

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
MEAH TELL PRESIDING
JANUARY 21, 2010
9:00 A.M. –2:12 P.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Susanne Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate – Supervisor
Ginger Wald, Assistant City Attorney
Lori Grossfeld, Clerk III
Cheryl Pingitore, Code Enforcement Supervisor
Peggy Burks, Code Enforcement Supervisor
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Dick Eaton, Sr. 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
Bill Snow, 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

Respondents and Witnesses

CT09092009: Ester Kadosh, owner
CE08120817: Joe Bellavance, concerned citizen; Justin Toal, owner
CE09101894: George Brennen, owner
CE09120215: Todd Thomsen, owner
CE09072735: Angeline Merrisaint, owner
CE09120649: Hyacinthe LaFontant, owner; Miriam Keemer, tenant; Richard Kremer,
tenant
CT09082544: Jorge Carlos Serna, representative; Luis LaRosa, architect
CE09081727: Gaetano Cutrufo, owner

CE09050107: Michael Russell, manager
CE09091746; CT09091819: Alfonso Allen, owner's husband
CE09062637: Ralph Lynch, owner
CE09050439: Leroy Christian, owner's agent
CE09091877: Lorelei Fiala, attorney
CE09062091: Adrian Moore, owner's representative
CE08120116: Raymond Webster, project manager
CE09100795: Oliver Abeleda, owner's husband
CE09110488: Eric Johnson, trustee
CE09101260: Tracy Jordan, owner
CE09072664: Stuart Sherman, president of the corporation
CE09080131; CT09060755: Gail Sparks, attorney
CE09061848: Tal Hen, part owner; Gail Sparks, attorney
CT09071655: Mary Earnest, attorney
CE09111785: Doise Francis, owner
CE09061042: Norman Taylor III, owner
CE09111589: Miguel Schiaffino, owner
CE09091580: Miltou Raijman, mtg. representative
CE09100087: Perry Krape, owner
CE09031924; CE08090509: Mohammed Haroon, owner
CE09100596: Manuel Forero, power of attorney
CT09101904: Veronica Schilling, owner
CE09091012: Sean Gregory, contractor
CT09082388: Shaun Sands, owner
CE08031661: Vincenzo Esposito, owner
CE09040548: Ernesto Hidalgo, owner
CT09090231: Lisa Kessler, realtor's representative
CE07120555: Barbara Cohen, owner; Lawrence Cohen, owner
CE07120387: Donald Dixon, contractor
CE09071796: Louis Jeffrey Condeff, owner

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

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

Case: CE09110488

Eric Johnson Trust
Eric Johnson, Trustee
621 Southeast 5 Avenue

Service was via posting on the property on 12/22/09 and at City Hall on 1/7/10.

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

THE WOOD-FRAMED BUILDING LOCATED ON THE EAST SIDE OF THE PROPERTY IS UNOCCUPIED AND THERE ARE DOORS, WINDOWS, OR OTHER OPENINGS THAT ARE SECURED BY BOARDING. NO VALID CITY ISSUED BOARD-UP CERTIFICATE HAS BEEN ISSUED FOR THE BOARDED WOOD-FRAMED BUILDING.

Officer Snow 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. Officer Snow reported the owner intended to demolish the property.

Mr. Eric Johnson, trustee, requested 90 days to demolish the property.

Ms. Tell found in favor of the City and ordered compliance within 91 days, by 4/22/10, or a fine of \$100 per day would begin to accrue.

Case: CE09061042

Norman Grange Taylor III
1450 North Dixie Highway

This case was first heard on 9/17/09 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 \$9,500 fine.

Mr. Norman Taylor, owner, said the notices had been sent to the wrong address. After the property had been posted, a tenant alerted him and he hired someone to take care of the violation, but the first contractor had not pulled the permit. He hired a second contractor, who completed the work. Mr. Taylor said the tenants were never in danger because there had been working, battery-operated fire detectors in the apartments.

Mr. McKelligett recommended imposing administrative costs of \$520.

Ms. Tell imposed a \$520 fine.

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

Case: CE09100794

Karen Abeleda
608 Southwest 16 Avenue

Certified mail sent to the owner was accepted on 12/24/09.

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

18-7(b)

THE WINDOWS ARE BOARDED ON THIS MULTI-UNIT APARTMENT COMPLEX WITHOUT FIRST OBTAINING A BOARD-UP CERTIFICATE.

Officer Cross presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$150 per day. He stated he had discussed this recommendation with Mr. Abeleda.

Ms. Tell found in favor of the City and ordered compliance within 35 days, by 2/25/10, or a fine of \$150 per day would begin to accrue.

Case: CE09100795

Karen Abeleda
608 Southwest 16 Avenue

Certified mail sent to the owner was accepted on 12/24/09.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
9-307(a)

THERE ARE BROKEN WINDOWS AND WINDOWS THAT ARE IN DISREPAIR ON THIS MULTI-UNIT APARTMENT COMPLEX.

Officer Cross presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$150 per day. He stated he had discussed this recommendation with Mr. Abeleda.

Ms. Tell found in favor of the City and ordered compliance within 35 days, by 2/25/10, or a fine of \$150 per day would begin to accrue.

Case: CE09081727

Gaetano & Vanessa Anna Cutrufo
340 Southwest 16 Court

This case was first heard on 9/17/09 to comply by 10/15 & 10/29/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$7,900 fine. Mr. McKelligett stated the Fire Inspector recommended imposing a \$520 fine for administrative costs.

Mr. Gaetano Cutrufo, owner, agreed to the reduced fine.

Ms. Tell imposed a \$520 fine.

Case: CE09100596

DATI Corp
1924 East Sunrise Boulevard

Certified mail sent to the owner was accepted on 12/15/09 and certified mail sent to the registered agent was accepted on 12/15/09.

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

9-308(c)

THE SOFFIT, FACIA & DRIP EDGE WHICH ARE OVER THE
PEDESTRIAN WALKWAY IN FRONT OF THIS BUSINESS HAS
DAMAGE AND IS IN DISREPAIR.

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

Mr. Manuel Forero, power of attorney, requested 30 days to comply.

Ms. Tell found in favor of the City and ordered compliance within 35 days, by 2/25/10, or a fine of \$50 per day would begin to accrue.

Case: CT09101904

Veronica N Schilling
Veronica N Schilling Revocable Trust
2001 Northeast 59 Street

Service was via posting on the property on 12/16/09 and at City Hall on 1/7/10.

47-21.8. C.

THE HEDGES ON THE PROPERTY BLOCK THE VISIBILITY OF THE
ONCOMING TRAFFIC AND IS ALSO A SIGHT TRIANGLE VIOLATION.

Pursuant to Section 11-19, a Citation Violation Notice dated 11/4/09 had informed the owner that she must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. Officer Bass explained that Ms. Schilling had sought a variance but been denied.

Officer Bass presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$100 per day would begin to accrue.

Ms. Veronica Schilling, owner, said the hedges had been the same since 1995. She had thought the property qualified for a variance, but had never received a response from the City Engineer. Ms. Schilling believed the hedges would die if cut back to 30". She requested 90 days to replace the hedges.

Ms. Tell found in favor of the City and ordered compliance within 84 days, by 4/15/10, or a fine of \$50 per day would begin to accrue.

Case: CT09071655

Peter Mehas
1440 Northeast 3 Avenue

This case was first heard on 11/5/09 to comply by 11/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty plus a \$2,600 fine.

Mr. Todd Hull, Code Enforcement Officer, explained that the owner's attorney had contacted him and complied the property immediately.

Ms. Mary Earnest, attorney, said they had negotiated a short sale on behalf of the owner, who was incapacitated. She said they hoped to close by the end of the month.

Officer Hull stated the administrative costs plus civil penalty totaled \$746. Ms. Earnest requested the fine be reduced to \$200.

Ms. Tell imposed a \$520 fine.

Case: CE09120215

Todd R Thomsen
146 Southwest 21 Way

Personal service had been made to the owner.

This was a repeat violation that occurred from 12/3/09-1/7/10.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THIS RESIDENTIAL PROPERTY, ZONED RS-8, IS BEING USED FOR THE PURPOSE OF OUTDOOR STORAGE INCLUDING, BUT NOT LIMITED TO, STORAGE OF CONSTRUCTION EQUIPMENT AND MATERIALS. OUTDOOR STORAGE IS NOT WITHIN THE PERMITTED USE FOR PROPERTIES IN AREAS ZONED RS-8. THIS IS A REPEAT VIOLATION AS THE PROPERTY WAS CITED VIA CASE NUMBER CE05120543 AND A FINAL ORDER ISSUED ON FEBRUARY 16, 2006, FOR THIS SAME VIOLATION. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE AS A REPEAT VIOLATION WHETHER OR NOT IT COMES INTO COMPLIANCE BEFORE THE HEARING.

9-281(b)

THERE IS MISCELLANEOUS RUBBISH, TRASH, AND DEBRIS

SCATTERED ACROSS THE FRONT LAWN AND DRIVEWAY OF THIS RESIDENTIAL PROPERTY INCLUDING, BUT NOT LIMITED TO, AUTOMOBILE TIRES AND PARTS, AND BOXES. THIS IS A REPEAT VIOLATION AS THE PROPERTY WAS CITED VIA CASE NUMBER CE07070656 AND A FINAL ORDER ISSUED ON AUGUST 16, 2007, FOR THIS SAME VIOLATION. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE AS A REPEAT VIOLATION WHETHER OR NOT IT COMES INTO COMPLIANCE BEFORE THE HEARING.

Officer Davis presented photos of the property and the case file into evidence, requested a finding of fact and recommended imposing a fine of \$50 per day, per violation, from 12/3/09 to 1/7/10 for a total fine of \$3,600.

Mr. Todd Thomsen, owner, confirmed the property was complied. He admitted it had taken him some time to clean the property by holding a yard sale. Officer Davis stated the storage on the property had begun well before Mr. Thomsen's yard sale. She said there had been two prior cases against the property and it had taken a month to clean the property each time.

Ms. Tell agreed to reduce the fine to cover administrative costs, but warned Mr. Thomsen that this would not happen again.

Ms. Tell imposed a \$520 fine.

Case: CE07120555

Lawrence E & Barbara F Cohen
3316 Northeast 38 Street

Ordered to reappear from 11/19/09

This case was first heard on 4/3/08 to comply by 7/3 and 8/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,500 fine, which would continue to accrue until the property complied.

Mr. Mario Sotolongo, Code Enforcement Officer, explained that the final order had not specified the portion of the home that must be painted. There was another case that dealt with this violation, and they must consider whether to dismiss this violation in this case.

Ms. Tell dismissed violation 9-306.

Mr. Lawrence Cohen, owner, reminded Ms. Tell that they had anticipated a check from the insurance company for \$30,000 but they had been sent only approximately \$12,500. Since the holidays, the insurance company had requested affidavits from the neighbors regarding the loss of their roofs. These had been submitted, and additional

documentation had been requested. Mr. Cohen reported that they had filed a demand for the appraisal process, to which the insurance company had approximately one month to respond. After that, the insurance company would agree to an umpire, whose ruling would stand. Mr. Cohen said they must wait until this process was complete before making any repairs to the back of the house. He hoped this would be settled within 90 days.

Ms. Tell granted an 84-day extension to 4/15/10, during which time no fines would accrue and ordered property owner to reappear at that hearing.

Case: CE09091877

Shenika K Smith
515 Northwest 15 Way

Service was via posting on the property on 12/4/09 and at City Hall on 1/7/10.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THE REAR OF THIS PROPERTY
AT THE NORTH SIDE INCLUDING, BUT NOT LIMITED TO, WOOD
CONSTRUCTION MATERIALS WHICH IS A NON-PERMITTED LAND
USE IN RS-8 PER ULDR TABLE 47-5.11.

Officer Quintero 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. Lorelei Fiala, attorney, reported the property was in foreclosure. She agreed with Ms. Wald's suggestion that she file a motion to compel the current owner to make the repairs on the property. She stated her client, the mortgage holder, did "not want to get strapped with tons of fines if and when they do take possession of this property and receive legal title of it." She said the mortgage company could not enter the property and clean it up while the homeowners still owned it. Ms. Tell noted that there was a lockbox on the property, so it appeared the owners did not occupy the residence.

Ms. Wald acknowledged that she had suggested this to Ms. Fiala, and recommended requiring compliance within 28 days or a fine of \$25 per day. Ms. Fiala requested 60 days to submit her motion.

Ms. Tell found in favor of the City and ordered compliance within 42 days, by 3/4/10, or a fine of \$25 per day would begin to accrue.

Case: CE09101894

George W. Brennen Jr & Mary Brennen
110 Kentucky Avenue

Service was via posting on the property on 12/21/09 and at City Hall on 1/7/10.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
BCZ 39-275(7)

THERE IS A REPEAT VIOLATION OF STORING COMMERCIAL VEHICLES ON THIS RESIDENTIAL PROPERTY. A FINAL ORDER WAS ISSUED PER CASE CE09072705 ON SEPTEMBER 17, 2009, BY SPECIAL MAGISTRATE FLYNN. ADDITIONALLY, PRIOR TO THE FINAL ORDER ON SEPTEMBER 17TH, THE PROPERTY WAS CITED MULTIPLE TIMES FOR STORING COMMERCIAL VEHICLES AND EQUIPMENT ON THIS RESIDENTIAL PROPERTY INCLUDING CASES CE07081144 AND CE06082398. WHETHER OR NOT THIS CASE COMES INTO COMPLIANCE BEFORE THE HEARING, IT WILL BE PRESENTED AS A REPEAT VIOLATION.

Officer Davis presented photos of the property and the case file into evidence and remarked that the owner had been cited several times for the same violation.

Mr. George Brennen, owner, explained that sometimes he was "locked out" from his parking spot for the commercial vehicle.

Officer Davis requested that fines of \$25 per day be imposed for the period from 10/23/09 to 11/29/09, a total of \$900. Mr. Brennen explained to Ms. Tell that he sometimes arrived late at night and could not park his vehicle in the storage area and he was seeking another storage area.

Ms. Wald reminded Ms. Tell that in the case of a repeat violation, the City could request fines of up to \$1,000 per day.

Ms. Tell stated she would reduce the fine based on Mr. Brennen's promise to find another parking facility.

Ms. Tell imposed a \$300 fine.

Case: CE09120649

Bazelais & Hyacinthe LaFontant
205 Southwest 18 Avenue

Certified mail sent to the owner was accepted [no date]. Service was also by personal service.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:
47-34.4 B.3.a.

THERE IS A COMMERCIAL BOX ICE CREAM TRUCK BEING

PARKED/STORED ON THIS PROPERTY AT ALL TIMES.
9-280(g)

THERE IS AN EXTENSION CORD RUNNING FROM THE
ICE CREAM TRUCK TO INSIDE THE HOUSE.

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

Ms. Hyacinthe LaFontant, owner, explained that her tenant had lost his business, and requested time for them to comply. She noted that the tenants would be unable to pay her rent if they lost this business.

Mr. Richard Keemer, tenant, said he had his wife had lost their jobs and put their money into this truck. He had been unable to find another storage space for the truck that would provide electricity. Mr. Brennen requested 90 days to find a storage facility or sell the truck.

Ms. Tell found in favor of the City and ordered compliance within 84 days, by 4/15/10, or a fine of \$25 per day, per violation would begin to accrue.

Case: CE08120817

Ordered to reappear from 10/1/09

SVP Las Olas Limited Partnership
100 East Las Olas Boulevard

This case was first heard on 6/18/09 to comply by 10/1/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 1/22/10.

Mr. Adam Feldman, Code Enforcement Officer, said the respondents had reappeared to provide an update, and he did not object to an extension.

Mr. Justin Toal, owner, reported they had met with neighbors and devised an "Urban Oasis" project for the lot. The owners and the River House would make a significant contribution to implement the plan, which would be heard by the Board of Adjustment in February. Mr. Toal estimated it would take 45 to 90 days to implement the plan once it was approved. If the project could not be commenced within 98 days, he promised to abandon the project and shut the lot.

Ms. Tell granted a 133-day extension to 6/3/10, during which time no fines would accrue.

Case: CE09072735

Angeline Jean-Baptiste
165 Vermont Avenue

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

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
9-280(h)(1)

SECTIONS OF THE WOOD FENCE ARE IN DISREPAIR WITH
MISSING OR LEANING PLANKS.

9-308(b)

THERE ARE BROKEN AND MISSING ROOF TILES ON THE
ROOF OF THIS RESIDENTIAL PROPERTY.

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

Ms. Angeline Merrisaint, owner, explained that she had spent the past three months in the hospital with her son, who had been released two days ago. Ms. Tell suggested Ms. Merrisaint remove the fence, and Ms. Merrisaint said she wanted to repair it. She requested 90 days to repair the fence and roof.

Ms Tell found in favor of the City and ordered compliance within 133 days, by 6/3/10, or a fine of \$25 per day, per violation would begin to accrue.

Case: CT09082388

Repeat Violation

Shaun Sands

2781 Northwest 19 Street

This case was first heard on 11/5/09 to comply retroactively by 8/28/09, the date the inspector first noted the violation. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$400 civil penalty, plus an \$8,300 fine.

Ms. Ingrid Gottlieb, Code Enforcement Officer, said the owner had informed her that the property was complied on 11/9/09 and she believed him. This reduced the time the property was out of compliance to 68 days.

Mr. Shaun Sands, owner, reported the property had been complied since the day he attended the last hearing. He had hired a landscape company to maintain the property.

Ms. Tell imposed a \$400 civil penalty and a \$120 fine.

Case: CE09071796

Rescheduled from 12/17/09

L & S Apartments Inc

5220 Northeast 14 Way

This case was first heard on 8/20/09 to comply by 10/22/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$750 and the City was requesting imposition of a \$520 fine.

Mr. Louis Jeffrey Condeff, owner, explained that they had experienced a delay scheduling installation and inspection with the tenants. One detector had needed to be relocated after it failed the first inspection. Mr. Condeff requested further reduction of the fine.

Ms. Tell imposed a \$300 fine.

Case: CE09061848

B & H Real Estate Management LLC
1408 Northwest 9 Avenue

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 the City was requesting imposition of a \$2,400 fine, which would continue to accrue until the property complied.

Mr. Todd Hull, Code Enforcement Officer, stated the new owner was present to request time to replace the roof. Officer Hull recommended 63 days.

Mr. Tal Hen, part owner, requested 60 days to repair the roof.

Ms. Tell granted a 63-day extension to 3/25/10, during which time no fines would accrue.

Case: CE09062637

Request for extension

Ralph L Lynch
425 Northeast 8 Street

This case was first heard on 11/5/09 to comply by 1/8/10. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$3,250.

Mr. Ralph Lynch, owner, said he had been taking care of a family member who had medical issues. He had provided the Fire Inspector with documentation and requested an extension.

Mr. Ron Tetreault, Fire Inspector, confirmed he had spoken with Mr. Lynch.

Ms. Tell granted a 42-day extension to 3/4/10, during which time no fines would accrue.

Case: CE09072664

Fort Lauderdale Properties II Inc
1050 Northeast 7 Avenue

This case was first heard on 9/3/09 to comply by 12/3/09. 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. Stuart Sherman, president of the corporation, believed the system had been installed.

Mr. Ron Tetreault, Fire Inspector, said the smoke detector violation was complied; the fire alarm violation was not.

Mr. Sherman stated they were in default of the mortgage and were in negotiations with the bank to refinance the property. He requested an extension of 180 days.

Ms. Tell granted a 182-day extension to 7/22/10, during which time no fines would accrue.

Case: CT09090231

US Bank National Association
C/O Florida Default Law Group
3040 Southwest 13 Court

This case was first heard on 11/5/09 to comply by 11/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty plus a \$3,100 fine.

Mr. Andre Cross, Code Enforcement Officer, described his visits to the property, and the fact that the tenant had not acted to comply until 12/21/09.

Ms. Lisa Kessler, realtor's representative, explained that the realtor had taken care of the property after the tenant left on 12/1/09.

Ms. Tell imposed a \$520 fine.

Case: CE09111589

Decades Of Design Group Inc
1500 Northeast 4 Avenue

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

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

NFPA 1:11.1.5

EXTENSION CORDS ARE BEING USED AS A SUBSTITUTE FOR
PERMANENT WIRING ON FIRST AND SECOND FLOORS.

NFPA 101:7.9.1.1

EMERGENCY LIGHTING IS NOT PROVIDED IN ACCORDANCE
WITH THE CODE - SECOND FLOOR.

NFPA 1:14.14.1.2

EXIT SIGN(S) IS(ARE) NOT PROVIDED AT THE(ALL)

REQUIRED EXIT(S).

Complied:

NFPA 101:7.2.1.5.2

NFPA 1:13.6.3.10

Inspector Tetreault said he had met with the owner, and the property just needed a fire final inspection to comply. He recommended ordering compliance within 28 days or a fine of \$150 per day, per violation, would begin to accrue.

Mr. Miguel Schiaffino, owner, agreed work would be inspected within 28 days.

Ms. Tell found in favor of the City and ordered compliance within 28 days, by 2/18/10, or a fine of \$100 per day, per violation, would begin to accrue.

Case: CT09082544

CLA Strada Unit Owner LLC

C/O Related Group

315 Northeast 3 Avenue # 1001

This case was first heard on 11/5/09 to comply by 11/19/09. 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 \$3,100 fine, which would continue to accrue until the property complied.

Mr. Jorge Carlos Serna, representative, said they were working to correct the problem. He requested another 60 days.

Mr. Luis LaRosa, architect, agreed the work could be done in 60 days.

Ms. Ursula Thime, Code Enforcement Officer, recommended a 90-day extension.

Ms. Tell granted a 91-day extension to 4/22/10, during which time no fines would accrue.

Case: CT09092009

Continued from 11/19/09

38 Pelican Drive

38 Pelican Drive LLC

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

9-304(b)

THIS VACANT LOT IS BEING USED FOR THE PARKING OF
VEHICLES ON THE GRASS SURFACE ON AN ONGOING BASIS.
THIS VIOLATION REPRESENTS A REPEAT VIOLATION OF

CASE NUMBER CT09070405 WHERE A CITATION WAS ISSUED
ON 07/10/09 FOR THE SAME VIOLATION.

Officer Feldman stated the owner had been ordered to reappear today in lieu of imposing the fine for a repeat violation. At the last hearing, Ms. Estee Kadosh, owner, had said she must determine whether landscaping or fencing would be less expensive for cordoning off the property. Officer Feldman said no fencing or landscaping had been installed yet, but vehicles were no longer parking on the lot due to a temporary solution.

Ms. Kadosh said the signs and temporary gate were working to keep people from parking on the property. She had received estimates of \$5,000 to \$10,000 for landscaping, which would also require maintenance and irrigation, and had decided to put the land up for sale instead.

Officer Feldman recommended a fine of \$200 for each of the 5 days the property was out of compliance for this repeat violation. He asked that the temporary barrier be removed because it was not a permitted structure.

Ms. Tell imposed no fine.

Case: CE08031661

Ordered to reappear from 9/17/09

Esposito Enterprises Inc
2902 East Sunrise Boulevard

This case was first heard on 5/21/09 to comply by 8/27/09. Violations and extensions were as noted in the agenda. The property was not complied and the fine had accrued to \$6,000, which would continue to accrue until the property complied.

Mr. Vincenzo Esposito, owner, said work had begun three days ago, and requested another three months.

Mr. Adam Feldman, Code Enforcement Officer, said other tenants were working with Planning and Zoning to alter the site plans for the parking lots. He said work had begun on sections of the lot and work would progress to this lot. He recommended a 98-day extension.

Ms. Tell granted a 98-day extension to 4/29/10, during which time no fines would accrue.

Case: CE09091580

C O Group Inc
1800 South Miami Rd

Certified mail sent to the owner was accepted on 12/24/09 and certified mail sent to the registered agent was accepted on 12/24/09.

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

THIS PROPERTY HAS BEEN BOARDED WITHOUT FIRST OBTAINING
THE REQUIRED CITY-ISSUED BOARD-UP CERTIFICATE.

Officer Eaton presented photos of the property and the case file into evidence. He had spoken with a representative of the mortgage company that was foreclosing on the property, who had requested time to complete the foreclosure process. Officer Eaton requested a finding of fact and recommended ordering compliance within 35 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days, by 2/25/10, or a fine of \$100 per day would begin to accrue.

The following two cases were heard together:

Case: CE09091746

J & Velma Utley
421 Northwest 17 Avenue

Service was via posting on the property on 12/4/09 and at City Hall on 1/7/10.

Mr. Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS PROPERTY THAT
ARE IN DISREPAIR OR NOT BEING MAINTAINED. THEY INCLUDE,
BUT ARE NOT LIMITED TO, WINDOWS, FASCIA BOARDS.

9-280(h)(1)

THERE IS A CHAIN LINK FENCE IN DISREPAIR AT THE
SOUTH SIDE OF THIS PROPERTY. SECTIONS ARE MISSING
AND/OR NOT ATTACHED.

9-306

THE EXTERIOR OF THE HOUSE IS NOT MAINTAINED IN A
SECURE AND ATTRACTIVE MANNER. THE EXTERIOR WALLS
AND FASCIA HAVE AREAS OF FADED AND PEELING PAINT.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THIS PROPERTY AT THE
SOUTH SIDE INCLUDING, BUT NOT LIMITED TO, CYNDER
BLOCKS, CRATES, PAINT BUCKETTS, WHICH IS A NON-PERMITTED
LAND USE IN RS-8 PER ULDR TABLE 47-5.11.

Officer Quintero 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, per violation.

Mr. Alfonso Allen, the deceased owner's husband, stated he knew what needed to be done, but needed time. He stated he had begun removing some of the items stored on the property already. Officer Quintero stated residents of the property had complained about the conditions.

Mr. McKelligett noted that the house was still in the name of his deceased in-laws.

Mr. Allen requested 90 days, but Officer Quintero stated this was too long.

Ms. Tell continued the case for 42 days, to 3/4/10, and ordered the respondent to reappear at that hearing.

Case: CT09091819

J & Velma Utley
421 Northwest 17 Avenue

This case was first heard on 11/19/09 to comply by 11/29/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty plus a \$1,300 fine, which would continue to accrue until the property complied.

Ms. Tell granted a 42-day extension to 3/4/10, during which time no fines would accrue.

Case: CE09040548

Hector Porcelli
3012 Seville Street

This case was first heard on 5/21/09 to comply by 8/6/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$16,750 and the City was requesting imposition of a \$520 fine.

Mr. Ernesto Hidalgo, owner, stated they had purchased the property unaware of the violations and acted to comply them.

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

Ms. Tell imposed a \$520 fine.

Case: CE09062091

Jean Leonce Joseph
521 Southwest 27 Terrace

Ordered to reappear from 11/19/09

This case was first heard on 11/19/09 to comply by 1/21/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 1/22/10.

Ms. Aretha Davis, Code Enforcement Officer, stated repairs had begun at the property.

Mr. Adrian Moore, owner's representative, confirmed he had repaired one of the ceilings and would continue work on the rest of the house. He requested a 90-day extension. Mr. Moore stated they wanted to short-sell the house, and wished to make the repairs to make the property more attractive to a buyer.

Ms. Tell granted a 98-day extension to 4/29/10, during which time no fines would accrue.

Case: CE09091012

Bradley Hertz
2065 Riverland Road

Certified mail sent to the owner was accepted on 12/19/09.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
9-280(b)

THERE IS AN EXTERIOR WOOD DECK THAT IS AFFIXED TO THE
SECOND STORY OF THIS SINGLE FAMILY RESIDENCE THAT IS
IN DISREPAIR AND IS MISSING A RAILING SYSTEM.

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

Mr. Sean Gregory, contractor, explained that the permit had been denied because the wrong plans had been submitted. The architect was working on plans now and they should be ready within 14 days. Mr. Gregory requested 63 days.

Ms. Tell found in favor of the City and ordered compliance within 70 days, by 4/1/10, or a fine of \$100 per day would begin to accrue.

Case: CT09060755

David Ligon
3670 Southwest 23 Court

This case was first heard on 8/20/09 to comply by 9/3/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty, plus a \$950 fine.

Mr. Mark Campbell, Code Enforcement Officer, confirmed the property was complied.

Ms. Gail Sparks, bank representative, explained the property was in foreclosure, and requested the fines be reduced. Officer Campbell stated the listed owner had performed the property clean-up. It was uncertain whether the property was currently vacant.

Ms. Tell imposed a \$200 civil penalty.

Case: CE09080131

Request for extension

Keith Smith

1051 Northwest 49 Street

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 had accrued to \$850.

Mr. Sal Viscusi, Code Enforcement Officer, reported the property had been vacant for some time and had been boarded up by the City in 2007. In 2009, the City had been contacted by Keith Smith, who stated the property appraiser incorrectly listed him as the property owner. Officer Viscusi said the City wished to know what the new owner would do with the property.

Ms. Gail Sparks, bank representative, stated there was a pending foreclosure sale date of February 9, 2010. She requested an extension to obtain permits. Officer Viscusi agreed to a 91-day extension.

Ms. Tell granted a 91-day extension to 4/22/10, during which time no fines would accrue.

Case: CE07120387

American One Rentals Inc

3400 Southwest 12 Place

This case was first heard on 10/1/09 to comply by 11/12/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$17,250 fine, which would continue to accrue until the property complied.

Mr. Donald Dixon, contractor, stated he had permits and the work was being done. He requested 30 days to have the property inspected.

Ms. Tell granted a 42-day extension to 3/4/10, during which time no fines would accrue.

Case: CE09050439

Request for extension

Joseph & Muregne St Louis

486 Northwest 17 Place

This case was first heard on 10/1/09 to comply by 11/15/09. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$1,000.

The respondent had left the hearing, so Ms. Tell heard other cases until he returned.

Mr. Todd Hull, Code Enforcement Officer, stated the original permit to re-roof the property was issued in 2006 and the owner had experienced problems with his contractors. Officer Hull stated there was a stack of loose tiles that needed to be installed, which should take less than one week. Officer Hull opposed any further extensions.

Mr. Leroy Christian, the owner's agent, said the property could be complied in 15 days. Officer Hull stated Mr. Christian had requested additional time on December 28, and the delay had been caused by the cold weather.

Ms. Tell granted a 42-day extension to 3/4/10, during which time no fines would accrue, and ordered property owner to reappear at that hearing.

Case: CE09050107

Las Olas Properties Inc
408 Northeast 2 Avenue

This was a request to vacate the Order dated 12/3/09 and re-impose the fine.

Ms. Tell vacated the Order dated 12/3/09.

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.

Mr. Michael Russell, manager, stated they had experienced a delay in coordinating installations with the tenants and the contractor. He noted he had been in constant communication with the inspector. Mr. Russell requested the fines be reduced to administrative costs of \$520.

Mr. Ron Tetreault, Fire Inspector, agreed to the fine reduction to administrative costs.

Ms. Tell imposed a \$520 fine.

Case: CE08120116

Robert McCook
538 Bayshore Drive

Ordered to reappear from 11/19/09

This case was first heard on 2/19/09 to comply by 8/20/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$45,000 fine, which would continue to accrue until the property complied.

Mr. Raymond Webster, project manager, stated he was making progress, and requested 28 days.

Mr. Ron Tetreault, Fire Inspector, recommended 42 days.

Ms. Tell granted a 42-day extension to 3/4/10, during which time no fines would accrue.

Case: CE09031924

Mohammed A Haroon & Yasmeen Anwar
1881 Davie Boulevard

Certified mail sent to the owner was accepted on 12/24/09.

Mr. Adam Feldman, Code Enforcement Officer, testified to the following violations:
47-20.20.H.

THE PARKING LOT IS IN DISREPAIR IN THAT IT IS IN
NEED OF RESURFACING/RESTRIPIPING WITH THE PROPER
PERMITS OBTAINED.

Complied:

47-19.5.D.5.

9-280(g)

9-306

Officer Feldman stated a permit application had been submitted on 12/28/09 and had failed plan review. He recommended ordering compliance within 63 days or a fine of \$150 per day.

Mr. Mohammed Haroon, owner, stated he had to reconcile an issue with the handicapped parking spaces.

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

Ms. Tell found in favor of the City and ordered compliance within 84 days, by 4/15/10, or a fine of \$150 per day would begin to accrue.

Case: CE08090509

Mohammed A Haroon
1905 Davie Boulevard

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

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

THE CHAIN LINK FENCE ON THIS PROPERTY IS IN GENERAL
DISREPAIR, MISSING POSTS IN AREAS, AND THE FENCE IS
LEANING IN AREAS.

Withdrawn:

18-27(a)

Complied:

9-307(a)

Officer Cross 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 \$150 per day.

Mr. Mohammed Haroon, owner, stated he had a demolition permit, but the demolition had been done incorrectly. He requested 30 days to repair the fence.

Ms. Tell found in favor of the City and ordered compliance within 28 days, by 2/18/10, or a fine of \$150 per day would begin to accrue.

Case: CE09101260

Sharleda Jordan

830 Southwest 30 Avenue

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

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
18-4(c)

NUISANCE - THERE ARE DERELICT AND INOPERABLE VEHICLES
ON THIS PROPERTY AND SWALE INCLUDING A FORD PICK-UP
TRUCK WITH AN EXPIRED TAG. THE CITY OF FORT LAUDERDALE
CONSIDERS THIS TO BE A THREAT TO THE HEALTH, SAFETY,
AND WELFARE OF THE COMMUNITY. ALL DERELICT AND
INOPERABLE VEHICLES ARE SUBJECT TO BE TOWED.

Officer Davis reported that as of her last inspection, there was now a white van, and a boat and trailer present without tags. 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, with the right to tow the van and the boat and trailer.

Mr. Tracy Jordan, owner, said he had the tag for the black truck; he would sell the van and relocate the boat or register its trailer. He requested 30 days.

Ms. Tell found in favor of the City and ordered compliance within 42 days, by 3/4/10, or a fine of \$100 per day would begin to accrue.

Case: CE09100087

Broward Development II LLC
1870 State Road 84

Certified mail sent to the owner was accepted on 1/5/10 and certified mail sent to the registered agent was accepted [no date].

Ms. Barbara Urow, Code Enforcement Officer, testified to the following violation:
47-19.1.C.

A VACANT LOT IS NOT PERMITTED TO HAVE AN ACCESSORY
USE WITHOUT A PRINCIPAL USE OF THE PROPERTY.

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.

Mr. Perry Krape, owner, said his architect was drafting plans for a storage structure. He requested six months. Officer Urow said this case was the result of a complaint. In order for the trailers only to be permitted, the site plan must show a staging area. Mr. Krape stated he had owned the property, with the trailers on it, for seven years.

Ms. Tell found in favor of the City and ordered compliance within 42 days, by 3/4/10, or a fine of \$25 per day would begin to accrue, and ordered the respondent to reappear at that hearing.

Case: CT09110388

19th Street Investors Inc
1700 North Federal Highway

Certified mail sent to the owner was accepted on 12/15/09 and certified mail sent to the registered agent was accepted on 12/15/09.

47-22.3.C.

THE "HALLOWEEN USA" BANNER SIGN POSTED ON PROPERTY
WITHOUT PERMIT.

Pursuant to Section 11-19, a Citation Violation Notice dated 11/5/09 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 Rich presented a copy of the affidavit of non-compliance, photos of the

property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CT09110812

A & Trudy Storace
1001 Northwest 13 Street

Service was via posting on the property on 12/28/09 and at City Hall on 1/7/10.
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 11/30/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Sappington presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$25 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days, by 2/4/10, or a fine of \$25 per day would begin to accrue.

Case: CT09092290

Shella D'Haiti
3340 Auburn Boulevard

Service was via posting on the property on 12/29/09 and at City Hall on 1/7/10.

18-1.

THERE IS MISCELLANEOUS RUBBISH, TRASH, AND DEBRIS ON THE REAR YARD OF THIS OCCUPIED, RESIDENTIAL PROPERTY.

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. 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 or a fine of \$25 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$25 per day would begin to accrue.

Case: CT09101669

C L Isle of Venice LLC
149 Isle of Venice

Certified mail sent to the owner was accepted on 12/14/09 and certified mail sent to the registered agent was accepted on 12/4/09.

18-1.

VACANT LOT IS OVERGROWN AND LITTERED WITH PILES OF PALM BRANCHES AND OTHER YARD DEBRIS.

Pursuant to Section 11-19, a Citation Violation Notice dated 11/2/10 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 or a fine of \$25 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$25 per day would begin to accrue.

Case: CT09110097

Bryant Hoover
2530 Key Largo Lane

Certified mail sent to the owner was accepted on 12/4/09 and certified mail sent to the registered agent was accepted on 12/7/09.

18-1.

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.

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

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CT09110448

Glenn Powell & Mara Mendez
220 Southwest 20 Avenue

Certified mail sent to the owner was accepted on 12/15/09.

18-1.

THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

Pursuant to Section 11-19, a Citation Violation Notice dated 11/16/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Cross presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$100 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days, by 2/4/10, or a fine of \$100 per day would begin to accrue.

Case: CT09102229

Brian Gore
1500 Southwest 13 Court

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

47-21.8.D.

THE HEDGES THAT ARE IN THE SWALE AREA ARE OVERGROWN, NOT MAINTAINED, BLOCKING THE VISIBILITY OF ONCOMING TRAFFIC.

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

Ms. Tell found in favor of the City and ordered compliance within 14 days, by 2/4/10, or a fine of \$100 per day would begin to accrue.

Case: CT09111459

JV Development Group Inc
1945 Southwest 5 Place

Certified mail sent to the owner was accepted on 12/24/09 and certified mail sent to the registered agent was accepted [no date].

18-1.

THERE IS TRASH, RUBBISH, AND DEBRIS SCATTERED ABOUT THE PROPERTY INCLUDING, BUT NOT LIMITED TO, OLD PLYWOOD AND MISCELLANEOUS ITEMS.

Pursuant to Section 11-19, a Citation Violation Notice dated 11/30/09 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Cross presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$100 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days, by 2/4/10, or a fine of \$100 per day would begin to accrue.

Case: CT09100874

Gerales & Meliana P Isma
2730 Northwest 26 Street

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

18-1.

THERE IS TRASH AND DEBRIS ON THE PROPERTY INCLUDING METAL GATES, WOOD, BUILDING MATERIALS, AND OTHER VARIOUS ITEMS.

Pursuant to Section 11-19, a Citation Violation Notice dated 11/6/09 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 or a fine of \$100 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days, by 2/4/10, or a fine of \$100 per day would begin to accrue.

Case: CE09121290

Virgil & Rosa Mae Bolden
1227 Northwest 6 Street

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

Ms. Wanda Sappington, Code Enforcement Officer, testified to the following violation:
18-7(b)

DOORS, WINDOWS, AND/OR OTHER OPENINGS HAVE BEEN
BOARDED OR OTHERWISE SECURED IN A NON-CONVENTIONAL
MANNER. THERE IS NO CURRENT AND VALID CITY ISSUED
BOARD-UP PERMIT.

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

Ms. Tell found in favor of the City and ordered compliance within 35 days, by 2/25/10, or a fine of \$100 per day would begin to accrue.

Case: CE09120162

Michelet Labardy Trust
Vanguard Hammer Property Trustee
1444 Northwest 8 Avenue # A

Service was via posting on the property on 12/30/09 and at City Hall on 1/7/10.

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

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

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

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CE09110142

Russell V G Morrow
1634 Northwest 3 Avenue

Service was via posting on the property on 12/23/09 and at City Hall on 1/7/10.

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

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

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

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CE09120442

Blue Wave Group LLC
813 Southeast 18 Court

Certified mail sent to the owner was accepted on 12/30/09 and certified mail sent to the registered agent was accepted on 12/30/09.

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

THE POOL AT THIS PROPERTY IS NOT BEING MAINTAINED
ON A REGULAR BASIS AND IS FILLED WITH GREEN,
STAGNANT WATER. THIS PRESENTS A HEALTH AND SAFETY
CONCERN FOR THE COMMUNITY IN THAT IT COULD BECOME
A BREEDING GROUND FOR MOSQUITOES.

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

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CE09111015

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

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

Mr. Dick Eaton, Code Enforcement Officer, testified to the following violation:
18-1.

THERE IS A FERAL BEE COLONY LOCATED IN THE BRICK FENCE
AROUND THE EXTERIOR OF THIS VACANT PROPERTY. THIS IS A
HEALTH AND SAFETY ISSUE FOR THE NEIGHBORHOOD.

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

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CE09090564

John Dokimos & Middle River Oasis LLC
519 Antioch Avenue

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

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
47-21.6 L.

UNDEVELOPED LOT HAS NO GROUND COVER IN ORDER TO
PREVENT DUST OR SOIL EROSION.

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

Ms. Tell found in favor of the City and ordered compliance within 28 days, by 2/18/10, or a fine of \$25 per day would begin to accrue.

Case: CE09100974

Stipulated agreement

Insite Sunrise Beach LLC
917 Sunrise Lane

47-19.5.E.7.

THE CHAIN-LINK FENCE AROUND THE PROPERTY IS IN
DISREPAIR. THERE ARE SECTIONS OF THE HORIZONTAL
BRACING WHICH ARE BENT OUT OF SHAPE AND DISCONNECTED.

The City had a stipulated agreement with the owner to comply within 26 weeks or a fine of \$50 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Tell found in favor of the City, approved the stipulated agreement and ordered compliance within 26 weeks or a fine of \$50 per day would begin to accrue.

Case: CE09092395

Marco Mello
4051 Northeast 34 Avenue

Service was via posting on the property on 12/4/09 and at City Hall on 1/7/10.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
18-11(a)

THE WATER IN THE POOL IS GREEN AND STAGANANT AND IS, OR MAY REASONABLY BECOME, A BREEDING GROUND FOR MOSQUITOES ENDANGERING THE HEALTH, SAFETY, AND WELFARE OF SURROUNDING NEIGHBORS.

Officer Sotolongo stated the property was in foreclosure and the owner did not intend to comply the violations. He presented photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day would begin to accrue.

Case: CE09110458

Glenn Powell & Mara Mendez
220 Southwest 20 Avenue

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

Mr. Andre Cross, Code Enforcement Officer, testified to the following violations:
9-280(f)

ALL PLUMBING FIXTURES SHALL BE PROPERLY CONNECTED TO THE WATER AND SEWER SYSTEMS OF THE CITY. WHERE A SEWER SYSTEM IS NOT AVAILABLE, DRAIN LINES SHALL BE CONNECTED TO AN APPROVED SEPTIC SYSTEM. THE SEPTIC SYSTEM AT THIS LOCATION IS IN DISREPAIR AND OVERFLOWING.

9-280(h)(1)

THE CHAIN LINK FENCE ON THE PROPERTY IS IN DISREPAIR. IT HAS MISSING POSTS AND IT'S CAUSING THE CHAIN LINK FENCE TO LEAN.

Officer Cross 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, per violation.

Ms. Tell found in favor of the City and ordered compliance within 10 days, by 1/31/10, or a fine of \$100 per day, per violation would begin to accrue.

Case: CE09120410

Glenn Kenneth Powell & Mara L Mendez
280 Southwest 20 Avenue

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

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.

Ms. Tell found in favor of the City and ordered compliance within 14 days, by 2/4/10, or a fine of \$100 per day would begin to accrue.

Case: CE09100591

Cedric & Clare V Law
390 Utah Avenue

Service was via posting on the property on 12/8/09 and at City Hall on 1/7/10.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violation:
BCZ 39-275(7)(a)

COMMERCIAL VEHICLES AND EQUIPMENT ARE BEING STORED
IN THE DRIVEWAY OF THIS RESIDENTIAL PROPERTY. THIS
IS A RECURRING VIOLATION AS THERE HAVE BEEN VERBAL
WARNINGS AND MULTIPLE CITATIONS PRIOR TO THIS
CURRENT CASE INCLUDING CASE NUMBERS CE08062364,
CE07041259, CE07041053, AND CE07040973. THIS CASE
WILL BE PRESENTED TO THE SPECIAL MAGISTRATE
WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Davis stated the property was currently in compliance but had been cited multiple times for the same violation. She presented photos of the property and the case file into evidence and requested a finding of fact.

Ms. Tell found the violation had existed on 10/8/09 and 10/14/09.

Case: CE09110693

Linwood P Norman Jr & Wilton David Dickerson
1313 Northeast 16 Terrace

Service was via posting on the property on 12/15/09 and at City Hall on 1/7/10.

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:

NFPA 1:13.6.6.8.3.1

Inspector Tetreault recommended ordering compliance within 42 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 42 days, by 3/4/10, or a fine of \$250 per day would begin to accrue.

Case: CE09110713

Perry Ship
1401 Northeast 15 Avenue

Service was via posting on the property on 12/15/09 and at City Hall on 1/7/10.

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

NFPA 1:13.6.6.8.3.1

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

NFPA 101:31.3.4.5.1

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

Inspector Tetreault recommended ordering compliance 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.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:13.6.6.8.3.1 within 28 days, by 2/15/10, or a fine of \$150 per day, and with NFPA 101:31.3.4.5.1 within 28 days, by 2/15/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111785

Ralph & Dosie Francis
1441 Northwest 19 Street

Certified mail sent to the owner was accepted on 12/18/09.

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 had spoken with the owner and agreed to recommend ordering compliance within 56 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 56 days, by 3/18/10, or a fine of \$250 per day would begin to accrue.

Case: CE09100172

Grace Thomas Holding Corp
1700 Northeast 8 Street

This was a request to vacate the order dated 11/19/09.

Ms. Tell vacated the order dated 11/19/09.

Case: CE09110993

Castles Of Life LLC
2011 Northeast 17 Street

Service was via posting on the property on 12/28/09 and at City Hall on 1/7/10.

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:

NFPA 1:13.6.6.8.3.1

Inspector Tetreault recommended ordering compliance within 28 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 28 days, by 2/18/10, or a fine of \$250 per day would begin to accrue.

The following 22 cases for the same condo association were heard together:

Case: CE09111529

John J & Dolores L Galligan
3201 Northeast 29 Street # 101

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault reported that for all of the properties, the work was in progress and recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111531

Marie S Kimball
3201 Northeast 29 Street # 102

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111533

Arthur K & Louise G Magnani
Arthur & L Magnani Revocable Living Trust
3201 Northeast 29 Street # 103

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111534

Aaron & Ruth Weisser
3201 Northeast 29 Street # 104

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111535

Barbara Jean Redding
3201 Northeast 29 Street # 106

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111537

Michael Thomas & Pamela S Ellis
3201 Northeast 29 Street # 108

Certified mail sent to the owner was accepted on 12/18/09.

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 recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111539

Patrick W & Joanne M Earle
C/O William P Meehan Esq.
3201 Northeast 29 Street # 201

Certified mail sent to the owner was accepted on 12/21/09.

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 recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111540

Carmen M Gomez
Carmen M Gomez Revocable Trust
3201 Northeast 29 Street # 202

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111542

Paul R Panepinto
3201 Northeast 29 Street # 203

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111574

Jean Guy Savard
3201 Northeast 29 Street # 204

Certified mail sent to the owner was accepted on 1/4/10.

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 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111575

Nina Fallick & Cynthia Jacob
3201 Northeast 29 Street # 205

Certified mail sent to the owner was accepted on 12/23/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111576

Motion filed

Ruby D Graf
3201 Northeast 29 Street # 206

Certified mail sent to the owner was accepted on 9/12/18/09.

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 the owner had submitted a motion to dismiss, but the City Attorney did not believe this was applicable to these proceedings. The motion to dismiss was based on the fact that each unit had direct access to the outside, but Inspector Tetreault explained that this exemption would only apply if each apartment had its own stairwell, not a common egress, as this building had. Therefore, this exemption could not apply to this building. Inspector Tetreault added that the owner believed that the smoke detector and fire alarm were the same. Inspector Tetreault had spoken with the owner's attorney, who informed him that the work was already under way. Ms. Tell assumed the motion to dismiss had been withdrawn, since work was ongoing.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111578

Joseph & Dorothea Coviello
3201 Northeast 29 Street # 207

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111579

Saveria & Victor Ragucci
3201 Northeast 29 Street # 208

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111580

Richard M & Joan E Butler & Joan E Butler
3201 Northeast 29 Street # 301

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111581

Virginia Hallberg
3201 Northeast 29 Street # 302

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111582

Henry P & Martha J Philipps
3201 Northeast 29 Street # 303

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111583

Virginia R & Michael A Hiner
3201 Northeast 29 Street # 304

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111584

Paula Shahadey, 1/2 Interest
Frank Shahadey
3201 Northeast 29 Street # 305

Certified mail sent to the owner was accepted on 12/19/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111586

Joe H & Patty M Corley
3201 Northeast 29 Street # 306

Certified mail sent to the owner was accepted on 12/16/09.

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.

Inspector Tetreault recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111587

Brian J & Anne C Ford
3201 Northeast 29 Street # 307

Certified mail sent to the owner was accepted on 12/17/09.

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 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09111588

Jack & Carla Iammatteo, LE
Paschal Iammatteo, et al
3201 Northeast 29 Street # 308

Certified mail sent to the owner was accepted on 12/18/09.

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 recommended ordering compliance within 119 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 119 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09110702

Request for extension

City Center Hotel Group Ltd
250 North Andrews Avenue

This case was first heard on 12/3/09 to comply by 1/21/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 1/22/10.

Mr. Ron Tetreault, Fire Inspector, stated the owner had a problem ordering a damper, and recommended a 42-day extension.

Ms. Tell granted a 42-day extension to 3/4/10, during which time no fines would accrue.

Case: CE09051847

Vera H Olsson Estate
1213 West Las Olas Boulevard

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 \$404.80 board-up costs plus a \$2,100 fine.

Ms. Tell imposed \$404.80 in board-up costs plus a \$2,100 fine.

Case: CE09080433

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

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 complied and the City was requesting imposition of a \$4,300 fine.

Ms. Tell imposed a \$4,300 fine.

Case: CE09090757

Marcus Mars
1177 Northeast 11 Street

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 complied and the City was requesting imposition of a \$1,600 fine.

Mr. Ron Tetreault, Fire Inspector, said the owner had made the repair immediately when Inspector Tetreault spoke with him. He recommended no fine be imposed.

Ms. Tell imposed no fine.

Case: CE09090308

Helen & Michael Seligman
637 Northeast 18 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 complied and the City was requesting imposition of a \$1,500 fine.

Ms. Tell imposed the \$1,500 fine.

Case: CE09090610

Nettie Dwight
1030 Northwest 25 Avenue

This case was first heard on 11/5/09 to comply by 11/19/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,550 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$1,550 fine, which would continue to accrue until the property complied.

Case: CE09050526

Johnnie L. Rhodes, LE
Dana Rhodes-Hurley, et al
2700 Northwest 16 Street

This case was first heard on 8/6/09 to comply by 9/10/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$450 fine.

Ms. Tell imposed the \$450 fine.

Case: CE08060989

Gregory A Ness
1121 Northeast 14 Avenue

This case was first heard on 9/18/08 to comply by 10/2/08. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$42,300 fine.

Ms. Tell imposed the \$42,300 fine.

Case: CT08120951

Jean Marie Pajonk Estate
1656 Poinsettia Drive

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 \$400.46 lot clearing costs plus a \$200 civil penalty and a \$950 fine.

Ms. Tell imposed \$400.46 lot clearing costs plus a \$200 civil penalty and a \$950 fine.

Case: CT09041708

EJC Investments LLC
1101 West Prospect Road

This case was first heard on 7/16/09 to comply by 7/30/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty plus an \$8,700 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$200 civil penalty plus an \$8,700 fine, which would continue to accrue until the property complied.

Case: CT09061277

Mitchell M White
3150 Northwest 66 Street

This case was first heard on 8/20/09 to comply by 9/3/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty plus a \$3,475 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$200 civil penalty plus a \$3,475 fine, which would continue to accrue until the property complied.

Case: CT09061403

Jimmy Pinho
6421 Northwest 34 Avenue

This case was first heard on 8/20/09 to comply by 9/3/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty plus a \$775 fine.

Ms. Tell imposed a \$200 civil penalty plus a \$775 fine.

Case: CE09060056

Patricia Law Barnes
211 Carolina Avenue

This case was first heard on 8/6/09 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 \$1,900 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$1,900 fine, which would continue to accrue until the property complied.

Case: CE09072131

James J Peoni
537 Southwest 22 Terrace

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 \$6,600 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$6,600 fine, which would continue to accrue until the property complied.

Case: CE09081632

James E Kelly, &
Stephen T & Roulund R Rinehart
2760 Southwest 2 Street

This case was first heard on 11/5/09 to comply by 11/26/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$1,375 fine, which would continue to accrue until the property complied.

Case: CE09041562

Michael Pubien
1501 Northwest 8 Avenue

This case was first heard on 6/4/09 to comply by 6/14/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$1,480.80 board-up costs plus a \$900 fine.

Ms. Tell imposed \$1,480.80 board-up costs plus a \$900 fine.

Case: CT09090242

Glyn Higginbotham Estate
1310 Southwest 28 Road

This case was first heard on 11/5/09 to comply by 11/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$200 civil penalty plus a \$3,100 fine.

Ms. Tell imposed a \$200 civil penalty plus a \$3,100 fine.

Case: CT09082392

Riverland Holdings LLC
2061 Southwest 29 Avenue

This case was first heard on 11/5/09 to comply by 11/19/09. 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 \$6,200 fine, which would continue to accrue until the property complied.

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

Case: CT09082396

Riverland Holdings LLC
2071 Southwest 29 Avenue

This case was first heard on 11/5/09 to comply by 11/19/09. 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 \$6,200 fine, which would continue to accrue until the property complied.

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

Case: CT09090559

Jessica Heimbaugh
2460 Southwest 15 Court

This case was first heard on 11/5/09 to comply by 11/19/09. 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 \$6,200 fine, which would continue to accrue until the property complied.

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

Case: CE09081724

Ermite & Lovelt Duvelsaint
208 Southwest 14 Court

This case was first heard on 10/15/09 to comply by 11/12/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$34,500 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$34,500 fine, which would continue to accrue until the property complied.

Case: CE09080800

Lisa A Ciancola Revocable Living Trust
500 Southeast 23 Street

This case was first heard on 10/15/09 to comply by 11/12/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$13,000 and the City was requesting imposition of a \$520 fine.

Ms. Tell imposed a \$520 fine.

Case: CE09090819

Alice M & Moojed O Salami
620 Northwest 10 Terrace

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 the City was requesting imposition of a \$24,000 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$24,000 fine, which would continue to accrue until the property complied.

Case: CE09090818

Stephenson & Mary Judith Stephen
623 Northwest 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 the City was requesting imposition of a \$24,000 fine, which would continue to accrue until the property complied.

Ms. Tell imposed a \$24,000 fine, which would continue to accrue until the property complied.

Case: CE08100198

Alexandra Susan Volkmann
1106 Northwest 10 Terrace

This was a request to vacate the Order dated 4/30/09.

Ms. Tell vacated the Order dated 4/30/09.

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:

CT09111916	CT09110499	CT09111829	CE09110807
CE09120749	CE09072587	CE09120109	CE09111191
CE09100647	CE09101611	CE09100379	CE09100413
CE09101259	CE09111315	CE09080870	CE09110978
CE09111813	CE09111817	CE09111821	CE09111796
CE09111794	CE09111788	CE09111826	CE09111824
CE09111790	CE09111799	CE09111804	CE09111811
CE09111791	CE09111818	CE09111807	CT09090367
CE09101635	CE09090698	CE09090696	

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:

CE09101039 CE09111536

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:

CT09110446	CT09110345	CT09110640	CT09111921
CT09101869	CT09102485	CT09110596	CT09100985
CE09111160	CE09090789	CE09090016	CE09081869
CT09081744	CE09050436	CE09080259	

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:

CE09061304 CE09050380

There being no further business, the hearing was adjourned at **2:12 p.m.**



SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate