

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
MEAH TELL PRESIDING  
NOVEMBER 19, 2009  
9:00 A.M. –12:14 P.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  
Lindwell Bradley, Code Enforcement Supervisor  
Tammy Arana, Fire Inspector  
Stephanie Bass, Code Enforcement Officer  
Mark Campbell, Code Enforcement Officer  
Leonard Champagne, Code Enforcement Officer  
Andre Cross, Code Enforcement Officer  
Dick Eaton, Code Enforcement Officer  
Adam Feldman, Code Enforcement Officer  
Ingrid Gottlieb, Code Enforcement Officer  
Todd Hull, Code Enforcement Officer  
Maria Roque, Business Tax Inspector  
Wanda Sappington, Code Enforcement Officer  
Mario Sotolongo, Code Enforcement Officer  
Ron Tetreault, Fire Inspector  
Ursula Thime, Code Enforcement Officer  
Barbara Urow, Code Enforcement Officer,  
Salvatore Viscusi, Code Enforcement Officer

**Respondents and Witnesses**

CE09050439: Le Roy Christian, contractor  
CT09042083: Carlton Forbes, engineer  
CE09080335: Don Karney, broker  
CE09072191: Abraham Narkes, owner  
CE09090696; CE09090698: Barrington Sharpe, owner  
CE09100195: Mark Feinberg, condo association treasurer  
CE09072675: Charles Hodges, representative of the owner  
CE09071810: Benjamin Bugarin, owner  
CE09062091: Adrian Moore, property manager; Jean Joseph, owner  
CE09100293: Abe Borujerdi, owner  
CE08110825: William Conway, owner, son  
CE09100163: John Doering, owner; Kevin Sorensen, property

CE09101348: Gail Brown-Mulder, property manager  
CE09081549: Gerald Jordan, contractor  
CE09031602: Cherri Giannell, attorney  
CE08120116: Raymond Webster, owner's representative  
CE07120555: Lawrence Cohen, owner, Barbara Cohen, owner  
CT09081744: Renet Dieujuste  
CT09092009: Ester Kadosh, owner's representative  
CE09061055; CE09061056: Robert Rubin, owner  
CE09100114: Donald Dixon, contractor  
CE09080259: Joy Kohl, representative of the owner  
CT09090015: Charles Robinson, owner  
CE08121655: Tarek Bahlawan, tenant  
CE09060886: Audrien White, realtor  
CE06092002: Susan Pedersen, 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: CT09042083**

Request for extension

Fantom Realty Inc  
3251 Southwest 1 Terrace

This case was first heard on 8/20/09 to comply by 11/19/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 11/20/09.

Mr. Carlton Forbes, engineer, stated the plans had been accepted by Zoning and they must be present to the DRC. He requested five months to go through DRC and to complete the work.

Ms. Maria Roque, Business Tax Inspector, did not object to the extension.

Ms. Tell granted a 133-day extension to 4/1/10, during which time no fines would accrue.

**Case: CE09080335**

218 Southwest 20 Street LLC  
218 Southwest 20 Street

This case was first heard on 10/1/09 to comply by 11/12/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,000 fine.

Mr. Ron Tetreault, Fire Inspector, recommended imposing administrative costs of \$520.

Mr. Don Karney, broker, waived the right to notice of a Massey hearing and confirmed the property was complied. He explained that the property had been sold, and his management company had arranged the sale. They had discovered that the owner had not paid taxes for four years. Mr. Karney said he had convinced the mortgage holder to pay \$720 for the smoke detectors. He explained that the new owner had back taxes and sewer installation to pay for, and Mr. Karney suggested splitting the fine in half.

Ms. Tell imposed a \$300 fine.

**Case: CE09072191**

Sharda Building LLC  
3090 West Broward Boulevard

Certified mail sent to the owner was accepted on 10/30/09 and certified mail sent to the registered agent was accepted on 10/30/09.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violations:  
47-18.4 E.

          THERE ARE THREE AUTO REPAIR BUSINESSES AT THIS  
          LOCATION AND AUTO REPAIRS AND MAINTENANCE ARE  
          BEING PERFORMED OUTSIDE IN THE PARKING LOT ON A  
          RECURRING BASIS AFTER WRITTEN AND VERBAL WARNINGS  
          AND WRITTEN CITATION.

Withdrawn:  
47-18.4.A.1.

Officer Eaton explained that work was being conducted outside on the property. 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 \$50 per day.

Mr. Abraham Narkes, owner, said he had already been taken care of the issue. He said the tenants used the cars to block access to other tenants' shops and the other tenants called the City to complain. Mr. Narkes said he had addressed this issue with the tenants.

Ms. Peggy Burks, Code Enforcement Supervisor, said she had visited the property the previous day and outside work was continuing. Mr. Narkes said he gave the City permission to tow the cars and to cite the tenants. Supervisor Burks said the Code Officer had explained the problem to the tenants. Ms. Tell cautioned Mr. Narkes that he was responsible for the tenants' activities so he must put a stop to the activity or evict the tenants.

Ms. Tell found in favor of the City and ordered compliance within 28 days, by 12/17/09, or a fine of \$50 per day thereafter..

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

**Case: CE09090696**

Ordered to reappear

Barrington Sharpe I  
228 Southwest 8 Street

This case was first heard on 10/1/09 to comply by 11/5/09 and 11/19/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 11/20/09.

Mr. Barrington Sharpe, owner, said he would resubmit the plans with revisions that day, and requested 90 days to complete the work.

Mr. Ron Tetreault, Fire Inspector, recommended 63 days.

Ms. Tell granted a 63-day extension to 1/21/10, during which time no fines would accrue. Respondent is ordered to reappear at that hearing.

**Case: CE09090698**

Ordered to reappear

Barrington Sharpe I  
220 Southwest 8 Street

This case was first heard on 10/1/09 to comply by 11/5/09 and 11/19/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 11/20/09.

Ms. Tell granted a 63-day extension to 1/21/10, during which time no fines would accrue. Respondent is ordered to reappear at that hearing.

**Case: CE09100195**

40 Isle of Venice  
Island House East Condo Association

Certified mail sent to the owner was accepted on 10/26/09 and certified mail sent to the registered agent was accepted on 10/26/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:  
NFPA 1:4.4.5

THERE IS AN UNPROTECTED VERTICAL OPENING.

Inspector Tetreault said the permit application had been submitted and recommended ordering compliance within 91 days.

Mr. Mark Feinberg, association treasurer, agreed the repairs could be made within 91 days.

Ms. Tell found in favor of the City and ordered compliance within 91 days, by 2/18/10, or a fine of \$250 per day thereafter, and ordered the respondent to reappear at that hearing.

**Case: CE09072675**

Parc Victoria Inc  
1109 Northeast 16 Terrace

This case was first heard on 9/3/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$4,750 and the City was recommending imposition of a \$520 fine for administrative costs.

Mr. Charles Hodges stated he was the representative of the owner, Mediation Inc. Ms. Tell disclosed that she was a contractor with Mediation Inc.

Mr. Hodges waived the right to notice of a Massey hearing and informed Ms. Tell that the owner had agreed to the \$520 fine.

Ms. Tell imposed a \$520 fine.

**Case: CE09071810**

Benjamin O & Rosalinda Bugarin  
501 Southeast 22 Street

This case was first heard on 8/20/09 to comply by 9/3/09 and 10/1/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$6,250 fine.

Mr. Ron Tetreault, Fire Inspector, recommended reducing the fine to \$520 for administrative costs.

Mr. Benjamin Bugarin, owner, confirmed the property was complied within the timeframe. Ms. Tell advised him to present his evidence to the inspector while other cases were heard.

Upon returning to the case, Ms. Tammy Arana, Fire Inspector, reported that as of her inspection of 11/4/09, the property was not complied and she must reinspect the property to prove compliance.

Ms. Tell advised Mr. Bugarin to allow Ms. Arana to reinspect the property.

Ms. Tell granted a 14-day extension to 12/3/09, during which time no fines would accrue.

**Case: CE09062091**

Jean Leonce Joseph  
521 Southwest 27 Terrace

Certified mail sent to the owner was accepted on 10/28/09.

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violations:  
9-279(g)

THE PLUMBING AND FIXTURES IN BOTH BATHROOMS ARE IN DISREPAIR INCLUDING KNOBS THAT DO NOT ALLOW WATER TO BE TURNED ON OR OFF, THE BATHTUB PLUMBING IN ONE BATHROOM DOES NOT WORK AT ALL, THE TOILET LEAKS AT THE BASE, THE PLUMBING BENEATH THE KITCHEN SINK LEAKS.

9-280(b)

THE CEILING IN ONE OF THE BEDROOMS HAS A WOOD PLANK WHERE THE ROOF CAVED IN AND THE CEILING IN THIS BEDROOM IS SAGGING FROM WATER DAMAGE. THE CLOSET IN ANOTHER BEDROOM HAS A HOLE IN THE WALL AND APPEARS TO HAVE EXTENSIVE WATER DAMAGE. A BEDROOM WINDOW IS BROKEN AND THERE IS A HOLE IN THE BATHROOM WINDOW.

9-308(a)

THERE ARE MULTIPLE ROOF LEAKS: 1 BEDROOM HAS A WOOD PLANK IN THE CEILING WHERE THE ROOF CAVED IN AND THE CEILING IN THIS BEDROOM IS SAGGING FROM WATER DAMAGE, THE CLOSET IN ANOTHER BEDROOM HAS A HOLE IN THE WALL AND APPEARS TO HAVE EXTENSIVE WATER DAMAGE.

Mr. Adrian Moore, property manager, explained that a former tenant had stolen items from the property and called the Code Officer because he wanted to be paid to make the repairs. The tenant had since left the property. Mr. Moore said he had repaired the roof and he had discussed a longer time period with Officer Davis two days ago. Officer Eaton said Officer Davis had indicated she refused to allow more than 21 days to comply because there had been no communication from the property representatives and no applications submitted. Mr. Moore requested 120 days, and said no new tenants would be brought onto the property.

Officer Eaton 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 \$25 per day, per violation.

Ms. Wald announced that a lis pendens had been filed against the property.

Ms. Tell found in favor of the City and ordered compliance within 63 days, by 1/21/10, or a fine of \$25 per day, per violation. Respondent is ordered to reappear at that hearing.

**Case: CE09100293**

Zahra Bahrami  
2197 North Ocean Boulevard

Certified mail sent to the owner was accepted on 10/24/09.

Mr. Ron Tetreault, 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 Tetreault said the permits had not been pulled for this property and recommended ordering compliance within 28 days or a fine of \$250 per day.

Mr. Abe Borujerdi, owner, said he had submitted the permit application that morning. He requested 60 days to complete the work.

Ms. Tell found in favor of the City and ordered compliance within 63 days, by 1/21/10, or a fine of \$250 per day thereafter.

**Case: CE08110825**

W C & Eleanor A Conway  
5900 Northwest 9 Avenue

This case was first heard on 4/2/09 to comply by 10/1/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Mr. Sal Viscusi, Code Enforcement Officer, stated the owner had been very diligent. Mr. Conway had applied for a fence permit, but Planning and Zoning had determined that a wall was required. The owner was working with Tri-Rail to obtain approval for an ingress/egress to the adjacent street that was owned by Tri-Rail. Officer Viscusi recommended a 180-day extension.

Mr. William Conway, the owner's son, explained that the right-of-ways had been taken from him, costing \$4,500 to rent other property elsewhere. He said he had spent \$70,000 trying to correct this issue. He stated his engineer was working on plans for the wall.

Ms. Tell granted a 182-day extension to 5/20/10, during which time no fines would accrue.

**Case: CE09100163**

1790 Harbor Beach Place LTD  
1790 Southeast 23 Avenue

Certified mail sent to the owner was accepted on 10/26/09 and certified mail sent to the registered agent was accepted on 10/26/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.1.1

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

Inspector Tetreault stated no permits had been pulled and he had no contact with the owner. He recommended ordering compliance within 182 days or a fine of \$500 per day.

Mr. John Doering, owner, said he had received estimates for the work, and agreed to comply within 182 days.

Ms. Tell found in favor of the City and ordered compliance within 182 days or a fine of \$500 per day.

**Case: CE09101348**

Mars Powerline L P  
E J & A Plesko  
5300 Northwest 9 Avenue # 1B

Certified mail sent to the owner was accepted on 10/26/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 1:4.5.8.1

SPRINKLERS SHALL BE DESIGNED FOR TIRE STORAGE, TIRE  
LAYOUT MUST BE DESIGNED, AND HOSE CONNECTIONS ARE  
REQUIRED.

Inspector Tetreault stated the property manager was hiring an engineer to draw the plans and recommended ordering compliance within 182 days or a fine of \$250 per day.

Ms. Gail Brown-Mulder, property manager, agreed to comply within 182 days.

Ms. Tell found in favor of the City and ordered compliance within 182 days or a fine of \$250 per day.



**Case: CE09081549**

1930 Sunrise Interest Inc  
1930 East Sunrise Boulevard

Certified mail sent to the owner was accepted on 11/6/09 and certified mail sent to the registered agent was accepted on 11/4/09.

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

THE OVERHANG ROOF SURROUNDING THIS BUILDING HAS  
SPALLING CONCRETE. FALLING PIECES OF CONCRETE ARE  
A HAZARD TO PEDESTRIANS.

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

Mr. Gerald Jordan, contractor, stated he had submitted the plans for a permit and believed the work could be done in 90 days.

Ms. Tell found in favor of the City and ordered compliance within 91 days, by 2/18/10, or a fine of \$50 per day. Respondent is ordered to reappear at that hearing.

**Case: CE09031602**

Karen Boothe  
1301 Northwest 2 Street

This case was first heard on 6/4/09 to comply by 6/14/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Mr. Leonard Champagne, Code Enforcement Officer, explained that water was being routed to the property via a straight pipe and there were still tenants in the building who reported they were paying rent. Officer Champagne remarked that this was a health issue because the tenants were occupying the property with no water. He said the owner could be arrested for this offense.

Ms. Sherry Giannell, attorney, stated the bank did not yet own the property, so there was not much they could do. She requested additional time to ask the homeowner to turn the water on. Ms. Wald noted that the lis pendens had been filed a year ago and reminded Ms. Tell that the bank did not intend to act to evict the tenant or to have the water connected. She recommended the fines be imposed.

Ms. Tell imposed the \$10,000 fine, which would continue to accrue until the property complied.

**Case: CE08120116**

Robert McCook  
538 Bayshore Drive

This case was first heard on 2/19/09 to comply by 4/23/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$45,000 fine, which would continue to accrue until the property complied.

Mr. Raymond Webster, the owner's representative, stated they were in the process of pulling permits for the fire alarm. He requested 60 days.

Mr. Ron Tetreault, Fire Inspector, wanted to be sure progress was made in 63 days, but admitted the work would take much longer.

Ms. Tell granted a 63-day extension to 1/21/10, during which time no fines would accrue.

**Case: CE07120555**

Lawrence E & Barbara F Cohen  
3316 Northeast 38 Street

Ordered to reappear

This case was first heard on 4/3/08 to comply by 7/3/08 & 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 there were new developments at the property.

Mr. Lawrence Cohen, owner, reported that Citizens had validated their claim and this had allowed them to paint the wall.

Officer Sotolongo reminded Ms. Tell that a neighbor had appeared at a previous hearing and complained about issues in the back of the house, and Officer Sotolongo had opened another case pursuant to these. Ms. Wald advised Officer Sotolongo to deal with the issues of this case only, since the owners had not yet been noticed about the additional violations.

Officer Sotolongo explained that the rear of the house also had cracks in the walls, and the Cohens were told to wait until an engineer had inspected and released that portion of the house before making any repairs. Mr. Cohen said they had never been told that this must be taken care of immediately.

Mr. Cohen described the process between Citizens and the appraiser he had hired, and stated they had received a check for the wrong amount that Citizens blamed on the

death of one of the adjusters. Mr. Cohen said the next step was appraisal, which required a visit from Citizens' engineer. He said he had begun getting estimates for the roof repairs, and showed these to Officer Sotolongo and Ms. Tell.

Mr. Cohen said he was supposed to get in touch with Citizens the week after Thanksgiving if the issue of the different check amount was not resolved. If the appraisal process did not work, Mr. Cohen said they would go to mediation.

Ms. Tell granted a 63-day extension to 1/21/10, during which time no fines would accrue. Respondent is ordered to reappear at that hearing.

**Case: CT09081744**

Renet Dieujuste  
2750 Southwest 2 Street

Certified mail sent to the owner was accepted on 10/30/09. Service was also via posting at City Hall on 11/5/09.

18-1.

THERE IS OVERGROWN, GRASS, WEEDS AND OTHER PLANT LIFE ON THIS PROPERTY. ADDITIONALLY, THERE IS RUBBISH, TRASH, AND DEBRIS ON THE PROPERTY AND THE SWALE.

Pursuant to Section 11-19, a Citation Violation Notice dated 9/8/09 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 Eaton 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, by 11/29/09, or a fine of \$25 per day would be imposed.

Mr. Renet Dieujuste, owner, said the issues had been taken care of. Ms. Tell advised him to phone Officer Davis to reinspect the property within 14 days.

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

**Case: CT09092009**

38 Pelican Drive LLC  
38 Pelican Drive

Certified mail sent to the owner was accepted on 11/2/09. Service was also via posting at City Hall on 11/5/09.

9-304(b)

THIS VACANT LOT IS BEING USED FOR THE PARKING OF VEHICLES ON THE GRASS SURFACE ON AN ONGOING BASIS. THIS VIOLATION REPRESENTS A REPEAT VIOLATION OF CASE NUMBER CT09070405 WHERE A CITATION WAS ISSUED ON 07/10/09 FOR THE SAME VIOLATION.

Officer Feldman stated a Citation Violation Notice dated 9/24/09 had been issued and because this was a repeat violation. He was requesting that fines be imposed, for each date the violation was observed: 9/24/09, 9/30/09, 10/1/09, 10/2/09 and 10/7/09 for a total fine of \$1,000.

Ms. Ester Kadosh, the owner's representative, stated they had intended to redevelop the property, but this plan was hold due to current market conditions. She said they had notified neighbors not to park on the lot, but they did so anyway. Ms. Kadosh had purchased a sign for the property, but needed a sign permit and a contractor. She said she must consider whether landscaping or fencing would be less expensive for cordoning off the property. Ms. Kadosh also intended to enter into a contract with a towing company to remove vehicles from the property.

Ms. Wald informed Ms. Tell that since this was a citation case, the fines must be imposed when the violation was found to exist. Ms. Tell stated she was not making a finding.

Officer Feldman submitted the case file and photos of the property into evidence.

Ms. Tell continued the case to January 21, 2010.

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

**Case: CE09061055**

Robert D Rubin  
208 Southeast 21 Street

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 not complied and the City was requesting imposition of a \$13,750 fine, which would continue to accrue until the property complied.

Mr. Robert Rubin, owner, said a contractor had done the work without a permit. The contractor had applied for the permit after the fact, and Mr. Rubin said the permit should be issued that day.

Ms. Tammy Arana, Fire Inspector, explained that the permit must be issued and the properties inspected to comply.

Ms. Tell advised Mr. Rubin he would need to attend the 12/17/09 hearing to address the fines.

Ms. Tell granted a 28-day extension to 12/17/09, during which time no fines would accrue. Respondent is ordered to reappear at that hearing.

**Case: CE09061056**

Robert D Rubin  
200 Southeast 21 Street

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 not complied and the City was requesting imposition of a \$13,750 fine, which would continue to accrue until the property complied.

Ms. Tell granted a 28-day extension to 12/17/09, during which time no fines would accrue. Respondent is ordered to reappear at that hearing.

**Case: CE09100114**

American One Rentals Inc  
3780 Southwest 14 Street

Certified mail sent to the owner was accepted on 10/28/09 and certified mail sent to the registered agent was accepted on 10/28/09.

Mr. Ron Tetreault, 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 1:11.1.5

EXTENSION CORDS ARE BEING USED AS A SUBSTITUTE FOR PERMANENT WIRING.

NFPA 1:11.1.2

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

NFPA 1:13.6.6.8.3.1

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

NFPA 1:13.6.3.10

THE FIRE EXTINGUISHER(S) IS/ARE NOT MOUNTED ACCORDING TO THE CODE.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 101:7.10.5.2.1

THE EXIT SIGN DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:14.4.1

THE PATH OF EGRESS IS OBSTRUCTED/BLOCKED.

NFPA 1:19.1.2

COMBUSTIBLE WASTE MATERIAL HAS ACCUMULATED IN A MANNER THAT CREATES A FIRE HAZARD TO LIFE OR PROPERTY.

Mr. Donald Dixon, contractor, reported he had applied for the permit to cover all of the violations. He requested 28 days.

Inspector Tetreault recommended more than 28 days. Ms. Tell reviewed the individual violations with Mr. Dixon.

Ms. Tammy Arana, Fire Inspector, explained that this case had been written up by the territory inspector, and they had not verified which violations were complied and which were still open.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day, with NFPA 1:11.1.5, NFPA 1:11.1.2, NFPA 1:13.6.6.8.3.1, NFPA 1:13.6.3.10, NFPA 1:14.4.1 and NFPA 1:19.1.2 within 28 days or a fine of \$50 per day, per violation and with NFPA 101:7.9.2.1 and NFPA 101:7.10.5.2.1 within 63 days or a fine of \$100 per day, per violation.

**Case: CE09080259**

MTG Finance LLC

1624 Southwest 28 Way

Service was via posting on the property on 10/30/09 and at City Hall on 11/5/09.

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

9-280(b)

THE EXTERIOR DOORS ARE NOT IN A WEATHERTIGHT CONDITION.

9-280(g)

THERE ARE EXPOSED WIRES COMING FROM THE SMOKE DETECTORS AND WALL SOCKETS.

9-280(h)(1)

THE WOODEN FENCE IS IN DISREPAIR, PORTIONS OF THE WOODEN FENCE HAS BEEN REMOVED ONLY LEAVING THE POST.

9-308(a)

THE ROOF IS LEAKING IN THE FRONT ALTERED EFFICIENCY AT THIS PROPERTY CAUSING STAINS ON THE CEILING.

BCZ 39-275(6)(b)

THERE IS OUTSIDE STORAGE OF A MECHANICAL TOOL BOX STORED IN FRONT OF THIS PROPERTY.

Complied:  
9-280(f)

Ms. Joy Kohl, representative of the property owner, stated MTG had purchased the property in May pursuant to a foreclosure action. She said there was a tenant in the property and she was unsure whether her client knew about the tenant. She noted the storage box belonged to the tenant. She requested time to remove the additional interior walls and address the problems on the exterior.

Officer Cross explained that the property had been converted into efficiencies by erecting additional interior walls.

Ms. Kohl requested 63 days.

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

Ms. Tell found in favor of the City and ordered compliance with BCZ 39-275(6)(b) within 63 days or a fine of \$25 per day and with the other violations within 63 days or a fine of \$100 per day, per violation would be imposed and ordered the respondent to reappear at that hearing.

**Case: CE09050439**

Request for extension

Joseph & Muregne St Louis  
486 Northwest 17 Place

This case was first heard on 10/1/09 to comply by 11/5/09. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$325.

Mr. Todd Hull, Code Enforcement Officer, explained the respondent had been present earlier and he had agreed to recommend a 35-day extension.

Ms. Tell granted a 35-day extension, during which time no fines would accrue.

**Case: CT09090015**

Gladys Haywood, 1/2 Interest,  
Charlie Robinson II  
2325 Northwest 15 Street

Service was via posting on the property on 10/30/09 and at City Hall on 11/5/09.

18-1.

THERE ARE SEVERAL UNLICENSED AND/OR INOPERABLE  
VEHICLES ON THE PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 10/1/09 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, by 11/29/09, or a fine of \$100 per day would be imposed.

Mr. Charles Robinson, owner, said he had the car's tag and it had been repaired, and Officer Gottlieb could reinspect.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 11/29/09, or a fine of \$100 per day.

**Case: CE08121655**

Ordered to reappear

Louis James  
1447 Northwest 6 Street

This case was first heard on 2/19/09 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 \$13,350.

Ms. Wanda Sappington, Code Enforcement Officer, reported no DRC application had been filed, and requested the fines be imposed.

Mr. Tarek Bahlawan, tenant, said he had met with the DRC regarding changes required to the plans. He believed the plan should be ready to submit on 11/25. Mr. Bahlawan showed a letter authorizing him to represent the owner and requested a 90-day extension.

Ms. Tell granted a 105-day extension to 3/4/10, during which time no fines would accrue. Respondent is ordered to reappear at that hearing.

**Case: CE09060886**

Request for extension

HGMC Finance Inc  
3644 Southwest 21 Street

This case was first heard on 9/17/09 to comply by 10/8/09. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$2,050.

Mr. Mark Campbell, Code Enforcement Officer, recommended a 63-day extension because the owner was in Canada.

Ms Tell granted a 63-day extension to 1/21/10, during which time no fines would accrue.



**Case: CE06092002**

Continued from 10/1/09

Susan I Pedersen  
2001 Southeast 25 Avenue

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. Susan Pedersen, owner, apologized for missing the previous meeting.

Mr. Mario Sotolongo, Code Enforcement Officer, reported that he had spoken with the demo company and they had faxed him a copy of the contract. He believed the permit application would be submitted within a few days. Officer Sotolongo presented copies of the demo contract and the plans to Ms. Tell.

Ms. Pedersen estimated demolition would take place at the end of December.

Ms. Tell granted a 63-day extension to 1/21/09, during which time no fines would accrue.

**Case: CE09081855**

Linda Marie Assaly  
3550 Galt Ocean Drive # 1206

Service was via posting on the property on 10/16/09 and at City Hall on 11/5/09.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:  
9-280(f)

THE AIR CONDITIONING UNITS ARE LEAKING WATER FROM THE DRAIN PAN ON TO THE WATER HEATER AND CLOSET AREA, WATER IS COLLECTED INSIDE THE WATER HEATER DRAIN PAN, THERE IS INDICATION OF CORROSION OF THE A/C UNIT, AND MOLD AND MILDEW GROWTH INSIDE THE CLOSET AND DRAIN PANS AS A RESULT OF THE LEAKING SYSTEM.

Officer Sotolongo stated this case was the result of a complaint. He had received a fax from the owner in October acknowledging the violations, but they had never been addressed. Officer Sotolongo had received a call from a title company regarding a pending sale. He 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.

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

**Case: CE09081081**

George Amarantidis & Daniel Garcia  
2849 Southwest 14 Street

Service was via posting on the property on 10/30/09 and at City Hall on 11/5/09.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:  
18-7(b)

THE PROPERTY IS STILL BOARDED WITHOUT FIRST  
OBTAINING A BOARD-UP CERTIFICATE.

Officer Cross 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: CE09080131**

Keith Smith  
1051 Northwest 49 Street

Service was via posting on the property on 10/16/09 and at City Hall on 11/5/09.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:  
18-7(b)

THERE IS A SINGLE FAMILY RESIDENCE LOCATED ON THIS  
PROPERTY THAT HAS HAD ALL DOORS, WINDOWS OR OTHER  
OPENINGS BOARDED UP WITHOUT FIRST OBTAINING THE  
REQUIRED BOARD-UP CERTIFICATE FROM THE CITY OF  
FORT LAUDERDALE

Officer Viscusi presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day.

**Case: CE09091922**

Ronald Hummer & Jason Andrew Sauter  
1140 Northeast 12 Avenue

Service was via posting on the property on 10/22/09 and at City Hall on 11/5/09.

Mr. Ron Tetreault, 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 Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 1:13.6.6.8.3.1 within 28 days or a fine of \$150 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 1:13.6.6.8.3.1 within 28 days or a fine of \$150 per day

**Case: CE09092259**

Dolores & Julie Hankerson  
203 Northwest 11 Avenue

Certified mail sent to the owner was accepted on 10/23/09.

Mr. Ron Tetreault, 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 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 Tetreault 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: CE09091291**

Edewaard Development Co LLC  
200 Southeast 13 Avenue

Service was via posting on the property on 11/3/09 and at City Hall on 11/5/09.

Ms. Ursula Thime, Code Enforcement Officer, testified to the following violations:  
24-11(c)

THERE IS CONSTRUCTION DEBRIS ON THE GROUNDS OF THIS CONSTRUCTION SITE. THE SOLID WASTE IS A NUISANCE AND DISRUPTS THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING NEIGHBORS

47-34.4 B.3.a.

THERE IS A TRUCK WITH TRAILER (TRUCK HAS MORE THAN 4 TIRES) STORED ON THE WEST SIDE OF THIS CONSTRUCTION SITE. THE STORAGE OF THIS COMMERCIAL VEHICLE IS A NON PERMITTED LAND USE IN ZONE RC-15 PER TABLE A, SECTION 47-5.14. OF THE U.L.D.R.

Officer Thime stated the owner had informed her that he had cleaned the property the previous day. She 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 \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$25 per day, per violation.

**Case: CT09091819**

J & Velma Utley  
421 Northwest 17 Avenue

Service was via posting on the property on 10/30/09 and at City Hall on 11/5/09.

18-1.

THERE IS TRASH AND DEBRIS ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO CEMENT BLOCKS, BUCKETS, PIECES OF CONSTRUCTION MATERIALS, MISCELLANEOUS TRASH AND DEBRIS.

Pursuant to Section 11-19, a Citation Violation Notice dated 10/5/09 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 Champagne 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, by 11/29/09, or a fine of \$25 per day would be imposed, with the right to clean and clear the property.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 11/29/09, or a fine of \$25 per day would be imposed, with the right to clean and clear the property.

**Case: CE09100151**

Deutsche Bank National Trust Company Trustee  
2121 Northwest 7 Street

Certified mail sent to the owner was accepted on 10/27/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violations:

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 Tetreault 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: CE09100159**

Lumane Meuze & Lixe Metayer  
2320 Northwest 9 Court

Certified mail sent to the owner was accepted on 10/24/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violations:

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 Tetreault 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: CE09100172**

Grace Thomas Holding Corp  
1700 Northeast 8 Street

Certified mail sent to the owner was accepted on 10/26/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:  
NFPA 1:1.7.6.1

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

Inspector Tetreault recommended ordering compliance within 14 days or a fine of \$50 per day.

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

**Case: CE09100177**

Omar & Laila Amireh  
748 Northwest 22 Road

Certified mail sent to the owner was accepted on 10/23/09.

Mr. Ron Tetreault, Fire Inspector, testified to the following violations:  
NFPA 1:50.5.2.1

THE HOOD FIRE SUPPRESSION SYSTEM HAS NOT BEEN INSPECTED AND TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 6 MONTHS.

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 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 1:50.5.2.1 within 28 days or a fine of \$100 per day, and with NFPA 1:13.6.6.8.3.1 and NFPA 101:7.9.2.1 within 28 days or a fine of \$50 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:50.5.2.1 within 28 days or a fine of \$100 per day, and with NFPA 1:13.6.6.8.3.1 and NFPA 101:7.9.2.1 within 28 days or a fine of \$50 per day, per violation.

**Case: CE09081204**

Celeste Little  
1517 Northwest 9 Avenue

This case was first heard on 10/1/09 to comply by 10/11/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$3,800 fine, which would continue to accrue until the property complied.

**Case: CT09051491**

Tango Lakes LLC  
1690 Northwest 31 Avenue

This case was first heard on 8/6/09 to comply by 8/16/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,400 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$9,400 fine, which would continue to accrue until the property complied.

**Case: CT09060733**

David A Weinshank  
1472 Northeast 53 Court

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 \$4,200 fine and a \$200 civil penalty.

Ms. Tell imposed the \$4,200 fine and a \$200 civil penalty.

**Case: CE09030986**

DBR Lease Exchange  
4400 North Federal Highway

This case was first heard on 9/3/09 to comply by 10/8/09. 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: CT09062171**

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 complied and the City was requesting imposition of a \$575 fine and a \$200 civil penalty.

Ms. Tell imposed the \$575 fine and a \$200 civil penalty.

**Case: CE09071242**

Edewaard Development Company LLC  
1625 Northeast 1 Street

This case was first heard on 9/3/09 to comply by 10/1/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$775 and the City was recommending imposition of a \$260 fine.

Ms. Tell imposed a \$260 fine.

**Case: CE09072491**

Joseph Lamour  
652 Southwest 16 Avenue

This case was first heard on 9/17/09 to comply by 10/1/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$4,800 fine, which would continue to accrue until the property complied.

**Case: CT09051589**

David L Jones  
1449 Southwest 10 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 complied and the City was requesting imposition of a \$3,900 fine and a \$200 civil penalty.

Ms. Tell imposed the \$3,900 fine and a \$200 civil penalty.

**Case: CE09021260**

Elizabethan Condo Association Inc  
510 Northeast 17 Avenue

This was a request to vacate the order dated 4/20/09.

Ms. Tell vacated the order dated 4/20/09



**Case: CE09060964**

Dorantes Inc  
1808 Northeast 11 Avenue

This case was first heard on 9/3/09 to comply by 9/10/09 and 10/15/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$25,750 fine, which would continue to accrue until the property complied.

Ms. Tell imposed \$25,750 fine, which would continue to accrue until the property complied.

**Case: CE09060967**

Dorantes Inc  
1812 Northeast 11 Avenue

This case was first heard on 9/3/09 to comply by 9/10/09 and 10/15/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$25,750 fine, which would continue to accrue until the property complied.

Ms. Tell imposed \$25,750 fine, which would continue to accrue until the property complied.

**Case: CE09071785**

Jeffrey & Michele Hanft  
205 Southeast 22 Street

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 not complied, and the City was requesting imposition of a \$22,000 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$22,000 fine, which would continue to accrue until the property complied.

**Case: CT09050576**

Henry G Mazariegos  
3536 Southwest 12 Place

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 \$1,800 fine plus \$373.02 for clean-up costs and a \$200 civil penalty.

Ms. Tell imposed the \$1,800 fine plus \$373.02 for clean-up costs and a \$200 civil penalty.

**Case: CT09051017**

Lucienne Cassiere  
1013 Tangelo Isle

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 \$1,850 fine plus \$676.94 in clean-up costs and a \$200 civil penalty.

Ms. Tell imposed the \$1,850 fine plus \$676.94 in clean-up costs and a \$200 civil penalty.

**Case: CT09060500**

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 complied and the City was requesting imposition of a \$2,200 fine plus \$411.40 in clean-up costs and a \$200 civil penalty.

Ms. Tell imposed the \$2,200 fine plus \$411.40 in clean-up costs and a \$200 civil penalty.

**Case: CT09061623**

Joey Costales  
3401 Southwest 16 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 complied and the City was requesting imposition of a \$1,150 fine plus \$611.22 in clean-up costs and a \$200 civil penalty.

Ms. Tell imposed the \$1,150 fine plus \$611.22 in clean-up costs and a \$200 civil penalty.

**Case: CE08092091**

Dirk Rahim  
3811 Southwest 12 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 complied and the City was requesting imposition of a \$12,150 fine.

Ms. Tell imposed the \$12,150 fine.

**Case: CT09061632**

Dirk Rahim  
3811 Southwest 12 Court

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 \$1,300 fine plus \$524.01 in clean-up costs and a \$200 civil penalty.

Ms. Tell imposed the \$1,300 fine plus \$524.01 in clean-up costs and a \$200 civil penalty.

**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:

CE09091718	CE09092315	CE09092078	CE09082339
CE09081250	CE09100337	CE09092165	CE09092238
CE09092247	CE09092245	CE09092248	CE09092249
CE09092250	CE09092252	CE09092253	CE09092256
CE09092257	CE09092258	CE09092320	CE09100161
CE09100166	CE09100168	CE09100174	CE09100183
CE09100294	CE09100204	CE09100288	CE09100290
CE09100296	CE09100305	CE09101346	CE09101347
CE09101351			

**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:

CE09100591	CE09092261	CE09092264	CE09100153
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**Cases Withdrawn**

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

CT09091502

**Cases Rescheduled**

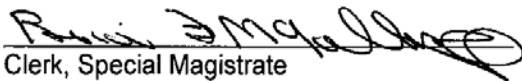
Mr. McKelligett announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CT09091789            CE09041324

There being no further business, the hearing was adjourned at **12:14 p.m.**

  
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SPECIAL MAGISTRATE

ATTEST:

  
Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services