

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
JUDGE H. MARK PURDY PRESIDING
SEPTEMBER 18, 2008
9:00 A.M. – 1:47 P.M.**

Staff Present:

Mary Allman, Secretary Special Magistrate
Sue Manning, Secretary, Special Magistrate
Diana Cahill, Clerk III
Brian McKelligett, Clerk of Special Magistrate Supervisor
Cheryl Pingitore, Code Enforcement Supervisor
Peggy Burks, Code Enforcement Supervisor
Lin Bradley, 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
Thomas Clements, Fire Inspections Officer
Andre Cross, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Adam Feldman, Code Enforcement Officer
Ingrid Gottlieb, Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Karl Lauridsen, Landscape Inspector
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Bill Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Code Enforcement Officer
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Kimberly Williams, Code Enforcement Officer

Respondents and Witnesses

CE08051149; CE08051151; CE08051153: Paul Hugo, owner's representative; Robert Mannino, owner's representative
CE08021650: Michael Coleman, general manager
CE07121006: Bradley Deckelbaum, owner's representative
CE08070624: Gregory Taylor, attorney

CE08070068; CE08070078; CE08070085: Hope Calhoun, attorney; Robert Bamonte, owner's representative
CE08050420: James Babb, tenant; Mark Steinberger, owner
CE08050693: Douglas Fleishman, owner
CE08050499: William Thornton, owner
CE08081398: Lorraine Saunders, owner
CE08061374: Roger Lewis, property manager; Earnest Adams, tenant
CE08061373: Roger Lewis, property manager; Dr. Benjamin Lewis, the owner's representative
CE08070880: David Elliot, owner
CE08030733: Simon St. Jean, owner; W. St. Jean, son of owner
CE08010521: Pablo Riano-Medina, tenant
CE08060919: Anne Ruffin, owner's sister
CE08021707: Bruce Toski, owner
CE08021602: Bradley Cobb, attorney
CE08052113; CE08041380: Balbir Singh Kandola
CE08080558: Neil Schiller, attorney; Salim Khoury, neighbor; Tewfiq Khoury, neighbor
CE08040136: John Rutledge, owner; Alex Hurtado, owner
CE08071705: Daniel Taylor, attorney
CE08030001: Michael Green, owner

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

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

Case: CE08081398

Lorraine Saunders
1412 Northwest 4 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/4/08.

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

THERE IS AN UNLICENSED, INOPERABLE VEHICLE STORED ON THE PROPERTY. SPECIFICALLY A DARK GREEN 4 DOOR JEEP WITH NO TAGS. THE CITY REQUESTS THE RIGHT TO TOW AS THE VEHICLE POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE TO THE COMMUNITY.

Complied:
47-34.4 B.3.a.

Officer Williams 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 with the right to tow the green Jeep.

Ms. Lorraine Saunders, owner, agreed to comply within 14 days.

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 green Jeep.

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

Case: CE08041380

Markatia Equities Inc
3031 Davie Blvd

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

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

THE ROOF LEAKS IN MULTIPLE LOCATIONS THROUGHOUT
THE PROPERTY.

Complied:

47-20.20.H.

47-22.6.F.

18-27(a)

24-27(f)

47-19.4.D.8.

Officer Davis presented photos of the property and the case file and recommended ordering compliance with 9-308(a) within 42 days or a fine of \$100 per day. She explained that the respondent had been present earlier and had agreed to her recommendation.

Judge Purdy found in favor of the City and ordered compliance with 9-308(a) within 42 days or a fine of \$100 per day.

Case: CE08052113

Markatia Equities Inc
3027 Davie Blvd

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/3/08 and certified mail sent to the registered agent was accepted on 9/3/08.

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

CEILING TILES ARE DAMAGED AND WATER STAINED AS A
RESULT OF THE ROOF LEAKS.

9-308(a)

THE ROOF IS LEAKING IN MULTIPLE LOCATIONS AND IS
THEREBY NOT BEING MAINTAINED IN A SAFE, WATER
TIGHT MANNER. THERE ARE MULTIPLE LEAKS THROUGHOUT
THE ROOF.

Officer Davis presented photos of the property and the case file and recommended ordering compliance within 42 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 42 days or a fine of \$100 per day, per violation.

Case: CE08030001

Request for extension

Michael & Nancy Green
2610 Center Avenue

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 9/11/08. Fines had accrued to \$175 and the owner was requesting an extension.

Mr. Mario Sotolongo, Code Enforcement Officer, explained the owner had applied for a permit to keep the containers on the property.

Mr. Michael Green, owner, said he had submitted the application on August 21. He requested an extension for the permit to be issued.

Judge Purdy granted a 49-day extension to 11/6/08, 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, and listed extensions to the compliance deadline that had been granted since the case was first heard.

Mr. Mark Steinberger, owner, stated he had an offsite parking agreement he had presented to Officer Davis.

Ms. Aretha Davis, Code Enforcement Officer, said Mr. Steinberger had provided her with a copy of the agreement, and requested time for the City to evaluate this agreement.

Judge Purdy granted a 63-day extension, to 11/20/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08070880

David J Elliott
1651 Southwest 27 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/26/08.

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

THE OCCUPIED BUILDING AT THIS LOCATION DOES NOT
HAVE THE REQUIRED CITY WATER SERVICE TO THE
BUILDING.

Complied:
9-281(b)

Officer Cross presented photos of the property and the case file and recommended ordering compliance with 9-279(f) within 4 weeks or a fine of \$25 per day.

Mr. David Elliot, owner, said the house was seriously damaged in hurricane Wilma. He said the water had been turned off for a very long time for non-payment. Mr. Elliot explained he did not live at the home full time, only when he was working at the property. He requested an extension to get some assistance with the bill to have the water turned back on.

Judge Purdy found in favor of the City and ordered compliance with 9-279(f) within 4 weeks or a fine of \$25 per day and ordered the respondent to reappear at that hearing.

Case: CE08070624

Request for extension

US Bank National Assn
725 Northwest 4 Avenue

Mr. McKelligett announced that this case was first heard on 8/21/08 to comply by 9/4/08. Mr. McKelligett recited violations, compliance dates and potential fines, stated fines had accrued to \$3,900 and the owner was requesting an extension.

Mr. Wilson Quintero, Code Enforcement Officer, said two violations remained at the property: 47-20.20.H. and 9-280(g).

Mr. Gregory Taylor, attorney, explained that a bid had been submitted for some of the work and bids were still coming in for the asphalt work. He requested a 60-day extension.

Judge Purdy granted a 63-day extension to 11/20/08, during which time no fines would accrue.

Case: CE08040136

Request for an extension

John M Rutledge & Alex F Hurtado
3633 Northeast 24 Avenue

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 9/4/08. Mr. McKelligett recited violations, compliance dates and potential fines, and stated fines had accrued to \$1,300 and the owner was requesting an extension.

Mr. John Rutledge, owner, asked for an extension and abatement of the existing fines. He said the house was vacant and the bank was supposed to take over the house in January. Mr. Rutledge said he had an estimate to clean up the hedges for \$700.

Judge Purdy granted a 28-day extension to 10/16/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08021650

Hearing to impose fines

Second City Entertainment Co
220 Southwest 2 Street

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 7/31/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,600 fine [reduced from \$3,200].

Mr. Wilson Quintero, Code Enforcement Officer, said he had recommended reduction of the fine by half. Administrative costs on the property totaled \$718.

Mr. Michael Coleman, general manager, requested abatement of the fines. He described work done at the property, and explained that the dumpster company had damaged the dumpster enclosure three times and not paid for the last repair.

Judge Purdy imposed a \$1,000 fine.

Case: CE07121006

Hearing to impose fines

315 Birch LP
315 North Birch Road

Mr. McKelligett announced that this case was first heard on 2/21/08 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 \$7,500 fine which would continue to accrue until the property complied.

Mr. Mario Sotolongo, Code Enforcement Officer, reported the property was now complied. He recommended no fine be imposed.

Judge Purdy imposed no fine.

Case: CE08060919

Betty Peterson
2311 Northwest 7 Street

Mr. McKelligett announced that service was via posting on the property on 8/27/08 and at City Hall on 9/4/08.

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

THE ROOF IS IN DISREPAIR AND COVERED WITH
TARPAULINS.

Complied:
18-27(a)

Officer Ackley presented photos of the property and the case file and recommended ordering compliance with 9-308(a) within 91 days or a fine of \$50 per day.

Ms. Anne Ruffin, the owner's sister, explained the owner was in a nursing home. She requested an extension for the family to have the home re-roofed.

Judge Purdy found in favor of the City and ordered compliance with 9-308(a) within 91 days or a fine of \$50 per day.

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

Case: CE08070068

Holman Automotive Inc
800 North Andrews Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted [no date] and certified mail sent to the registered agent was accepted on 9/3/08.

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 FENCED LOT AND SWALE.

47-21.6.L.

LANDSCAPE IS NOT MAINTAINED ON THIS VACANT
LOT. THERE ARE PORTIONS WITH MISSING AND BARE LAWN
COVER.

Complied:
9-280(h)(1)

Officer Quintero presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 28 days or a fine of \$25 per day and with 47-21.6.L. within 63 days or a fine of \$25 per day.

Ms. Hope Calhoun, attorney, explained that there was an unresolved issue regarding who was responsible to maintain the property. The former owner informed Holman Automotive that they had an agreement with the City of Fort Lauderdale to replace and maintain the landscaping. The former owner was not being cooperative in resolving this issue. Ms. Calhoun requested 90 days to comply all violations at all three properties.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) and 47-21.6.L. within 63 days or a fine of \$25 per day, per violation. Respondent is also ordered to reappear at the 11/20/08 hearing.

Case: CE08070078

Holman Automotive Inc
804 North Andrews Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on [no date] and certified mail sent to the registered agent was accepted on 9/3/08.

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 LOT AND SWALE.

47-21.6.L.

THE LANDSCAPE IS NOT MAINTAINED ON THIS VACANT
LOT. THERE ARE AREAS WITH MISSING AND BARE AREAS OF
LAWN COVER.

Complied:
9-280(h)(1)

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) and 47-21.6.L. within 63 days or a fine of \$25 per day, per violation. Respondent is also ordered to reappear at the 11/20/08 hearing.

Case: CE08070085

Holman Automotive Inc
805 Northeast 1 Avenue

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 9/3/08.

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

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

47-21.6.L.

LANDSCAPE IS NOT MAINTAINED ON THIS VACANT LOT.
THERE ARE PORTIONS WITH MISSING AND BARE LAWN
COVER.

Complied:

9-280(h)(1)

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) and 47-21.6.L. within 63 days or a fine of \$25 per day, per violation. Respondent is also ordered to reappear at the 11/20/08 hearing.

Case: CE08071705

Shirley Ann Trout Revocable Trust,
Shirley Ann Trout, Trustee et al
6525 Northwest 15 Way

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/3/08.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violations:
47-19.1.C.

THERE ARE NUMEROUS VEHICLES BEING PARKED/STORED ON
THIS VACANT LOT. THIS IS A VIOLATION OF THE
U.L.D.R. THIS VACANT LOT CANNOT BE USED FOR
ACCESSORY USE, DUE TO THE FACT THAT THERE IS NO
PRINCIPAL USE (I.E. NO BUILDING/ STRUCTURE ON THE
PROPERTY.

9-304(b)

THERE ARE NUMEROUS VEHICLES BEING PARKED ON THIS
VACANT LOT ON GRASS COVERED SURFACES.

Complied:

18-27(a)

Officer Viscusi had spoken with the owner's representative, who produced copies of paperwork relating to the owner's plan to turn this lot into a parking lot. He presented photos of the property and the case file and recommended ordering compliance with 47-19.1.C. and 9-304(b) within 182 days or a fine of \$100 per day, per violation.

Mr. Daniel Taylor, attorney, said the owner was in the process of collecting bids now.

Judge Purdy found in favor of the City and ordered compliance with 47-19.1.C. and 9-304(b) within 182 days or a fine of \$100 per day, per violation.

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

Case: CE08061373

Hearing to impose fines

Tyler Tuchow

1425 Northwest 3 Court

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$150 fine.

Dr. Benjamin Lewis, the owner's representative, explained he had been hospitalized for a heart attack from July 31 to August 18. Dr. Benjamin said he had hired a contractor to mow the lawn and he had picked up the trash himself.

Mr. Len Ackley, Code Enforcement Officer, stated as soon as Dr. Benjamin contacted him, the work was done immediately.

Judge Purdy imposed a \$150 fine.

Case: CE08061374

Hearing to impose fines

Tyler Tuchow

1424 Northwest 4 Street

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/17/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$375 fine.

Judge Purdy imposed no fine.

Case: CE08010521

Request for an extension

Church of Christ Holiness

2301 Northwest 22 Street

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 9/4/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated fines had accrued to \$650.

Mr. Wilson Quintero, Code Enforcement Officer, explained this lot was used as a staging area for the WaterWorks 2011 project.

Mr. Pablo Riano-Medina, tenant, said they had planned to leave by now, but the County may issue a change order requiring them to stay at the property for an additional six to eight months. Mr. Riano-Medina had spoken to Barbara Holwell and Ina Parker from

Planning and Zoning, who informed him he must erect a 6-foot fence and signage at the property, which he had already done. Mr. Riano-Medina requested an extension to pull the permit for the additional work.

Officer Quintero said many neighbors had complained about the dust from this project. He recommended only 90 days.

Judge Purdy granted a 91-day extension to 12/18/08, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08030733

Simon & McCianie St Jean
1708 Northwest 9 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/5/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violations:
9-278(e)

THERE IS A BOARD COVERING THE WINDOW ON THE NORTH
SIDE OF THE BUILDING PROHIBITING THE REQUIRED
VENTILATION.

9-280(b)

A/C UNITS PLACED IN WINDOWS AROUND BUILDING MAKING
THE WINDOWS INOPERABLE.

Complied:

24-27(b)

9-280(g)

9-280(h)

9-313(a)

FBC 105.1

Officer Williams presented photos of the property and the case file and recommended ordering compliance with 9-278(e) and 9-280(b) within 63 days or a fine of \$50 per day, per violation.

Mr. W. St. Jean, son of owner, said they were in the process of evicting the tenant to gain access to the property to make repairs.

Judge Purdy found in favor of the City and ordered compliance with 9-278(e) and 9-280(b) within 63 days or a fine of \$50 per day, per violation.

Case: CE08050499

William A Thornton
1410 Northeast 6 Street

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/17/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$775 fine which would continue to accrue until the property complied.

Ms. Ursula Thime, Code Enforcement Officer, stated the property was not in compliance. She presented photos of the property to Judge Purdy and explained the trash containers remained on the swale after collection. She stated she had used door hangers to inform the tenants of the problem with the trash bins.

Mr. William Thornton, owner, said this was a rental property. He had replaced hedges that used to hide the trash bins, and the bins were now visible. He said the trash receptacles were usually brought in after collection. Mr. Thornton offered to install taller hedges. Officer Thime said the trashcans were left in the front yard in plain sight, not behind a hedge.

Ms. Cheryl Pingitore, Code Enforcement Supervisor, said the door hangers Officer Thime had left were clear that the trash bins must be brought behind the building line. She recommended imposition of the full fine.

Judge Purdy imposed the \$775 fine.

Case: CE08021602

Continued from 7/17/08

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 said he had performed extensive research and found no permit. He said he wanted to move the case forward and get a ruling from Judge Purdy. Officer Sotolongo said the outdoor dining was a permitted use, but a permit was required for outdoor seating and the business had no such permit.

Mr. Bradley Cobb, attorney, said when the site plan was approved in 1993, this was a B-1 business district. He said outdoor dining had been discussed and allowed since then. Mr. Cobb said since this was a prior, non-conforming use, it was grand-fathered in and no permit was required.

Officer Sotolongo reiterated that he found no evidence a permit had ever been granted. Ms. Wald confirmed no permit was located, and it was the City's position that this was a violation under 47-24.1.B. Mr. Cobb's argument was that this was a legal, non-conforming use.

Judge Purdy asked that copies of the ordinance and statements be sent to him from both parties within 10 days, and that both parties copy each other as well.

Judge Purdy continued the case to 11/6/08.

Case: CE08080558

A G Realty Fort Lauderdale
3245 South Andrews Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/8/08.

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

IN THE ALLEY AT THE REAR OF THIS PROPERTY THERE IS
A NON-PERMITTED GATE BLOCKING THE CITY RIGHT OF
WAY. THIS IS A REPEAT VIOLATION PER SPECIAL
MAGISTRATE ORDER OF OCTOBER 18, 2007, CASE
CE07091245.

Officer Eaton stated he had cited the property on 8/8/08. He requested a finding of fact that the violation had recurred, and a fine of \$500 per day, to begin retroactive to 8/8/08. Officer Eaton explained that the owner had installed a fence in an alleyway and later requested vacation of the alleyway, which was denied. The Court had then ordered the fence removed.

Mr. Neil Schiller, attorney, said his clients owned the properties on either side of the alleyway. The request to vacate the alley had been denied in March. They had found a receipt for a fence permit dated 1976. Officer Eaton had informed him that the permit was not for the gate and Mr. Schiller countered that there was no such thing as a gate permit.

Mr. Schiller's client had returned to the Property and Right-of-Way Committee and they recommended approval of vacation of a portion of the alleyway. They were scheduled to appear before the Planning and Zoning Board in November to request the partial vacation. In the meantime, the City engineer had signed off on a T-Turn to allow cars to use the alleyway.

Mr. Schiller said there had been a complaint that a nearby property owner could not access his dumpster from the alleyway. Mr. Schiller said the property had been gated for 30 years and this had just now become an issue. He said his client had approached the complainant to buy his building so he could vacate the entire alleyway.

Mr. Schiller said the 1976 fence permit gave his client "enough color of title to significantly adverse possess the alleyway." He requested a 60-day extension for the matter to be resolved by the Planning and Zoning Board and the City Commission.

Mr. Eaton reminded Judge Purdy that the case had been presented to the Special Magistrate in 2007 and Special Magistrate Tell had determined a violation existed. The case had been continued for the owner to pursue vacation of the alley, which was denied on 3/20/08. The order stood and the owner had opened the gate and claimed compliance. Officer Eaton explained the gate must be removed to comply and the owner had removed it. Since then, Officer Eaton had received a complaint that the gate had been replaced.

Mr. Alex Khoury, neighbor, said the owner of the adjacent property used to allow him use of the alleyway, but had stopped in 2006 when the alleyway was included as part of the new tenant's leasable space. Mr. Khoury had met with Code Enforcement Officer Bob Guilford and the other owner in 2006 to walk the property and Officer Guilford had noted that it was not safe for cars to be backing out of the alley. Officer Guilford had also pointed out that there was no record of a permit for a gate to cross the alley.

Mr. Khoury explained that the fence permit was for the fence separating the properties, but special permission was required to install a gate that closed an alley. This required vacation of the alley; one could not arbitrarily install a gate across a public right-of-way. Officer Guilford had pointed this out to the owner, and he agreed to remove the gate. Mr. Khoury had attended the meeting when the owner first requested vacation of the alleyway, and it was unanimously denied.

Mr. Khoury said the blocking of the alleyway caused him a hardship. Since parking was limited, they used property behind their building to park cars, but it was not safe to back out of the alley. They also needed to have the septic tank serviced, but the truck could not come in for service because it could not back out. Mr. Khoury added that they had recently been cut off from Fort Lauderdale public trash pickup and must utilize dumpster service. Access for the trash truck was unsafe as well.

Judge Purdy found the repeat violation existed as cited.

Mr. Schiller asked Judge Purdy to "make it a little bit easier for my client to comply and allow for the gates to be open, and if the gates are open and still not restoring access to the alleyway, the Khourys are able to make another complaint."

Officer Eaton objected; "the original order said to remove the gate, so if we agree with the original order then we stick with the original order."

Mr. Sam Khoury, neighbor, reaffirmed everything his son had said. He added that he had contacted the property owner many times over the years. The owner would open the gate for a while and then close it again, so Mr. Schiller's claim that the gate had been closed for 30 years and never caused a problem was not true. Mr. Khoury added that there was large equipment parked in the alleyway that made it impassable even if the gate was open.

Officer Eaton requested a fine of \$500 per day, retroactive to 8/8/08, until the property complied. Judge Purdy found in favor of the city.

The following three cases were hear together:

Case: CE08051151

Flagler Station Residences LLC
629 Northwest 1 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/3/08 and certified mail sent to the registered agent was accepted on 9/3/08.

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

THERE ARE NON OPERABLE, BROKEN, BOARDED AND MISSING
WINDOWS ON THE HOME OF THIS PROPERTY.

9-280(h)(1)

CHAIN LINK FENCE IN DISREPAIR AND RUSTY.

9-313(a)

THERE ARE NO HOUSE NUMBERS DISPLAYED OR VISIBLE.

Complied:

18-27(a)

47-21.8.

9-304(b)

9-308(a)

Withdrawn:

9-329(b)

Officer Champagne presented photos of the property and the case file and recommended ordering compliance with 9-280(b) within 14 days or a fine of \$50 per day, with 9-280(h)(1) within 28 days or a fine of \$50 per day and with 9-313(a) within 14 days or a fine of \$25 per day.

Mr. Paul Hugo, the owner's representative, said they had assembled the properties to build a large residential development. Mr. Hugo said they had been working to get approval for their project for years and had maintained the properties. Mr. Hugo said they were working toward demolition of the properties, but there were several environmental issues to resolve first. He requested six months.

Officer Champagne said he had been working with the other inspectors and the Police to clean up this area. Neighbors informed Officer Champagne that the owner had been promising for years to demolish the property, but this had not happened. Officer Champagne displayed an aerial photo of the area and explained that there were new town homes across the street from this property. He said the cited properties were

constantly broken into and became drug houses. Officer Champagne said he had advised the owner to properly board the property or install windows.

Mr. Hugo said the complaints all came from one very vocal neighbor. He reiterated that everyone supported the project he was trying to bring to the property. Mr. Hugo said he had no money to fix or demolish the property.

Judge Purdy advised Mr. Hugo to obtain a board-up permit and properly secure the property.

Judge Purdy found in favor of the City and ordered compliance with 9-280(b), 9-280(h)(1) and 9-313(a) within 49 days or a fine of \$50 per day, per violation and ordered the respondent to reappear at the 11/6/08 hearing.

Case: CE08051153

Flagler Station Residences LLC
633 Northwest 1 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/3/08 and certified mail sent to the registered agent was accepted on 9/3/08.

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

THERE IS OUTDOOR STORAGE ON THE PROPERTY INCLUDING BUT NOT LIMITED TO CEMENT BLOCKS, WOOD MATERIAL AND PLASTIC CONTAINERS.

9-280(b)

THERE ARE NON OPERABLE, BROKEN, BOARDED AND MISSING WINDOWS ON THE HOME OF THIS PROPERTY.

9-280(g)

THERE ARE OUTDOOR ELECTRICAL FIXTURES IN DISREPAIR.

9-280(h)(1)

CHAIN LINK FENCE IN DISREPAIR AND RUSTED.

9-329(b)

BUILDING OPENINGS HAVE BEEN SECURED BY A MEANS OTHER THAN THE CONVENTIONAL METHOD USED IN THE ORIGINAL CONSTRUCTION AND DESIGN OF THE BUILDING/STRUCTURE WITHOUT A VALID AND CURRENT BOARDING CERTIFICATE.

Complied:

18-27(a)

47-21.8.A.

Withdrawn:

9-304(b)

9-306
FBC 105.1

Judge Purdy found in favor of the City and ordered compliance with 47-34.1.A.1., 9-280(b), 9-280(g), 9-280(h)(1) and 9-329(b) within 49 days or a fine of \$50 per day, per violation and ordered the respondent to reappear at the 11/6/08 hearing.

Case: CE08051149

Jack M Johnson
4 Northwest 7 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/27/08.

Mr. Leonard Champagne, Code Enforcement Officer, testified to the following violations:
47-19.5.D.5.

THE SCREENING WALLS ON THE PROPERTY ARE NOT IN GOOD REPAIR, NOT BEING MAINTAINED OR SECURE. PART OF THE WALL IS MISSING AND A CHAIN LINK FENCE HAS BEEN ERECTED IN ITS PLACE. THE WALLS HAVE DIFFERENT COLOR PAINTS, HOLES, MISSING MATERIAL AND RODS STICKING OUT OF TOP OF WALL.

47-19.5.H.

THERE IS BARBED/RAZOR WIRE ON THE PROPERTY

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(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR.

9-306

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

9-313(a)

THIS EXISTING BUILDING HAS NO APPROVED ADDRESS NUMBERS VISIBLE FROM THE STREET OR ROAD FRONT OF THE PROPERTY.

Withdrawn

47-19.5.D.1.

47-21.8.A.

47-25.3.A.3.d.i.

9-308(a)

Officer Champagne presented photos of the property and the case file and recommended ordering compliance with 47-19.5.D.5. within 91 days or a fine of \$200 per day, with 47-19.5.H., 47-20.20.H. and 9-280(h)(1) within 28 days or a fine of \$50 per day, per violation, with 9-306 within 63 days or a fine of \$50 per day and with 9-313(a) within 14 days or a fine of \$25 per day.

Mr. Paul Hugo stated this property was part of his project as well. He said the fence was a temporary rental and he thought this was allowed. Officer Champagne explained that Mr. Hugo was an interested party, not the owner of this property. Mr. Hugo said his company had a contract on the property for three years and had represented the owner before.

Ms. Wald said the owner had been properly noticed and had not attended or provided anyone with power of attorney to represent him. She noted that any interested party could attend and speak on a case as a witness, but a witness could not speak on behalf of the owner.

Judge Purdy found in favor of the City and ordered compliance with 47-19.5.D.5. within 91 days or a fine of \$200 per day, with 47-19.5.H., 47-20.20.H. and 9-280(h)(1) within 28 days or a fine of \$50 per day, per violation, with 9-306 within 63 days or a fine of \$50 per day and with 9-313(a) within 14 days or a fine of \$25 per day.

Case: CE08021707

Rescheduled from 8/21/08

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. 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 \$9,300 fine which would continue to accrue until the property complied.

Mr. Bruce Toski, owner, objected to Mr. McKelligett's reading of all of the violations.

Mr. Adam Feldman, Code Enforcement Officer, explained that he had been denied access to the property to reinspect. He recommended the full fines be imposed.

Mr. Toski said he was seeking injunctive relief to estop the City from carrying out any provision of the final order. He claimed his constitutional rights had been violated by City Code personnel and Special Magistrates. Mr. Toski claimed all violations were complied by 5/13/08 and accused the City of "malicious prosecution, selective enforcement, and extreme bad faith bargaining."

Mr. Toski said the case would never have begun if not for photos submitted by his neighbor that were obtained through trespassing on Mr. Toski's property.

Regarding Mr. Toski's refusal to allow Officer Feldman to reinspect his property, Mr. Toski said he had requested that "a different, impartial Code Inspector" be assigned to reinspect his property, but the City had not agreed to this. Mr. Toski said he had a statement from Fire Marshall Tetro indicating there were no violations at the property and submitted this into evidence.

Officer Feldman said the Fire Marshall had responded to a complaint from Mr. Toski's neighbor, and coordinated his reinspection with Officer Feldman's visit to the property. Officer Feldman stated his visit to the property did not involve Fire issues, only illegal property use, trash and debris, storage and derelict vehicles.

Mr. Toski objected to "the legality of this hearing" because he believed Judge Purdy, who was paid by the City to oversee the hearing, was not an impartial observer.

Judge Purdy imposed the \$9,300 fine.

Mr. Toski insisted that 9-281(b) was complied.

Case: CE08050693

Douglas Fleishman
1329 Northwest 7 Avenue

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$950 fine.

Ms. Kimberly Williams Code Enforcement Officer, confirmed that the property was now complied.

Mr. Doug Fleishman, owner, explained that the tenants were supposed to be responsible for the property, but had not done this. Mr. Fleishman had now hired a landscape company to maintain the property. He requested reduction of the fine.

Judge Purdy imposed a \$225 fine.

[Court was in recess for 10 minutes]

Case: CE08051865

Premnath Ganaishlal
710 Northwest 5 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/15/08 and at City Hall on 9/4/08.

Mr. Karl Lauridsen, Landscape Inspector, testified to the following violation:
47-21.8.A.

REPLACEMENT OF CODE REQUIRED LANDSCAPE.

Officer Lauridsen said the owner was awaiting a permit for replacement of the landscaping. He recommended ordering compliance within 63 days or a fine of \$25 per day.

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

Case: CE08070509

Evian Cuellar &
Cecilio R Matias
701 Northeast 17 Court

Mr. McKelligett announced that service was via posting on the property on 8/26/08 and at City Hall on 9/4/08.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violations:
18-1

THE POOL, FOUNTAINS AND PONDS AT THIS LOCATION ARE FILLED WITH GREEN, STAGNANT WATER. IN IT'S PRESENT CONDITION, THEY ARE UNSIGHTLY AND UNSANITARY. THE POOL FOUNTAINS AND PONDS MAY FURNISH A BREEDING GROUND FOR MOSQUITOES AND COULD ENDANGER THE HEALTH, SAFETY, AND WELFARE OF THE SURROUNDING PROPERTIES.

9-280(b)

THERE IS A WINDOW IN THE REAR OF THE PROPERTY THAT HAS A BROKEN GLASS PANE.

9-280(f)

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

Officer Feldman presented photos of the property and the case file and recommended ordering compliance with 18-1 within 14 days or a fine of \$100 per day and with 9-280(b) and 9-280(f) within 14 days or a fine of \$25 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 18-1 within 14 days or a fine of \$100 per day and with 9-280(b) and 9-280(f) within 14 days or a fine of \$\$25 per day, per violation.

Case: CE08061517

Josephine Nash
409 Northwest 14 Way

Mr. McKelligett announced that service was via posting on the property on 8/15/08 and at City Hall on 9/4/08.

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

PROPERTY IS OVERGROWN AND COVERED WITH LITTER AND TRASH.

9-308(a)

THE ROOF IS IN DISREPAIR AND HAS A BLUE TARP ON IT.

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, per violation.

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

Case: CE08041312

Bank of New York
6631 Northwest 33 Way

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/5/08.

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

THERE IS A POOL IN THE REAR YARD ON THIS PROPERTY THAT IS FILLED WITH GREEN/STAGNANT WATER. THE WATER IN THIS POOL IS UNSANITARY AND UNSIGHTLY AND IS A POTENTIAL BREEDING GROUND FOR MOSQUITOES. IN ITS CURRENT CONDITION, THIS POOL POSES A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE.

Complied:

18-27(a)
BCZ 39-275(6)(b)

Officer Viscusi explained the bank had recently foreclosed on this property and had not communicated with Officer Viscusi. He presented photos of the property and the case file and recommended ordering compliance 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 18-1 within 14 days or a fine of \$100 per day.

Case: CE08031537

Kyle Emery Mayberry &
Damien Ward
401 Northeast 10 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/28/08 and at City Hall on 9/4/08.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY, INCLUDING, BUT NOT LIMITED TO MISCELLANEOUS LITTER, DEAD FLORA AND OVERGROWTH. THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED.

Officer Thime said one of the owners had informed her they were in default of the mortgage. She presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE08061941

Jeff Paperman
716 Northeast 7 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/2/08.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY, INCLUDING BUT NOT LIMITED TO MISCELLANEOUS LITTER, NEWSPAPERS, BAGS, A FRIDGE AND BOTTLES. THE PROPERTY IS OVERGROWN.

24-27(b)

TRASH CONTAINERS ARE LEFT ON THE SWALE AND IN

FRONT OF THE WOOD FENCE AFTER TRASH COLLECTION.

Complied:
18-1

Officer Thime presented photos of the property and the case file and recommended ordering compliance with 18-27(a) and 24-27(b) within 14 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) and 24-27(b) within 14 days or a fine of \$25 per day, per violation.

Case: CE08040031

Betina Goodlett
1810 Lauderdale Manors Drive

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THIS PROPERTY. THE FOLIAGE ON THIS PROPERTY HAS BECOME OVERGROWN.

9-308(a)

THE ROOF ON THIS PROPERTY HAS AREAS OF BROKEN AND MISSING TILES AND IS NOT BEING MAINTAINED IN A SAFE, SECURE AND WATERTIGHT CONDITION.

Officer Thime presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day and with 9-308(a) within 35 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 and with 9-308(a) within 35 days or a fine of \$25 per day.

Case: CE08060681

Kency Mocombe
1133 Northwest 19 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/9/08.

Mr. Dick Eaton, 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 AN AIR

CONDITIONER.

9-281(b)

THERE ARE INOPERABLE VEHICLES BEING STORED ON THIS PROPERTY INCLUDING, BUT NOT LIMITED TO, A RED PICK UP TRUCK WITH A RIGHT FRONT FLAT AND A WHITE PICK UP TRUCK THAT DOES NOT HAVE A TAG ATTACHED.

Withdrawn:

47-34.1.A.1.

Officer Eaton presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$25 per day and with 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the red pickup truck and the white pickup truck.

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 9-281(b) within 14 days or a fine of \$100 per day with the right to tow the red pickup truck and the white pickup truck.

Case: CE08061008

Betina Goodlett

1810 Lauderdale Manors Drive

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

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

9-328(a)

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

Officer Eaton 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: CE08061420

Fabian Briosso

1778 Lauderdale Manors Drive

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

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

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

Officer Eaton 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: CE08051152

Charles L & Scott Patrick E Lane
2930 Northeast 41 Street

Mr. McKelligett announced that service was via posting on the property on 8/28/08 and at City Hall on 9/4/08.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violations:
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.

18-27(a)

THE PROPERTY HAS OVERGROWTH OF LANDSCAPING.

Officer Bass 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 and 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 18-1 within 10 days or a fine of \$100 per day and with 18-27(a) within 14 days or a fine of \$25 per day.

Case: CE08051404

Tanya Cielo
1418 Northeast 57 Place

Mr. McKelligett announced that service was via posting on the property on 8/28/08 and at City Hall on 9/4/08.

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

18-27(a)

THERE ARE LAWN CUTTINGS IN THE FRONT OF THE PROPERTY. THE LANDSCAPING IS NOT BEING MAINTAINED AT THE PROPERTY.

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.

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

[Court was in recess for 20 minutes]

Case: CE08031761

Valentin J Diaz
3110 Southwest 18 Street

Mr. McKelligett announced that service was via posting on the property on 8/15/08 and at City Hall on 9/4/08.

Mr. Mark Campbell, Code Enforcement Officer, testified to the following violations:

18-1

THE POND IN THE FRONT AND THE POOL IN THE REAR OF THIS PROPERTY HAVE 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.

24-27(b)

THE GARBAGE RECEPTACLES ARE BEING STORED IN THE FRONT OF THE PROPERTY ON A CONTINUAL BASIS.

9-280(h)(1)

THE GATE OF THE FENCE ON THIS PROPERTY IS DAMAGED AND IN DISREPAIR.

BCZ 39-275(6)(b)

THERE IS OUTDOOR STORAGE THROUGHOUT THIS PROPERTY, INCLUDING, BUT NOT LIMITED TO FIVE GALLON BUCKETS.

Officer Campbell described attempts made to contact the owner, presented photos of the property and the case file and recommended ordering compliance with 18-1 within 14 days or a fine of \$200 per day and with 18-27(a), 24-27(b), 9-280(h)(1) and BCZ 39-275(6)(b) within 14 days or a fine of \$50 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance with 18-1 within 14 days or a fine of \$200 per day and with 18-27(a), 24-27(b), 9-280(h)(1) and BCZ 39-275(6)(b) within 14 days or a fine of \$50 per day, per violation.

Case: CE08051575

Gerard & Barbara Langlois
2364 Southwest 34 Way

Mr. McKelligett announced that service was via posting on the property on 8/25/08 and at City Hall on 9/4/08.

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

THERE IS OVERGROWTH, RUBBISH, TRASH AND DEBRIS
SCATTERED ALL AROUND THE PROPERTY AND SWALE AREA
INCLUDING, BUT NOT LIMITED TO BUCKETS, TIRES, AUTO
PARTS, CLOTHES, METAL, CARDBOARD AND UN-MAINTAINED
BUSHES AND SHRUBS.

24-27(b)

THE GARBAGE RECEPTACLES ARE BEING STORED IN THE
FRONT OF THE PROPERTY ON A CONTINUAL BASIS.

Officer Campbell described efforts made to contact the owner, presented photos of the property and the case file and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

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

Case: CE08062310

Anthony X Merino
3130 Southwest 17 Street

Mr. McKelligett announced that service was via posting on the property on 8/25/08 and at City Hall on 9/4/08.

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

THIS VACANT BUILDING HAS BROKEN OR OPEN
WINDOWS/DOORS ALLOWING UNAUTHORIZED ACCESS TO THE
INTERIOR.

Officer Campbell described efforts made to contact the owner, 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: CE08051314

Stipulated agreement

Federal Apartments Ltd Partners
845 Northwest 10 Terrace

Violations:

47-20.20.H.

THE PARKING LOT IS IN DISREPAIR. THERE ARE BUMPS, POTHoles AND OIL STAINS. THE SEAL COAT AND STRIPING HAVE WORN OFF.

9-280(h)(1)

THE CHAIN-LINK FENCE HAS FALLEN DOWN, IS IN DISREPAIR, AND IS MISSING THE TOP RAIL.

9-281(b)

THERE ARE DIFFERENT UNLICENSED VEHICLES CONSTANTLY BEING PARKED ON THE PROPERTY.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 9-280(h)(1) and 9-281(b) within 4 weeks or a fine of \$50 per day, per violation and 47-20.20.H. within 10 weeks 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(h)(1) and 9-281(b) within 4 weeks or a fine of \$50 per day, per violation and 47-20.20.H. within 10 weeks or a fine of \$50 per day.

Case: CE08010265

Stipulated agreement

Charles S & Cynthia Parke
2980 Northwest 21 Court

Violation:

9-308(a)

THE ROOF ON THIS PROPERTY HAS AREAS OF BROKEN AND MISSING TILES AND IS NOT BEING MAINTAINED IN A SAFE, SECURE AND WATERTIGHT CONDITION.

Complied:

24-27(b)

9-281(b)

Withdrawn

9-306

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 9-308(a) within 91 days or a fine of \$25 per day.

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

Case: CE08060555

Complied- repeat violation

Maurice Walker
2308 Northwest 26 Street

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

Mr. Todd Hull, Code Enforcement Officer, testified to the following repeat violation:
18-27(a)

THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING MAINTAINED. AS PER SPECIAL MAGISTRATE ORDER CE 06080703 DATED NOVEMBER 16, 2006 PURSUANT TO FS 162.04(5) THIS IS A REPEAT VIOLATION.

Officer Hull presented photos of the property and the case file, stated the property was out of compliance from 6/26/08 to 8/22/08 and requested a finding of fact and a fine of \$250 per day for the period the property was out of compliance.

Judge Purdy found the repeat violation existed as cited and imposed a fine of \$250 per day for the period 6/26/08 to 8/22/08.

Case: CE08010549

Geraldine Johnson
2300 Northwest 31 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/26/08 and at City Hall on 9/4/08.

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

THIS PROPERTY HAS BECOME OVERGROWN AND IS LITTERED WITH TRASH AND DEBRIS.

9-280(b)

THE SOFFIT ON THIS PROPERTY HAS PULLED AWAY FROM THE FASCIA AND IS NOT WATERTIGHT AND RODENT PROOF.

9-280(g)

THERE ARE ELECTRICAL WIRES HANGING FROM THE EXTERIOR OF THE BUILDING.

9-306

THERE IS DIRTY AND MILDEW STAINED PAINT ON THE
EXTERIOR OF THE BUILDING.

Complied:

24-27(b)

47-19.9

9-280(h)(1)

9-281(b)

BCZ 39-275(6)(b)

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

Case: CE07081940

IB Property Holdings LLC
C/O Bayview Loan Servicing LLC
1231 Northeast 15 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/3/08 and certified mail sent to the registered agent was accepted on 9/3/08.

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

9-328(b)

THE BUILDING IS BOARDED, BUT DOES NOT HAVE A
CURRENT CITY ISSUED BOARD-UP CERTIFICATE.
BOARD-UP CERTIFICATE #07071906, ISSUED 8/16/07 HAS
EXPIRED AND IS NO LONGER A VALID CERTIFICATE.

Officer Rich 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: CE07081944

HSBC Bank US National Association Trustee
1235 Northeast 15 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/8/08.

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

9-328(b)

THE BUILDING IS BOARDED, BUT DOES NOT HAVE A CURRENT CITY ISSUED BOARD-UP CERTIFICATE. BOARD-UP CERTIFICATE #07071904, ISSUED 8/16/07 HAS EXPIRED AND IS NO LONGER A VALID CERTIFICATE.

Officer Rich 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: CE08060700

Luxury Home Developers Inc
1850 Northeast 26 Avenue # 1

Mr. McKelligett announced that certified mail sent to the registered agent was accepted on 9/2/08.

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

9-280(b)

THE BARREL TILE ROOF ON THIS PROPERTY IS IN DISREPAIR INCLUDING, BUT NOT LIMITED TOO, BROKEN AND MISSING ROOF TILES.

Officer Rich 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: CE08060989

Gregory A Ness
1121 Northeast 14 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

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 14 days or a fine of \$100 per day.

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

Case: CE08051372

John Francavilla
1001 Southwest 4 Street

Mr. McKelligett announced that service was via posting on the property on 8/14/08 and at City Hall on 9/4/08.

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

THE PROPERTY IS NOT MAINTAINED. THE GRASS, WEEDS AND OTHER PLANT LIFE ARE OVERGROWN. THERE IS TRASH, RUBBISH AND SOLID WASTE INCLUDING, BUT NOT LIMITED TO YARD WASTE, CONSTRUCTION DEBRIS, SCRAP LUMBER, MATTRESSES AND BLUE TARPS SCATTERED ABOUT THE PROPERTY.

Withdrawn:
9-328(a)

Officer Snow presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 28 days or a fine of \$50 per day.

Officer Snow explained that the property had two unoccupied structures; one was scheduled for demolition and the other had been moved from another foundation. Officer Snow stated the owner had construction permits to continue repairs.

Judge Purdy found in favor of the City and ordered compliance with 18-27(a) within 28 days or a fine of \$50 per day.

Case: CE08071589

Bank of New York Trust Co
412 Southeast 19 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/11/08.

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

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THIS PROPERTY.

24-27(b)

THE GARBAGE RECEPTACLES ARE BEING STORED AT THE FRONT OF THE PROPERTY.

47-21.8.A.

THE LANDSCAPING IS NOT BEING MAINTAINED ON THIS PROPERTY IN THAT THERE IS A DEAD PALM TREE IN THE FRONT YARD.

9-280(g)

THE EXTERIOR LIGHT FIXTURE BY THE ENTRANCE DOOR IS MISSING A PROPERTY GLOBE TO SHIELD FIXTURE FROM THE ELEMENTS.

9-313(a)

HOUSE NUMBERS ARE NOT PROPERLY ATTACHED AND 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, per violation.

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

Case: CE08080154

Jorge Fermin Cimitier
1415 Southwest 3 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/30/08.

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

9-328(a)

THIS VACANT PROPERTY IS OPEN AND ABANDONED ALLOWING UNAUTHORIZED ACCESS TO THE INTERIOR.

Officer Eaton 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: CE08042003

Corbel Cooper
925 Northwest 2 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/14/08 and at City Hall on 9/4/08.

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

18-27(a)

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

24-27(b)

THERE ARE TRASH RECEPTACLES AND RECYCLING BINS STORED IN FRONT OF THE PROPERTY AT THE NORTH SIDE OF THE DRIVEWAY ALL THE TIME.

47-19.9

THERE IS OUTSIDE STORAGE ON THIS RENTAL PROPERTY UNDER THE CARPORT AND IN FRONT SIDES OF THIS RENTAL PROPERTY THAT DOES NOT MEET CODE REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO SOFAS, WOOD AND BUCKETS.

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 DIFFERENT VEHICLES ARE PARKING ON LAWN AT SOUTH SIDE OF THE PROPERTY ALL THE TIME.

9-306

THE EXTERIOR OF THE PROPERTY IS NOT MAINTAINED IN A SECURE AND ATTRACTIVE MANNER. THE EXTERIOR WALLS HAVE AREAS OF FADED, STAINED AND PEELING PAINT.

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

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

Case: CE08042539

Lashona Smith

1421 Northwest 6 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/29/08.

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

9-280(h)(1)

CHAIN-LINK FENCE IS IN DISREPAIR, A SECTION ON THE

SOUTH SIDE IS MISSING A TOP POST.

Complied:

18-27(a)

24-27(b)

47-19.9

9-304(b)

Officer Quintero presented photos of the property and the case file and said he had spoken with the owner and agreed to recommend ordering compliance with 9-280(h)(1) within 28 days or a fine of \$25 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-280(h)(1) within 28 days or a fine of \$25 per day.

Case: CE08041784

741 Land Trust

741 Northwest 3 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/14/08 and at City Hall on 9/4/08.

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

18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ON FRONT OF THIS RENTAL PROPERTY AND SWALE.

24-27(b)

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

47-20.20.H.

THERE IS A PARKING LOT ON THIS RENTAL PROPERTY IN NEED OF MAINTENANCE. THERE ARE AREAS WITH STAINS AND CHIPPING PAINT.

Complied:

9-281(b)

Officer Quintero described efforts made to contact the owner, presented photos of the property and the case file and recommended ordering compliance with 18-27(a), 24-27(b) and 47-20.20.H. within 14 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), 24-27(b) and 47-20.20.H. within 14 days or a fine of \$25 per day, per violation.

Case: CE08050078

Elanne A & Lamy Jean

1726 Northwest 6 Avenue

Stipulated agreement

Violations:

24-27(b)

THERE ARE TRASH RECEPTACLES STORED ON THE LAWN AT THE NORTH/WEST SIDE OF THIS RENTAL PROPERTY, FACING NW 6 AVE.

9-304(b)

THERE IS AN AREA AT THE NORTH SIDE OF THESE APARTMENTS THAT HAS BEEN USED AS A PARKING SPACE. THERE ARE VEHICLES BEING PARKED ON DIRT AND GRASS SURFACE.

Complied

47-20.20.H.

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 24-27(b) within 10 days or a fine of \$25 per day and 9-304(b) within 56 days or a fine of \$25 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 24-27(b) within 10 days or a fine of \$25 per day and 9-304(b) within 56 days or a fine of \$25 per day.

Case: CE08050828

Stipulated agreement

Abraham & Ruth Narkes
701 Northwest 5 Avenue

Violations:

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.H.

THE PARKING LOT AND SPACES ARE NOT BEING MAINTAINED. THE STRIPING IS FADED, MISSING AND SOME ARE NOT AT THE PROPER ANGLE. WHEEL STOPS ARE MISSING, LOOSE OR BROKEN.

Withdrawn:

18-1.(a)

47-18.4 E.

47-19.9.A.2.a.

47-20.20.G.

9-281(b)

Complied:

47-19.5.H.

47-20.10.A.
47-20.20.D.
9-280(h)(1)
9-306

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Case: CE08050832
Premnath Ganaishlal
710 Northwest 5 Avenue

Stipulated agreement

Violation:
47-20.20.H.

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

Complied:
18-1.(a)
24-28(a)
47-20.10.A.
47-20.2.A.
47-20.20.D.
9-306
Withdrawn:
18-27(a)
47-18.4 E.
47-19.9.A.2.a.
47-20.20.G.
47-25.3.A.3.d.
9-281(b)

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-20.20.H. within 56 days or a fine of \$100 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.20.H. within 56 days or a fine of \$100 per day.

Case: CE08051223

Stipulated agreement

Abraham & Ruth Narkes
719 Northwest 5 Avenue

Violations:

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.H.

THE PARKING LOT AND SPACES ARE NOT BEING MAINTAINED. THE STRIPING IS FADED, MISSING OR AT THE WRONG ANGLE. WHEEL STOPS ARE MISSING, LOOSE OR BROKEN.

Withdrawn:

18-1.(a)

47-18.4 E.

47-19.9.A.2.a.

47-20.20.G.

9-281(b)

Complied:

47-20.10.A.

47-20.20.D.

9-306

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Case: CE08051239

Stipulated agreement

Abraham & Ruth Narkes
731 Northwest 5 Avenue # A

Violations:

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.H.

THE PARKING LOT AND SPACES ARE NOT BEING MAINTAINED. THE STRIPPING IS FADED, MISSING OR AT THE WRONG ANGLE, WHEEL STOPS ARE MISSING, LOOSE OR

BROKEN

Withdrawn:

18-1.(a)
47-18.4 E.
47-19.9.A.2.a.
47-20.20.G.
9-281(b)

Complied:

47-20.10.A.
47-20.20.D.
9-306

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Case: CE08051251

Stipulated agreement

Abraham & Ruth Narkes
741 Northwest 5 Avenue # A

Violations:

47-20.2.A.

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

47-20.20.H.

THE PARKING LOT AND SPACES ARE NOT BEING MAINTAINED. THE STRIPPING IS FADED, MISSING OR AT THE WRONG ANGLE. WHEEL STOPS ARE MISSING, LOOSE OR BROKEN.

Withdrawn:

18-1.(a)
47-18.4 E.
47-19.9.A.2.a.
47-20.20.G.
9-281(b)

Complied:

47-19.4 C.2.
47-19.5.H.
47-20.10.A.
47-20.20.D.

9-280(h)(1)
9-306

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-20.2.A. and 47-20.20.H. within 56 days or a fine of \$100 per day, per violation.

Case: CE08071327

Stipulated agreement

Roger & Vienna Freeman
415 Northwest 7 Street

Violation:

47-34.1.A.1.

THERE IS OUTDOOR STORAGE OF COMMERCIAL MACHINERY
AND CONSTRUCTION MATERIALS ON THIS PROPERTY WHICH
IS A RESIDENTIAL USE. THIS IS NOT PERMITTED.

Withdrawn:

47-19.9

Mr. McKelligett announced that the City had a stipulated agreement with the owner to comply 47-34.1.A.1. within 56 days or a fine of \$100 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 47-34.1.A.1. within 56 days or a fine of \$100 per day.

Case: CE08061108

Edward R Bryant
1601 Southwest 11 Street

Mr. McKelligett announced that service was via posting on the property on 8/26/08 and at City Hall on 9/4/08.

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

18-27(a)

THE PROPERTY HAS BECOME OVERGROWN, INCLUDING THE
SWALE, AND HAS NOT BEEN MAINTAINED.

Officer Cross 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: CE08062155

Rivers Burke
1349 Southwest 25 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/26/08 and at City Hall on 9/4/08.

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

18-27(a)

THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

Complied;

9-281(b)

9-304(b)

Officer Cross presented photos of the property and the case file and recommended ordering compliance with 18-27(a) within 14 days or a fine of \$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 \$100 per day.

Case: CE08061451

Alica & Theron Edwards
3231 Jackson Blvd

Mr. McKelligett announced that service was via posting on the property on 8/27/08 and at City Hall on 9/4/08.

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

9-328(b)

THE PROPERTY HAS BEEN BOARDED, THEREBY MANDATING THAT THE REQUIRED BOARD-UP PERMIT AND SUBSEQUENT BOARD-UP CERTIFICATE BE OBTAINED.

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

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

Case: CE08070092

Russell W Fraser
2920 Southwest 11 Street

Mr. McKelligett announced that service was via posting on the property on 8/27/08 and at City Hall on 9/4/08.

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

EXCESSIVE OVERGROWTH REMAINS ON THE 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: CE08070402

Jules R & Juslene Constant
700 East Melrose Cir

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/27/08.

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

THERE IS A DERELICT AND INOPERABLE KIA ON THE PROPERTY. 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.

Complied:
18-27(a)

Officer Davis 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 Kia.

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 Kia.

Case: CE08072165

Deutsche Bank National Trust Co Trustee
3411 Berkeley Blvd

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/8/08.

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

THERE IS A DISCARDED MATTRESS AND A RUG IN THE DRIVEWAY. THERE IS ALSO OTHER MISCELLANEOUS RUBBISH, TRASH, AND DEBRIS ON THE PROPERTY.

Complied:
9-328(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 \$50 per day.

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

Case: CE08080104

US Bank National Association Trustee
C/O Citi Residential Lending Inc
1041 Southwest 22 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/10/08.

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

THE POOL IS FULL OF DIRTY, STAGNANT WATER WITH ALGAE AND BREEDING MOSQUITOES AND OTHER INSECTS. A HOSE OF SOME SORT IS ALSO LYING IN THE POOL. THE POOL IS IN A VERY UNSANITARY CONDITION. THE CITY OF FORT LAUDERDALE CONSIDERS THIS TO BE A THREAT TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Complied:
18-27(a)

Officer Davis 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.

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

Case: CE08020540

Timothy D Leonard
1244 Northeast 1 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

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

THERE IS A SHED IN THE REAR OF THE PROPERTY WITH A
ROOF THAT IS NOT SAFE, SECURE AND WATERTIGHT. IT
IS DETERIORATED AND FALLING IN.

Complied:
9-280(h)

Officer Williams presented photos of the property and the case file and recommended ordering compliance with 9-308(a) within 28 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-308(a) within 28 days or a fine of \$50 per day.

Case: CE08040013

Denise J & Gerard Dufresne
1045 Northwest 5 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/14/08 and at City Hall on 9/4/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violation:
9-306

THERE IS A HOLE IN THE SIDE OF THE BUILDING.
THERE ARE MISSING PIECES OF CONCRETE BLOCK.

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

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

Case: CE08051031

Corbel G Cooper
1500 Northwest 7 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violations:
9-276(b)(3)

THERE IS EVIDENCE OF PESTS AND RODENTS INSIDE THE

DWELLING. DROPPINGS HAVE BEEN LEFT AND ROACHES SEEN WILL DOING INSPECTION.

9-280(b)

THERE ARE FRONT WINDOWS ON THE BUILDING THAT DO NOT OPEN. THE REAR SHED DOOR DOES NOT CLOSE PROPERLY AND IS MISSING THE KNOB.

9-280(f)

PLUMBING IS NOT MAINTAINED IN A GOOD SANITARY CONDITION. THE TOILET RUNS WATER CONSTANTLY AND LEAKS ONTO THE FLOOR.

9-280(g)

THERE ARE ELECTRICAL FIXTURES THAT ARE MISSING THE COVERS, THE CEILING FAN IN THE LIVING ROOM IS MISSING A BLADE, THE HALLWAY LIGHT GLOBE IS MISSING, THE BATHROOM FAN/LIGHT AND STOVE VENT ARE INOPERABLE.

9-280(h)(1)

THE WOOD FENCE ON THE PROPERTY IS MISSING SLATS AND SECTIONS 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 \$100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 28 days or a fine of \$100 per day, per violation.

Case: CE08052023

Michael Pubien
1501 Northwest 8 Avenue

Mr. McKelligett announced that service was via posting on the property on 8/22/08 and at City Hall on 9/4/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violations:

18-27(a)

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY. THE PROPERTY HAS BECOME OVERGROWN, INCLUDING THE SWALE, AND HAS NOT BEEN MAINTAINED.

9-280(h)(1)

THE CHAIN-LINK FENCE ON THE PROPERTY HAS BENT RAILS AND AREAS OF MESH THAT ARE IN GENERAL DISREPAIR.

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

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

Case: CE08070206

Deutsche Bank National Trust Co Trustee
1106 Northeast 1 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/8/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violations:

9-280(b)

THERE IS A BOARD COVERING ONE OF THE WINDOWS ON THE NORTH SIDE OF THE BUILDING MAKING THE WINDOW INOPERABLE.

9-328(a)

THE WALL A/C UNIT IS MISSING, THE OPENING IS ALLOWING ACCESS INTO THE INTERIOR AS WELL AS THE FRONT DOOR.

Complied:

18-27(a)

9-306

Officer Williams presented photos of the property and the case file and recommended ordering compliance with 9-280(b) within 14 days or a fine of \$100 per day and with 9-328(a) within 14 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-280(b) within 14 days or a fine of \$100 per day and with 9-328(a) within 14 days or a fine of \$250 per day.

Case: CE08070315

Mark Hunt
1333 Northeast 1 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 8/23/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violation:

9-281(b)

THERE ARE UNLICENSED, INOPERABLE VEHICLES STORED ON THE PROPERTY. SPECIFICALLY A RED AND WHITE EL CAMINO WITH FLAT TIRES. THE CITY REQUESTS THE RIGHT TO TOW AS THE VEHICLES POSE A THREAT TO THE HEALTH, SAFETY AND WELFARE TO THE COMMUNITY.

Complied:

18-27(a)

Officer Williams 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 tow the El Camino.

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 tow the El Camino.

Case: CE08070479

Ernesto Wilson
1520 Northeast 2 Avenue

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/5/08.

Ms. Kimberly Williams, Code Enforcement Officer, testified to the following violation:
9-304(b)

THE OFF STREET PARKING AT THIS LOCATION HAS WEED INFILTRATION AND IS IN GENERAL DISREPAIR. THE PARKING AREA IS NOT IN A SMOOTH, WELL-GRADED CONDITION AS REQUIRED BY THE CODE ORDINANCE. THERE ARE VEHICLES AND TRAILERS PARKED ON THE GRASS.

Complied:
18-27(a)

Officer Williams presented photos of the property and the case file and recommended ordering compliance with 9-304(b) within 28 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance with 9-304(b) within 28 days or a fine of \$50 per day.

Case: CE08080420

Deutsche Bank National Trust Co
C/O Homeq
314 Northwest 13 Street

Mr. McKelligett announced that certified mail sent to the owner was accepted on 9/5/08 and certified mail sent to the attorney was accepted on 9/8/08.

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

PROPERTY AND SWALE ARE OVERGROWN AND NOT MAINTAINED ON A REGULAR BASIS, THERE IS TRASH AND DEBRIS IN THE REAR YARD.

9-280(b)

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

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

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

Case: CE07080717

Hearing to impose fine

Marco Mello
3316 Northeast 40 Street

Mr. McKelligett announced that this case was first heard on 4/17/08 to comply by 5/15/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$6,250 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$6,250 fine.

Case: CE08020210

Hearing to impose fine

First Natl Bank Ft Lauderdale TR P-654
1420 East Sunrise Blvd

Mr. McKelligett announced that this case was first heard on 3/6/08 to comply by 6/5/08. 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 \$325 fine had been paid in full.

Judge Purdy imposed the \$325 fine.

Case: CE07081906

Rescheduled from 8/21/08

Gilman Investments Ltd
20 Compass Isle

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 3/6/08 to comply by 3/16 and 4/30/08. 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 \$260 fine for administrative fees [reduced from \$650].

Judge Purdy imposed the \$260 fine.

Case: CE07101398

Ordered to reappear

Lavi Limited Partnership Hearing to impose fine

3041 Northwest 60 Street

Mr. McKelligett announced that this case was first heard on 2/7/08 to comply by 5/15/08. 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 an \$850 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$850 fine.

Case: CE08021262 Hearing to impose fine

620 Victoria Park LLC

624 Northeast 12 Avenue

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. 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.

Judge Purdy imposed the \$2,700 fine.

Case: CE08041939 Hearing to impose fine

Carolyn Williams

1761 Northwest 27 Terrace

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$675 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$675 fine.

Case: CE08030094 Hearing to impose fine

Ron Smith

2761 Northwest 24 Street

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,025 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,025 fine.

Case: CE08032269 Hearing to impose fine

Miller Lee Smith

1113 Northwest 18 Street

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,200 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,200 fine.

Case: CE08051286
Bank of New York Trustee
1404 Northwest 7 Avenue

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,350 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,350 fine.

Case: CE08050522
Christopher Bromfield
2321 Northwest 6 Court

Hearing to impose fine

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$1,350 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,350 fine.

Case: CE08050754
Deutsche Bank Trust Co Trustee
361 Southwest 31 Avenue

Hearing to impose fine

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 and stated the City was requesting imposition of a \$1,350 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,350 fine.

Case: CE08050816
Wells Fargo Bank
C/O Wachovia Mortgage Corp

Hearing to impose fine

1133 Northwest 2 Street

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 8/14/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$3,400 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$3,400 fine.

Case: CE08051086

Hearing to impose fine

Reconor Miami LLC
802 Northwest 3 Street

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 8/14/08. 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: CE08051162

Hearing to impose fine

Novastar Mortgage Inc
447 Northwest 20 Avenue

Mr. McKelligett announced that this case was first heard on 7/17/08 to comply by 8/14/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of \$5,214.82 in fines and hard costs which would continue to accrue until the property complied.

Judge Purdy imposed the \$5,214.82 fine and hard costs.

Case: CE08051416

Hearing to impose fine

HSBC Bank USA
National Association Trustee
1528 Northwest 7 Avenue

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$2,150 fine which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,150 fine.

Case: CE08061779

Hearing to impose fine

Deutsche Bank Trust Co

Americas Trust
C/O Saxon Mortgage Services Inc
528 Northwest 20 Avenue

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the \$1,576.36 fine and hard costs had been paid in full.

Judge Purdy imposed the \$1,576.36 fine and hard costs.

Case: CE08062078

Hearing to impose fine

New River Condo Assn Inc
451 Northwest 23 Avenue

Mr. McKelligett announced that this case was first heard on 8/7/08 to comply by 8/21/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting imposition of a \$650 fine.

Judge Purdy imposed the \$650 fine.

Case: CE08030115

Request to vacate order of 8/7/08
and re-impose fine

Jose Rodriguez
1244 Northeast 2 Avenue

Mr. McKelligett announced that this case was first heard on 6/5/08 to comply by 6/15/08. Mr. McKelligett recited violations, compliance dates and potential fines and stated the City was requesting vacation of the order dated 8/7/08 and re-imposition of \$35,645.66 in fines and hard costs.

Judge Purdy vacated the order dated 8/7/08 and re-imposed the \$35,645.66 fines and hard costs.

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:

CE08072576	CE08050052	CE08050772	CE08061457
CE08061507	CE08061521	CE08070103	CE08071437
CE08080622	CE08060909	CE08072443	CE08061129
CE08051672	CE08061026	CE08080026	CE08040836
CE08070001	CE08050986	CE08062285	CE08071066
CE08062266	CE08071196	CE08072437	CE08062510
CE08070144	CE08080035	CE08080088	CE08080181
CE08042549	CE08051428	CE08042577	CE08052162

CE08061091	CE08061520	CE08071261	CE08071426
CE08060091	CE08062054	CE08070084	CE08050087
CE08040858	CE08062053	CE08060354	CE08081409
CE08071112	CE08071643	CE08080439	

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:

CE08011069	CE08062555	CE08062556	CE08080532
CE08080260	CE08080262	CE08070565	CE08071286
CE08071967	CE08070296	CE08072346	CE08031931
CE08071793	CE08060979	CE08061858	CE08071840
CE08072220	CE08032050	CE08042513	CE08061674
CE08050956	CE08061272	CE08070034	CE08042371
CE08061944	CE08071677	CE08072209	CE08062319
CE08071247	CE08080067	CE08070246	CE08080623
CE08072121	CE08050807	CE08051958	CE08062102
CE08070332			

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:

CE08061494 CE07010129

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:

CE08060906


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:

CE08061809

There being no further business, the hearing was adjourned at 1:47 P.m.


SPECIAL MAGISTRATE


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services