

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
MEAH TELL PRESIDING  
OCTOBER 1, 2009  
9:00 A.M. – 11:32 A.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Susanne Manning, Secretary, Special Magistrate  
Brian McKelligett, Clerk of Special Magistrate, Supervisor  
Ginger Wald, Assistant City Attorney  
Lori Grossfeld, Clerk III  
Skip Margerum, Code Enforcement Supervisor  
Cheryl Pingitore, Code Enforcement Supervisor  
Tammy Arana, Fire Inspector  
Stephanie Bass, Code Enforcement Officer  
Mark Campbell, Code Enforcement Officer  
Andre Cross, Code Enforcement Officer  
Aretha Davis, Code Enforcement Officer  
Alejandro Del Rio, Code Enforcement Officer  
Dick Eaton, Code Enforcement Officer  
Adam Feldman, Code Enforcement Officer  
Ingrid Gottlieb, Code Enforcement Officer  
Todd Hull, Code Enforcement Officer  
Wilson Quintero, Code Enforcement Officer  
Mary Rich, Code Enforcement Officer  
Wanda Sappington, Code Enforcement Officer  
Bill Snow, Code Enforcement Officer  
Mario Sotolongo, Code Enforcement Officer  
Ursula Thime, Code Enforcement Officer  
Barbara Urow, Code Enforcement Officer  
Salvatore Viscusi, Code Enforcement Officer

**Respondents and Witnesses**

CE08120817: Matthew Vander Werff, representative; John Quaintance, president of condo  
CE09090698; CE09090696: Barrington Sharpe, owner  
CE09061146: Eliana Porras, owner's daughter  
CE09041518; CE09041505: Robert White, owner  
CE09050439: Joseph St. Louis, owner  
CE08061424: Beverly Allison, church representative  
CE09061848: Victor Parra, bank representative  
CE09021869: Chaitmatee Dulal, owner; Wallace Dulal, owner

CE09080970; CE09081688; CE09090582; CE09090587; CE09090591; CE09090593;  
CE09090594; CE09090597; CE09090600; CE09090602; CE09090605; CE09090607;  
CE09090612; CE09090616: Bruce Tanner, property representative  
CT09061574: Jo Anne Galipault, attorney  
CE08120595: Andree Beaulac, owner; Gregg McCormack, owner's rep; Dagobert  
Schmalhaus, owner  
CE07120555: Barbara Fox Cohen, owner; Theodosia Lane, neighbor  
CE08061367: Michelle Hemple, realtor  
CT09060732: Isabela Passos, owner; Jose Nascimento, owner's brother-in-law  
CE08071705: Brady James Cobb, 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.

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

**Case: CE09090698**

Barrington Sharpe  
220 Southwest 8 Street

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

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 1:10.12.1.2

ADDRESS AND/OR UNIT NUMBERS ARE NOT POSTED CONSISTENT  
WITH THE CODE.

Inspector Arana recommended ordering compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 1:10.12.1.2 within 14 days or a fine of \$50 per day.

Mr. Barrington Sharpe, owner, said he was not collecting enough rent from the property and it needed work. He agreed he would add the apartment numbers after he painted the doors and requested 30 days. Inspector Arana informed Mr. Sharpe of the average estimates for the smoke detectors. Mr. Sharpe requested additional time to hire a contractor.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:10.12.1.2 within 35 days or a fine of \$50 per day and with NFPA 101:31.3.4.5.1 within 49 days or a fine of \$250 per day, and ordered the owner to reappear at the 11/19/09 hearing.

**Case: CE09090696**

Barrington Sharpe  
228 Southwest 8 Street

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

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 1:10.12.1.2

ADDRESS AND/OR UNIT NUMBERS ARE NOT POSTED  
CONSISTENT WITH THE CODE.

Inspector Arana recommended ordering compliance with NFPA 1:10.12.1.2 within 35 days or a fine of \$50 per day and with NFPA 101:31.3.4.5.1 within 49 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:10.12.1.2 within 35 days or a fine of \$50 per day and with NFPA 101:31.3.4.5.1 within 49 days or a fine of \$250 per day and ordered the owner to reappear at the 11/19/09 hearing. .

**Case: CE07120555**

Lawrence E & Barbara F Cohen  
3316 Northeast 38 Street

Ordered to reappear from 8/20/09

This case was first heard on 4/3/08 to comply by 7/3 and 8/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,150 fine, which would continue to accrue until the property complied.

Mr. Mario Sotolongo, Code Enforcement Officer, said he had discussed the issues with the Cohens two weeks ago, but there was no compliance as yet because they were still waiting for the insurance company.

Ms. Barbara Fox Cohen, owner, reported Citizens Insurance had performed a walk-through on August 19 and had 60 days to provide an offer. If they did not make a good faith offer, they would follow the proper procedure, perhaps mediation. Ms. Cohen said someone would paint the house on October 3.

Ms. Theodosia Lane, neighbor, said this issue had been going on for years, and presented photos of the view of the Cohen's house from her backyard across the canal. She noted the dock was also falling apart and there was mold on the building. Officer Sotolongo explained that the dark spots on the building were exposed stucco, not mold.

Ms. Tell noted that in Ms. Lane's photos, the storm shutters were closed again, but the Cohens had been told at the prior meeting that the shutters must be open. She warned Ms. Cohen to make sure the shutters were open. Ms. Tell asked Officer Sotolongo to assess the dock situation.

Ms. Tell granted a 49-day extension to 11/19/09, during which time no fines would accrue, and ordered the respondent to reappear at that hearing. Ms. Tell asked Ms. Cohen to return on 11/19 with proof she had contacted a contractor.

**Case: CE08061424** Ordered to reappear from 9/3/09  
New Mount Olive Missionary Baptist Church Inc  
915 Northwest 9 Avenue

This case was first heard on 10/2/08 to comply by 12/25/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$12,300 and the City was recommending an \$884 fine.

Ms. Beverly Allison, church representative, agreed to the reduced fine.

Ms. Tell imposed the \$884 fine.

The following 14 cases were heard together:

**Case: CE09081688**  
Steven Klein & David W States  
1826 North Dixie Hwy # 102

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

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

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH  
NFPA 101:31.3.4.1.1.

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 211:10.7.3.3

Inspector Arana said she had spoken with the representative and agreed to recommend ordering compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day. and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

Mr. Bruce Tanner, property manager, agreed to Inspector Arana's terms.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09080970**

Bruce Cromartie  
1826 North Dixie Hwy # 101

Certified mail sent to the owner was accepted on 9/15/09.

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

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH  
NFPA 101:31.3.4.1.1.

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090582**

Judith L Hamblen  
1826 North Dixie Hwy # 103

Certified mail sent to the owner was accepted on 9/16/09.

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

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH  
NFPA 101:31.3.4.1.1.

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090587**

Ernest S & Nancy Kay Fisher  
1826 North Dixie Hwy # 104

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

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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090591**

Patricia A Harrison  
1826 North Dixie Hwy # 105

Certified mail sent to the owner was accepted on 9/17/09.

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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090593**

Patrick D Reeder  
1826 North Dixie Hwy # 106

Service was via the appearance of the representative 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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090594**

Robert L Sessums  
1826 North Dixie Hwy # 107

Certified mail sent to the owner was accepted on 9/17/09.

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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090597**

Howard B Elfman  
1826 North Dixie Hwy # 201

Service was via the appearance of the representative 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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090600**

Ronald B & Cynthia J Mundy  
1826 North Dixie Hwy # 202

Certified mail sent to the owner was accepted on 9/16/09.

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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090602**

Howard B Elfman  
1826 North Dixie Hwy # 203

Service was via the appearance of the representative 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 101:31.3.4.1.1



A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH  
NFPA 101:31.3.4.1.1.

Complied:  
NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090605**

Ernest S & Nancy Kay Fisher &  
James McCormick  
1826 North Dixie Hwy # 204

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.

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH  
NFPA 101:31.3.4.1.1.

Complied:  
NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090607**

J W McCormick, E & N K Fisher, E J Woolslair, et al  
1826 North Dixie Hwy # 205

Certified mail sent to the owner was accepted on 9/15/09.

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.

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH  
NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090612**

Marcia Elfman  
1826 North Dixie Hwy # 206

Certified mail sent to the owner was accepted on 9/18/09.

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 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09090616**

Lisa Michelle Bensinger  
1826 North Dixie Hwy # 207

Certified mail sent to the owner was accepted on 9/17/09.

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

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED In reply to: ACCORDANCE WITH NFPA 31.3.4.5.1.

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT PROVIDED IN ACCORDANCE WITH NFPA 101:31.3.4.1.1.

Complied:

NFPA 211:10.7.3.3

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 126 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day.

**Case: CE09021869**

Ordered to reappear from 8/20/09

Chaitmatee Dulal  
1471 Northwest 20 Court

This case was first heard on 4/16/09 to comply by 6/18/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$9,300 fine.

Ms. Chaitmatee Dulal, owner, confirmed the property was complied.

Mr. Wallace Dulal, owner, said his wife had misunderstood the citation and had installed new battery-powered smoke detectors instead of hard-wired detectors.

Ms. Tammy Arana, Fire Inspector, agreed Ms. Dulal had not understood the violation. She recommended reducing the fines to cover administrative costs. Mr. McKelligett recommended a \$520 fine. Ms. Wald and Ms. Tell explained the lien process to Ms. and Mr. Dulal.

Ms. Tell imposed a \$520 fine.

**Case: CE08061367**

Miriam Osuna  
3450 Southwest 16 Street

This case was first heard on 8/21/08 to comply by 9/4/08. Violations were as noted in the agenda. The property was complied, fines had accrued to \$122,150 and the City was recommending a \$9,500 fine.

Ms. Michelle Hemple, realtor, explained the owner lived in Fort Meyers but had "pretty much declared bankruptcy." Ms. Hemple stated she was in short sale negotiations with the bank, but the fines were hampering closing. She noted that the fines would have to be paid by the buyer as part of the closing costs. The property had been secured, but all of the appliances and pool pump had been stolen and the roof was leaking. Ms. Hemple stated they must get someone into the house to prevent it from getting worse.

Mr. Mark Campbell, Code Enforcement Officer, confirmed the property was complied. He said the City was willing to reduce the fines to \$9,500. Ms. Hemple said a \$9,500 fine would result in the property's going into foreclosure because she did not believe a buyer would be willing to pay that fine on top of all the other costs. Mr. McKelligett stated the pool had been in very serious condition, resulting in complaints from neighbors, and the City felt \$9,500 was fair.

Ms. Tell suggested a \$2,000 fine and Ms. Hemple said this would be more manageable and she might be able to get the bank and the buyer both to contribute.

Ms. Tell imposed a \$2,000 fine.

**Case: CE08071705**

Request for extension

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

This case was first heard on 9/18/08 to comply by 3/19/09. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$2,600.

Mr. Sal Viscusi, Code Enforcement Officer, explained the owner's attorney was working with the City Attorney's office and was scheduled to appear before the Planning and Zoning Board. Officer Viscusi did not object to a 91-day extension.

Ms. Wald stated Mr. Cobb, the owner's attorney, had shown up for the March hearing, but the case was not on the agenda. She stated fines that had accrued thus far should be eliminated in the future.

Mr. Cobb agreed to the extension and said he would call to request the case be put on the December 17, 2009 agenda if he anticipated a delay.

Ms. Tell granted a 91-day extension to 12/31/09, during which time no fines would accrue.

The following 2 cases for the same owner were heard together:

**Case: CE09041518**

Ordered to reappear from 9/3/09

Amera Flagler 46 Ltd  
417 Northeast 2 Avenue

This case was first heard on 6/4/09 to comply by 7/16/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$12,000 fine.

Mr. Robert White, owner, explained that Amera Flagler had deeded the property back to him as mortgage holder on August 14. As soon as he was aware of the violations, he had brought the property into compliance.

Ms. Tammy Arana, Fire Inspector, confirmed the case was complied and that Mr. White had acted immediately upon becoming aware of the situation. She recommended imposing no fines for both cases.

Ms. Tell imposed no fine.

**Case: CE09041505**

Ordered to reappear from 9/3/09

Amera Flagler 46 Ltd  
416 Northeast 1 Avenue

This case was first heard on 6/4/09 to comply by 7/16/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$15,100 fine.

Ms. Tell imposed no fine.

**Case: CE08120817**

Ordered to reappear from 6/18/09

SVP Las Olas Limited Partnership  
100 East Las Olas Boulevard

This case was first heard on 6/18/09 to comply by 10/1/09. Violations were as noted in the agenda. The property was not complied and fines would begin on 10/2/09.

Mr. Adam Feldman, Code Enforcement Officer, reported the case would be heard by the Board of Adjustment on October 14. The property already had DRC site plan approval, which would take care of the fence issue.

Mr. Matthew Vander Werff, representative, confirmed the property had site plan approval and they would appear at the October 14 Board of Adjustment hearing. Officer Feldman recommended a 112-day extension.

Ms. Tell granted a 112-day extension to 1/21/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

**Case: CE09061146**

Hernando Dejesus Porras  
305 Southwest 24 Avenue

Service was via posting on the property on 9/8/09 and at City Hall on 9/17/09.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:  
9-278(g)

THERE ARE MULTIPLE WINDOWS WITH RIPPED OR MISSING  
SCREENS.

9-280(b)

THERE ARE MULTIPLE BROKEN AND MISSING WINDOW PANES. WINDOWS ARE NOT IN GOOD REPAIR AND ARE NOT WEATHER OR WATER TIGHT. THE FRONT DOOR IS NOT IN GOOD REPAIR AND IS NOT WEATHER OR WATER TIGHT - THERE ARE PLASTIC BAGS AND A BRICK AT THE BASE OF THE FRONT DOOR TO KEEP ELEMENTS OUT. SUPPORT COLUMN/WALL OVER CARPORT IS IN DISREPAIR AS IT IS CRACKED AND DOES NOT APPEAR STRUCTURALLY SOUND.

9-306

EXTERIOR WALLS, DOORS, AND FASCIA ARE DIRTY AND HAVE AREAS OF FADED AND/OR CHIPPING PAINT.

Complied:  
9-280(h)(1)

Officer Davis withdrew the portion of 9-280(b) that concerned the column over the carport door to allow a building inspector to look at it. She had been informed by the owner's daughter that the owner was out of the country due to a medical issue, and that she had found someone to make the repairs. Officer Davis presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

Ms. Eliana Porras, the owner's daughter, agreed to return to request additional time if needed.

Ms. Tell found in favor of the City and ordered compliance within 49 days or a fine of \$25 per day, per violation.

**Case: CE08120595**

Dagobert Schmalhaus &  
Andree Beaulac  
2488 Southwest 6 Court

This case was first heard on 5/21/09 to comply by 6/4/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$6,100 fine.

Ms. Aretha Davis, Code Enforcement Officer, stated the citation had been in response to a complaint from the tenant, but as the case progressed, the tenant would not allow access to the property for repairs or for inspections. Officer Davis stated she would not object to a reduction of the fines.

Mr. Dagobert Schmalhaus, owner, said they had emptied the septic tanks and then connected to the City's new sewer system. They had also replaced the stove and made repairs, but the tenant would not allow Officer Davis to reinspect the property to confirm this. Mr. Schmalhaus presented invoices for improvements to the property.

Officer Davis stated administrative costs totaled \$350.

Ms. Tell imposed a \$350 fine.

**Case: CT09060732**

Isabela Cristina Passos  
5741 Bayview Drive

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was complied, the owner had paid the \$200 civil penalty, fines had accrued to \$800 and the City was recommending imposition of the \$800 fine.

Mr. Jose Nascimento, the owner's brother-in-law, reminded Ms, Tell that the house had been purchased using Ms. Passos' name without her knowledge. Ms. Wald confirmed that Ms. Passos had testified to this at a previous hearing. Mr. Nascimento presented photos of the property to Ms. Tell.

Ms. Stephanie Bass, Code Enforcement Officer, said the owner had cleaned the property but the City would not remove the trash from the property because there was no water service. The owner had made other arrangements to remove the trash from the property.

Mr. Nascimento confirmed Ms. Passos was taking care of the property while the case was progressing through a criminal investigation. He agreed to provide information regarding the criminal case to Officer Bass.

Ms. Tell imposed no fine.

**Case: CE09081204**

Celeste Little  
1517 Northwest 9 Avenue

Service was via posting on the property on 9/15/09 and at City Hall on 9/17/09.

Ms. Wanda Sappington, Code Enforcement Officer, testified to the following violation:  
18-11(b)

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

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.

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

**Case: CE09080948**

Alexander L Domb, Trustee  
1430 South Ocean Drive

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

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

18-11(a)

THE POOL AT THIS PROPERTY CONTAINS GREEN, STAGNANT WATER AND IS A POTENTIAL BREEDING GROUND FOR INSECTS. THIS VIOLATION PRESENTS A THREAT TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Officer Eaton stated the case was begun as the result of a neighborhood complaint. He 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. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day.

**Case: CE09080779**

Diane Alexander  
2313 Northwest 14 Court

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

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

18-4(b)

THERE IS AN UNLICENSED WHITE FORD VAN PARKED ON THIS PROPERTY.

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

**Case: CE09071425**

Emilio Bozan Leyva  
1930 Southwest 36 Avenue



Service was via posting on the property on 9/17/09 and at City Hall on 9/17/09.

Mr. Mark Campbell, Code Enforcement Officer, testified to the following violation:  
9-280(h)(2)

THE WOODEN FRAMED POOL COVER ON THIS PROPERTY IS  
IN DISREPAIR. ALL ACCESSORY STRUCTURES SHALL BE  
MAINTAINED IN A SAFE, SECURE, AND ATTRACTIVE  
CONDITION.

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

**Case: CE09061226**

Casa Real Investments LLC  
600 Southwest 11 Court

Certified mail sent to the owner was accepted on 9/15/09 and certified mail sent to the registered agent was accepted on 9/15/09.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:  
9-306

THE EXTERIOR OF THE BUILDING IS NOT MAINTAINED IN  
A SECURE AND ATTRACTIVE MANNER. THE EXTERIOR  
BUILDING WALLS ARE BARE STUCCO. EXTERIOR WALLS  
MUST BE PROTECTED FROM THE ELEMENTS.

Officer Snow stated this was an abandoned construction site. He had requested that the building permits expire since no work had occurred on the property in over two years. Officer Snow presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$50 per day. Officer Snow added the property was in foreclosure.

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

**Case: CE09080433**

Joseph Demaio, 1/2 Interest  
Inna Demaio  
2554 Nassau Lane

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

Ms. Barbara Urow, Code Enforcement Officer, testified to the following violation:  
18-11(b)

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

**Case: CE09050439**

Joseph & Muregne St. Louis  
486 Northwest 17 Place

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

Violation:  
9-308(b)

THERE ARE STACKS OF LOOSE ROOFING TILES THAT HAVE  
NOT BEEN PERMANENTLY INSTALLED ON THE ROOF OF THE  
BUILDING ON THIS PROPERTY.

The City had a stipulated agreement with the owner to comply within 35 days or a fine of \$25 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance within 35 days or a fine of \$25 per day.

**Case: CE09061848**

DLJ Mortgage Capital Inc  
C/O Law Office Of Marshall C Watson  
1408 Northwest 9 Avenue

Certified mail sent to the owner was accepted on 9/14/09.

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

THE ROOF ON THIS PROPERTY IS COVERED WITH A BLUE  
TARP AND IS NOT BEING KEPT FREE OF DEBRIS OR ANY

OTHER ELEMENT WHICH IS NOT A PERMANENT PART OF THE BUILDING.

The City had a stipulated agreement with the owner to comply within 63 days or a fine of \$50 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance within 63 days or a fine of \$50 per day.

**Case: CE09071862**

Jeff Paperman  
801 Northeast 6 Street

Certified mail sent to the owner was accepted on 9/18/09.

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

THE ROOF AT THIS PROPERTY IS NOT MAINTAINED IN A SAFE, SECURE, AND WATERTIGHT CONDITION. PORTIONS OF THE ROOF OVER THE CARPORT ON THE EAST SIDE OF THE BUILDING ARE CAVING IN.

Officer Thime presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$100 per day.

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

**Case: CE09090726**

200 Southwest 9 Street Trust  
Cheryl S Lovell, Trustee  
200 Southwest 9 Street

Certified mail sent to the owner was accepted on 9/16/09.

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 1:10.12.1.2

ADDRESS AND/OR UNIT NUMBERS ARE NOT POSTED CONSISTENT WITH THE CODE.

Inspector 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 28 days or a fine of \$250 per day and with NFPA 1:10.12.1.2 within 14 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 1:10.12.1.2 within 14 days or a fine of \$50 per day.

**Case: CE09080343**

Jocelyn Blaylock  
211 Southwest 22 Street

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 reported she had had no contact with the owner. She recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day, per violation.

**Case: CE09080335**

218 Southwest 20 Street LLC  
218 Southwest 20 Street

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 submitted an email from the owner into evidence explaining someone was taking back the property, and he could not pull a permit until he was the owner. The email requested 42 days to address the ownership issue. Inspector Arana recommended ordering compliance within 42 days or a fine of \$250 per day.

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

**Case: CE09080336**

James Abbott  
226 Southwest 20 Street

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 reported the owner had applied for the permit and recommended ordering compliance within 42 days or a fine of \$250 per day, per violation.

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

**Case: CE09080341**

Leah D Edewaard  
234 Southwest 19 Street

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 reported the owner had pulled a permit on 8/28/09. She recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day.

**Case: CE09090730**

William Hicks  
413 Southeast 20 Street

Certified mail sent to the owner was accepted on 9/17/09.

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

Inspector Arana reported the owner had applied for a permit and recommended ordering compliance within 42 days or a fine of \$250 per day.

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

**Case: CE09072342**

Regina Hanna  
620 Northwest 14 Avenue

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 reported she had had no contact with the owner. She recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day, per violation.

**Case: CE09072292**

Vincent Matraxia  
1032 Northeast 16 Avenue

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 28 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day.

**Case: CE08040238**

Villas Santa Fe Corp  
1111 Southwest 4 Street

Certified mail sent to the owner was accepted on 9/15/09 and certified mail sent to the registered agent was accepted on 9/15/09.

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

NFPA 101 31.3.4.5.1

HARDWIRE SMOKE DETECTORS NOT INSTALLED.

NFPA 101:31.3.4.1.1

A FIRE ALARM SYSTEM IS NOT INSTALLED.

Inspector Arana recommended ordering compliance within 63 days or a fine of \$250 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$250 per day, per violation.

**Case: CE09080334**

Paulo M Miranda  
1141 Northeast 17 Avenue

Service was via posting on the property on 9/14/09 and at City Hall on 9/17/09.

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 reported the owner had applied for the permit. She recommended ordering compliance within 42 days or a fine of \$250 per day.

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

**Case: CE09090727**

Key Lime Properties LLC  
1225 Northeast 15 Avenue

Certified mail sent to the owner was accepted [date illegible] and certified mail sent to the registered agent was accepted on 9/20/09.

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 reported the owner informed her that the hardwired detectors were installed. She recommended ordering compliance within 14 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

**Case: CE09090728**

ETAC Associates LLC  
1225 Northeast 18 Avenue

Certified mail sent to the owner was accepted on 9/17/09 and certified mail sent to the registered agent was accepted on 9/15/09.

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 reported the owner informed her that the hardwired detectors were installed. She recommended ordering compliance within 14 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

**Case: CE09090731**

Jessica M Whatley  
1239 Northeast 15 Avenue

Certified mail sent to the owner was accepted on 9/15/09.

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 28 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day.

**Case: CE09040546**

Park Ridge North Condo Association  
2701 Middle River Drive

This was a request to vacate the Final Order dated 5/21/09.

Ms. Tell vacated the Final Order dated 5/21/09.

**Case: CE07120387**

American One Rentals Inc  
3400 Southwest 12 Place

Certified mail sent to the owner was accepted on 9/23/09 and certified mail sent to the registered agent was accepted on 9/23/09.

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

HARDWIRED SMOKE DETECTORS NOT INSTALLED.

Inspector Arana stated the owner had applied for the permit and recommended ordering compliance within 42 days or a fine of \$250 per day.

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

**Case: CT09081403**

Azalea Mobile Park LLC  
601 Southwest 27 Avenue

Service was via posting on the property on 9/9/09 and at City Hall on 9/17/09.

24-28(a)

THERE IS HOUSEHOLD GARBAGE AND OTHER DISCARDED  
HOUSEHOLD ITEMS SCATTERED INSIDE OF THE DUMPSTER  
ENCLOSURE AND ON THE GROUND SURROUNDING THE

ENCLOSURE INCLUDING DISCARDED SOFAS AND RUGS NEXT TO THE ENCLOSURE. THE ENCLOSURE AND SURROUNDING AREA IS KEPT IN UNSANITARY CONDITIONS. THIS IS A RECURRING VIOLATION AT THIS PROPERTY. IN ADDITION TO THE CITATION FOR THIS CASE AND NUMEROUS VERBAL WARNINGS, THE PROPERTY WAS CITED VIA CASE NUMBERS: CE08041584, CE08041748, CE08060639, CE09021736, CT09050532, AND CT09081403 FOR THE DUMPSTER OVERFLOWING AND/OR RUBBISH, TRASH, AND DEBRIS IN AND AROUND THE ENCLOSURE. THIS VIOLATION IS RECURRING IN NATURE AND WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER IT COMPLIES PRIOR TO THE HEARING OR NOT.

Pursuant to Section 11-19, a Citation Violation Notice dated 8/25/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation 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 \$150.

Ms. Tell found in favor of the City and imposed the \$150 civil penalty.

**Case: CT09072544**

Steven Lee  
830 Northeast 18 Court

Certified mail sent to the owner was accepted on 9/10/09.

18-1.

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

Pursuant to Section 11-19, a Citation Violation Notice dated 8/11/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer DelRio 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.

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

**Case: CT09072715**

L D & G D Benton  
1642 Northwest 25 Terrace

Service was via personal service on 9/4/09 and posting at City Hall on 9/17/09.  
18-1.

THE POOL IS NOT BEING MAINTAINED. THERE IS TRASH AND DEBRIS, AND GREEN, STAGNANT, AND UNCIRCULATING WATER. THE POOL IN ITS CURRENT CONDITION IS, OR MAY REASONABLY BECOME, INFESTED WITH MOSQUITOES, AND PRESENTS A HAZARD TO THE HEALTH, SAFETY, AND WELFARE OF THE SURROUNDING PROPERTIES.

Pursuant to Section 11-19, a Citation Violation Notice dated 8/12/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied 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.

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

**Case: CT09070454**

John, Shirley & Gregory Hoffman  
1501 Northeast 1 Avenue

Certified mail sent to the owner was accepted on 9/14/09.

9-281(b)

THERE IS AN INOPERABLE AND PARTIALLY DISMANTLED SILVER COUPE AND RED PICK-UP TRUCK BEING STORED IN THE BACKYARD OF THIS PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 7/27/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied 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 10 days or a fine of \$50 per day with the right to tow the silver coupe and red pick-up truck.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day with the right to tow the silver coupe and red pick-up truck.

**Case: CT09060461**

Riverland Holdings LLC  
2097 Southwest 29 Avenue

This case was first heard on 8/6/09 to comply by 8/20/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$125 with a civil penalty of \$200 and the City was recommending a \$125 fine.

Ms. Tell imposed the \$125 fine.

**Case: CT09060521**

Lindblade Management LLC  
2360 Northwest 14 Street

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty plus \$475.25 lot clearing coats and an \$800 fine.

Ms. Tell imposed the \$200 civil penalty plus \$475.25 lot clearing coats and the \$800 fine.

**Case: CT09041563**

Michael Pubien  
1501 Northwest 8 Avenue

This case was first heard on 7/16/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty plus \$401.56 lot clearing costs and a \$950 fine.

Ms. Tell imposed the \$200 civil penalty plus \$401.56 lot clearing costs and a \$950 fine.

**Case: CE09040222**

Bryant Hoover  
2530 Key Largo Lane

This case was first heard on 8/6/09 to comply by 8/20/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,050 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$2,050 fine, which would continue to accrue until the property complied.

**Case: CT09051563**

MTAG as customer for Carlyle  
438 Northwest 13 Avenue

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty, \$363.27 lot clearing costs and a \$900 fine.

Ms. Tell imposed the \$200 civil penalty, \$363.27 lot clearing costs and a \$900 fine.

**Case: CT09050750**

Sunny River Holdings LLC  
609 Southwest 6 Street

This case was first heard on 7/16/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty, \$511.46 lot clearing costs and a \$600 fine.

Ms. Tell imposed a \$200 civil penalty, \$511.46 lot clearing costs and a \$600 fine.

**Case: CT09050593**

Vera H Olsson Estate  
1213 West Las Olas Boulevard

This case was first heard on 7/16/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty, \$401.56 lot clearing costs and a \$500 fine.

Ms. Tell imposed a \$200 civil penalty, \$401.56 lot clearing costs and a \$500 fine.

**Case: CE06092002**

Susan Pedersen  
2001 Southeast 25 Avenue

Ordered to reappear from 8/20/09

This case was first heard on 10/4/07 to comply by 1/17/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,250 fine, which would continue to accrue until the property complied.

Ms. Tell felt something was wrong, because the owner had attended every hearing and she was concerned about notice. Mr. McKelligett requested imposition of the fines, noting that "neighbors have called almost every day for two years complaining about this horrendous looking structure." Mr. McKelligett stated on 7/1/09 US Bank National Association had filed a lis pendens on the property.

Ms. Tell asked staff to call Ms. Pedersen to determine why she was not present.

Upon returning to the case, Ms. Tell spoke with Ms. Pedersen on the phone and determined she was in the process of tearing down the carport. Ms. Tell informed Ms. Pedersen she would continue the case to 11/19/09. Mr. McKelligett said the inspector had left and not presented the case because there had been no respondent present.

Ms. Tell continued the case to 11/19/09 stating that no fines would accrue now through November 19, 2009.

**Case: CT09041891**

Douglas A & Debra C Wallace  
815 Northeast 4 Street

This case was first heard on 7/16/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty and a \$450 fine.

Ms. Tell imposed the \$200 civil penalty and a \$450 fine.

**Case: CT09041892**

Douglas A & Debra C Wallace  
815 Northeast 4 Street

This case was first heard on 7/16/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,800 and the City was requesting imposition of a \$200 civil penalty and a \$488 fine.

Ms. Tell imposed the \$200 civil penalty and a \$488 fine.

**Case: CT09061278**

Mitchell M White  
3150 Northwest 66 Street

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$200 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

**Case: CT09061406**

Jimmy Pinho  
6421 Northwest 34 Avenue

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$200 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

**Case: CE09051622**

Christine Miller  
1750 Northeast 52 Street

This case was first heard on 8/6/09 to comply by 8/20/09. 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. Tell imposed the \$4,100 fine, which would continue to accrue until the property complied.

**Case: CT09050663**

Norwing Hernandez  
2070 Northeast 62 Street

This case was first heard on 7/16/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty, lot clearing costs of \$662.73 and a \$3,100 fine.

Ms. Tell imposed the \$200 civil penalty, lot clearing costs of \$662.73 and a \$3,100 fine.

**Case: CT09061574**

Andressa Franca  
2155 Northeast 56 Place

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

Mr. McKelligett stated an attorney had signed in for this case earlier and left the hearing. Ms. Tell asked staff to phone the attorney. Staff was not successful in contacting the attorney.

Ms. Tell imposed the \$200 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

**Case: CE09050791**

Alba G Tylinski  
2319 Northeast 35 Drive

This case was first heard on 6/18/09 to comply by 8/20/09. 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. Tell imposed the \$4,100 fine, which would continue to accrue until the property complied.

**Case: CT09060722**

Charles L Lane, & Patrick E Scott  
2930 Northeast 41 Street

This case was first heard on 8/6/09 to comply by 8/16/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty and an \$800 fine.

Ms. Tell imposed the \$200 civil penalty and an \$800 fine.

**Case: CE09010615**

Tenant ordered to reappear from 9/17/09

Patrice Campbell  
2161 Southwest 35 Avenue

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 \$261.50 board-up costs and a \$700 fine. Mr. McKelligett stated the inspector and the board-up company had confirmed that the board-up costs were accurate for boarding and installing a padlock.

Ms. Tell imposed the \$261.50 board-up 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:

CE09071767	CE09061531	CE09072552	CE09061245
CE09071697	CE09051083	CE09060547	CE09071424
CE09072432	CE09070802	CE09072294	CE09080472
CE09080454	CE09080461	CE09080462	CE09072331
CE09072301	CE09090629	CE09090637	CE09090642
CE09090647	CE09090651	CE09090654	CE09090655



CE09090656	CE09090659	CE09090661	CE09090662
CE09090663	CE09090664	CE09090665	CE09090666
CE09090667	CT09062263		

### **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:

CE09080622      CE09090724      CT09071655

### **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:

CE09072303      CT09031745

### **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:

CE09072179

### **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:

CT09060742

There being no further business, the hearing was adjourned at **11:32 a.m.**

  
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SPECIAL MAGISTRATE

ATTEST:

  
Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services