

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
JUDGE H. MARK PURDY PRESIDING
OCTOBER 15, 2009
9:00 A.M. –10:53 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
Peggy Burks, 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
Ingrid Gottlieb, Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Karl Lauridsen, Landscape Inspector
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

CE09081083: Manuel Velar, owner
CT09080867: Jenny Dziorney, bank representative; Joseph Lamour, owner
CE08050832: Joy Ganaishlal, owner
CE09050108: Alice Byrnes, owner's daughter
CE09041327: Robert Atanason, owner
CE08110199: Brian Kowal, bank representative
CT09072693: Sue Richards, listing broker
CE09081726: Gino Jamison, owner
CE09091486: Mariano Katz, general manager
CE09050838: Katherine Jacke, owner's daughter
CE08042005: Donald Rosenthal, managing agent

CE08010265: Charles Parke, owner
CE09091866: Roger Stephenson, agent
CE09091484: Kenneth Leb, property representative
CE07101265: James Bachman, owner's representative
CE08020353: Donald Karney, owner
CE09091475: Pedro Ortiz, owner's agent; Yvonne Rodriguez, owner's agent; Jeffrey Buising, representative
CE09062639: Dexter Banton, owner

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

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

Case: CE08010265 Request for extension
Charles S & Cynthia Parke
2980 Northwest 21 Court

This case was first heard on 9/18/08 to comply by 12/18/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$675 fine, which would continue to accrue until the property complied.

Mr. Todd Hull, Code Enforcement Officer, reported the old roof tiles had been removed, new roofing paper applied and the first inspection had passed. Officer Hull said he would not object to a 63-day extension.

Mr. Charles Parke, owner, requested a 63-day extension.

Judge Purdy granted a 63-day extension to 12/17/09.

Case: CE08020353 Request for extension
Morganel Company
5550 Northwest 31 Avenue

This case was first heard on 11/6/08 to comply by 5/7/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 10/30/09.

Mr. Salvatore Viscusi, Code Enforcement Officer, said the management company had responded to issues promptly. The need for other major repairs on the property and the economic downturn had led to delays repairing the parking area. Officer Viscusi said he did not object to a 182-day extension.

Mr. Donald Karney, owner, requested a 182-day extension.

Judge Purdy granted a 182-day extension to 4/15/10, during which time no fines would accrue.

Case: CE09091475

Sunrise Harbour Multifamily Inc
1030 Seminole Drive

Certified mail sent to the owner was accepted on 9/28/09 and certified mail sent to the registered agent was accepted on 9/28/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
F-21.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY
BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

Inspector Arana stated the owner's agent had hired a contractor and requested a 90-day extension. She recommended ordering compliance within 98 days or a fine of \$500 per day.

Mr. Pedro Ortiz, owner's agent and Ms. Yvonne Rodriguez, owner's agent, agreed to comply within 98 days.

Judge Purdy found in favor of the City and ordered compliance within 98 days or a fine of \$500 per day.

Case: CE09091486

Ashanti Holdings LLC
1851 Southeast 10 Avenue

Certified mail sent to the owner was accepted on 9/28/09 and certified mail sent to the registered agent was accepted [no date].

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
F-21.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY
BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

Inspector Arana stated the owner had hired a contractor and she recommended ordering compliance within 98 days or a fine of \$500 per day.

Mr. Mariano Katz, general manager, confirmed he had hired a contractor, and believed 98 days was sufficient time to comply.

Judge Purdy found in favor of the City and ordered compliance within 98 days or a fine of \$500 per day.

Case: CE08050832

Premnath Ganaishlal
710 Northwest 5 Avenue

This case was first heard on 9/18/08 to comply by 11/13/08. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$5,400 and the City was requesting imposition of a \$1,400 fine.

Mr. Alejandro Del Rio, Code Enforcement Officer, confirmed the property was complied and requested fines be reduced to administrative costs of \$1,400.

Ms. Joy Ganaishlal, owner, requested further reduction of the fines.

Judge Purdy imposed a \$1,400 fine.

Case: CE08110199

James P Harn
1431 Northwest 11 Place

This case was first heard on 4/2/09 to comply by 5/7/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$16,000 fine, which would continue to accrue until the property complied.

Ms. Wanda Sappington Code Enforcement Officer, reported the property was still boarded and there had been no communication from the owner.

Mr. Brian Kowal, bank representative, explained the home was in foreclosure but Countrywide did not have a final judgment date yet. He requested additional time.

Officer Sappington requested imposition of the fines. She stated she had made 11 inspections of the property and the City had incurred boarding costs.

Judge Purdy did not stop the fines from accruing and scheduled the case to return on 12/3/09.

Case: CE09062639

Dexter Banton
618 Northwest 9 Avenue

This case was first heard on 8/20/09 to comply by 9/24/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,500 fine

Ms. Tammy Arana, Fire Inspector, explained the system had needed replacement, and Mr. Banton had experienced a major issue with his contractor. She recommended reducing the fines to \$520 for administrative costs.

Judge Purdy imposed a \$520 fine.

Case: CE09091484

Ocean Manor Condo Assoc
4040 Galt Ocean Drive

Certified mail sent to the owner was accepted on 9/28/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 1:1.12.1

WORK REQUIRES A PERMIT.

Inspector Arana recommended ordering compliance within 126 days or a fine of \$250 per day.

Mr. Kenneth Leb, property representative, explained the first contractor had never completed the work and they had hired a new contractor.

Judge Purdy found in favor of the City and ordered compliance within 126 days or a fine of \$250 per day.

Case: CE09050108

John & Dorothy Bynes
830 Northwest 3 Street

This case was first heard on 7/16/09 to comply by 8/13/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$15,500 fine, which would continue to accrue until the property complied.

Ms. Tammy Arana, Fire Inspector, explained the owners had died and the property was just now going into probate. The owners' daughter had requested a 126-day extension.

Ms. Alice Byrnes, the deceased owners' daughter, requested an extension.

Judge Purdy granted a 126-day extension to 2/18/10, during which time no fines would accrue.

Case: CT09080867

Joseph Lamour
652 Southwest 16 Avenue

Certified mail sent to the owner was accepted on 9/29/09. Service was also via posting at City Hall on 10/1/09.

18-1.

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY, INCLUDING BUT NOT LIMITED TO PAPERS, TREE DEBRIS AND MISCELLANEOUS ITEMS. THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

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 not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Cross 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 \$100 per day.

Ms. Jenny Dzorney, bank representative; reported the property was in foreclosure. She stated they had filed for summary judgment but had no date as yet. She agreed to have the property cleared within 14 days.

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

Case: CE09081726

Jacquelin N Jamison
1716 Southwest 5 Court

Certified mail sent to the owner was accepted on 9/25/09. Service was also via posting at City Hall on 10/1/09.

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

18-11(a)

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.

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

Mr. Gino Jamison, owner, reported the property had been foreclosed upon and the title was in the bank's name. Mr. McKelligett reported the sale was not scheduled until December 2, so technically, Mr. Jamison was still the property owner. Mr. Jamison explained the title was in the name of the second mortgage holder, Regions Bank. He stated he was trying to work with the mortgage companies regarding restructuring the loan.

Ms. Wald explained the bank had been sent notice of the violations, but the City had no choice but to bring the case against the current listed owner. The bank would be sent a copy of the order against Mr. Jamison.

Officer Cross requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day.

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

Case: CE08042005

Ordered to reappear

La Segunda Realty Corp
2758 Davie Boulevard

This case was first heard on 2/5/09 to comply by 3/5 and 7/16/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$68,700 fine, which would continue to accrue until the property complied.

Mr. Donald Rosenthal, managing agent, explained they had purchased adjacent property that would change the site plan, so the work had been delayed. They now had a contract to renovate the entire property.

Mr. Andre Cross, Code Enforcement Officer, confirmed construction had not yet begun. He said the case was begun due to complaints from neighbors and he felt the City must do something.

Mr. Rosenthal said he had a new set of plans and they had a letter of intent from McDonald's to put a restaurant on the adjacent site.

Officer Cross recommended imposition of the fines; when the work was complete and the property complied the respondent could request abatement.

Judge Purdy did not stop the fines from accruing and scheduled the case to return on 12/3/09.

Case: CE09050838

Edward F Hobel
2001 Northeast 56 Street

This case was first heard on 7/16/09 to comply by 8/13/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$4,250 fine.

Ms. Tammy Arana, Fire Inspector, recommended reducing the fine to \$520 for administrative costs.

Ms. Katherine Jacke, the owner's daughter, agreed to the reduced fine.

Judge Purdy imposed a \$520 fine.

Case: CE07101265

Arthur Keiser
4800 Northwest 17 Way

Mr. McKelligett stated the case was first heard on 5/15/08, and was continued to 11/6/08, 4/30/09 and 10/20/09 for updates.

Mr. Salvatore Viscusi, Code Enforcement Officer, reminded Judge Purdy that this was a piece of property used for overflow parking by Keiser University. The property was still in the planning phase.

Mr. James Bachman, the owner's representative, reported they were in DRC for minor modification to the plans. He anticipated groundbreaking in the first quarter of 2010.

Ms. Wald advised Officer Viscusi that he could withdraw the case and "let this issue go, because they are in the process of bringing it into compliance." Officer Viscusi recommended withdrawing the case because the project planned for the property would take years.

Officer Viscusi withdrew the case.

Case: CE09041327

TKB Investments Inc
1420 Northwest 23 Avenue

Ordered to reappear

This case was first heard on 7/16/09 to comply by 10/15/09. Violations were as noted in the agenda. The property was not complied and fines would begin on 10/16/09.

Ms. Ingrid Gottlieb, Code Enforcement Officer, had learned that the owner had submitted an application to DRC, and this had been returned for revisions.

Mr. Robert Atanason, owner, requested 90 days. Officer Gottlieb acknowledged the process would take time, but recommended 63 days to ensure the owner was following through.

Judge Purdy granted a 63-day extension to 12/17/09, during which time no fines would accrue.

Case: CE09081083

Rivera Waterview LLC
601 Riviera Isle

Certified mail sent to the owner was accepted on 9/26/09. Service was also via posting at City Hall on 10/1/09.

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

47-34.1.A.1.

VACANT LOT IS BEING USED AS A STORAGE PLACE FOR MOUNTAINS OF DIRT. THIS IS A NON-PERMITTED LAND USE IN ZONE RS-8, PER TABLE A, SECTION 47-5.11. OF THE U.L.D.R.

Officer Thime stated there was no permit on the property to store the dirt and there had been complaints from the homeowners association.

Mr. Manuel Velar, owner, explained the permit to build a house on the property had expired. He said the dirt came from another property he owned, and he intended to remove it when he landscaped the other property. He requested a 30-day extension.

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.

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

Case: CE09091866

Lavi Limited Partnership
C/O Mc Kinney Property
3001 Northwest 60 Street

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

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

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 25:12.7.1

THE FIRE DEPARTMENT CONNECTION (FDC) CAP(S)/PLUG(S) IS(ARE) MISSING.

NFPA 1:13.2.3.1

THE STANDPIPE IS NOT BEING MAINTAINED IN AT LEAST THE SAME LEVEL OF PERFORMANCE AND PROTECTION AS DESIGNED.

Mr. Roger Stephenson, agent, stated they had hired a contractor to address the inspection and maintenance. He said there were also issues with individual units' sprinklers that would require plans and additional time to remedy. He requested 60 days.

Inspector Arana recommended ordering compliance within 63 days or a fine of \$150 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 63 days or a fine of \$150 per day, per violation.

Case: CE09030454

Ordered to reappear

Jose A Torres
2765 Northwest 19 Street

This case was first heard on 6/4/09 to comply by 7/19/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,125 fine, which would continue to accrue until the property complied.

Mr. Karl Lauridsen, Landscape Inspector, recommended imposition of the fines.

Judge Purdy imposed the \$1,125 fine, which would continue to accrue until the property complied.

Case: CE09080491

John M Smoak & Tasha Rivera
1231 Northeast 14 Avenue

Service was via posting on the property on 9/28/09 and at City Hall on 10/1/09.

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

18-11(a)

THE WATER IN THE POOL ON THIS VACANT PROPERTY IS GREEN AND STAGNANT.

Officer Eaton 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.

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

Case: CE09082492

Elyse Lenihan
1115 Ponce De Leon Drive

Service was via posting on the property on 9/24/09 and at City Hall on 10/1/09.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:
18-11(b)

THE WATER IN THE POOL AND SPA IS DIRTY, GREEN AND STAGNANT. THERE ARE AMPHIBIOUS LIFE FORMS AND INSECT LARVAE LIVING IN THE POOL AND SPA. THERE IS TRASH AND RUBBISH IN THE POOL.

Officer Snow reported a public nuisance notice had been posted on the property during the initial inspection and he had treated the pool with "dunks" in an effort to control the mosquito population. Officer Snow 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.

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

Case: CE09081236

Mark Jalajel
1821 Southwest 29 Street

Service was via posting on the property on 9/25/09 and at City Hall on 10/1/09.

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

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.

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

Case: CE09062595

Cecelia S Little
3051 Northwest 17 Street

Service was via posting on the property on 9/22/09 and at City Hall on 10/1/09.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:
9-278(g)

THERE ARE TORN AND MISSING SCREENS ON SOME OF THE
WINDOWS ON THIS HOUSE.

Complied:
9-313(a)

Officer Gottlieb 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 \$25 per day.

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

Case: CE09082137

Benjamin & Rosalind Bugarin
1032 Northwest 3 Avenue

Service was via posting on the property on 9/25/09 and at City Hall on 10/1/09.

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

THIS PROPERTY IS BEING OCCUPIED WITHOUT CONNECTION
TO THE CITY'S WATER SERVICE.

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.

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

Case: CE09070031

1555 North Federal LLC
1555 North Federal Highway

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

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:
47-19.5.E.7.

THE CHAIN-LINK FENCE ON NORTH SIDE OF PROPERTY IS
DAMAGED AND IN DISREPAIR. THERE ARE MISSING AND
FALLEN CHAIN-LINK FENCE SECTIONS AND DAMAGED TOP
RAIL FENCE SUPPORTS.

Officer Rich presented photos of the property and the case file into evidence. She indicated she had corresponded with property representatives, who had agreed to comply within 126 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 126 days or a fine of \$50 per day.

Case: CE09080190

Millennium Plaza Acquisition LLC
1479 North Federal Highway

Certified mail sent to the owner was accepted on 9/17/09. Service was also via posting at City Hall on 10/1/09.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:
47-19.5.E.7.

THE CHAIN-LINK FENCE ON NORTH SIDE OF PROPERTY IS
DAMAGED AND IN DISREPAIR. THERE ARE MISSING AND
FALLEN CHAIN-LINK FENCE SECTIONS AND DAMAGED TOP
RAIL FENCE SUPPORTS.

Officer Rich presented photos of the property and the case file into evidence. She indicated she had corresponded with property representatives, who had agreed to comply within 126 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 126 days or a fine of \$50 per day.

Case: CE09081869

Blair International Inc
2800 Northeast 20 Court

Service was via posting on the property on 9/22/09 and at City Hall on 10/1/09.

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

THE POOL AT THIS LOCATION IS FILLED WITH GREEN,
STAGNANT WATER.

Officer Rich 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.

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

Case: CE09080800

Lisa A Ciancola Revocable Living Trust
500 Southeast 23 Street

Service was via posting on the property on 9/25/09 and at City Hall on 10/1/09.

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.

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

Case: CE08091687

Gateway Arms Condo Association
1900 Northeast 8 Court

This was a request to vacate the order dated 4/16/09.

Judge Purdy vacated the order dated 4/16/09

Case: CE09081724

Ermite & Lovelt Duvelsaint
208 Southwest 14 Court

Service was via posting on the property on 9/25/09 and at City Hall on 10/1/09.

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.

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 had indicated to her some time ago that he did not intend to comply. She recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

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

Case: CE09091465

Summit Properties Partners LP
% E Property Tax Dept 112
501 Southeast 2 Street

Certified mail sent to the owner was accepted on 9/28/09 and certified mail sent to the registered agent was accepted on 9/28/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violations:
F-21.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY
BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

NFPA 1:11.3.1.2

THE FIRE SERVICE FEATURES OF THE ELEVATOR(S) DOES NOT/DO
NOT FUNCTION AS DESIGNED.

Inspector Arana said the owner was working to comply. She recommended ordering compliance within 63 days or a fine of \$500 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 63 days or a fine of \$500 per day, per violation.

Case: CE09091488

MV Management Corp
3711 North Ocean Boulevard

Certified mail sent to the owner was accepted on 9/26/09.

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

NFPA 17A:5.2.1.9

THE FIRE SUPPRESSION SYSTEM DOES NOT PUT THE FIRE ALARM INTO ALARM.

NFPA 101:7.2.1.8.1

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

Complied:

NFPA 13:8.5.6.1

NFPA 1:1.7.6.2

NFPA 14:6.2.8.2

NFPA 1:11.1.2

NFPA 1:50.5.4.1

NFPA 1:50.5.2.1

NFPA 1:13.3.3.3

NFPA 82:5.2.3.1

NFPA 101:7.9.2.1

NFPA 1:11.1.5

Inspector Arana recommended ordering compliance with NFPA 17A:5.2.1.9 within 63 days or a fine of \$250 per day, and with NFPA 101:7.2.1.8.1 within 63 days or a fine of \$100 per day.

Judge Purdy found in favor of the City and ordered compliance with NFPA 17A:5.2.1.9 within 63 days or a fine of \$250 per day, and with NFPA 101:7.2.1.8.1 within 63 days or a fine of \$100 per day.

Case: CE09091721

Doran Florida LLC

75 Southwest 10 Street

Certified mail sent to the registered agent was accepted on 10/5/09.

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.

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

Case: CE09091912

Fred P Senesi Revocable Living Trust
1129 Northeast 17 Terrace

Certified mail sent to the owner was accepted on 9/28/09.

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.

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

Case: CE09091914

Carlos Lopez
1132 Northeast 17 Terrace

Certified mail sent to the owner was accepted on 9/28/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

Inspector Arana recommended ordering compliance within 28 days or a fine of \$50 per day.

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

Case: CE09091927

Melvin & Sandra Jekofsky & Jeffrey Moos
629 Southwest 4 Avenue

Certified mail sent to the owner was accepted on 6/29/09.

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.

MO SEC. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

Inspector Arana recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

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

Case: CE09091926

Ft Lauderdale Nissan Inc
2233 South Andrews Avenue

Certified mail sent to the owner was accepted on 9/29/09 and certified mail sent to the registered agent was accepted on 9/29/09.

Ms. Tammy Arana, Fire Inspector, testified to the following violation:
NFPA 1:1.12.1

WORK HAS BEEN DONE THAT REQUIRES A PERMIT.

Inspector Arana recommended ordering compliance within 49 days or a fine of \$500 per day.

Judge Purdy found in favor of the City and ordered compliance 49 days or a fine of \$500 per day.

Case: CE09080606

Suntrust Mortgage Inc
C/O Florida Default Law Group
2502 Northeast 29 Street

This was a request to vacate the order dated 9/17/09.

Judge Purdy vacated the order dated 9/17/09.

Case: CE07081548

Mark Tamecki
1147 Northeast 7 Avenue

This was a request to vacate the order dated 11/15/07.

Judge Purdy vacated the order dated 11/15/07.

Case: CT09080878

Gregory Baum
1624 Northeast 6 Street

Certified mail sent to the owner was accepted [no date]. Service was via posting at City Hall on 10/1/09.

18-1.

THE PROPERTY HAS BECOME OVERGROWN AND IS LITTERED WITH RUBBISH, TRASH AND DEBRIS INCLUDING BUT NOT LIMITED TO BROKEN FURNITURE AND PILES OF NEWSPAPERS IN THE REAR YARD.

Pursuant to Section 11-19, a Citation Violation Notice dated 8/24/09 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 Thime 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 mow and clean the property.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day, with the right to mow and clean the property.

Case: CT09081031

Gertrude Upton
1308 Southwest 17 Avenue

Service was via posting on the property on 9/25/09 and at City Hall on 10/1/09.

18-1.

THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

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 not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Cross 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 \$100 per day.

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

Case: CT09072693

Anthead Real Estate LLC
1537 Northwest 19 Avenue

Service was via posting on the property on 9/24/09 and at City Hall on 10/1/09.

18-27(a)

THE PROPERTY HAS BECOME OVERGROWN AND IS NOT BEING
MAINTAINED.
THERE IS TRASH AND DEBRIS SCATTERED ABOUT.

Pursuant to Section 11-19, a Citation Violation Notice dated 8/19/09 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 Sappington 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.

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

Case: CT09080097

Arthur Z Harden Estate
C/O Jason Smith
715 Northwest 20 Avenue

Service was via posting on the property on 9/24/09 and at City Hall on 10/1/09.

9-306

THE BUILDING ON THIS PROPERTY HAS GRAFFITI ON THE
EXTERIOR WALL.

Pursuant to Section 11-19, a Citation Violation Notice dated 8//20/09 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 Sappington 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 \$100 per day.

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

Case: CT09061885

Matthew Whitehead
1210 Northwest 2 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 \$745.04 clean up costs, a \$200 civil penalty and a \$1,100 fine.

Judge Purdy imposed the \$745.04 clean up costs, \$200 civil penalty and \$1,100 fine.

Case: CT09062179

Paisa Contracting
2319 Sea Island Drive

This case was first heard on 8/20/09 to comply by 8/30/09. 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.

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

Case: CT09062376

Beverly A Zoeller & Erica Weber
6721 Northwest 26 Way

This case was first heard on 8/20/09 to comply by 8/30/09. 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.

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

Case: CT09062270

Elsie Mae Twiggs &
529 Northwest 19 Avenue Trust
529 Northwest 19 Avenue

This case was first heard on 8/20/09 to comply by 8/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$150 civil penalty and a \$2,100 fine.

Judge Purdy imposed the \$150 civil penalty and a \$2,100 fine.

Case: CE09050970

Broward Land Holdings LLC
2025 East Sunrise Boulevard

This case was first heard on 8/20/09 to comply by 8/30/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of \$9,000 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$9,000 fine, which would continue to accrue until the property complied.

Case: CT09060973

Alex Arreaza
717 Southeast 14 Court

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 and the City was requesting imposition of a \$200 civil penalty and a \$650 fine.

Judge Purdy imposed the \$200 civil penalty and a \$650 fine.

Case: CT09060972

LaSalle Bank NA Trustee
C/O Fidelity/EMC Mortgage Corp
912 Southeast 8 Street

This case was first heard on 8/20/09 to comply by 9/3/09. 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 \$4,100 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$200 civil penalty and \$4,100 fine, which would continue to accrue until the property complied.

Case: CE08120958

Synergy Investment Group Inc
1251 Southwest 28 Way

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 an \$8,700 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$8,700 fine, which would continue to accrue until the property complied.

Case: CT09061698

Joseph James Batalini
1600 Southwest 17 Avenue

This case was first heard on 8/20/09 to comply by 8/30/09. 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.

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

Case: CE08090521

Gary & Julie Carlson
2841 Northeast 36 Street

This case was first heard on 12/4/08 to comply by 12/18/08. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of an \$11,350 fine.

Judge Purdy imposed the \$11,350 fine.

Case: CE08090857

Omery M Albengrin
1630 Northeast 63 Court

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 not complied and the City was requesting imposition of a \$25,800 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$25,800 fine, which would continue to accrue until the property complied.

Case: CT09041898

Investors Solutions LLC
2418 Andros Lane

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 and a \$350 fine.

Judge Purdy imposed the \$200 civil penalty and a \$350 fine.

Case: CT09041901

Julienne Cherilus-Jean
2401 Andros Lane

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 \$259.47 in clean-up costs, a \$200 civil penalty and a \$650 fine

Judge Purdy imposed the \$259.47 in clean-up costs, a \$200 civil penalty and a \$650 fine

Case: CE09061283

Bradley Hertz
1000 Park Drive

This case was first heard on 8/20/09 to comply by 9/3/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$950 fine.

Judge Purdy imposed the \$950 fine.

Case: CT09051801

Nicole A Johnson
160 Pennsylvania Way

This case was first heard on 8/20/09 to comply by 8/30/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$150 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$150 civil penalty and a \$4,500 fine, which would continue to accrue until the property complied.

Case: CE09040038

David E Sanderson
204 Northwest 16 Street

This case was first heard on 8/6/09 to comply by 9/3/09. 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.

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

Case: CE09060164

Martha Mendez, 1/2 interest &
Carlos Mendez
1501 Northwest 7 Terrace

This case was first heard on 8/6/09 to comply by 9/3/09. 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.

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

Case: CT09051852

Bryce Nelson
1515 Northwest 7 Terrace

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 and the City was requesting imposition of \$819.41 in clean-up costs, a \$200 civil penalty and a \$650 fine.

Judge Purdy imposed the \$819.41 in clean-up costs, a \$200 civil penalty and a \$650 fine.

Case: CE09061009

Michael Pubien
1501 Northwest 8 Avenue

This case was first heard on 8/6/09 to comply by 9/3/09. 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.

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

Case: CE09062457

Richard N Clark & Gail S Meltzer
1433 Northwest 2 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 \$727.74 in board-up costs and a \$400 fine

Judge Purdy imposed the \$727.74 in board-up costs and a \$400 fine

Case: CE09040191

Tamir Bartov
917 Mandarin Isle

This case was first heard on 8/6/09 to comply by 8/27/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,400 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,400 fine, which would continue to accrue until the property complied.

Case: CT09061409

Kelly Taylor
3111 Southwest 20 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 \$200 civil penalty and an \$11,000 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$200 civil penalty and an \$11,000 fine, which would continue to accrue until the property complied.

Case: CE09030389

Jemma S Romain
3555 Southwest 14 Street

This case was first heard on 8/6/09 to comply by 8/27/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,400 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,400 fine, which would continue to accrue until the property complied.

Case: CE09031416

Jon Scott
3531 Southwest 15 Court

This case was first heard on 4/30/09 to comply by 5/10/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$295.60 in board-up costs and a \$7,000 fine.

Judge Purdy imposed the \$295.60 in board-up costs and a \$7,000 fine.

Case: CE09050156

George R Setters Jr
3200 Southwest 17 Street

This case was first heard on 8/20/09 to comply by 8/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,550 fine.

Judge Purdy imposed the \$1,550 fine.

Case: CT09060495

Gary M Roca
1330 Southwest 23 Court

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 \$200 civil penalty and an \$11,000 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$200 civil penalty and an \$11,00 fine, which would continue to accrue until the property complied.

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 and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$9,750 fine.

Ms. Tammy Arana, Fire Inspector recommended reducing fines to \$520 for administrative costs.

Judge Purdy imposed a \$520 fine.

Case: CE09030107

Albrin Rental Properties Inc
1901 Northwest 14 Avenue

This case was first heard on 4/16/09 to comply by 7/9/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$900 fine.

Ms. Tammy Arana, Fire Inspector recommended reducing fines to \$520 for administrative costs.

Judge Purdy imposed a \$520 fine.

Case: CE09031985

Las Olas North LLC
1180 Northeast 1 Street

This case was first heard on 5/21/09 to comply by 6/25/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$27,750 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$27,750 fine, which would continue to accrue until the property complied.

Case: CE09032348

Angela Williams
5831 Northeast 18 Avenue

This case was first heard on 6/18/09 to comply by 7/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$20,750 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$20,750 fine, which would continue to accrue until the property complied.

Case: CE09050633

Luxury Home Developers LLC
1849 Northeast 26 Avenue # 1

This was a request to vacate the order dated 7/16/09.

Judge Purdy vacated the order dated 7/16/09

Case: CE09050833

Claude Vlandis
1960 Northeast 56 Street

This case was first heard on 7/16/09 to comply by 8/20/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$10,500 fine.

Ms. Tammy Arana, Fire Inspector, explained the property had been complied prior to the fines beginning, but the owner had neglected to call for electrical sign-off. She recommended imposing no fine.

Judge Purdy imposed no fine.

Cases Complied

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

| | | | |
|------------|------------|------------|------------|
| CE09081721 | CE09072187 | CE09091861 | CE09081509 |
| CE09081639 | CE09061476 | CE09081141 | CE09081147 |
| CE09070422 | CE09060537 | CE09050969 | CE09082257 |
| CE09080958 | CE09080963 | CE09081742 | CE09091478 |
| CE09091857 | CE09091887 | CE09091911 | CE09091916 |
| CE09091918 | CE09091920 | CE09050705 | |

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:

CE09081855 CE09091922

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:

CE09080425 CT09081735

There being no further business, the hearing was adjourned at **10:53 a.m.**



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate