

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
JUDGE MARK PURDY PRESIDING  
DECEMBER 3, 2009  
9:00 A.M. –10:58 A.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Susanne Manning, Secretary, Special Magistrate  
Brian McKelligett, Clerk of Special Magistrate, Supervisor  
Dee Paris, Administrative Aide  
Ginger Wald, Assistant City Attorney  
Lori Grossfeld, Clerk III  
John Gossman, 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 DelRio, Code Enforcement Officer  
Adam Feldman, Sr. Code Enforcement Officer  
Ingrid Gottlieb, Sr. Code Enforcement Officer  
Todd Hull, Code Enforcement Officer  
Wilson Quintero, Code Enforcement Officer  
Mary Rich, Code Enforcement Officer  
Wanda Sappington, Code Enforcement Officer  
Mario Sotolongo, Code Enforcement Officer  
Ron Tetreault, Fire Inspector  
Ursula Thime, Sr. Code Enforcement Officer  
Barbara Urow, Code Enforcement Officer,  
Salvatore Viscusi, Code Enforcement Officer  
Maria Roque, Business Tax Inspector

**Respondents and Witnesses**

CE09110702: Howard Wolfson, owner  
CE09050114; 09050113: Michael Russell, manager  
CE09050137: Phillip Williamson, owner  
CE09072332: Wilner Wilson, owner  
CE08040238: Ricardo Grinbey, manager  
CE09051260: Ana Cohen, bank attorney  
CE09110727: Adams Kenty, owner  
CE09110731: Michael Kitchens, owner  
CE09110737; CE09110749; CE09110751; CE09110753; CE09110723; CE09110728;  
CE09110736: William Lipsey, owner's representative

CE09110743: Brain Phegley, owner's father  
CE09110745: Michael Turnbull, owner  
CE09021107: James McCulla, owner's agent  
CE09110718: Frances Norcia, owner  
CE09110726: Lawrence Kraus, corporate officer  
CE09110733: James Warren, tenant/owner  
CE08070880: Nalini Singh, bank representative; David Elliott, owner; Claire Will Cubbin, owner's attorney  
CE09110707: Daniel Blanchette, owner  
CE09101626: Albert Reed Lee, owner's representative  
CE08042005: Donald Rosenthal, managing agent  
CE09110671; CE09110674: Roger Stephenson, owner's agent  
CE09110696: Hugh Pirofsky, owner  
CE09060863: Donald Karney, owner's representative; Botanique Jean Baptiste, 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.

The following cases for the same two addresses were hear together:

**Case: CE09110697**

Earl Farler  
1311 Northeast 18 Street # 101

Certified mail sent to the owner was accepted on 11/18/09.

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 explained that these were two apartment complexes run by the same condominium association. He recommended ordering compliance within 182 days or a fine of \$250 per day.

Mr. Lipsey, unit owner and condominium board member, requested a period of up to one year to comply because they had just learned of the requirement. He added that there were logistical and financial issues.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110727**

Licia & Sabrina Toglia  
1311 Northeast 18 Street # 102

Certified mail sent to the owner was accepted on 11/20/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110731**

Michael Kitchens  
1311 Northeast 18 Street # 103

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

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110737**

Lowell T Clark & Mark J Lyons  
1311 Northeast 18 Street # 104

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

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110739**

Anita L & Arthur T Pisano  
1311 Northeast 18 Street # 105

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

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110742**

Douglas Daza Quintero

1311 Northeast 18 Street # 106

Certified mail sent to the owner was accepted on 11/23/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110743**

Allison Elmer

1311 Northeast 18 Street # 107

Certified mail sent to the owner was accepted on 11/17/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110744**

Robert McLean

1311 Northeast 18 Street # 201

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

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110745**

Michael E Turnbull  
1311 Northeast 18 Street # 202

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

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110748**

Ronald D Lindemann Jr  
1311 Northeast 18 Street # 203

Certified mail sent to the owner was accepted on 11/19/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110749**

John T Powell  
1311 Northeast 18 Street # 204

Certified mail sent to the owner was accepted on 11/16/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110751**

Michael J Gould  
William D McElyea  
1311 Northeast 18 Street # 206

Certified mail sent to the owner was accepted on 11/19/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110753**

Dennis J Weeks  
1311 Northeast 18 Street # 207

Certified mail sent to the owner was accepted on 11/14/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110718**

Frances E Norcia  
1460 Northeast 18 Street # 101

Certified mail sent to the owner was accepted on 12/1/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110750**

Lawrence F Wilson  
1311 Northeast 18 Street # 205

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110720**

Milorad M & Peter M Brnovich  
1460 Northeast 18 Street # 102

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110722**

Howard E Felix & Melissa Chatman  
1460 Northeast 18 Street # 103

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110723**

Suzanne Heintz & William Douglas Lipsey  
1460 Northeast 18 Street # 104

Certified mail sent to the owner was accepted on 11/17/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110725**

Jose Villavicencio  
1460 Northeast 18 Street # 105

Certified mail sent to the owner was accepted on 11/20/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110726**

Lassk LLC  
1460 Northeast 18 Street # 106

Certified mail sent to the owner was accepted on 11/17/09 and certified mail sent to the registered agent was accepted on 11/17/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110728**

Stephen K Wiles  
1460 Northeast 18 Street # 107

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

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.



Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110729**

Michael R Fortna  
1460 Northeast 18 Street # 108

Certified mail sent to the owner was accepted on 11/19/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110733**

James H Warren Sr  
1460 Northeast 18 Street # 109

Certified mail sent to the owner was accepted on 11/19/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110736**

Marisa Sposato  
1460 Northeast 18 Street # 110

Certified mail sent to the owner was accepted on 11/23/09.

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.

Judge Purdy found in favor of the City and ordered compliance within 182 days, by 6/3/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09060863**

Request for extension

Morganel Company  
C/O Broward Property Inc  
5554 Northwest 31 Avenue

This case was first heard on 8/6/09 to comply by 12/3/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 12/4/09.

Mr. Donald Karney, owner's representative, explained that the tenant had sublet a portion of the storefront to a church. He remarked that the church had been "somewhat lackadaisical" in obtaining the change of use. Mr. Karney requested 91 days to evict every tenant in the bay.

Mr. Ron Tetreault, Fire Inspector, did not object to the request for 91 days.

Judge Purdy granted a 91-day extension to 3/4/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

**Case: CE09110696**

Kaplan Family Investments LLC  
Pirofsky Family Investments LLC  
3100 Northeast 9 Street

Certified mail sent to the owner was accepted on 11/18/09 and certified mail sent to the registered agent was accepted on 11/23/09.

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.

Inspector Tetreault said the owner had hired an electrician and was pulling a permit. He recommended ordering compliance within 49 days or a fine of \$250 per day.

Mr. Hugh Pirofsky, owner, agreed to Inspector Tetreault's recommendation.

Judge Purdy found in favor of the City and ordered compliance within 49 days, by 1/21/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110707**

Danny Blanchette  
1709 Northeast 15 Avenue

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

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

Mr. Daniel Blanchette, owner, agreed to comply within 28 days.

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 12/31/09, or a fine of \$250 per day would begin to accrue.

**Case: CE09110702**

City Center Hotel Group Ltd  
250 North Andrews Avenue

Certified mail sent to the owner was accepted on 11/19/09 and certified mail sent to the registered agent was accepted on 11/16/09.

Mr. Ron Tetreault, 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 Tetreault remarked that the property had recently settled some management issues and recommended ordering compliance within 49 days or a fine of \$500 per day.

Mr. Howard Wolfson, owner, agreed to comply within 49 days.

Judge Purdy found in favor of the City and ordered compliance within 49 days, by 1/21/10, or a fine of \$500 per day would begin to accrue.

**Case: CE08070880**

David J Elliott  
1651 Southwest 27 Avenue

This case was first heard on 9/18/08 to comply by 10/16/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,300 fine, which would continue to accrue until the property complied.

Ms. Nalini Singh, bank representative, reported the property was in foreclosure and the bank had won the property in the sale, but could not take possession because the owner kept filing motions to delay the process. There was a hearing set for the owner's motions in March.

Mr. Andre Cross, Code Enforcement Officer, said he was now unable to reach the owner. When he visited the property, dogs barked inside but no one answered the door. Officer Cross said that usually, when a property was cited for lack of water service, the owner was given only 72 hours to hook up to the water supply or vacate the property, but this case had originated in 2008.

Mr. McKelligett explained that Ames Home Loans had a final judgment on the case in March 2007 and the original sale date was in May 2007. Ms. Singh said the sale had not taken place until July 2009. The court would not issue the bank the title because Mr. Elliott's attorney had made motions to vacate the judgment and to vacate the title.

Judge Purdy imposed the \$10,300 fine, which would continue to accrue until the property complied.

Judge Purdy returned to the case later in the hearing, and Ms. Wald advised him that in order to re-hear the case, he must vacate the order he had previously issued.

Ms. Claire Will Cubbin, the owner's attorney, explained that Mr. Elliott was a disabled veteran. She said he had been unable to work and so could not pay the City Water bill that totaled approximately \$1,600. She presented documentation from Mr. Elliott's VA doctor to Judge Purdy. After the City shut off his water, Mr. Elliott had connected to a neighbor's water, with his consent and the neighbor had been paying the bill for both homes. Ms. Cubbin requested an extension and "a generous payment plan."

Ms. Wald stated connection to a neighbor's water supply did not comply the property.

Judge Purdy did not want to vacate his previous order, and Ms. Cubbin reminded him that substantial fines would accrue before March, when her motions were scheduled to be heard.

**Case: CE08042005**

La Segunda Realty Corp  
2758 Davie Boulevard

Ordered to reappear from 10/15/09

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 \$97,500 fine, which would continue to accrue until the property complied.

Mr. Donald Rosenthal, managing agent, reported that work had commenced on the property.

Mr. Andre Cross, Code Enforcement Officer, stated the permits had been renewed on October 26, 2009 and work had begun, so he would not object to an extension.

Judge Purdy granted a 91-day extension to 3/4/10, during which time no fines would accrue and ordered property owner to reappear at the 3/4/10 SM Hearing.

**Case: CE09050137**

Williamson Properties Inc  
Lisa Torelli  
628 Northeast 8 Avenue

This case was first heard on 9/3/09 to comply by 10/22/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,000 fine.

Ms. Ursula Thime, Code Enforcement Officer, confirmed the property was complied. She stated she had been unable to inspect the property until 11/12 when a tenant informed her the windows were working.

Mr. Phillip Williamson, owner, said there had been a problem accessing one unit on 10/22 to replace the screen because the tenant had changed the lock.

Mr. McKelligett recommended imposing no fine.

Judge Purdy imposed no fine.

**Case: CE09021107**

JTL 84 LLC  
1441 State Road 84

This case was first heard on 5/21/09 to comply by 7/23/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$650 and the City was recommending no fine be imposed.

Judge Purdy imposed no fine.

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

**Case: CE09050114**

Amera Flagler 46 Ltd  
420 Northeast 1 Avenue

This case was first heard on 6/4/09 to comply by 7/16/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$16,800 fine.

Mr. Michael Russell, manager, stated it had taken time to confirm the units were not installed, to pull the permits and complete the work. He added the work had failed inspection the first time, further delaying the process.

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

Judge Purdy imposed a \$520 fine.

**Case: CE09050113**

Amera Flagler 46 Ltd  
523 Northeast 2 Avenue

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

Judge Purdy imposed a \$520 fine.

**Case: CE08040238**

Request for extension

BIPO LLC  
1111 Southwest 4 Street

This case was first heard on 10/1/09 to comply by 12/3/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 12/4/09.

Mr. Ricardo Grinby, manager, said the owner had purchased the property in October. The contractor had already installed the smoke detectors and applied for permits for the fire system at the end of October. Mr. Grinby said they were still awaiting approval of the permit application.

Mr. Ron Tetreault, Fire Inspector, recommended a 168-day extension for the permits to be issued, the work to be done and inspections to be conducted.

Judge Purdy granted a 168-day extension to 5/20/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

**Case: CE09101626**

Kenneth B Herz Revocable Trust  
2404 Northwest 13 Court

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

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

THERE ARE BOARDS ON ALL THE WINDOWS OF THIS  
OCCUPIED HOUSE WHICH DOES NOT ALLOW FOR THE  
REQUIRED VENTILATION.

Officer Gottlieb reported the property had a vandalism problem and the owner was installing an alarm. The permit had been issued in October. She presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$50 per day.

Mr. Albert Reed Lee, the owner's representative, agreed to comply within 14 days. He presented copies of Police reports regarding the property and explained the alarm and burglar screens had been installed. Mr. Lee said the tenant was very concerned about her safety at the property.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue.

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

**Case: CE09110671**

Lavi Limited Partnership  
C/O Mc Kinney Property  
3047 Northwest 60 Street

Certified mail sent to the owner was accepted on 11/20/09.

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

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:1.12.1

WORK HAS BEEN DONE THAT REQUIRES A PERMIT.

NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

Inspector Tetreault said the company operated out of two adjacent addresses. At this address, the company had installed a storage room, removed a wall, and left electrical wires hanging. Sprinkler protection was not provided and the emergency light had been removed.

Mr. Roger Stephenson, the owner's agent, said the tenant had not provided access to the property. He said the owner was now going to apply for the permits instead of waiting for the tenant to pull them.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$100 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 119 days, by 4/1/10, or a fine of \$100 per day, per violation would begin to accrue.

**Case: CE09110674**

Lavi Limited Partnership  
C/O Mc Kinney Property  
3067 Northwest 60 Street

Certified mail sent to the owner was accepted on 11/20/09.

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

NFPA 1:1.12.1

WORK HAS BEEN DONE THAT REQUIRES A PERMIT.

NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

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.

Complied:

NFPA 101:7.2.1.5.2

NFPA 13:8.5.6.1

NFPA 1:13.3.1.1

Inspector Tetreault stated the company had installed a front office without a permit. Sprinkler protection had been altered by the change in wall configuration. He recommended ordering compliance with NFPA 1:1.12.1 and NFPA 1:13.3.2.1 within 119 days or a fine of \$100 per day, per violation and with NFPA 1:13.6.6.8.3.1 within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance with NFPA 1:1.12.1 and NFPA 1:13.3.2.1 within 119 days or a fine of \$100 per day, per violation and with NFPA 1:13.6.6.8.3.1 within 14 days or a fine of \$50 per day would begin to accrue.

**Case: CE09051260**

Continental Investments & Associates LLC  
1133 Northeast 10 Avenue

This case was first heard on 7/16/09 to comply by 7/26/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of an \$800 fine.

Ms. Ana Cohen, bank attorney, said the property was still in foreclosure but the bank had complied the violations. She requested the fines be waived.

Ms. Mary Rich, Code Enforcement Officer, said she would not object to reducing the fines to \$442 for administrative costs.



Judge Purdy imposed a \$442 fine.

**Case: CE09072332**

Jerome Wilson  
633 Northwest 11 Avenue

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 not complied and the City was requesting imposition of a \$25,000 fine, which would continue to accrue until the property complied.

Mr. Wilner Wilson, owner, explained that the property was in foreclosure, the bank had reset the sale date, and he was unsure what would happen.

Mr. Ron Tetreault, Fire Inspector, remarked that this was a life safety issue. He recommended allowing the fines to accrue. Mr. Wilson said he could do the work, regardless of the bank's actions.

Judge Purdy ordered the respondent to reappear at the 2/4/10 hearing, while fines continued to accrue.

**Case: CE09102329**

American One Inc  
619 Southwest 20 Terrace

Service was via posting on the property on 11/17/09 and at City Hall on 11/19/09.

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

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

Officer Cross 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 \$100 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$100 per day would begin to accrue.

**Case: CE09090303**

Jorge Cabrera  
1301 Northwest 7 Terrace

Service was via posting on the property on 11/16/09 and at City Hall on 11/19/09.

Mr. Todd Hull, Code Enforcement Officer, testified to the following violation:  
9-280(h)(1)

THE WOOD FENCE ON THIS PROPERTY HAS BROKEN AND  
MISSING SLATS AND IS IN GENERAL DISREPAIR.

Officer Hull presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue.

**Case: CE09101785**

Wesley H & Barbara E Smith  
2412 Del Mar Place

Service was via posting on the property on 11/17/09 and at City Hall on 11/19/09.

Ms. Ursula Thime, 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 Thime reported the property was abandoned and the City had cleaned it several times. 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 \$100 per day.

Judge Purdy found in favor of the City and ordered compliance within 10 days, by 12/13/09, or a fine of \$100 per day would begin to accrue.

**Case: CE09092214**

Shella D'Haiti  
3340 Auburn Boulevard

Service was via posting on the property on 11/13/09 and at City Hall on 11/19/09.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:  
BCZ 39-275.(9)(c)

THERE IS A RECREATIONAL VEHICLE (MOBILE HOME) IN  
THE REAR YARD BEING USED FOR PRIVATE LIVING  
QUARTERS WITH UTILITY CORDS APPEARING TO BE  
ELECTRIC CONNECTED AND WHAT APPEARS TO BE A SEWER

CONNECTION HOOKED UP TO THE RECREATIONAL VEHICLE.  
ADDITIONALLY, THERE IS AN ELECTRIC A/C UNIT  
INSTALLED AND RUNNING IN ONE OF THE WINDOWS.

Officer Davis reported the property was now complied; the utility connections had been removed. She presented photos of the property and the case file into evidence, and requested a finding of fact that the violation did exist.

Judge Purdy found in favor of the City that the violation did exist.

**Case: CE09100490** Stipulated agreement  
S & K Real Estate Investment Inc  
1323 Southeast 4 Avenue

Violation:

9-280(b)

THERE ARE SEVERAL CANVAS-COVERED AWNINGS LOCATED  
THROUGHOUT THIS PROPERTY THAT ARE DAMAGED AND IN  
DISREPAIR.

The City had a stipulated agreement with the owner to comply within 14 days or a fine of \$50 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue.

**Case: CE09091871**  
Kimberle Autry  
1130 Southwest 31 Street

Service was via posting on the property on 11/13/09 and at City Hall on 11/19/09.

Ms. Barbara Urow, Code Enforcement Officer, testified to the following violation:  
9-308(b)

THERE IS A BLUE TARP ON THE ROOF OF THIS SINGLE  
FAMILY RESIDENCE.

Officer Urow 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, by 12/17/09, or a fine of \$25 per day would begin to accrue.

**Case: CE09072079**

Demetrius & Jacqueline Welch  
2457 Northwest 26 Avenue

Service was via posting on the property on 11/6/09 and at City Hall on 11/19/09.

Ms. Ingrid Gottlieb, Code Enforcement Officer, testified to the following violation:  
9-280(b)

THERE ARE BROKEN AND MISSING WINDOWS ON THE  
STRUCTURE.

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, by 12/17/09, or a fine of \$25 per day would begin to accrue.

**Case: CE09091008**

Eric C McDade  
2561 Northwest 16 Court

Service was via posting on the property on 11/9/09 and at City Hall on 11/19/09.

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

THERE ARE SHUTTERS COVERING MOST OF THE WINDOWS ON  
THIS OCCUPIED HOUSE WHICH DOES NOT ALLOW FOR THE  
REQUIRED VENTILATION AND LIGHT.

Officer Gottlieb said the tenants had informed her that the shutters were broken, but she had noticed that different shutters were up and down at different times. She 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, by 12/17/09, or a fine of \$25 per day would begin to accrue.

**Case: CE09090681**

Carmen Brown-Rogerwitz  
418 Northwest 13 Avenue

Stipulated agreement

Violations:  
9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS RENTAL

PROPERTY THAT ARE IN DISREPAIR OR NOT BEING MAINTAINED. THEY INCLUDE, BUT ARE NOT LIMITED TO, FASCIA BOARDS, SOFFITS, CEILINGS INSIDE APARTMENTS.

The City had a stipulated agreement with the owner to comply within 35 days or a fine of \$50 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 35 days, by 1/7/10, or a fine of \$50 per day would begin to accrue.

**Case: CE09102301**

Fred Pierre-Louis  
1015 Northeast 17 Avenue

Service was via posting on the property on 11/9/09 and at City Hall on 11/19/09.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:  
9-279(f)

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

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, by 12/13/09, or a fine of \$100 per day would begin to accrue.

**Case: CE09081698**

Faubert Bonheur  
1621 North Victoria Park Road

Service was via posting on the property on 10/29/09 and at City Hall on 11/19/09.

Ms. Mary Rich, Code Enforcement Officer, testified to the following violation:  
9-306

THERE ARE BROKEN/MISSING JALOUSIE WINDOWS ON PROPERTY INCLUDING, BUT NOT LIMITED TO, THE FRONT DOOR OF EAST BUILDING.

Officer Rich 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 \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 12/31/09, or a fine of \$50 per day would begin to accrue.

**Case: CE09101054**

Steven A Leeds  
2617 Northeast 27 Way

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

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, by 12/13/09, or a fine of \$100 per day would begin to accrue.

**Case: CE09110663**

Christopher Keeler  
512 Southwest 4 Avenue

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

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:  
NFPA 1:13.6.3.10

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

Complied:

NFPA 1:13.6.6.8.3.1  
NFPA 101:31.3.4.5.1

Inspector Tetreault reported the wrong extinguisher had been installed. He recommended ordering compliance with NFPA 1:13.6.3.10 within 28 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance with NFPA 1:13.6.3.10 within 28 days, by 12/31/09, or a fine of \$50 per day would begin to accrue.

**Case: CE09090935**

Michael P & Robert Lynch  
1210 Northeast 14 Avenue

Service was via posting on the property on 11/10/09 and at City Hall on 11/19/09.

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 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, by 12/31/09, or a fine of \$250 per day would begin to accrue.

**Case: CE09110658**

Margaret K Santiago  
2014 Northeast 19 Street

Certified mail sent to the owner was accepted on 11/15/09.

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 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, by 12/31/09, or a fine of \$250 per day would begin to accrue.

**Case: CE09110667**

Bert Bornhoeft Revocable Trust  
Bert Bornhoeft, trustee  
2015 Northeast 17 Court # 1

Certified mail sent to the owner was accepted on 11/18/09.

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 owner had hired an electrician to do the work. He 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, by 12/31/09, or a fine of \$250 per day would begin to accrue.

**Case: CE09110668**

Angel Rodriguez  
2015 Northeast 17 Court # 2

Certified mail sent to the owner was accepted on 11/23/09.

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.

Inspector Tetreault said the owner had hired an electrician to do the work. He 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, by 12/31/09, or a fine of \$250 per day would begin to accrue.

**Case: CE09090888**

Church of New Life Christian Fellowship Inc  
2158 Northwest 6 Court

Service was via posting on the property on 11/10/09 and at City Hall on 11/19/09.

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 \$150 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$150 per day would begin to accrue.

**Case: CT09021082**

Ilene Richmond Living Trust  
Lori D Ritenour Revocable Living Trust, et al  
239 Almond Avenue

Certified mail sent to the owner was accepted on 11/19/09.

47-19.9.A.



THERE IS OUTDOOR DISPLAY OF GOODS AND MATERIALS ON THE PROPERTY. SCOOTERS, BICYCLES, AND THREE WHEELERS ARE BEING DISPLAYED OUTSIDE THE DOORS OF THE ESTABLISHMENT.

Mr. Mario Sotolongo, Code Enforcement Officer, explained that the tenant had claimed he had requested documents from the owner that were needed to apply for a permit to display goods outside, but the owner had later informed Officer Sotolongo that the tenant had never asked him for these documents.

Pursuant to Section 11-19, a Citation Violation Notice dated 10/20/09 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.

On November 17, Officer Sotolongo had been informed by the tenant of the property owner's bankruptcy, and that a new owner had taken control of the property. The tenant had promised to fax a copy of the notice he had received to Officer Sotolongo. Officer Sotolongo said the bankruptcy case concerned a long-term lease, not the actual owner, so he was moving forward with the case.

The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Sotolongo 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 a civil penalty of \$150 and ordering compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered a civil penalty of \$150 and compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue.

**Case: CT09092000**

Bruce William Smith  
1628 Northeast 5 Street

Service was via posting on the property on 11/17/09 and at City Hall on 11/19/09.

18-1.

THERE IS PLANT/GRASS OVERGROWTH ON THIS PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 10/12/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer 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 10 days, by 12/13/09, or a fine of \$25 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered compliance within 10 days, by 12/13/09, or a fine of \$25 per day would begin to accrue.

**Case: CT09092355**

Ermite & Lovelt Duvelsaint  
208 Southwest 14 Court

Service was via posting on the property on 11/13/09 and at City Hall on 11/19/09.

18-1.

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

Pursuant to Section 11-19, a Citation Violation Notice dated 10/12/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Urow 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, by 12/17/09, or a fine of \$25 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$25 per day would begin to accrue.

**Case: CT09090599**

Richard A Bell  
3560 Jackson Boulevard

Service was via posting on the property on 11/13/09 and at City Hall on 11/19/09.

18-1.

THIS VACANT PROPERTY HAS AN ACCUMULATION OF OVERGROWN GRASS, WEEDS, AND OTHER PLANT LIFE ON THE PROPERTY, ESPECIALLY ON THE SIDE AND REAR YARDS.

Pursuant to Section 11-19, a Citation Violation Notice dated 10/7/09 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.

Mr. Bell had informed Officer Davis that he no longer owned the property as a result of filing bankruptcy, but City staff had determined he was still the owner of record, and was responsible to bring it into compliance.

The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Davis presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days, by 12/13/09, or a fine of \$25 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered compliance within 10 days, by 12/13/09, or a fine of \$25 per day would begin to accrue.

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

**Case: CT09091788**

Steven Stanley  
1145 North Andrews Avenue

Service was via posting on the property on 11/16/09 and at City Hall on 11/19/09.

18-1.

THERE IS OVERGROWTH, TRASH, AND DEBRIS ON THIS  
OCCUPIED PROPERTY.

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 Hull presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue, with the right to clean and cut the property if it became vacant.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue, with the right to clean and cut the property if it becomes vacant.

**Case: CT09091789**

Steven Stanley  
1201 North Andrews Avenue

Service was via posting on the property on 11/16/09 and at City Hall on 11/19/09.

18-1.

THERE IS OVERGROWTH, TRASH, AND DEBRIS ON THIS  
OCCUPIED PROPERTY.

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 Hull presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue, with the right to clean and cut the property if it became vacant.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$50 per day would begin to accrue, with the right to clean and cut the property if it becomes vacant.

**Case: CT09100148**

American One Inc  
619 Southwest 20 Terrace

Service was via posting on the property on 11/17/09 and at City Hall on 11/19/09.

18-1.

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

Pursuant to Section 11-19, a Citation Violation Notice dated 10/13/09 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, by 12/17/09, or a fine of \$100 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$100 per day would begin to accrue.

**Case: CT09092419**

Tracy Schwenk  
2044 Southwest 28 Avenue

Service was via posting on the property on 11/17/09 and at City Hall on 11/19/09.

18-1.

THERE IS TRASH, RUBBISH, AND DEBRIS SCATTERED ABOUT THE PROPERTY INCLUDING, BUT NOT LIMITED TO, BEER BOTTLES AND CANS, PAPERS, AND GARBAGE BAGS.

Pursuant to Section 11-19, a Citation Violation Notice dated 10/12/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer 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, by 12/17/09, or a fine of \$100 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 12/17/09, or a fine of \$100 per day would begin to accrue.

**Case: CT09072544**

Steven Lee  
830 Northeast 18 Court

This case was first heard on 10/1/09 to comply by 10/15/09. Violations were as noted in the agenda. The property was not complied, and the City was requesting imposition of a \$200 civil penalty, plus a \$1,200 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$200 civil penalty, plus a \$1,200 fine, which would continue to accrue until the property complied.

**Case: CE09080948**

Alexander L Domb Trust  
Alexander L Domb, Trustee  
1430 South Ocean Drive

This case was first heard on 10/15/09 to comply by 10/25/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$5,200 fine, which would continue to accrue until the property complied.

**Case: CE09080491**

John M Smoak & Tasha Rivera  
1231 Northeast 14 Avenue

This case was first heard on 10/15/09 to comply by 10/25/09. 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.

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

**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 \$20,900 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$20,900 fine, which would continue to accrue until the property complied.

**Case: CT09071122**

Jorge Popovitch  
6720 Northwest 29 Lane

This case was first heard on 9/17/09 to comply by 9/27/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$400 civil penalty for a repeat violation and a \$6,600 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$400 civil penalty for a repeat violation and a \$6,600 fine, which would continue to accrue until the property complied.

**Case: CE09071425**

Emilio Bozan Leyva  
1930 Southwest 36 Avenue

This case was first heard on 10/1/09 to comply by 10/22/09. 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: CE09081726**

Jacquelin N Jamison  
1716 Southwest 5 Court

This case was first heard on 10/15/09 to comply by 10/25/09. 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.

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

**Case: CE09071388**

Vanessa Holdings Inc  
205 Northeast 3 Street

This case was first heard on 9/17/09 to comply by 10/22/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,025 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,025 fine, which would continue to accrue until the property complied.

**Case: CE09050886**

Edward R & Knox McMurphy  
725 Isle of Palms Drive

This case was first heard on 9/17/97 to comply by 10/22/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,025 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$1,025 fine, which would continue to accrue until the property complied.

**Case: CE08102136**

David A Weinsbank  
1472 Northeast 53 Court

This case was first heard on 2/19/09 to comply by 3/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$25,100 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$25,100 fine, which would continue to accrue until the property complied.

**Case: CT08102193**

David A Weinsbank  
1472 Northeast 53 Court

This case was first heard on 2/19/09 to comply by 3/5/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty, \$550.97 lot clearing costs and a \$1,050 fine.

Judge Purdy imposed the \$200 civil penalty, \$550.97 lot clearing costs and a \$1,050 fine.

**Case: CT08102196**

David A Weinsbank  
1472 Northeast 53 Court

This case was first heard on 2/19/09 to comply by 3/1/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty and an \$8,600 fine.

Judge Purdy imposed a \$200 civil penalty and an \$8,600 fine.

**Case: CE08030733**

Simon & MacCianie D St Jean  
1708 Northwest 9 Avenue

This case was first heard on 9/18/08 to comply by 11/20/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$37,700 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$37,700 fine, which would continue to accrue until the property complied.

**Case: CE08090179**

Simon & MacCianie D St Jean  
1708 Northwest 9 Avenue

This case was first heard on 10/2/08 to comply by 10/16/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$103,000 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$103,000 fine, which would continue to accrue until the property complied.

**Case: CT09061496**

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 complied and the City was requesting imposition of a \$200 civil penalty, lot clearing costs of \$659.65 and a \$3,400 fine.



Judge Purdy imposed the \$200 civil penalty, lot clearing costs of \$659.65 and a \$3,400 fine.

**Case: CT09062760**

BAC Home Loans Servicing LP  
C/O Butler & Hosch PA  
2401 Northeast 27 Avenue

This case was first heard on 9/3/09 to comply by 9/13/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty and a \$5,200 fine.

Judge Purdy imposed the \$200 civil penalty and a \$5,200 fine.

**Case: CE09050107**

Las Olas Properties Inc  
408 Northeast 2 Avenue

This case was first heard on 6/4/09 to comply by 7/9/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$13,750 fine.

Judge Purdy imposed the \$13,750 fine.

**Case: CE09072293**

Federal Home Loan Mortgage Corp  
1033 Northeast 16 Terrace

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 not complied and the City was requesting imposition of a \$15,500 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$15,500 fine, which would continue to accrue until the property complied.

**Case: CE07060875**

Jorge Fermin Cimitier & Beverly Lewis  
1816 Southwest 11 Court

This was a request to vacate the final orders dated 7/19/07 and 10/4/07.

Judge Purdy vacated the final orders dated 7/19/07 and 10/4/07.

**Case: CE09060868**

Katherine Parziale  
5861 Northeast 18 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 complied, fines had accrued to \$7,000 and the City was recommending the fines be reduced to \$520 for administrative costs.

Judge Purdy imposed a \$520 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:

CE09081730	CE09100141	CE09091172	CE09091289
CE08120524	CE09072579	CE09110675	CE09092143
CE09090748	CE09110688	CE09110669	CE09110677
CE09041529	CE09071810		

**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:

CE09101894	CE09091746	CE09091877	CE09090564
CE09092395	CE09110693	CE09110713	

**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:

CT09070421	CT09100588	CE09082137
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**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:

CE09090939  
CE09080225

CT09100985

CT08120951

CE09081869

There being no further business, the hearing was adjourned at **10:58 a.m.**

  
SPECIAL MAGISTRATE

ATTEST:

  
Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services