

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
ROSE-ANN FLYNN PRESIDING**

JUNE 4, 2009

9:00 A.M. – 11:41 A.M.

Staff Present:

Mary Allman, Secretary, Special Magistrate
Sue Manning, Secretary, Special Magistrate
Lori Grossfeld, Clerk III
Brian McKelligett, Clerk of Special Magistrate - Supervisor
Skip Margerum, Code Enforcement Supervisor
Cheryl Pingitore, Code Enforcement Supervisor
Ginger Wald, Assistant City Attorney
Tammy Arana, Fire Inspector
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
Dick Eaton, 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
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents and Witnesses

CE09021563; CE09041451: Jason Leslie Jones, owner
CE09041529: Sam Tom Green, pastor; James Edward Ross, parishioner
CE09032238: Joshua Robert Katz, property manager
CE09041556: Scott Joseph Taylor, owner
CE08081120: Josef Hirzinger, owner
CE09031080: Brenda Fay Ramsey, owner; Alvin Posey, owner
CT08102100: Sam Sebastian Caliendo, principle; Henry Kesner, owner
CE09041539: Sharon Lynn Bryant-Dean, property manager
CE09040614: Courtney Crush, attorney
CE08110838: Andres Fernando Contreras, owner
CE09031383: Goliath Renard, owner
CT09021318: Karen Black-Baron, attorney

CE09031074; CE09031082: Howard Cummings, owner
CE08052149: Minnie Harden Davis, owner; Barbara Dianne Siegel, friend
CE08101508: Dwight Thompson, owner's brother
CE08110689: Jeffrey Joseph Paolino, power of attorney for agent
CE08042186: Albert Sistrat, owner
CE08062354: Rendel Diaz, property Manager
CE09040558: Rosemary Hodza, owner; Vebi Hodza, owner
CE08101556: Phillip Carhart, tenant
CE09050117: Paul Chouinard, friend, property representative
CE08071702: Gustavo Carbonell, architect
CE09042078: Theresa Bakum, owner
CT09030995: Raymond Burrud, friend
CE08032157: Donald Gawne, general manager; Edward Cayia, attorney

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

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

Case: CE08101556

Ordered to reappear from 5/21/09

Rudolph C Herman
& Michael E Stearns
1986 Southwest 28 Lane

This case was first heard on 2/5/09 to comply by 4/30/09. Violations and extensions were as noted in the agenda. The property was not complied fines had accrued to \$1,000.

Mr. Phillip Carhart, tenant, said he was moving forward with compliance. He explained that the rains had delayed his progress, and he was also having financial difficulties. He requested additional time.

Mr. Andre Cross, Code Enforcement Officer, remarked the case had been going on for some time and he did not see why this had taken so long. He added that it was also the owner's responsibility to comply the property.

Ms. Flynn denied any extension.

Case: CE09041539

New Mount Olive Missionary Baptist Church Inc
751 Northwest 5 Street

Certified mail sent to the owner was accepted on 5/8/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana stated the permit had been issued on June 2, and recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Sharon Lynn Bryant-Dean, property manager, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 35 days, by 7/9/09, or a fine of \$250 per day.

Case: CE09042078

Steven K & Theresa A Bakum
2725 Middle River Drive

Certified mail sent to the owner was accepted on 5/14/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana stated the owner was working on complying the second half of the building. She recommended ordering compliance within 63 days or a fine of \$250 per day.

Ms. Theresa Bakum, owner, said the electrician was working on it.

Ms. Flynn found in favor of the City and ordered compliance within 63 days, by 8/6/09, or a fine of \$250 per day.

Case: CE09040614

Continued from 5/21/09

C & C Lycouris Prop Inc
845 North Fort Lauderdale Beach Boulevard

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
25-181

ST. BART'S 2 IS OPERATING A SIDEWALK CAFE WITHOUT A
CURRENT AND VALID PERMIT. DUE TO THE TRANSIENT
NATURE OF THE VIOLATION, THE CASE WILL BE HEARD,
EVEN IF THE PROPERTY COMES INTO COMPLIANCE BEFORE
THE HEARING.

Officer Sotolongo said he had an agreement with the tenant's attorney to comply within 91 days or a fine of \$50 per day. He presented photos of the property and the case file into evidence.

Ms. Courtney Crush, attorney, explained that an issue had arisen with FDOT, and they must request that the City enter into a lease from FDOT. St. Bart's and other nearby businesses could then correct the situation.

Ms. Flynn found in favor of the City and ordered compliance within 91 days, 9/3/09, or a fine of \$50 per day.

Case: CE09050117

Michael Organ
C/O Bell Grae Inn
2033 Northeast 33 Avenue

Certified mail sent to the owner was accepted on 5/23/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana stated there were no permits issued yet for this property.

Mr. Paul Chouinnard, representative of the owner, stated smoke detectors were placed inside the bedrooms instead of outside. An electrician was scheduled to address the problem within the next few days.

Inspector Arana did not oppose an extension.

Ms. Flynn found in favor of the City and ordered compliance within 35 days, by 7/9/09, or a fine of \$250 per day.

Case: CE09021563

Akron Group I LLC
110 Isle of Venice

This case was first heard on 4/2/09 to comply by 4/30/09. Violations were as noted in the agenda. The property was not complied, and the City was requesting imposition of a \$8,500 fine, which would continue to accrue until the property complied.

Mr. Jason Leslie Jones, owner, stated a modification was needed to the plans. He requested an additional 60 days.

Ms. Tammy Arana, Fire Inspector, did not object to an extension. She described the modifications needed.

Ms. Flynn granted a 63-day extension, to 8/6/09, during which time no fines would accrue.

Case: CE09041451

Akron Group I LLC
120 Isle of Venice

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/8/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana stated the work was done, but the electrician had not yet called for a final Fire inspection. She recommended 14 days.

Mr. Jason Leslie Jones, owner, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 14 days, by 6/18/09, or a fine of \$250 per day.

Case: CE08071702

Poinciana Group 22 LLC
2221 Southeast 4 Avenue

This case was first heard on 10/2/08 to comply by 10/30/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,800 fine, which would continue to accrue until the property complied.

[The hearing of this case was delayed until later in the meeting]

Mr. Dick Eaton, Code Enforcement Officer, reported new owners had taken over the property unaware of the violations. Mr. Gustavo Carbonell, architect, was one of the new owners and he had agreed to comply the remaining violation. Officer Eaton recommended a 63-day extension, and an order for the respondent to reappear.

Mr. Carbonell requested 60 days to prepare plans and pull a permit.

Ms. Flynn granted a 63-day extension, to 8/6/09, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE09040558

Vebi & Rosemary Hodza
1821 Middle River Drive

Certified mail sent to the owner was accepted on 5/14/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana stated the owners had experienced problems with the permit and it would take some time for the owners to afford the work. She recommended ordering compliance within 91 days or a fine of \$250 per day.

The owners agreed.

Ms. Flynn found in favor of the City and ordered compliance within 91 days, by 9/3/09, or a fine of \$250 per day.

Case: CE09041556

Scott T & Celia Taylor
443 Northeast 1 Avenue

Service was via the appearance of the owner at this hearing.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

NFPA 1:13.6.3.2

THE FIRE EXTINGUISHER(S) IS/ARE NOT IN ITS/THEIR DESIGNATED
PLACE.

Mr. Scott Joseph Taylor, owner, said he had applied for the permit the previous day. He requested 30 days.

Inspector Arana recommended ordering compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, and with NFPA 1:13.6.3.2 within 35 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, and with NFPA 1:13.6.3.2 within 35 days or a fine of \$50 per day.

Case: CE08101508

Rufus & Carolyn Terry
1621 Northwest 18 Avenue

This case was first heard on 3/19/09 to comply by 4/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,100 fine, which would continue to accrue until the property complied.

Ms. Wanda Sappington, Code Enforcement Officer, said the owner planned to rehabilitate the property.

Mr. Dwight Thompson, the owner's brother, said they had been unaware they needed a permit to board the property, and they were working to comply the property. He requested 45 days

Ms. Flynn granted a 49-day extension to 7/23/09, during which time no fines would accrue.

Case: CE08032157

B I C Corp
5100 Northwest 10 Terrace

This case was first heard on 10/16/08 to comply by 1/15/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$6,800 fine.

Mr. Sal Viscusi, Code Enforcement Officer, stated this was a vacant lot that had been allowing another business to use the site for parking, which was a violation because there was no principal structure for the lot. The property owner had needed to take the business using the lot to court to remove them from the property. Officer Viscusi said the owner had been very cooperative and had worked diligently to comply, and stated he did not oppose abatement of the fines.

Mr. Edward Cayia, attorney, described what had to be done to comply and requested abatement of the fines. Officer Viscusi recommended imposing administrative costs of \$520.

Ms. Flynn imposed \$520 in administrative costs.

Case: CE08052149

Request for extension

Minnie L Davis & Thomas Harden
1531 Northwest 7 Avenue

This case was first heard on 11/20/08 to comply by 5/21/09. Violations were as noted in the agenda. The property was not complied fines had accrued to \$325.

Mr. Wilson Quintero, Code Enforcement Officer, did not oppose an extension.

Ms. Minnie Harden Davis, owner, requested additional time to resolve legal issues with the property.

Ms. Barbara Dianne Siegel, friend, explained that Ms. Harden's brother had stolen her identity and they needed to resolve title issues at the property so they could fix the roof. She did not know how long this would take.

Ms. Flynn granted a 63-day extension to 8/6/09, during which time no fines would accrue.

Case: CT08102100

Bentley At Riverside Park LLC
C/O Carlton Marlowe Esq
623 Southwest 12 Avenue

This case was first heard on 1/15/09 to comply by 1/29/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$4,200 fine plus \$1,098.30 in lot clearing costs and a \$150 civil penalty for a total of \$5,448.30.

Mr. Sam Sebastian Caliendo, principle, said he had a letter stating the property was complied as of January 13, 2009. He explained that the City's contractors had caused most of the problems, and he had notified the City of these problems via registered letter on two occasions but the City had never responded. After some time, the City had cleaned up the property issues left by the contractor, and now wanted to charge the property owner for it.

Mr. Andre Cross, Code Enforcement Officer, said the roadwork group had been using this property for storage. He realized that the garbage on the property when he cited it was from the contractor.

Ms. Flynn imposed no fine, lot clearing costs or civil penalty.

Case: CE09031080

Brenda Ramsey
570 Southwest 30 Terrace

Certified mail sent to the owner was accepted on 5/19/09.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
23-123

DURING THE CALENDAR YEAR OF 2009, AS OF MAY 2nd,
THERE HAVE BEEN AT LEAST SIX GARAGE/YARD SALES

CONDUCTED AT THIS RESIDENTIAL PROPERTY EXCEEDING
THE MAXIMUM OF 3 ALLOWED PER CALENDAR YEAR.

Officer Davis had spoken with the owner on March 23 regarding the maximum number of sales per year, but sales were subsequently held on March 28, April 4, April 11 and May 2. Officer Davis recommended that if any additional sales were documented at the property until the end of the calendar year, a fine of \$100 per sale would be imposed.

Mr. Alvin Posey, owner, stated he did re-upholstery work out of his home and he stored items he was working on in the rear of the property. When a customer did not pay, he would offer the items for sale to the public. Mr. Posey said he understood he could not post the signs. Ms. Flynn cautioned him that it was not just the signs; he could not sell items from the property more than three times per year.

Officer Davis reminded Mr. Posey that items sold at a garage sale must be unneeded household items, not items related to his business. She presented photos of the property and the case file into evidence.

Ms. Flynn found in favor of the City and ordered that if any additional sales were held at the property through the end of the year (December 31, 2009), a fine of \$100 per sale would be imposed.

Ms. Wald said Supervisor Margerum would advise Mr. Posey regarding what was and was not permitted by his business tax license.

Case: CE08062354

Robert Bernstein
C/O Saavedra Pelosi Goodwin & Hemin
1800 Southwest 10 Court

This case was first heard on 9/4/08 to comply by 10/19/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,000 fine, which would continue to accrue until the property complied.

Mr. Rendel Diaz, property Manager, stated the property had been foreclosed upon by Mr. Bernstein. He reported the lawn had already been cut and they intended to paint the property.

Mr. Andre Cross, Code Enforcement Officer, did not oppose allowing additional time for the property manager to paint the property.

Ms. Flynn granted a 14-day extension to 6/18/09, during which time no fines would accrue.

Case: CT09021318

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

This case was first heard on 4/2/09 to comply by 4/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty.

Pursuant to Section 11-19, a Citation Violation Notice dated 2/27/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was complied on 4/13/09, but the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Quintero presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence and requested imposition of a civil penalty in the amount of \$200.

Ms. Karen Black-Baron, attorney, reported the bank was aware of the fine and intended to pay it.

Ms. Flynn imposed the \$200 civil penalty.

Case: CE09031383

Goliath & Martine Renard
1105 Northeast 5 Terrace

Service was via posting on the property on 5/4/09 and at City Hall on 5/21/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Complied:

NFPA 1:13.6.6.8.3.1

Mr. Goliath Renard, owner, requested 60 days because he had been unaware how expensive the work would be and the property was not currently rented.

Inspector Arana recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day.

Case: CE08110838

Jacqueline El Adm
1005 Southeast 6 Street

This case was first heard on 3/19/09 to comply by 4/16/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,600 fine, which would continue to accrue until the property complied.

Mr. William Snow, Code Enforcement Officer, said he had advised the owner's agent to appear to request an extension. The owner had secured a permit to demolish the property. Officer Snow did not oppose an extension.

Mr. Andres Fernando Contreras, owner, requested 30 days to demolish the property.

Ms. Flynn granted a 35-day extension to 7/9/09, during which time no fines would accrue.

Case: CE08081120

Josef Hirzinger 1/2 Interest
Norman J Hirzinger
500 North Andrews Avenue

This case was first heard on 11/20/08 to comply by 12/18/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$4,800, and the City was recommending that a fine of \$260 be imposed.

Ms. Ingrid Gottlieb, Code Enforcement Officer, recommended a \$260 fine for administrative costs.

Mr. Josef Hirzinger, owner, agreed to pay the \$260.

Ms. Flynn imposed a \$260 fine.

Case: CE08042186

Albert Sistrat
1700 Northwest 6 Avenue

This case was first heard on 9/4/08 to comply by 11/27/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,600 fine, which would continue to accrue until the property complied.

Mr. Todd Hull, Code Enforcement Officer, stated the owner had a permit for the roof, but was experiencing financial problems at the moment. He recommended a 63-day extension.

Mr. Albert Sistrat, owner, confirmed what Officer Hull had said, and stated he intended to comply, but must take it in steps. He estimated it would take two more months.

Ms. Flynn granted a 63-day extension to 8/6/09, during which time no fines would accrue and ordered the respondent to reappear at that hearing.

Case: CE09041529

Church of God TempleTRS
211 Northwest 5 Avenue

Service was via the appearance of the owner at this hearing.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:12.7.9.3.1

MAXIMUM CAPACITY SIGN IS NOT PROVIDED.

NFPA 101:13.2.2.2.3

PANIC OR FIRE HARDWARE NOT PROVIDED AS PER CODE.

Inspector Arana reported no permit had been pulled for the panic hardware.

Mr. Sam Tom Green, pastor, stated the sign had been ordered. He said there were already panic bars on the doors, as well as security bars. Inspector Arana stated per code, other locking devices were not permitted on panic bar doors. She agreed to confirm this and report back to Ms., Flynn. She added that there was never a permit pulled to install the panic hardware, so a permit was still needed. Pastor Green said the panic bars had been inspected.

Upon returning to the case, Inspector Arana confirmed the property had been cited because there were additional locking devices on the doors. Regarding permits, she had determined that an after-the-fact permit had been issued for security bars in the front of the church. This did not relate to the panic hardware doors.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:12.7.9.3.1 within 35 days or a fine of \$50 per day and with NFPA 101:13.2.2.2.3 within 35 days or a fine of \$250 per day.

Mr. James Edward Ross, parishioner, explained that the security bars were only used when no one was present at the church to prevent robberies. Inspector Arana said the code did not permit any other type of locking device, no matter when it was used.

Case: CE08110689

1625 Northwest 6 Place
LaSalle Bank National Association Trustee

This case was first heard on 3/19/09 to comply by 4/23/09. Violations were as noted in the agenda. The property was not complied, and the City was requesting imposition of a \$1,025 fine, which would continue to accrue until the property complied.

Ms. Wanda Sappington, Code Enforcement Officer, said she had numerous conversations with the bank.

Mr. Jeffrey Joseph Paolino, power of attorney for the bank, stated he had hired someone to seed the property, but he had done a bad job. He requested a 25-day extension.

Ms. Flynn granted a 28-day extension to 7/2/09, during which time no fines would accrue.

Case: CT09031772

Frank Plati 1/2 Int
Marcelene P Gaidry
5421 Northeast 21 Terrace

Certified mail sent to the owner was accepted on 5/15/09.

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.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/6/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Bass presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact 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: CT09040643

Angelina Desir
3470 Berkeley Boulevard

Service was via posting on the property on 5/19/09 and at City Hall on 5/21/09.

Complied - not paid
18-27(a)

Pursuant to Section 11-19, a Citation Violation Notice had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was complied but the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Davis presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence and requested imposition of a civil penalty in the amount of \$200.

Ms. Flynn imposed the \$200 civil penalty.

Case: CT09031713

Casa Real Investments LLC
602 Southwest 11 Court

Certified mail sent to the owner was accepted on 5/18/09 and certified mail sent to the registered agent was accepted on 5/13/09.

18-27(a)

THE PROPERTY IS OVERGROWN WITH GRASS AND WEEDS.
THERE IS AN ACCUMULATION OF TRASH AND SOLID WASTE
ON THE PROPERTY. THE TRASH AND SOLID WASTE
CONSIST OF, BUT IS NOT LIMITED TO, YARD WASTE.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/9/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Snow presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$25 per day, with the right to remove the overgrowth and debris from the property.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day with the right to remove the overgrowth and debris and cut the property.

Case: CT09032267

Bernard & Stella Kloss
420 North Victoria Park Road

Service was via posting on the property on 5/12/09 and at City Hall on 5/21/09.

Complied – not paid

9-306

Pursuant to Section 11-19, a Citation Violation Notice had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was complied on 5/4/09, but the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty, and the City was requesting imposition of a civil penalty in the amount of \$150.

Ms. Flynn imposed the \$150 civil penalty.

Case: CT09040151

Blair International Inc
509 North Victoria Park Road

Service was via posting on the property on 5/15/09 and at City Hall on 5/21/09. Certified mail sent to the owner was accepted [no date].

Complied – not paid
9-306

Pursuant to Section 11-19, a Citation Violation Notice had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was complied on 5/27/09, but the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty and the City was requesting imposition of a civil penalty in the amount of \$150.

Ms. Flynn imposed a \$150 civil penalty.

Case: CT09040538

Indymac Bank FSB
1391 Southwest 33 Terrace

Certified mail sent to the owner was accepted on 5/1/09.

Complied – not paid
18-27(a)

Pursuant to Section 11-19, a Citation Violation Notice had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was complied on 6/2/09, but the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty and the City was requesting imposition of a civil penalty in the amount of \$200.

Ms. Flynn imposed the \$200 civil penalty.

Case: CT09040534

Indymac Bank FSB
1391 Southwest 33 Terrace

Certified mail sent to the owner was accepted on 5/1/09.

9-306

THE WOODEN FENCE ON THIS PROPERTY HAS AREAS OF GRAFFITI.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/17/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Campbell presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact 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: CT09030837

Winnie Monsegue
2124 Northwest 8 Street

Stipulated agreement
\$200 civil penalty paid 4/16/09

18-27(a)

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

The City had a stipulated agreement with the owner to comply within 42 days or a fine of \$25 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 42 days or a fine of \$25 per day.

Case: CT09040083

Roy E Hayes Jr
1115 Northwest 3 Avenue

Certified mail sent to the owner was accepted on 5/20/09.

18-27(a)

THERE IS OVERGROWTH, TRASH, AND DEBRIS ON THE

PROPERTY AND SWALE.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/16/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Hull presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$50 per day with the right to mow and clean the property.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day with the right to mow and clean the property.

Case: CT09040092

Edith L Garland Estate
1536 Northwest 7 Avenue

Service was via posting on the property on 5/18/09 and at City Hall on 5/21/09.

18-27(a)

THERE IS TRASH AND DEBRIS SCATTERED ON THE PROPERTY INCLUDING, BUT NOT LIMITED TO, OLD FURNITURE, CARDBOARD BOXES, BUILDING MATERIALS, AND OTHER MISCELLANEOUS ITEMS.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/9/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Hull presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$50 per day with the right to mow and clean the property.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day with the right to clean the trash and debris from the property.

Case: CT09040565

Brad Hertz
1504 Northwest 5 Avenue

Administrative hearing

Certified mail sent to the owner was accepted on 5/15/09.

Complied 5/7/09 – not paid

18-27(a)

The property owner had requested this administrative hearing to contest the violation but was not present. The City was requesting imposition of a civil penalty in the amount of \$275.

Ms Flynn imposed a \$275 contested civil penalty.

Case: CT09030386

Raphael Medeiros Defreitas &
Joao Carlos De Figueiredo
1241 Northwest 46 Court

Service was via posting on the property on 5/6/09 and at City Hall on 5/21/09.

Complied – not paid
9-281(b)

Pursuant to Section 11-19, a Citation Violation Notice had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was complied on 4/7/09, but the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty and the City was requesting imposition of a civil penalty in the amount of \$150.

Ms. Flynn imposed the \$150 civil penalty.

Case: CT09040975

Yoel Marti, 1/2 Interest
Lucia Marti
6161 Northwest 33 Terrace

Service was via posting on the property on 5/1/09 and at City Hall on 5/21/09.

18-1

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

Pursuant to Section 11-19, a Citation Violation Notice dated 4/24/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal

the citation or paid the civil penalty. Officer Viscusi presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact 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: CT09031000
Shaun Sands
2781 Northwest 19 Street

Stipulated agreement
\$200 civil penalty paid 6/3/09

18-27(a)

THERE IS OVERGROWTH, TRASH, AND DEBRIS INCLUDING
DEAD PLANT MATTER SCATTERED ALL OVER THIS VACANT
LOT.

The City had a stipulated agreement with the owner to comply within 14 days or a fine of \$25 per day, with the right to clean and clear the property. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 14 days or a fine of \$25 per day, with the right to clean and clear the property.

Case: CT09040274
Pearl Hayes Bristol /
Herman Davis
2331 Northwest 23 Lane

Service was via posting on the property on 5/12/09 and at City Hall on 5/21/09.

Ms. Ingrid Gottlieb, Code Enforcement Officer
9-281(b)

THERE IS A CHEVROLET IMPALA WITH AN EXPIRED TAG,
AN INOPERABLE NISSAN ALTIMA WITH A BENT AXLE, AND
A CADILLAC COUPE DE VILLE WITH AN EXPIRED TAG
PARKED ON THIS DUPLEX PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/13/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Gottlieb presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a

finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to tow the Chevrolet Impala, the Nissan Altima and the Cadillac Coupe De Ville.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day with the right to tow the unlicensed, inoperable vehicles including the Chevrolet Impala and the Cadillac Coupe De Ville.

Case: CT09040198

Joseph Robert Tarson
2705 Northwest 20 Street

Service was via posting on the property on 5/12/09 and at City Hall on 5/21/09.

9-281(b)

THERE IS AN UNLICENSED BLACK JEEP PARKED ON THE
PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 4/10/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Gottlieb presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to tow the Jeep.

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

Case: CT09040419

Charles W Walker Estate
C/O Mary Lene Walker
2345 Northwest 14 Street

Service was via posting on the property on 5/18/09 and at City Hall on 5/21/09.

18-27(a)

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

Pursuant to Section 11-19, a Citation Violation Notice dated 4/29/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation within 15 days, and/or pay a civil penalty. The property was not complied by the ordered date, and the owner had not requested an administrative hearing to appeal

the citation or paid the civil penalty. Officer Gottlieb presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to mow and clean the property.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day with the right to mow and clear the property.

Case: CE09030370

David A & Soraya Burstein
4601 Northeast 18 Terrace

Certified mail sent to the owner was accepted on 5/19/09.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

THE WOOD FENCE ON THE PROPERTY HAS BROKEN SUPPORT
POSTS AND IS IN GENERAL DISREPAIR.

Officer Bass presented photos of the property and the case file into evidence, requested a finding of fact 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: CE09050233

Cary Krevoy
1706 Northwest 14 Avenue

Service was via posting on the property on 5/14/09 and at City Hall on 5/21/09.

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

THE BUILDING ON THIS PROPERTY IS VACANT WITH
BROKEN OR MISSING DOORS, WINDOWS, OR OTHER
OPENINGS ALLOWING UNAUTHORIZED ACCESS TO THE
INTERIOR.

Officer Sappington presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to board the property.

Ms. Flynn 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: CE09030872

Stipulated agreement

Winnie Monsegue
2124 Northwest 8 Street

Violation:

47-34.1.A.1.

THIS VACANT LOT HAS MOUNDS OF SAND, DIRT, AND
CEMENT ON THE PROPERTY AND SWALE.

The City had a stipulated agreement with the owner to comply within 42 days or a fine of \$25 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 42 days or a fine of \$25 per day.

Case: CE09030454

Stipulated agreement

Jose A Torres
2765 Northwest 19 Street

Certified mail sent to the owner was accepted on 5/14/09.

Violation:

47-21.12 A.1.

TREE REMOVAL WITHOUT PERMIT.

The City had a stipulated agreement with the owner to comply within 45 days or a fine of \$25 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 45 days or a fine of \$25 per day.

Case: CE09030477

Rinker Materials Corp
Attn: Genice Dinnerman-PBR Team
1050 Northeast 5 Terrace

Mr. McKelligett announced this case would be continued for 91 days.

Case: CE09020960

Wesley E Stevens
2118 Southwest 37 Terrace

Service was via posting on the property on 5/14/09 and at City Hall on 5/21/09.

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

THERE ARE WINDOWS ON THIS PROPERTY THAT HAVE BEEN BOARDED WITHOUT OBTAINING THE REQUIRED BOARD UP CERTIFICATE.

Officer Campbell presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 21 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day.

Case: CE09021843

Emilio Bozan Leyva
1930 Southwest 36 Avenue

Service was via posting on the property on 5/14/09 and at City Hall on 5/21/09.

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

THERE ARE WINDOWS ON THIS PROPERTY THAT HAVE BEEN BOARDED WITHOUT OBTAINING THE REQUIRED BOARD UP CERTIFICATE.

Officer Campbell presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 21 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day.

Case: CE09041804

US Bank National Assn Trustee
C/O America Servicing Company
3732 Southwest 12 Court

Certified mail sent to the owner was accepted on 5/18/09.

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

THIS VACANT HOUSE AND ACCESSORY STRUCTURE HAVE OPEN OR BROKEN WINDOWS/DOORS ALLOWING UNAUTHORIZED ACCESS TO THE INTERIOR.

Officer Campbell presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to board the property.

Ms. Flynn 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: CE09031602

Karen Boothe
1301 Northwest 2 Street

Service was via posting on the property on 5/1/09 and at City Hall on 5/21/09.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-279(F)

THERE IS A RENTAL, OCCUPIED FOUR-PLEX, WITHOUT THE
REQUIRED CITY WATER SERVICE.

Officer Quintero presented photos of the property and the case file into evidence, requested a finding of fact 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: CE09031922

Steven F Petite
1038 Northwest 3 Avenue

Service was via posting on the property on 5/18/09 and at City Hall on 5/21/09.

Mr. Todd Hull, Code Enforcement Officer, testified to the following violation:
9-306

THE EXTERIOR OF THE BUILDING ON THIS PROPERTY IS
DIRTY AND STAINED.

Withdrawn:
24-4

Officer Hull presented photos of the property and the case file into evidence, requested a finding of fact 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: CE09041562

Michael Pubien
1501 Northwest 8 Avenue

Service was via posting on the property on 5/18/09 and at City Hall on 5/21/09.

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

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

Officer Hull presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to board the property.

Ms. Flynn 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: CE09050245

Martha Mendez 1/2 Interest
Carlos Mendez
1501 Northwest 7 Terrace

Service was via posting on the property on 5/18/09 and at City Hall on 5/21/09.

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

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

Officer Hull presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to board the property.

Ms. Flynn 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: CE09050436

Richard Brill
1238 Northeast 3 Avenue

Service was via posting on the property on 5/18/09 and at City Hall on 5/21/09.

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

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

Officer Hull presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day with the right to board the property.

Ms. Flynn 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: CE09041518

Amera Flagler 46 Ltd
415 Northeast 2 Avenue

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/8/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana recommended ordering compliance within 42 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

Case: CE09041505

Amera Flagler 46 Ltd
416 Northeast 1 Avenue

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/8/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE WITH NFPA 31.3.4.5.1.

NFPA 1:13.6.6.8.3.1

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12 MONTHS.

Inspector Arana recommended ordering compliance with NFPA 101:31.3.4.5.1 within 42 days or a fine of \$250 per day and with NFPA 1:13.6.6.8.3.1 within 42 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 42 days or a fine of \$250 per day and with NFPA 1:13.6.6.8.3.1 within 42 days or a fine of \$100 per day.

Case: CE09050114

Amera Flagler 46 Ltd
420 Northeast 1 Avenue

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/9/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE WITH NFPA 31.3.4.5.1.

NFPA 1:13.6.3.2

THE FIRE EXTINGUISHER(S) IS/ARE NOT IN ITS/THEIR DESIGNATED PLACE.

Inspector Arana recommended ordering compliance with NFPA 101:31.3.4.5.1 within 42 days or a fine of \$250 per day and with NFPA 1:13.6.3.2 within 42 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 42 days or a fine of \$250 per day and with NFPA 1:13.6.3.2. within 42 days or a fine of \$100 per day.

Case: CE09050105

Amera Flagler 46 Ltd
517 Northeast 2 Avenue

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/9/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana recommended ordering compliance within 42 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

Case: CE09050113

Amera Flagler 46 Ltd
523 Northeast 2 Avenue

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/8/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana recommended ordering compliance within 42 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

Case: CE09050119

Twenty-One Twenty-One Condo
2121 North Ocean Boulevard

Certified mail sent to the owner was accepted on 5/15/09 and certified mail sent to the registered agent was accepted on 5/14/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana recommended ordering compliance within 42 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

Case: CE09050123

Twenty-One Twenty-One Condo
2131 North Ocean Boulevard

Certified mail sent to the owner was accepted on 5/15/09 and certified mail sent to the registered agent was accepted on 5/15/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE WITH NFPA 31.3.4.5.1.

Inspector Arana recommended ordering compliance within 42 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

Case: CE09030798

Todd A Gale
1640 Northeast 4 Place

Service was via posting on the property on 5/4/09 and at City Hall on 5/21/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS ARE NOT INSTALLED OUTSIDE EVERY SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS AND ON ALL LEVELS OF THE DWELLING UNIT INCLUDING BASEMENTS.

Inspector Arana stated the permit had been pulled on 6/2 and recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day.

Case: CE09031799

Hatice & Ercan Aydin
842 Southwest 2 Street

Service was via posting on the property on 5/4/09 and at City Hall on 5/21/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE WITH NFPA 31.3.4.5.1.

NFPA 101:7.2.1.8.1

SELF-CLOSING OR AUTOMATIC-CLOSING DOOR(S) DON'T SELF CLOSE AND LATCH.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:11.1.2 (COVERS)

THERE IS A COVER MISSING ON AN ELECTRICAL BOX CAUSING ELECTRICAL WIRING TO BE EXPOSED.

NFPA 1:13.6.6.8.3.1

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12 MONTHS.

NFPA 1:14.4.1

THE PATH OF EGRESS IS BLOCKED.

Complied:

NFPA 1:13.3.1.1

NFPA 1:13.3.3.7.2

Inspector Arana recommended ordering compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, and with NFPA 101:7.2.1.8.1, NFPA 101:7.9.2.1, NFPA 1:11.1.2, NFPA 1:13.6.6.8.3.1 and NFPA 1:14.4.1 within 35 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, and with NFPA 101:7.2.1.8.1, NFPA 101:7.9.2.1, NFPA 1:11.1.2, NFPA 1:13.6.6.8.3.1 and NFPA 1:14.4.1 within 35 days or a fine of \$50 per day, per violation.

Case: CE09041466

Asoka Condo Assn Inc
1342 Holly Heights Drive

Certified mail sent to the owner was accepted on 5/14/09 and certified mail sent to the registered agent was accepted on 5/14/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 1:13.6.6.8.3.1

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND
TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12
MONTHS.

Officer Arana described efforts made to contact the owner and recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day.

Case: CE09041467

Gesner & Lavictoire Williamceau
735 Northeast 13 Court

Certified mail sent to the owner was accepted on 5/14/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:
NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

NFPA 1:13.6.6.8.3.1

THE FIRE EXTINGUISHER(S) HAS/HAVE NOT BEEN SERVICED AND
TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 12
MONTHS.

Officer Arana stated this property had been a habitual offender and recommended ordering compliance within 35 days or a fine of \$250 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day, per violation.

Case: CE09042077

Migdalia Garay
1440 Northeast 50 Court

Certified mail sent to the owner was accepted [no date].

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Officer Arana recommended ordering compliance within 42 days or a fine of \$250 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

Case: CE09041557

Bruce I, Francine L & H S Flamm
437 Northeast 1 Avenue

Certified mail sent to the owner was accepted on 5/8/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Complied:

NFPA 1:13.6.6.8.3.1

Officer Arana said the owner was in the process of pulling the permit. She recommended ordering compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day.

Case: CE09050107

Las Olas Properties Inc
408 Northeast 2 Avenue

Certified mail sent to the owner was accepted on 5/8/09 and certified mail sent to the registered agent was accepted on 5/9/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN
ACCORDANCE WITH NFPA 31.3.4.5.1.

Officer Arana said the owner had applied for the permit. She recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day.

Case: CT09011043

Michael E & Christina A Kimling
3000 Northeast 39 Street

This case was first heard on 3/19/09 to comply by 4/2/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$650 fine, plus \$771.87 in lot clearing costs and a \$200 civil penalty for a total of \$1,621.87.

Ms. Flynn imposed the \$1,621.87 in fines and other costs.

Case: CT09011811

John Peter Dowdell
2801 Northeast 24 Street

This case was first heard on 4/2/09 to comply by 4/12/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$450 fine plus \$2,262.04 in lot clearing costs and a \$200 civil penalty for a total of \$2,912.04.

Ms. Flynn imposed the \$2,912.04 in fines and other costs.

Case: CE08092015

Ordered to reappear from 4/2/09

Alpar Enterprises Inc
3020 Southeast 6 Avenue

This case was first heard on 1/15/09 to comply by 1/29 and 2/19/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$7,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$7,200 fine, which would continue to accrue until the property complied.

Case: CE08071791

Broward Professional Offices LLC
1975 East Sunrise Boulevard

This case was first heard on 2/5/09 to comply by 4/9/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,750 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,750 fine, which would continue to accrue until the property complied.

Case: CT08121337

Nicoletta Williams
826 West Las Olas Boulevard

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$600 fine plus \$508 in lot clearing costs plus a \$200 civil penalty for a total of \$1,308.

Ms. Flynn imposed the \$1,308 in fines and other costs.

Case: CT09011518

Hudson Investments & Association Inc
1125 West Prospect Road

This case was first heard on 4/2/09 to comply by 4/16/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$600 fine plus a \$150 civil penalty for a total of \$750.

Ms Flynn imposed the \$750 in fines and civil penalty.

Case: CE09010319

Lancaste Investments LLC Trustee
3733 Southwest 12 Court

This case was first heard on 2/19/09 to comply by 3/1/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,800 fine plus \$1,362.16 in board-up costs for a total of \$3,162.16.

Ms. Flynn imposed the \$3,162.16 in fines and other costs.

Case: CE09011160

Regions Bank
C/O Ben-Ezra & Katz PA
3751 Southwest 23 Street

This case was first heard on 2/19/09 to comply by 3/1/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,800 fine plus \$1,267.60 in board-up costs for a total of \$3,067.60.

Ms. Flynn imposed the \$3,067.60 in fines and other costs.

Case: CE09011161

Regions Bank
C/O Ben-Ezra & Katz PA
3751 Southwest 23 Street

This case was first heard on 4/2/09 to comply by 4/16/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,400 and the City was recommending no fine be imposed.

Ms. Flynn imposed no fine.

Case: CT08101782

Erika A Hope
1813 Southwest 10 Street

This case was first heard on 2/19/09 to comply by 3/5/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$150 civil penalty plus a \$9,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$150 civil penalty and the \$9,000 fine, which would continue to accrue until the property complied.

Case: CE08121520

Robert G & Joy Kruger
2200 Northwest 20 Street

This case was first heard on 3/19/09 to comply by 4/16/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$4,000 fine.

Ms. Flynn imposed the \$4,000 fine.

Case: CT08121656

I H & Clara N Buncum
1825 Northwest 25 Avenue

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$525 fine plus \$623.43 in lot clearing costs and a \$200 civil penalty for a total of \$1,348.43.

Ms. Flynn imposed the \$1,348.43 in fines and other costs.

Case: CE08020540

Timothy D Leonard
1244 Northeast 1 Avenue

This case was first heard on 9/18/08 to comply by 10/16/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,400 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,400 fine, which would continue to accrue until the property complied.

Case: CE09011717

Luis & Sylvia Morales
2782 Northwest 20 Street

This case was first heard on 3/5/09 to comply by 3/15/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of an \$800 fine plus \$1,159.65 in board up costs for a total of \$1,959.65.

Ms. Flynn imposed the \$1,959.65 in fines and other costs.

Case: CE08101784

Mar Holding Inc
729 Northwest 1 Street

This case was first heard on 3/5/09 to comply by 4/9/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,900, and the City was recommending no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE08102074

Rescheduled from 5/21

Ronald Cutler Trust
C/O Arthur Ravitch
711 West Broward Boulevard

This case was first heard on 3/5/09 to comply by 4/23/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$800 and the City was recommending the fine be reduced to \$300.

Ms. Flynn imposed a \$300 fine.

Case: CE08101493

Coral Ridge North LLC
4317 Northeast 21 Avenue

This case was first heard on 12/4/08 to comply by 2/5/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$11,750 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$11,750 fine, which would continue to accrue until the property complied.

Case: CE09021495

KK Gardens LLC
900 Northeast 14 Street

This case was first heard on 4/2/09 to comply by 4/30/09. Violations were as noted in the agenda. The property was not complied, and the City was requesting imposition of an \$8,500 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed an \$8,500 fine, which would continue to accrue until the property complied.

Case: CT09010320

Blair International Inc
1602 Southwest 23 Street

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied, and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010325

Blair International Inc
1608 Southwest 23 Street

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010327

Blair International Inc
1614 Southwest 23 Street

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010328

Blair International Inc
1620 Southwest 23 Street

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010329

Blair International Inc
1630 Southwest 23 Street

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010330

Blair International Inc
2231 Southwest 16 Terrace

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010331

Blair International Inc
2225 Southwest 16 Terrace

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010332

Blair International Inc
2219 Southwest 16 Terrace

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010333

Blair International Inc
2213 Southwest 16 Terrace

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$825 fine plus \$210.84 in lot clearing costs and a \$200 civil penalty for a total of \$1,235.84.

Ms. Flynn imposed the \$1,235.84 in fines and other costs.

Case: CT09010335

Blair International Inc
2016 Southwest 16 Terrace

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$800 fine plus \$809.64 in lot clearing costs and a \$200 civil penalty for a total of \$1,809.64.

Ms. Flynn imposed the \$1,809.64 in fines and other costs.

Case: CT09010337

Blair International Inc
2022 Southwest 16 Terrace

This case was first heard on 3/5/09 to comply by 3/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$800 fine plus \$526.44 in lot clearing costs and a \$200 civil penalty for a total of \$1,526.44.

Ms. Flynn imposed the \$1,526.44 in fines and other 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:

CE09031074	CE09031082	CT09040168	CT09032253
CT09040403	CT09040402	CT09040405	CT09040730
CT09040996	CT09032031	CT09030995	CT09032353
CE09020576	CE09010485	CE09042089	CE09032026
CE09050167	CE09031956	CE09021476	CE09031390
CE09031969	CE09031968	CE09031070	CE09041448
CE09041452	CE09041464	CE09041462	CE09041465
CE09041496	CE09041502	CE09041503	CE09041504
CE09041507	CE09041512	CE09042079	CE09050116
CE08111221	CE08121184		

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:

CE09041457	CE09042080	CE09042081	CE09041461
CE09041509	CE09050108	CE09050115	

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:

CE08102320	CE08102321
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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:

CT09040418	CE08111187	CE09030867	CE09021674
CE08110359	CE09032238		

There being no further business, the hearing was adjourned at 11:41 p.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services