REPAIR OF VEHICLES.

47-20.20.H.

THE PARKING LOT AND SPACES ARE NOT BEING MAINTAINED. THERE ARE CRACKS, POTHOLES AND THE ASPHALT TOP COAT IS LOOSE AND MISSING IN SOME AREAS; WHEEL STOPS ARE MISSING, LOOSE OR BROKEN.

9-280(g)

THERE ARE OUTDOOR ELECTRICAL FIXTURES BROKEN, MISSING AND IN DISREPAIR.

9-306

THE EXTERIOR WALLS ON THIS PROPERTY ARE NOT MAINTAINED. THE WALLS HAVE CRACKS AND CHIPPED SECTIONS AND THE PAINT IS CHIPPED, FADED AND MILDEW STAINED.

Withdrawn

18-1.(a)

18-27(a)

47-19.9.A.2.a.

47-19.9.A.2.b.

9-280(h)(1)

9-281(b)

Complied

47-18.4 E.

9-280(b)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-19.5.H., 47-20.20.D., 47-20.20.H., 9-280(g) and 9-306 within 56 days or a fine of \$50 per day, per violation, and 47-20.2.A. within 56 days or a fine of \$200 per day.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 47-19.5.H., 47-20.20.D., 47-20.20.H., 9-280(g) and 9-306 within 56 days or a fine of \$50 per day, per violation, and 47-20.2.A. within 56 days or a fine of \$200 per day.

Case: CE08061367

Miriam Osuna
3450 Southwest 16 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/14/08.

Mr. Mark Campbell, Code Enforcement Officer, testified to the following violation:
18-1

THE POOL ON THIS PROPERTY HAS GREEN STAGNANT WATER WHICH IS OR MAY REASONABLY BECOME INFESTED WITH MOSQUITOES AND IS ENDANGERING THE PUBLIC HEALTH, SAFETY AND WELFARE.

18-27(a)

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS SCATTERED ALL AROUND THE PROPERTY AND SWALE AREA, INCLUDING BUT NOT LIMITED TO BOTTLES, YARD WASTE, WOOD, AND UN-MAINTAINED BUSHES AND SHRUBS.

25-4

THE HEDGES ARE OBSTRUCTING THE SIDEWALK AND RIGHT-OF-WAY. IT IS UNLAWFUL FOR ANY PERSON TO SO USE OR OBSTRUCT SUCH PUBLIC SIDEWALKS AS TO INTERFERE WITH THE USE OF THE PUBLIC.

BCZ 39-566.(b)

THE HEDGES ON THIS CORNER PROPERTY ARE OVERGROWN. FOR PURPOSES OF TRAFFIC SAFETY, THE HEIGHT OF HEDGES ON CORNER LOTS CAN NOT EXCEED THIRTY INCHES ABOVE THE CROWN OF THE ROADWAY WITHIN TWENTY-FIVE FEET OF THE INTERSECTION OF THE FRONT AND SIDE STREET PROPERTY LINES.

Officer Campbell described attempts made to contact the owner concerning the violations, presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 25-4 and BCZ 39.566.(b) within 14 days or a fine of \$50 per day, per violation, and with 18-1 within 14 days or a fine of \$200 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a), 25-4 and BCZ 39.566.(b) within 14 days or a fine of \$50 per day, per violation, and with 18-1 within 14 days or a fine of \$200 per day.

Case: CE08041869

Robenson Fenelus
2311 Northwest 30 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/26/08.

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

THERE ARE UNLICENSED, INOPERABLE VEHICLES BEING STORED ON THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO A MAROON FOUR (4) DOOR VEHICLE, UNKNOWN MAKE AND MODEL. THE CITY REQUESTS THE RIGHT TO TOW AS THIS VEHICLE PRESENTS A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Complied
18-27(a)
24-27(b)

Officer Hull 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 maroon vehicle.

Ms. Flynn 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 maroon vehicle.

Case: CE08062275

Carmen Forde
2205 Bayview Drive

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/6/08.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:
18-1

THE POOL AT THIS LOCATION IS FILLED WITH GREEN, STAGNANT WATER. THE POOL IN THIS CONDITION IS A BREEDING PLACE FOR MOSQUITOES AND ENDANGERS THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

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

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

Case: CE08050010

Vilamar Julme & Florvil Saint-Louis
500 Northeast 13 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/26/08.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violations:
24-27(f)

THE DUMPSTER LIDS ARE BEING LEFT OPEN.

24-29(a)

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

47-19.4.D.1.

THERE IS NO DUMPSTER ENCLOSURE FOR DUMPSTER.

Officer Gottlieb presented photos of the property and the case file and recommended ordering compliance with 24-27(f) and 24-29(a) within 14 days or a fine of \$100 per day, per violation and with 47-19.4.D.1. within 28 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance with 24-27(f) and 24-29(a) within 14 days or a fine of \$100 per day, per violation and with 47-19.4.D.1. within 28 days or a fine of \$100 per day.

Case: CE08041709

Stipulated agreement

Multiplicity L LLC
1320 Northeast 7 Avenue

Violations

18-27(a)

THERE IS TRASH AND DEBRIS ON THE PROPERTY AND
SWALE INCLUDING A DUMPSTER WHICH IS NO LONGER IN
USE AND IS OUTSIDE OF AN ENCLOSURE.

47-20.20.H.

THE PARKING AREA IS IN DISREPAIR. THERE IS DIRT,
HOLES AND PLANT LIFE GROWING THROUGH IT. THE SEAL
COAT AND STRIPES HAVE FADED.

Complied

47-19.4.D.8.

9-279.(b)(3)
9-313(a)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 18-27(a) within 2 weeks or a fine of \$25 per day and 47-20.20.H. within 8 weeks or a fine of \$25 per day.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) within 2 weeks or a fine of \$25 per day and 47-20.20.H. within 8 weeks or a fine of \$25 per day.

Case: CE08051478

Stipulated agreement

Jerome Tepps
823 Northeast 14 Place

Violations:

9-280(b)

THE FLOOR ON THE INTERIOR OF THE STRUCTURE IS SAGGING AND UNEVEN IN SECTIONS. THERE ARE TILES AND BASEBOARDS FALLING OFF. THE ROOF HAS AREAS OF SHINGLE THAT ARE BUCKLING.

9-280(f)

THERE IS PLUMBING IN DISREPAIR. A NEW WASHER AND DRYER HAVE BEEN INSTALLED OUTSIDE THE STRUCTURE, AND THE WATER DRAINS INTO THE BATHTUB.

9-280(g)

THERE IS ELECTRICAL IN DISREPAIR, IN THAT ELECTRICAL WIRING FOR A WASHER AND DRYER HAVE BEEN INSTALLED OUTSIDE, AND THE OUTLETS ARE UNSAFE AND EXPOSED TO THE ELEMENTS.

9-280(h)(1)

THE WOOD FENCE IS IN DISREPAIR, AND HAS SEVERAL MISSING AND BROKEN SLATS.

9-313(a)

THERE ARE NO HOUSE NUMBERS VISIBLE ON THE STRUCTURE.

Complied
6-2

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 9-280(f), 9-280(g), 9-280(h)(1) and 9-313(a) within 2 weeks or a fine of \$50 per day, per violation and 9-280(b) within 12 weeks or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(f), 9-280(g), 9-280(h)(1) and 9-313(a) within 2 weeks or a fine of \$50 per day, per violation and 9-280(b) within 12 weeks or a fine of \$50 per day.

Case: CE08061501

US Bank C/O Countrywide Home Loans
3326 Northwest 69 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/5/08.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:
18-1

THERE IS GREEN/STAGNANT WATER PRESENT IN THE POOL ON THIS PROPERTY. IN IT'S CURRENT CONDITION, THE POOL ON THIS PROPERTY IS UNSANITARY AND UNSIGHTLY AND IS A POTENTIAL BREEDING GROUND FOR MOSQUITOES. THIS POOL ALSO POSES A THREAT TO THE HEALTH, SAFETY, AND WELFARE TO THE SURROUNDING PROPERTIES AND TO THE COMMUNITY AS A WHOLE.

Complied
18-27(a)

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance with 18-1 within 10 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-1 within 10 days or a fine of \$100 per day.

Case: CE08070153

The Southeast Builder Group LLC
6991 Northwest 30 Terrace

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/4/08 and certified mail sent to the registered agent was accepted on 8/4/08.

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

THERE IS LAWN OVERGROWTH PRESENT ON THIS VACANT LOT AND IT IS LITTERED WITH TRASH/RUBBISH/DEBRIS.

9-280(h)(1)

THERE IS A CONCRETE FENCE ON THIS PROPERTY THAT HAS MISSING SLATS AND IS IN GENERAL DISREPAIR

Officer Viscusi presented photos of the property and the case file and recommended ordering compliance within 4 weeks or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 4 weeks or a fine of \$50 per day, per violation.

Case: CE08051193

Us Bank National Association Trustee
1619 Northwest 6 Place

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/6/08.

Ms. Wanda Sappington, Code Enforcement Officer, testified to the following violation:
9-328(b)

THE DOORS AND WINDOWS OF THIS BUILDING HAVE BEEN
BOARDED WITHOUT OBTAINING A CITY ISSUED BOARD-UP
CERTIFICATE.

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

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

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

Case: CE08070032

1440 Southwest 4TH Avenue LLC
1440 Southwest 4 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/26/08 and certified mail sent to the registered agent was accepted on 7/26/08.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
24-27(f)

THE DUMPSTER LIDS ARE STANDING OPEN ON A REGULAR
BASIS. THIS IS A REPEAT VIOLATION AS PER SPECIAL
MAGISTRATE ORDER OF 8/16/07; CASE NUMBER
CE07070538.

Complied
18-27(a)
47-19.4.D.4

Officer Eaton presented photos of the property and the case file and recommended entering a finding of fact regarding repeat violation 24-27(f) and imposing a fine of \$500 per day that would start as of 7/1/08.

Ms. Flynn entered a finding of fact that repeat violation 24-27(f) currently existed and imposed a fine of \$500 per day that would start as of 7/1/08.

Case: CE08071244

1440 Southwest 4TH Avenue LLC
1440 Southwest 4 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/26/08 and certified mail sent to the registered agent was accepted on 7/26/08.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
9-313(a)

THERE ARE NO ADDRESS NUMBERS DISPLAYED ON THIS
PROPERTY.

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

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

Case: CE08031006

Pamela Peters Road LLC
840 Northwest 3 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/30/08 and certified mail sent to the registered agent was accepted on 7/30/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
47-19.4.D.8.

THERE IS A METAL FRAME DUMPSTER ENCLOSURE IN FRONT
OF THIS VACANT/BOARDED PROPERTY, AT THE NORTH
SIDE, IN DISREPAIR, MISSING WALLS.

47-20.20.H.

THERE IS A PARKING LOT ON THIS RENTAL VACANT
BOARDED PROPERTY IN DISREPAIR MISSING WHEEL STOPS,
STRIPES AND IN NEED OF RESURFACE.

9-280(g)

THERE ARE ELECTRICAL WIRING AND ACCESSORIES NOT
MAINTAINED IN GOOD, SAFE WORKING CONDITION,
INCLUDING BUT NOT LIMITED TO WIRES HANGING FROM
THE ROOF, ELECTRICAL LIGHT FIXTURE MISSING COVER
AND WIRES EXPOSED.

9-280(h)(1)

THERE IS A CHAIN-LINK FENCE IN DISREPAIR ON THIS VACANT BOARDED PROPERTY AT THE NORTH SIDE, MISSING TOP RAILS, POSTS AND LINK FENCE SCREEN LEANING ON THE SIDE.

9-306

EXTERIOR OF STRUCTURE IS NOT MAINTAINED. THERE IS PEELING AND MISSING PAINT, GUTTERS ATTACHED TO WALLS IN DISREPAIR AT THE NORTH SIDE, HOLES ON THE WALLS ON REAR AND AT THE SOUTH SIDE.

9-308(a)

THERE IS A ROOF IN DISREPAIR ON THIS VACANT BOARDED PROPERTY, MISSING SHINGLES AND WITH A BLUE TARP.

9-328(b)

THERE IS A VACANT BOARDED RENTAL PROPERTY, BOARDED BY THE CITY AND THERE IS NOT A CURRENT AND VALID CERTIFICATE AS REQUIRED BY THIS ARTICLE.

Complied
18-27(a)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 47-19.4.D.8., 47-20.20.H., 9-280(g), 9-280(h)(1), 9-306, 9-308(a), and 9-328(b) within 35 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 47-19.4.D.8., 47-20.20.H., 9-280(g), 9-280(h)(1), 9-306, 9-308(a), and 9-328(b) within 35 days or a fine of \$25 per day, per violation.

Case: CE08050166

Stipulated agreement

Lionel Phanor
1617 Northwest 6 Avenue

Violations

18-27(a)

THERE IS RUBBISH, TRASH AND DEBRIS IN THE FRONT OF THIS PROPERTY, INCLUDING BUT NOT LIMITED TO PIECES OF TILES INSIDE THE PLANTER IN FRONT AND AT THE PLANTERS ON THE SIDES OF THIS PROPERTY.

9-306

THE EXTERIOR OF THIS PROPERTY IS NOT MAINTAINED IN A SECURE AND ATTRACTIVE MANNER. THE EXTERIOR WALLS AND FASCIA HAVE AREAS OF FADED, STAINED AND MISSING PAINT AND THE DECORATIVE ELEMENTS OF THE BUILDING FACADE ARE ROOTED.

Complied

24-27(b)
47-19.9
47-20.20.H.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 18-27(a) and 9-306 within 49 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance with 18-27(a) and 9-306 within 49 days or a fine of \$25 per day, per violation.

Case: CE08051281

Ernestine Green
1324 Northwest 7 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/26/08.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:

18-27(a)

THERE IS RUBBISH, TRASH AND DEBRIS ON THIS PROPERTY, YARD AND SWALE.

24-27(b)

THERE IS A TRASH RECEPTACLE STORED IN FRONT OF THE PROPERTY ON THE DRIVEWAY AT THE NORTH SIDE, ALL THE TIME.

47-19.9

THERE IS OUTDOOR STORAGE AT SOUTH SIDE OF THIS PROPERTY THAT DOES NOT MEET CODE REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO BUCKETS AND BOXES.

9-280(h)(1)

THERE IS A CHAIN-LINK FENCE IN DISREPAIR AT NORTH SIDE OF THIS PROPERTY, WITH MISSING, BROKEN LINKS.

9-304(b)

THERE IS A GRAVEL DRIVEWAY AT NORTH SIDE OF THIS PROPERTY, NOT WELL-GRADED AND DUST-FREE, WITH WEEDS AND GRASS GROWING INTO IT. ALSO VEHICLES ARE PARKING ON LAWN AT SOUTH SIDE OF THE PROPERTY.

9-306

EXTERIOR OF STRUCTURE IS NOT MAINTAINED ON THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO STAINS AND PEELING AND MISSING PAINT. FASCIA IS IN NEED OF PAINT AND IS IN DISREPAIR AT SOUTH SIDE. SOFFIT IS IN DISREPAIR AT NORTH SIDE.

Withdrawn

47-21.8.A.
Complied
9-281(b)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 24-27(b), 47-19.9, 9-280(h)(1), 9-304(b), and 9-306 within 35 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a), 24-27(b), 47-19.9, 9-280(h)(1), 9-304(b), and 9-306 within 35 days or a fine of \$25 per day, per violation.

Case: CE08060774

Deutsche Bank National Trust Co. Trustee
934 Northwest 4 Avenue

Mr. McKelligett announced that certified mail sent to the owner had been accepted.

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

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON THIS VACANT RENTAL PROPERTY YARDS AND SWALE.

47-20.20.H.

THERE IS A PARKING LOT ON THIS VACANT RENTAL PROPERTY WITH AREAS COVERED WITH OIL AND DIRT STAINS AND WHEEL STOPS IN DISREPAIR.

9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS PROPERTY THAT ARE IN DISREPAIR OR ARE NOT BEING MAINTAINED. THEY INCLUDE, BUT ARE NOT LIMITED TO MAILBOX STAND AT SOUTH SIDE.

9-280(h)(1)

THERE IS A WOODEN FENCE IN DISREPAIR AT SOUTH SIDE OF THIS PROPERTY. THE FENCE HAS MISSING AND BROKEN SLATS.

9-328(b)

THERE ARE WINDOWS, DOORS AND OTHER OPENINGS COVERED WITH WOOD BOARDS AROUND THIS PROPERTY, WITHOUT CURRENT AND VALID BOARDING CERTIFICATE, AS REQUIRED BY THIS ARTICLE.

Complied
9-280(g)
9-328(a)

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), 9-280(h)(1) and 9-328(b) within 28 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a), 47-20.20.H., 9-280(b), 9-280(h)(1) and 9-328(b) within 28 days or a fine of \$25 per day, per violation.

Case: CE08070624

US Bank National Association
725 Northwest 4 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/31/08.

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

THERE IS GRASS/PLANT OVERGROWTH, RUBBISH, TRASH AND DEBRIS ON THIS VACANT/BOARDED PROPERTY AND SWALE.

47-20.20.H.

THE PARKING LOT IS NOT MAINTAINED ON THIS VACANT/BOARDED PROPERTY, THERE ARE AREAS OF THE ASPHALT THAT HAS NOT BEEN MAINTAINED IN A SMOOTH, WELL GRADED CONDITION, FADED STRIPPING AND BROKEN WHEEL STOPS.

9-280(d)

THERE IS A MAIL BOX STAND IN DISREPAIR AT THE NORTH SIDE OF THE DRIVEWAY ON THIS VACANT/BOARDED PROPERTY.

9-280(g)

THERE ARE ELECTRICAL WIRES NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION, INCLUDING BUT NOT LIMITED TO WIRES HANGING FROM THE CEILING.

9-306

THE EXTERIOR OF THE STRUCTURE IS NOT MAINTAINED IN A SECURE AND ATTRACTIVE MANNER ON THIS VACANT/BOARDED FOUR-PLEX, THERE IS GRAFFITI, FADED PAINT AND DIRT STAINS ON THE FRONT AND BACK WALLS.

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(d) and 9-280(g) within 14 days or a fine of \$100 per day, per violation, and with 9-306 within 14 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a), 47-20.20.H., 9-280(d) and 9-280(g) within 14 days or a fine of \$100 per day, per violation, and with 9-306 within 14 days or a fine of \$250 per day.

Case: CE08050612

Garrett Weissbein
548 Northeast 9 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/31/08.

Ms. Ursula Thime, Code Enforcement Officer, testified to the following violations:
9-276(c)(3)

THERE ARE TERMITES IN THE REAR COTTAGE. THERE ARE AREAS WITH DETERIORATED WOOD AND DEAD TERMITES THAT CAN BE SEEN ON THE FLOOR.

9-280(f)

THE PLUMBING IN THE REAR COTTAGE IS NOT MAINTAINED. THE TOILET LEAKS ONTO THE BATHROOM FLOOR.

9-307(a)

THE WINDOWS IN THE REAR COTTAGE ARE NOT MAINTAINED. SOME WINDOWS HAVE ROTTEN WOOD FRAMES AND CAN'T BE OPENED AND CLOSED PROPERLY.

9-308(a)

THE ROOF IN THE UTILITY ROOM OF THE REAR COTTAGE IS NOT WATERTIGHT.

Withdrawn
FBC 105.1

Officer Thime presented photos of the property and the case file and recommended ordering compliance with 9-276(c)(3), 9-280(f), 9-307(a) and 9-308(a) within 35 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 9-276(c)(3), 9-280(f), 9-307(a) and 9-308(a) within 35 days or a fine of \$50 per day, per violation.

Case: CE08062575

2006 Development LLC
920 Northeast 17 Avenue

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 8/4/08.

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

PROPERTY IS OVERGROWN AND THERE IS TRASH AND
DEBRIS IN THE FRONT AND BACK YARD CONSISTING BUT
NOT LIMITED TO SUPERMARKET CARTS, PIECES OF
FURNITURE, BLUE TARP AND MISCELLANEOUS ITEMS.

Officer Thime presented photos of the property and the case file and recommended ordering compliance within 35 days or a fine of \$50 per day.

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

Case: CE08030994

Edward Gay IV
620 East Campus Circle

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/28/08.

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

THERE IS AN EXTREME AMOUNT OF OVERGROWTH ON THIS
PROPERTY AND THE SWALE.

9-308(a)

THE ROOF IS NOT MAINTAINED IN A SAFE, SECURE,
WATER TIGHT MANNER. THERE IS A TARP ANCHORED DOWN
BY SEVERAL WOOD LOGS ON THE ROOF IN ADDITION TO
PLANT LIFE GROWING OUT OF THE ROOF.

Complied
25-5

Officer Davis presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 9-308(a) within 14 days or a fine of \$25 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 18-27(a) and 9-308(a) within 14 days or a fine of \$25 per day, per violation.

Case: CE08031139

US Bank National Association Trustee
1409 Northwest 3 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/31/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violation:
9-329(b)

BUILDING OPENINGS HAVE BEEN SECURED WITHOUT A
VALID AND CURRENT BOARDING CERTIFICATE. THE
PROPERTY HAS BEEN BOARDED FOR A PERIOD LONGER THAN
6 MONTHS AND REQUIRES A BOARD UP CERTIFICATE.

Officer Williams presented photos of the property and the case file and recommended ordering compliance within 28 days or a fine of \$50 per day.

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

Case: CE08041711

Homecomings Financial Network Inc
1413 Northwest 3 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/31/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violation:
9-329(a)

THIS BUILDING HAS BEEN BOARDED UP FOR MORE THAN 6
MONTHS WITHOUT HAVING OBTAINED THE REQUIRED
BOARD-UP CERTIFICATE.

Officer Williams presented photos of the property and the case file and recommended ordering compliance within 28 days or a fine of \$50 per day.

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

Case: CE08051168

Bank Of New York Trustee
1200 North Andrews Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/30/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violation:
9-329(a)

THE PROPERTY HAS BEEN BOARDED FOR A PERIOD LONGER
THAN SIX (6) MONTHS AND REQUIRES A BOARD-UP
CERTIFICATE.

Officer Williams presented photos of the property and the case file and recommended ordering compliance within 28 days or a fine of \$50 per day.

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

Case: CE08051403

HSBC Bank USA
1524 Northwest 8 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/4/08.

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

THE PARKING LOT HAS MISSING OR BROKEN WHEEL STOPS
AND FADED STRIPING. THE PARKING LOT HAS NOT BEEN
MAINTAINED AND IS IN GENERAL DISREPAIR.

9-280(b)

THERE ARE BROKEN AND CRACKED WINDOW PANES ON THE
FRONT OF THE BUILDING. THE WINDOWS ARE NOT
WEATHER, WATERTIGHT OR RODENT PROOF.

9-280(h)(1)

THE CHAIN LINK FENCE ON THE PROPERTY HAS A BROKEN
GATE AND IS IN GENERAL DISREPAIR.

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

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

Case: CE08060500

Bank Of New York Trustee
1200 North Andrews Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/5/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violations:
9-280(h)(1)

THE REAR WOOD FENCE GATE ON THE NORTH WEST SIDE OF
PROPERTY DOES NOT CLOSE AND STAY SHUT. IT HANGS
OPEN AND ALLOWS FOR ACCESS INTO THE REAR YARD WHERE
VAGRANTS HAVE ENTERED THE PROPERTY.

9-328(a)

THE BUILDING IS NOT SECURED AND ALLOWS UNAUTHORIZED ACCESS INTO THE INTERIOR. ONE OF THE REAR DOORS REMAINS UNLOCKED ALLOWING FOR UNAUTHORIZED ACCESS TO THE BUILDING. THE CITY REQUESTS THE RIGHT TO BOARD AS THE BUILDING IN ITS CURRENT STATE POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Complied
18-27(a)

Officer Williams presented photos of the property and the case file and recommended ordering compliance with 9-280(h)(1) and 9-328(a) within 21 days or a fine of \$50 per day, per violation with the right to board the property.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(h)(1) and 9-328(a) within 21 days or a fine of \$50 per day, per violation with the right to board the property.

Case: CE08061120

Willie Freeman
505 Northwest 18 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/28/08.

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

THE ROOF IS NOT MAINTAINED IN A WATER TIGHT
CONDITION

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.

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

Case: CE08070125

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

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/1/08.

Mr. Leonard Ackley, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

CHAIN LINK FENCE IS IN DISREPAIR.

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.

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

Case: CE08070564

Metropolitan Property Investment LLC
533 Northeast 1 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/31/08.

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

THERE ARE DERELICT BOATS, OLD TIRES, AND OTHER TRASH AND DEBRIS ON THE PROPERTY. THE PROPERTY AND SWALE AREAS ARE ALSO OVERGROWN AND NOT BEING MAINTAINED.

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

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

Case: CE08070968

MTAG as Customer for Carlyle
438 Northwest 13 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 7/28/08.

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

THE PROPERTY IS COVERED WITH TRASH AND DEBRIS AND IS OVERGROWN.

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

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

Case: CE08060724

Federal National Mortgage Association
5230 Northeast 18 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/8/08.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:
18-1

THE POOL AT THIS LOCATION IS FILLED WITH GREEN,
STAGNANT WATER. THE POOL IN THIS CONDITION IS A
BREEDING PLACE FOR MOSQUITOES AND ENDANGERS THE
PUBLIC HEALTH, SAFETY AND WELFARE OF THE
COMMUNITY.

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

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

Case: CE05100249
J.A. & Helga Hindenberger
1313 Northeast 15 Avenue

Request to vacate order dated 9/30/07
and re-impose

Mr. McKelligett explained that this case included four violations, but the City had discovered that two of the violations were running under another case. The City therefore requested vacation of the order dated 9/30/07.

Ms. Flynn vacated the order dated 9/30/07.

Mr. McKelligett announced that this case was first heard on 7/6/06 to comply by 11/3/06. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$32,800 fine which would continue to accrue until the property complied.

Ms.. Flynn imposed the \$32,800 fine.

Case: CE07061779
Robert McAllister
541 East Dayton Circle

Ordered to reappear

Mr. McKelligett announced that this case was first heard on 3/20/08 to comply by 5/22/08. 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 \$1,600 fine which would continue to accrue until the property complied.

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

Case: CE07050769

Ordered to reappear

3404 North Ocean Boulevard, LLC
3400 North Ocean Boulevard

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 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 no fine be imposed [reduced from \$1,650].

Ms. Flynn imposed no fine.

Case: CE07051725

C. & Florilla Stroman
2305 Northwest 6 Place

Mr. McKelligett announced that this case was first heard on 5/15/08 to comply by 6/15 and 7/17/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$4,450 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,450 fine.

Case: CE08010315

Ordered to reappear

Eddie Wright
2911 Northwest 21 Street

Mr. McKelligett announced that this case was first heard on 2/21/08 to comply by 4/17/08. 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, and stated the City was requesting imposition of a \$450 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$450 fine.

Case: CE08021887

US Bank National Association
725 Northwest 4 Avenue

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 7/24/08. 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. Flynn imposed the \$2,700 fine.

Case: CE08030498

Housing Authority of the
City Of Fort Lauderdale
728 Northwest 4 Avenue

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 6/19/08 and 7/17/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated the City was requesting imposition of an \$875 fine [reduced from \$1,675].

Ms. Flynn imposed the \$875 fine.

Case: CE08030511

Housing Authority of the
City Of Fort Lauderdale
712 Northwest 4 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 and stated the City was requesting no fine be imposed [reduced from \$425].

Ms. Flynn imposed no fine.

Case: CE08031841

William Staffeld Estate
15 Southeast 11 Avenue

Mr. McKelligett announced that this case was first heard on 6/18/08 to comply by 7/24/08. 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. Flynn imposed the \$2,700 fine.

Case: CE07100941

Virgil & Rosa Bolden
1227 Northwest 6 Street

Ordered to reappear

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 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 \$1,650 fine which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,650 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:

| | | | |
|------------|------------|------------|------------|
| CE08060805 | CE08010762 | CE08060368 | CE08061453 |
| CE08060196 | CE08032189 | CE08032190 | CE08032208 |
| CE08051070 | CE08052075 | CE08061437 | CE08061914 |
| CE08062161 | CE08010337 | CE08061337 | CE08050652 |
| CE08062184 | CE08070633 | CE08070642 | CE08041536 |
| CE08041749 | CE08042444 | CE08050160 | CE08050628 |
| CE08040237 | CE08042072 | CE08060373 | CE08060983 |
| CE08070158 | CE08041376 | CE08051360 | CE08051607 |
| CE08062344 | CE08031324 | CE08062248 | CE08040142 |
| CE08050848 | CE08061375 | CE08062170 | CE08070060 |
| CE08050769 | CE08061114 | CE08070776 | CE07110030 |

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:

| | | | |
|------------|------------|------------|------------|
| CE08051575 | CE08062310 | CE08010549 | CE08060989 |
| CE08070509 | CE08061520 | CE08062155 | CE08031744 |
| CE08031913 | CE08050538 | CE08070099 | CE08070921 |
| CE08070923 | CE08070144 | CE08061451 | CE08052023 |
| CE08060919 | CE08051152 | CE08051404 | CE08031537 |
| CE08070084 | CE08070092 | CE08020540 | CE08050087 |
| CE08051031 | | | |

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:

| | | | |
|------------|------------|------------|------------|
| CE08030720 | CE08061026 | CE08062510 | CE08070620 |
| CE08021707 | CE07081906 | CE08021650 | |

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:

| | | | |
|------------|------------|------------|------------|
| CE08061791 | CE07061606 | CE08040732 | CE07071633 |
| CE08062164 | CE08071177 | CE08062151 | CE08050506 |

Cases Closed


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

CE08040486

There being no further business, the hearing was adjourned at 11:56 a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate