

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
ROSE-ANN FLYNN PRESIDING  
DECEMBER 17, 2009  
9:00 A.M. –10:46 A.M.**

**Staff Present:**

Mary Allman, Secretary Special Magistrate  
Susanne Manning, Secretary, Special Magistrate  
Dee Paris, Administrative Aide  
Ginger Wald, Assistant City Attorney  
Lori Grossfeld, Clerk III  
Cheryl Pingitore, Code Enforcement Supervisor  
Lindwell Bradley, Enforcement Supervisor  
Stephanie Bass, Code Enforcement Officer  
Andre Cross, Code Enforcement Officer  
Aretha Davis, Code Enforcement Officer  
Adam Feldman, Code Enforcement Officer  
Ingrid Gottlieb, Code Enforcement Officer  
Todd Hull, Code Enforcement Officer  
Bill Snow, 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**

CE09061056; CE09061055: Donald Proietto, contractor  
CE09090726: Harold Lovell, owner  
CE09080341: Leah Denise Edewaard, owner  
CE09061044: Lori Ann Tello, owner's representative  
CE09072342: Reginald Turnbull, owner's son  
CT09080867; CT09080878; CT09011383; CE09062056: Francesca San Roman,  
attorney  
CE09041467: Gesner Williamceau, owner  
CE09041324: Robert Mills, owner  
CE09090731: Jessica Whatley, owner  
CT09081031: Terry Upton, owner's son  
CE09081910: Jerome Tepps, attorney  
CE09110877; CE09110861; CE09110862; CE09110864; CE09110865; CE09110866;  
CE09110867; CE09110868; CE09110869; CE09110870; CE09110871; CE09110872;  
CE09110873; CE09110874; CE09110875; CE09110876: Denis Fortin, owner's  
representative

CE09080225: Gaffel Grant, owner  
CE09091381: Robert Cusmano, listing agent  
CE09110999; CE09110996: Narinedat Roy, owner  
CE09110891: Kevin Enright, owner  
CE09092261; CE09092261: James Ferguson, owner  
CE09092264: Louis James, owner  
CE09100153: Kamal Sukhu, owner's wife  
CE08110002: Polly Rutnik, owner's representative  
CE09072191: Abraham Narkes, owner  
CE09061014: Christine Rocha, owner's representative

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: CE09041467**

Gesner & Lavictoire Williamceau  
735 Northeast 13 Court

This case was first heard on 6/4/09 to comply by 7/9/09. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$39,750 and the City was requesting imposition of a \$520 fine.

Mr. Gesner Williamceau, owner, agreed to pay the \$520 fine.

Ms. Flynn imposed a \$520 fine.

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 and extensions 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. Ron Tetreault, Fire Inspector, said the properties should undergo fire inspection later that day, and recommended a 35-day extension.

Mr. Donald Proietto, contractor, agreed.

Ms. Flynn granted a 35-day extension to 1/21/10, during which time no fines would accrue.

**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 and extensions 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. Flynn granted a 35-day extension to 1/21/10, during which time no fines would accrue.

The following 15 cases for the same condominium were heard together:

**Case: CE09110862**

Milorad M & Peter Brnovich  
1460 Northeast 18 Street # 112

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.

Inspector Tetreault recommended ordering compliance within 168 days or a fine of \$250 per day.

Mr. Denis Fortin, the owner's representative, said this was a major project, and felt it would take longer than six months.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110861**

Mark Steven Silver  
1460 Northeast 18 Street # 111

Certified mail sent to the owner was accepted on 12/3/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110864**

Kenneth Nunn  
1460 Northeast 18 Street # 113

Certified mail sent to the owner was accepted on 11/27/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110865**

Frank L Moschiano  
1460 Northeast 18 Street # 201

Certified mail sent to the owner was accepted on 11/28/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110866**

Carole & Franck Catsuris  
1460 Northeast 18 Street # 202

Certified mail sent to the owner was accepted on 11/27/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110867**

Nicholas J Deluca Jr  
1460 Northeast 18 Street # 203

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110868**

John Richard Kaboff  
1460 Northeast 18 Street # 204

Certified mail sent to the owner was accepted on 11/28/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110869**

Drew D & Glenda Clement  
1460 Northeast 18 Street # 205

Service was via the appearance of the owner's representative 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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110870**

Alan H Shaffer  
1460 Northeast 18 Street # 206

Service was via the appearance of the owner's representative 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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110871**

Michael Fortin & Michael Massey  
1460 Northeast 18 Street # 207

Certified mail sent to the owner was accepted on 11/30/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110872**

Douglas Hurley & Carl A Rhoades Jr  
1460 Northeast 18 Street # 208

Certified mail sent to the owner was accepted on 11/30/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110873**

Magali Dumenigo  
1460 Northeast 18 Street # 209

Certified mail sent to the owner was accepted on 11/27/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110874**

Denis N Fortin & Thomas A Veno  
1460 Northeast 18 Street # 210

Certified mail sent to the owner was accepted on 12/8/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110875**

Tyler Molinari  
1460 Northeast 18 Street # 211

Certified mail sent to the owner was accepted on 12/14/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110876**

Rodney R Frick  
1460 Northeast 18 Street # 212

Certified mail sent to the owner was accepted on 11/28/09.

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09110877**

James A Yokley  
1460 Northeast 18 Street # 213

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.

Ms. Flynn found in favor of the City and ordered compliance within 168 days or a fine of \$250 per day would begin to accrue.

**Case: CE09080225**

Gaffel F Grant  
1461 Northwest 20 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 and the City was requesting imposition of a \$750 fine.

Mr. Gaffel Grant, owner, stated there had been a delay scheduling the inspection, and asked that the fine be waived.

Mr. Ron Tetreault, Fire Inspector, did not object to waiving the fine.

Ms. Flynn imposed no fine.

**Case: CE08110002**

Request for extension

Le Cotillion Co-Op  
2800 Northeast 14 Street

This case was first heard on 1/15/09 to comply by 3/15/09. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$6,500.



Ms. Polly Rutnik, owner's representative, stated they had been waiting for legislation to pass to exempt these properties from the fire alarm system requirement. The legislation had passed, but was later vetoed, and they were still hoping for new legislation. Ms. Rutnik explained the configuration of the buildings and said the individual units had interior smoke detectors. She said the fire alarm installation would be a financial hardship and would provide no increase in safety. Ms. Rutnik said she would appeal to Chief David Raines for an exemption; if this were denied, she would go to the Board of Rules and Appeals.

Ms. Wald advised that Ms. Flynn had already determined that a violation existed in January and the property representative had signed a stipulated agreement. A direct appeal must be made to Circuit Court within 30 days of the original finding. Ms. Flynn had the option to grant an extension or schedule the case for a Massey Hearing for imposition of the fines. Ms. Rutnik stated she was unaware of the 30-day appeal period. She requested an extension through March to determine whether another bill would be presented.

Mr. Ron Tetreault, Fire Inspector, did not object to the request for a three-month extension.

Ms. Flynn granted a 91-day extension to 3/18/10, during which time no fines would accrue.

**Case: CE09041324**

Robert L Mills  
1228 Northeast 5 Avenue

This case was first heard on 5/21/09 to comply by 6/25/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$3,000 fine.

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

Mr. Robert Mills, owner, agreed to the fine reduction.

Ms. Flynn imposed a \$520 fine.

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

**Case: CE09110996**

Narinedat Roy  
2004 Northeast 19 Street

Certified mail sent to the owner was accepted on 11/27/09.

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

Mr. Narinedat Roy, owner, requested 90 days to go through the permit process. Inspector Tetreault suggested 63 days.

Ms. Flynn found in favor of the City and ordered compliance within 63 days, by 2/18/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110999**

Narinedat Roy  
1812 Northeast 20 Avenue

Certified mail sent to the owner was accepted on 11/27/09.

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.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 63 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 63 days, by 2/18/10, or a fine of \$250 per day would begin to accrue.

The following four cases with the same representative were hear together:

**Case: CE09062056**

Linda M Polizzi  
4881 Northwest 9 Terrace

This case was first heard on 8/20/09 to comply by 9/3/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Mr. Sal Viscusi, Code Enforcement Officer, explained the property was in foreclosure and had been vacant for some time. A neighbor had complained about the tarps, fearing the tarps and bricks holding them down could blow off in a storm.

Ms. Francesca San Roman, bank representative reported that a final judgment had been entered on 8/24/09 and the sale date was 1/5/10. After that date, her client would own the property and could perform repairs. She requested additional time to comply.

Ms. Flynn granted a 35-day extension to 1/21/10, during which time no fines would accrue.

**Case: CE09011383**

Patty Daniels Estate  
2333 Northwest 14 Street

This case was first heard on 4/2/09 to comply by 4/30/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,975 fine, which would continue to accrue until the property complied.

Ms. Ingrid Gottlieb, Code Enforcement Officer, stated she had not heard from the owner and the violation still existed.

Ms. Francesca San Roman, bank representative, reported the foreclosure had begun in February, and the bank was still in the process of obtaining a final judgment.

Inspector Gottlieb was concerned because squatters had occupied the property for a time. Ms. Wald advised the bank could request that the Judge grant access to the property to secure it.

Ms. Flynn granted a 35-day extension to 1/21/10, during which time no fines would accrue.

**Case: CT09080878**

Gregory Baum  
1624 Northeast 6 Street

This case was first heard on 10/15/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty and a \$1,200 fine, which would continue to accrue until the property complied.

Ms. Ursula Thime, Code Enforcement Officer, reported the property was not in compliance.

Ms. Francesca San Roman, bank representative, reported the sale date was 1/19/10, and requested additional time to comply. Officer Thime reminded Ms. Flynn that the violation was only for trash, rubbish and debris. Ms. Flynn felt the bank could clean the property.

Ms. Flynn imposed the \$200 civil penalty and a \$1,200 fine, which would continue to accrue until the property complied.

**Case: CT09080867**

Joseph Lamour  
652 Southwest 16 Avenue

This case was first heard on 10/15/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty and a \$4,800 fine, which would continue to accrue until the property complied.

Ms. Francesca San Roman, bank representative, reported the sale date was 1/21/10, and requested additional time to comply.

Mr. Andre Cross, Code Enforcement Officer, reported the property was still not complied, and remarked that the condition was "really bad." He recommended a 35-day extension. Officer Cross declared he would not support any further extensions.

Ms. Flynn granted a 35-day extension to 1/21/10, during which time no fines would accrue.

**Case: CE09072191**

Sharda Building LLC  
3090 West Broward Boulevard

This case was first heard on 11/19/09 to comply by 12/17/09. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 12/18/09.

Ms. Aretha Davis, Code Enforcement Officer, stated the property was now complied.

Mr. Abraham Narkes, owner, confirmed the property was complied, and said he was monitoring the issue closely.

**Case: CT09081031**

Gertrude Upton  
1308 Southwest 17 Avenue

This case was first heard on 10/15/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty and a \$3,200 fine.

Mr. Terry Upton, the owner's son, explained that the State of Kentucky had been in control of his mother's estate and ignored this property. The family had gotten together

to bring the house out of foreclosure on October 30 and Mr. Upton had complied the property with his own money.

Mr. Andre Cross, Code Enforcement Officer, confirmed the property was complied.

Ms. Flynn imposed a \$200 fine.

**Case: CE09092264**

Louis James  
2135 Northwest 7 Street

Service was via posting on the property on 11/24/09 and at City Hall on 12/3/09.

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

NFPA 1:13.6.1.2

FIRE EXTINGUISHER(S) IS/ARE NOT PROVIDED IN ACCORDANCE WITH  
THE CODE.

NFPA 101:31.3.4.5.1

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

Inspector Tetreault requested a finding of fact and recommended ordering compliance with NFPA 1:13.6.1.2 within 28 days or a fine of \$150 per day, and with NFPA 101:31.3.4.5.1 2 within 28 days or a fine of \$250 per day.

Mr. Louis James, owner, said there were fire extinguishers in the building, and no one was staying in the building. He said he was waiting for the work to be completed.

Ms Flynn found in favor of the City and ordered compliance with NFPA 1:13.6.1.2 within 28 days or a fine of \$150 per day, and with NFPA 101:31.3.4.5.1 2 within 28 days or a fine of \$250 per day would begin to accrue.

**Case: CE09061014**

Request for extension

Ari Limited Partnership  
3305 Southwest 9 Avenue

This case was first heard on 11/5/09 to comply by 12/3/09. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$650.

Ms. Christine Rocha, owner's representative, requested a 42-day extension.

Ms. Barbara Urow, Code Enforcement Officer, did not oppose the request for an extension.

Ms. Flynn granted a 42-day extension, during which time no fines would accrue.

**Case: CE09100153**

Sankar Girdhari  
2210 Northwest 7 Court

Service was via posting on the property on 11/24/09 and at City Hall on 12/3/09.

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.

Complied:

MO SEC. 9-313.

Inspector Tetreault reported the smoke detectors had been installed improperly and may not operate properly in the event of a fire. He requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Kamal Sukhu, owner's wife, requested six additional months because they were experiencing financial hardship.

Ms. Flynn found in favor of the City and ordered compliance within 63 days, by 2/18/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09092261**

James S Ferguson  
2131 Northwest 7 Street

Service was via posting on the property on 11/24/09 and at City Hall on 12/3/09.

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 1:13.6.1.2

FIRE EXTINGUISHER(S) IS/ARE NOT PROVIDED IN ACCORDANCE WITH  
THE CODE.

MO SEC. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

NFPA 1:11.1.2

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

Inspector Tetreault requested a finding of fact and recommended ordering compliance with NFPA 101:31.3.4.5.1, NFPA 1:13.6.1.2 and NFPA 1:11.1.2 within 28 days or a fine

of \$250 per day, per violation and with MO SEC. 9-313. within 28 days or a fine of \$50 per day.

Mr. James Ferguson, owner, requested 45 days. Inspector Tetreault agreed to allow 49 days for the smoke detectors only.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 49 days or a fine of \$250 per day, with NFPA 1:13.6.1.2 and NFPA 1:11.1.2 within 28 days or a fine of \$250 per day, per violation and with MO SEC. 9-313. within 28 days or a fine of \$50 per day would begin to accrue.

**Case: CE09072342**

Regina Hanna  
620 Northwest 14 Avenue

This case was first heard on 10/1/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$24,000 fine, which would continue to accrue until the property complied.

Mr. Reginald Turnbull, the owner's son, requested a 90-day extension. He explained his mother was in a rehab center after a massive stroke. Mr. Turnbull said he needed to evict two tenants to gain access to the units.

Mr. Ron Tetreault, Fire Inspector, agreed to the requested for 91 days.

Ms. Flynn granted a 91-day extension to 3/18/09, during which time no fines would accrue.

**Case: CE09090731**

Jessica M Whatley  
1239 Northeast 15 Avenue

This case was first heard on 10/1/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of an \$11,250 fine.

Ms. Jessica Whatley, owner, said she had explained to Inspector Arana that she had thought her electrician had taken care of the issue until she received the second notice. She had then handled the permit herself. She requested the fines be reduced.

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

Ms. Flynn imposed a \$400 fine.

**Case: CE09110891**

Kevin Enright  
2013 Northeast 18 Street

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

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.

Inspector Tetreault reported the owner had the permit, but no inspections had been completed. He requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$250 per day.

Mr. Kevin Enright, owner, said he had never received notice until he received notice of this hearing in the mail. He agreed to comply in 28 days.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/7/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09080341**

Leah D Edewaard  
234 Southwest 19 Street

This case was first heard on 10/1/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$12,000 fine, which would continue to accrue until the property complied.

Ms. Leah Denise Edewaard, owner, said the work was complete and would be inspected that day.

Mr. Ron Tetreault, Fire Inspector, recommended an extension for the inspection to take place.

Ms. Flynn granted a 14-day extension to 12/31/09, during which time no fines would accrue.

**Case: CE09061044**

505 Northeast LLC  
505 Northeast 4 Avenue

This case was first heard on 8/20/09 to comply by 9/24/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,250 fine.



Ms. Lori Ann Tello, owner's representative, explained that a locked gate had caused delays with the inspections.

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

Ms. Flynn imposed a \$520 fine.

**Case: CE09100383**

Cramer Investment Properties LLC  
3901 Northeast 21 Avenue

Certified mail sent to the owner was accepted on 12/7/09 and certified mail sent to the registered agent was accepted on 12/7/09.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:  
47-19.5.D.5.

THE BUFFER WALL AT THIS PROPERTY IS IN DISREPAIR,  
THERE ARE HUGE HOLES IN THE WALL AND THE  
FOUNDATION IS NOT SECURE.

Officer Bass 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. Flynn found in favor of the City and ordered compliance within 35 days, by 1/21/10, or a fine of \$100 per day would begin to accrue.

**Case: CE09100578**

Paula M Richardson  
2831 Southwest 14 Street

Service was via posting on the property on 11/30/09 and at City Hall on 12/3/09.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:  
47-19.2.II.4.a.

THERE IS A PORTABLE STORAGE UNIT STORED ON THIS  
RESIDENTIAL PROPERTY.

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 \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days, by 12/31/09, or a fine of \$25 per day would begin to accrue.

**Case: CE09100927**

John Dokimos & Middle River Oasis LLC  
524 Bayshore Drive

Certified mail sent to the owner was accepted on 12/2/09. Service was also via posting at City Hall on 12/3/09.

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

THERE ARE EXPOSED ELECTRICAL WIRES, OPEN  
ELECTRICAL BOXES AND BROKEN LIGHT FIXTURES ON THE  
PROPERTY.

Officer Sotolongo said a state inspector had alerted him to this case. He had spoken with a property manager, who had promised to make the repairs, but never had. Officer Sotolongo 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 \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days, by 1/21/10, or a fine of \$50 per day would begin to accrue.

**Case: CE09101635**

United Realty Management Inc  
1400 Northwest 8 Avenue # A

Certified mail sent to the owner was accepted on 11/27/09 and certified mail sent to the registered agent was accepted on 11/27/09.

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

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

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

Ms. Flynn found in favor of the City and ordered compliance within 10 days, by 12/21/09, or a fine of \$100 per day would begin to accrue.

**Case: CE09081910**

Isles At Coral Ridge Development  
1400 Northeast 56 Street # 213

This case was first heard on 11/5/09 to comply by 11/15/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$7,750 fine, which would continue to accrue until the property complied.

Mr. Adam Feldman, Code Enforcement Officer, said he had not had contact with anyone from the property.

Mr. Jerome Teppis, attorney, said his client had recently pulled 78 permits on the complex. He assumed the work for this unit was underway. Inspector Feldman said this violation was not addressed by any of the permits. He explained that the developer was being cited for the retaining wall.

Ms. Wald explained that per the condo documents, all units owned a share of all of the common elements. If the property was not complied, a lien must be recorded against each unit owner. Ms. Flynn stated the inspector had the discretion to cite one unit or all of them. Ms. Wald confirmed that the order had been entered against Isles at Coral Ridge Development on 11/5/09.

Mr. Teppis stated there was "no such thing" as Isles at Coral Ridge Development. Ms. Wald explained this was the name listed with the Property Appraiser's office when the property was cited.

Ms. Flynn imposed the \$7,750 fine, which would continue to accrue until the property complied.

**Case: CE09100637**

Sunny River Holdings LLC  
609 Southwest 6 Street

Service was via posting on the property on 11/25/09 and at City Hall on 12/3/09.

Mr. William Snow, Code Enforcement Officer, testified to the following violation:  
18-1.

THE PROPERTY IS AN ABANDONED CONSTRUCTION SITE.  
TRENCHES HAVE BEEN DUG, FOOTERS POURED, STEEL  
REBAR INSTALLED AND A FEW ROWS OF BLOCK SET. THE  
CEMENT FOOTERS, CEMENT BLOCKS AND STEEL RE-BAR  
CONSTITUTE OBJECTIONABLE AND UNSIGHTLY MATTER THAT  
MAY REASONABLY ENDANGER THE PUBLIC HEALTH, SAFETY OR  
WELFARE AND MAY ADVERSELY AFFECT AND IMPAIR THE  
ECONOMIC WELFARE OF ADJACENT PROPERTY IS DECLARED  
TO BE A PUBLIC NUISANCE.

Officer Snow presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 49 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days, by 2/4/10, or a fine of \$100 per day would begin to accrue.

**Case: CE09090726**

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

This case was first heard on 10/1/09 to comply by 10/15 and 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$15,100 fine, which would continue to accrue until the property complied.

Mr. Harold Lovell, owner, said he was waiting for the contractor's insurance to be reinstated so inspection could take place, and requested 35 days.

Mr. Ron Tetreault, Fire Inspector, did not object to the request for an additional 35 days.

Ms. Flynn granted a 35-day extension to 1/21/10, during which time no fines would accrue.

**Case: CE09110879**

Edward J & Bernice J Smith  
801 Southwest 4 Court

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

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 1:14.4.1

THE PATH OF EGRESS IS OBSTRUCTED / BLOCKED.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$250 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/14/10, or a fine of \$250 per day, per violation would begin to accrue.

**Case: CE09110995**

Lee B Farkas  
2010 Northeast 18 Street

Certified mail sent to the owner was accepted on 11/27/09.

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.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/14/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110997**

Michele A Everitt Jeeves  
2001 Northeast 17 Court

Certified mail sent to the owner was accepted on 11/27/09.

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.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/14/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09110998**

Louis & Barbara Bianchi  
2000 Northeast 17 Street

Certified mail sent to the owner was accepted on 12/2/09.

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.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/14/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09111016**

JHS LLC  
105 Northeast 16 Terrace

Certified mail sent to the registered agent was accepted on 11/30/09.

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.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/14/10, or a fine of \$250 per day would begin to accrue.

**Case: CE09111097**

S & K Real Estate Investments Inc  
1323 Southeast 4 Avenue

Certified mail sent to the owner was accepted on 11/30/09.

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 1:14.4.1

THE PATH OF EGRESS IS OBSTRUCTED / BLOCKED.

MO SEC. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

Inspector Tetreault requested a finding of fact and recommended ordering compliance within 28 days or a fine of \$150 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 28 days, by 1/14/10, or a fine of \$150 per day, per violation would begin to accrue.

**Case: CE09111099**

Jesus A Rosas  
1301 Northeast 14 Court

Certified mail sent to the owner was accepted on 11/27/09.

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 requested a finding of fact and recommended ordering compliance with NFPA 1:13.6.6.8.3.1 within 28 days or a fine of \$150 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 1:13.6.6.8.3.1 within 28 days or a fine of \$150 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day would begin to accrue.

**Case: CT09100502**

Camila Fernandez  
2640 Northwest 21 Street

Service was via posting on the property on 11/25/09 and at City Hall on 12/3/09.

18-1.

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

Pursuant to Section 11-19, a Citation Violation Notice dated 10/27/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer 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 14 days, by 12/31/09, or a fine of \$100 per day would begin to accrue.

Ms. Flynn found in favor of the City and ordered compliance within 14 days, by 12/31/09, or a fine of \$100 per day would begin to accrue.

**Case: CT09090373**

Barbara Baker  
5261 Northeast 19 Avenue

This case was first heard on 11/5/09 to comply by 11/15/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty and a \$3,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$200 penalty and a \$3,100 fine, which would continue to accrue until the property complied.

**Case: CE09081595**

Request for extension

Carol E & Jeanne M Akerblom  
2630 Southwest 15 Street

This case was first heard on 11/5/09 to comply by 1/7/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 1/8/10.

Mr. Andre Cross, Code Enforcement Officer, requested a 63-day extension, to take effect after the compliance deadline of 1/7/10.

Ms. Flynn granted an extension to 3/18/10, during which time no fines would accrue.

**Case: CE09090941**

Arelys Perez 1/2 Interest  
Francisco Hernandez  
1427 Southwest 30 Street

This case was first heard on 11/5/09 to comply by 11/15/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,100 fine, which would continue to accrue until the property complied.

**Case: CT09061841**

Steven F Petite  
1038 Northwest 3 Avenue

This case was first heard on 8/20/09 to comply retroactive to 6/19/09, the date the property was cited. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$400 civil penalty, \$380.62 in clean-up costs and a \$50,000 fine.



Ms. Flynn imposed the \$400 civil penalty, \$380.62 in clean-up costs and a \$50,000 fine.

**Case: CT09062093**

CTS 2005 LLC  
619 Southwest 10 Street

This case was first heard on 9/3/09 to comply by 9/17/09. Violations were as noted in the agenda. The property was complied; fines, costs and the civil penalty had accrued to \$1,878.52, and the City was requesting imposition of a \$553.52 fine for lot clearing costs and the civil penalty.

Ms. Flynn imposed a \$553.52 fine.

**Case: CE09062595**

Cecelia S Little  
3051 Northwest 17 Street

This case was first heard on 10/15/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,200 fine, which would continue to accrue until the property complied.

**Case: CT09072715**

L D Benton II & G D Benton  
1642 Northwest 25 Terrace

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 \$200 civil penalty and a \$6,600 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$200 civil penalty and a \$6,600 fine, which would continue to accrue until the property complied.

**Case: CE09060768**

Rony R Alvarado Orellana & Ruth Pineda, et al  
2206 Southwest 5 Street

This was a request to vacate the order dated 11/5/09 and re-impose the fine.

Ms. Flynn vacated the order dated 11/5/09.

This case was first heard on 8/20/09 to comply by 9/17/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$975 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$975 fine, which would continue to accrue until the property complied.

**Case: CE09071862**

Jeff Paperman  
801 Northeast 6 Street

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 complied and the City was requesting imposition of a \$3,500 fine.

Ms. Flynn imposed the \$3,500 fine.

**Case: CE09081902**

Isles At Coral Ridge Development  
1400 Northeast 56 Street # 212

This was a request to vacate the order dated 11/5/09.

Ms. Flynn vacated the order dated 11/5/09.

**Case: CE09030946**

Rosalyn Development Inc &  
David W Grego  
1354 Southwest 26 Avenue

This case was first heard on 9/3/09 to comply by 11/5/09. 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. Flynn imposed a \$2,050 fine, which would continue to accrue until the property complied.

**Case: CE09050615**

LaSalle Bank  
1949 Southwest 28 Way

This case was first heard on 9/3/09 to comply by 11/5/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,100 fine, which would continue to accrue until the property complied.

**Case: CE09091490**

Jason R Foisy  
3308 Northeast 40 Street

This case was first heard on 11/5/09 to comply by 11/15/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,600 and the City was recommending imposition of an \$800 fine.

Ms. Flynn imposed an \$800 fine.

**Case: CT09061622**

Wesley E Stevens  
2118 Southwest 37 Terrace

This was a request to vacate the order dated 8/20/09.

Ms. Flynn vacated the order dated 8/20/09.

**Case: CT09061874**

Zoltan Futaki & Mariann Gyorgy  
3420 Southwest 16 Street

This was a request to vacate the order dated 8/20/09.

Ms. Flynn vacated the order dated 8/20/09.

**Case: CE09072292**

Vincent Matraxia  
1032 Northeast 16 Avenue

This case was first heard on 10/1/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$12,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed a \$12,000 fine, which would continue to accrue until the property complied.

**Cases Complied**

Dee Paris 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:

CE09110132	CE09101392	CE09091921	CE09100626
CE09110878	CE09110882	CE09110888	CE09111009
CE09111011	CE09111013	CE09111014	CE09111088
CE09111090	CE09111093	CE09111096	CE09111098

**Cases Pending Service**

Dee Paris 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:

CE09100647      CE09110993      CE09060056

**Cases Withdrawn**

Dee Paris 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:

CT09102147      CE09091381      CE09030161

**Cases Rescheduled**

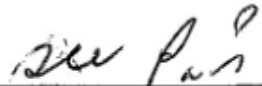
Dee Paris announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE09100413      CE09100591      CE09101259      CE09101260  
CE09071796

There being no further business, the hearing was adjourned at **10:46 a.m.**

  
\_\_\_\_\_  
Special Magistrate

ATTEST:

  
\_\_\_\_\_  
Clerk, Special Magistrate