

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
JUDGE H. MARK PURDY PRESIDING
FEBRUARY 4, 2010
9:00 A.M. –11:05 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Susanne Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate – Supervisor
Ginger Wald, Assistant City Attorney
Lori Grossfeld, Clerk III
Cheryl Pingitore, Code Enforcement Supervisor
Lindwell Bradley, Code Enforcement Supervisor
John Gossman, Code Enforcement Supervisor
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Andre Cross, 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
Adam Feldman, Sr. Code Enforcement Officer

Respondents and Witnesses

CE09121654: Maximiliano Andrea, owner
CE09080343: Jocelyn Blaylock, owner
CE09060971: Kevin Sorensen, property manager
CE09050380: Ana Ferro, owner; Beatriz Ferro, owner's mother
CE08120946: Bryan Cohen, Vice President
CE09102329; CT09100148; CE09040395; CE08121302: JoAnne Galipault, attorney
CE09121091; CE09121100: Neil Rubin, owner
CE09121104; CE09121103: Randi Maisel, attorney's representative
CE09120674: Jack Troxell, owner
CE09041327: Robert Atanasov, owner
CE09080970; CE09081688; CE09090582; CE09090587; CE09090591; CE09090593;
CE09090594; CE09090597; CE09090600; CE09090602; CE09090605; CE09090607;
CE09090612; CE09090616: Bruce Tanner, property manager

CE09120854: Carlton Brown, owner
CE09090747: Donald Dixon, contractor
CE09101785: Daniel Jacobson, title agent; Darlene Triglia, listing agent
CE09101054: Steven Leeds, owner
CE09120278; CE09120293; CE09120294; CE09120295; CE09120297; CE09120299;
CE09120300; CE09120313; CE09120324; CE09120328; CE09120330; CE09120281;
CE09120285; CE09120287; CE09120288; CE09120290; CE09120291: Sharon Decker,
president of association
CE09091740: Richard Driskill, owner
CE09081081: Georgios Amarantidis, owner
CE08010265: Charles Parke, owner
CE09111766: Tarnthong Tankikijrungruang, owner
CE09100114: Lane Weinbaum, attorney
CE09120152: Stewart Weinstock, owner; Tim Lincoln, attorney
CE09120356: Theodore Hassle III, owner; Stuart Weinstock, owner
CE08071705: Jonathan Lewis, attorney

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: CE09120356

5691 Northeast 14 Avenue
5691 LLC

Certified mail sent to the owner was accepted [no date] and certified mail sent to the registered agent was accepted [no date].

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violations:
47-19.9.A.2.a.

THERE IS OUTDOOR STORAGE OF VEHICLES AND TRUCKS AT THIS LOCATION THAT ARE NOT BEING SCREENED FROM ABUTTING PUBLIC RIGHTS OF Way BY A WALL AS REQUIRED. THESE VEHICLES AND TRUCKS ARE BEING STORED AS ACCESSORY TO THE BUSINESS PROWLER RECOVERY BEING OPERATED AT 5691 NE 14 AVE.

47-19.9.A.2.b.

THERE IS OUTDOOR STORAGE OF VEHICLES AND TRUCKS ON THIS LOT WHICH ARE NOT SCREENED FROM ABUTTING NON-RESIDENTIAL PROPERTY BY A WALL AS REQUIRED. THESE VEHICLES AND TRUCKS ARE BEING STORED AS ACCESSORY TO THE BUSINESS PROWLER RECOVERY BEING

OPERATED AT 5691 NE 14 AVE.

47-19.9.A.2.d.

THIS LOT WHICH IS BEING USED FOR OUTDOOR STORAGE OF VEHICLES AND TRUCKS DOES NOT MEET PAVING AND DRAINAGE REQUIREMENTS FOR PARKING LOTS AS PROVIDED IN THE ULDR SECTION 47-20, PARKING AND LOADING. THESE VEHICLES AND TRUCKS ARE BEING STORED AS ACCESSORY TO THE BUSINESS PROWLER RECOVERY BEING OPERATED AT 5691 NE 14 AVE.

Officer Bass presented photos of the property and the case file into evidence, and recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

Mr. Theodore Hassle, owner, said they were halfway through the process with Zoning to get the plans approved. He hoped to have the permit the following week, and to have the work done in 30 to 45 days.

Judge Purdy found in favor of the City and ordered compliance within 63 days, by 4/8/10, or a fine of \$100 per day, per violation would begin to accrue.

Case: CE09120152

Parkson Property LLC
5601 Northeast 14 Avenue

Certified mail sent to the owner was accepted on 1/15/10 and certified mail sent to the registered agent was accepted [no date].

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violations:

47-19.9.A.2.a.

THERE IS OUTDOOR STORAGE OF VEHICLES AND TRUCKS ON THIS LOT WHICH ARE NOT SCREENED FROM ABUTTING PUBLIC RIGHTS-OF-WAY BY A WALL AS REQUIRED. THESE VEHICLES AND TRUCKS ARE BEING STORED AS ACCESSORY TO THE BUSINESS PROWLER RECOVERY BEING OPERATED AT 5691 NE 14 AVE.

47-19.9.A.2.b.

THERE IS OUTDOOR STORAGE OF VEHICLES AND TRUCKS ON THIS LOT WHICH ARE NOT SCREENED FROM ABUTTING NON-RESIDENTIAL PROPERTY BY A WALL AS REQUIRED. THESE VEHICLES AND TRUCKS ARE BEING STORED AS ACCESSORY TO THE BUSINESS PROWLER RECOVERY BEING OPERATED AT 5691 NE 14 AVE.

47-19.9.A.2.d.

THIS LOT WHICH IS BEING USED FOR OUTDOOR STORAGE

OF VEHICLES AND TRUCKS DOES NOT MEET PAVING AND DRAINAGE REQUIREMENTS FOR PARKING LOTS AS PROVIDED IN THE ULDR SECTION 47-20, PARKING AND LOADING. THESE VEHICLES AND TRUCKS ARE BEING STORED AS ACCESSORY TO THE BUSINESS PROWLER RECOVERY BEING OPERATED AT 5691 NE 14 AVE.

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

Mr. Stewart Weinstock, owner, said they would vacate the premises within 49 days.

Judge Purdy found in favor of the City and ordered compliance within 49 days, by 3/25/10, or a fine of \$100 per day, per violation would begin to accrue.

The following fourteen cases at the same property were heard together:

Case: CE09080970

Request for extension

Bruce Cromartie

1826 North Dixie Highway # 101

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Mr. Ron Tetreault, Fire Inspector, stated all of the units were still in violation of NFPA 101:31.3.4.1.1, the fire alarm system, but they were in the process of pulling the permit.

Mr. Bruce Tanner, property manager, requested 90 days. He explained that there were three units in foreclosure and not paying assessments. Inspector Tetreault recommended a 105-day extension.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09081688

Request for extension

Steven Klein & David W States

1826 North Dixie Hwy# 102

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090582

Request for extension

Judith L Hamblen
1826 North Dixie Hwy# 103

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090587

Request for extension

Ernest S & Nancy Kay Fisher
1826 North Dixie Hwy# 104

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090591

Request for extension

Patricia A Harrison
1826 North Dixie Hwy# 105

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090593

Request for extension

Patrick D Reeder
1826 North Dixie Hwy# 106

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090594

Request for extension

Robert L Sessums
1826 North Dixie Hwy# 107

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090597

Request for extension

Howard B Elfman
1826 North Dixie Hwy# 201

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090600

Request for extension

Ronald B & Cynthia J Mundy
1826 North Dixie Hwy# 202

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090602

Request for extension

Howard B Elfman
1826 North Dixie Hwy# 203

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090605

Request for extension

Ernest S & Nancy Kay & Fisher
James W McCormick
1826 North Dixie Hwy# 204

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090607

Request for extension

J W McCormick, E & NK Fisher,
& E J Woolslair, et al
1826 North Dixie Hwy# 205

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090612

Request for extension

Marcia Elfman
1826 North Dixie Hwy# 206

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09090616

Request for extension

Lisa Michille Bensinger
1826 North Dixie Hwy# 207

This case was first heard on 10/1/09 to comply by 2/4/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 2/5/10.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE08010265

Charles S & Cynthia Parke
2980 Northwest 21 Court

This case was first heard on 9/18/08 to comply by 12/18/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,875 fine, which would continue to accrue until the property complied.

Mr. Todd Hull, Code Enforcement Officer, reported the owner had pulled the permit, removed the old tiles and dried the roof in, but was having trouble obtaining funds to complete the roof.

Mr. Charles Parke, owner, said he was having problems with checks from the mortgage company. His attorney had agreed to lend him the money to complete the roof. Mr. Parke requested 90 days. Officer Hull agreed to a 90-day extension.

Judge Purdy granted a 105-day extension to 5/20/10, during which time no fines would accrue.

Case: CE09120674

Jack G Troxell & Dolores Chalvatzis
1060 Southwest 28 Street

Certified mail sent to the owner was accepted on 1/9/10.

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.

Inspector Tetreault had spoken with the owner, who had already hired a contractor, and agreed to recommend ordering compliance within 42 days or a fine of \$250 per day.

Mr. Jack Troxell, owner, agreed to comply within 42 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance within 42 days, by 3/18/10, or a fine of \$250 per day would begin to accrue.

Case: CE08071705

Request for extension

Shirley Ann Trout Revocable Trustee
6525 Northwest 15 Way

This case was first heard on 9/18/08 to comply by 3/19/09. Violations and extensions were as noted in the agenda. The property was not complied, and fines had accrued to \$9,400.

Mr. Sal Viscusi, Code Enforcement Officer, explained this was a vacant lot that the owners were using for overflow parking for their business. The owner had been meeting with the City to try to get the property re-zoned. The owner's attorney had requested 182 days, and Officer Viscusi did not object.

Mr. Jonathan Lewis, attorney, stated he understood the terms of the extension.

Judge Purdy granted a 182-day extension to 8/5/10, during which time no fines would accrue.

Case: CE09120854

Carlton L & Verenda J Brown
2021 Northwest 29 Avenue

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

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

THERE IS A COMMERCIAL VEHICLE BEING PARKED ON THIS
RESIDENTIAL R-S-5 ZONED PROPERTY.

Officer Gottlieb said the owner had advised her he was trying to sell the vehicle. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$100 per day.

Mr. Carlton Brown, owner, requested 90 days to sell the vehicle. Officer Gottlieb felt 90 days was too long.

Judge Purdy found in favor of the City and ordered compliance within 42 days, by 3/18/10, or a fine of \$100 per day would begin to accrue.

Case: CE09081081

George Amarantidis
Daniel Garcia
2849 Southwest 14 Street

This case was first heard on 11/19/09 to comply by 12/24/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,900 fine.

Mr. Georgios Amarantidis, owner, explained that he had purchased the property boarded up. The company he had hired to repair the windows had taken 20 days to begin the work. Mr. Amarantidis said he would replace the contractor as soon as possible.

Judge Purdy disclosed that Mr. Amarantidis was a friend and a client, so he must recuse himself.

The City withdrew the case.

Case: CE09100114

American One Rentals Inc
3780 Southwest 14 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 complied and the City was requesting imposition of a \$2,200 fine.

Ms. Lane Weinbaum, attorney, requested reduction of the fines because the bank intended to purchase the property at the foreclosure sale.

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

Judge Purdy imposed a \$520 fine.

Case: CE09121103

1011 LLC
1011 Northwest 51 Street

Certified mail sent to the owner was accepted on 1/19/10 and certified mail sent to the registered agent was accepted on 1/11/10.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS LAWN/PLANT OVERGROWTH PRESENT ON THIS
PROPERTY AND THIS PROPERTY IS LITTERED WITH
TRASH/RUBBISH/DEBRIS, SPECIFICALLY IN AND AROUND
THE DUMPSTER ENCLOSURE AREA.

Officer Viscusi reported the overgrowth had been cut but the trash remained around the dumpster. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. Randi Maisel, attorney's representative, explained the property was in probate and was in default. They needed to schedule a hearing to determine how money could be spent to clean up the property. Ms. Maisel requested more than 14 days. Officer Viscusi agreed to 28 days.

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 3/4/10, or a fine of \$50 per day would begin to accrue.

Case: CE09121104

1011 LLC
1010 Northwest 51 Court

Certified mail sent to the owner was accepted on 1/19/10 and certified mail sent to the registered agent was accepted on 1/11/10.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:

18-12(a)

THERE IS LAWN/PLANT OVERGROWTH PRESENT ON THIS
PROPERTY AND THIS PROPERTY IS LITTERED WITH
TRASH/RUBBISH/DEBRIS, SPECIFICALLY IN AND AROUND
THE DUMPSTER AND ENCLOSURE AREA.

Officer Viscusi presented photos of the property and the case file into evidence, and recommended ordering compliance within 28 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 3/4/10, or a fine of \$50 per day would begin to accrue.

Case: CE08120946

Forage Realty Corp
619 Breakers Avenue
New Owner: Cortez Holding Group

This case was first heard on 1/15/09 to comply by 4/2/09. Violations and extensions were as noted in the agenda. The property was complied and the City was requesting imposition of a \$228,000 fine.

Mr. Bryan Cohen, Vice President, explained that a permit had been issued on 8/19/09 and work had been completed on 11/21/09. He said there had been delays regarding the contractor and City inspections. Mr. Cohen requested abatement of all fines.

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

Judge Purdy imposed a \$520 fine.

Case: CE09101054

Steven A Leeds
2617 Northeast 27 Way

This case was first heard on 12/3/09 to comply by 12/13/09. 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. Steven Leeds, owner, said when the property was boarded in June, they had disconnected the power meter, so he had no way to pump the water out of the pool. He

explained that the house was in foreclosure and there was a sale set for February 26. The new owner intended to file for a building permit around March 1. Mr. Leeds requested 60 days and requested abatement of the fines.

Ms. Mary Rich, Code Enforcement Officer, reported the water had been treated and there was a fence around the pool.

Judge Purdy abated the existing fines and granted a 70-day extension to 4/15/10, during which time no fines would accrue.

Case: CE09101785

Wesley H & Barbara E Smith
New Owner: Thomas Bobowski
2412 Del Mar Place

This case was first heard on 12/3/09 to comply by 12/13/09. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,300 and the City was recommending no fine be imposed.

Judge Purdy imposed no fine.

Case: CE09080343

Jocelyn Blaylock
211 Southwest 22 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 \$48,500 fine, which would continue to accrue until the property complied.

Ms. Jocelyn Blaylock, owner, requested a 28-day extension for NFPA 1:13.6.6.8.3.1 and a 105-day extension for NFPA 101:31.3.4.5.1.

Mr. Ron Tetreault, Fire Inspector, did not object to the owner's request.

Judge Purdy granted a 105-day extension for NFPA 101:31.3.4.5.1 and a 28-day extension for NFPA 1:13.6.6.8.3.1, during which time no fines would accrue.

Case: CE09041327

TKB Investments Inc
1420 Northwest 23 Avenue

This case was first heard on 7/16/09 to comply by 10/15/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,600 fine, which would continue to accrue until the property complied.

Ms. Ingrid Gottlieb, Code Enforcement Officer, stated the property was going through the DRC process. She recommended a 70-day extension.

Mr. Robert Atanasov, owner, agreed to reappear in 70 days.

Judge Purdy granted a 70-day extension to 4/15/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE09060971

Request for extension

The Hemingway At Victoria Park
Condominium Association Inc
455 Northeast 16 Avenue

This case was first heard on 8/6/09 to comply by 1/21/10. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$3,250.

Mr. Kevin Sorensen, property manager, stated they had installed the smoke detectors, and explained that out of 12 units, 5 were in foreclosure. New owners were starting to buy, which would allow them to collect the assessments for the fire alarm system. He requested 180 days.

Mr. Ron Tetreault, Fire Inspector, recommended 133 days.

Judge Purdy granted a 133-day extension to 6/17/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

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

Case: CE09102329

American One Inc
619 Southwest 20 Terrace

This case was first heard on 12/3/09 to comply by 12/17/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Ms. JoAnne Galipault, attorney, said the bank was working on this, and requested 35 days for both cases.

Mr. Andre Cross, Code Enforcement Officer, did not object to the request.

Judge Purdy granted a 35-day extension to 3/11/10, during which time no fines would accrue.

Case: CT09100148

American One Inc
619 Southwest 20 Terrace

This case was first heard on 12/3/09 to comply by 12/17/09. 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 \$4,800 fine, which would continue to accrue until the property complied.

Judge Purdy granted a 35-day extension to 3/11/10, during which time no fines would accrue.

Case: CE09040395

Wells Fargo Bank
C/O Marshall C Watson, P.A.
1010 Northwest 3 Avenue

This case was first heard on 8/6/09 to comply by 9/10/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,300 fine, which would continue to accrue until the property complied.

Mr. Todd Hull, Code Enforcement Officer, reported there had been no progress at the property since the case was first heard in August.

Ms. JoAnne Galipault, attorney, stated the bank wanted to address the violations, and requested 30 days.

Judge Purdy abated the existing fines and granted a 28-day extension to 3/4/10, during which time no fines would accrue.

Case: CE08121302

Suanny Ortega
1605 Northwest 7 Street

This case was first heard on 2/5/09 to comply by 2/15/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$1,400 in fines, plus board-up costs of \$598.93.

Ms. JoAnne Galipault, attorney, stated a sale was set for the property on March 17. She requested that the fines be reduced to administrative costs.

Judge Purdy imposed board-up costs of \$598.93 and \$260 administrative costs.

Case: CE09111766

3404 North Ocean Boulevard, LLC
3400 North Ocean Boulevard

Certified mail sent to the registered agent was accepted on 1/11/10.

Mr. Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
47-20.20.J.

MULTIPLE PLASTIC CONTAINERS HAVE BEEN INSTALLED
ALONG THE WEST SIDE OF THE PARKING LOT. THE
CONTAINERS ARE OBSTRUCTING ALL REQUIRED AND
APPROVED PARKING SPACES.

Complied:
47-20.20.H.

Office Sotolongo stated the case was begun in response to a compliant. He reported he had received an email from the owner challenging the inspection report.

Mr. Tarnthong Tankikijrungruang, owner, stated the containers were actually planters that had been installed with the City's permission. He presented photos of the planters, and said he was using them to control parking at the building.

Officer Sotolongo said according to the Zoning Department, a permit was required to block parking, including an explanation describing how parking would be blocked and how it could be restored. Officer Sotolongo presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Mr. Tankikijrungruang said the rule Officer Sotolongo mentioned only applied to a permanent change to the parking. The planters were temporary, equivalent to traffic cones, and the City had approved their use. Officer Sotolongo said there was no record of this approval.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/10, or a fine of \$50 per day would begin to accrue.

Mr. McKelligett advised Mr. Tankikijrungruang that the Order of the Special Magistrate could be appealed to the Circuit Court within 30 days.

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

Case: CE09121091

Just Happens Inc
1001 Northwest 51 Court

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

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS LAWN/PLANT OVERGROWTH PRESENT ON THIS
VACANT/UNOCCUPIED PROPERTY AND THIS PROPERTY IS
LITTERED WITH TRASH/RUBBISH/DEBRIS.

Officer Viscusi reported there was a lis pendens on the property and a sale date was set for March 11. He said he had considered recommending a certain amount of time, but because of the pending sale, he recommended ordering compliance within 14 days or a fine of \$50 per day. Officer Sotolongo presented photos of the property and the case file into evidence.

Mr. Neil Rubin, owner, said his attorney was arranging a short sale to avoid the public auction. Mr. Rubin described work he had already done at the property, and requested two weeks to finish cleaning the property.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/10, or a fine of \$50 per day would begin to accrue.

Case: CE09121100

Just Happens Inc
1001 Northwest 51 Court

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

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:
24-28(a)

THERE IS A LARGE ROLL-OFF DUMPSTER IN THE REAR
YARD ON THIS VACANT/UNOCCUPIED COMMERCIAL/INDUSTRIAL
PROPERTY THAT IS OVERFLOWING WITH TRASH/RUBBISH/DEBRIS.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/10, or a fine of \$50 per day would begin to accrue.

Case: CE09050380

Ana Cristina Ferro
501 Northeast 4 Avenue

Rescheduled from 1/21/10

This case was first heard on 9/17/09 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 \$4,150 fine, which would continue to accrue until the property complied.

Ms. Ana Ferro, owner, said construction next to the property had caused damage and access issues and the tenants had left. The property was now in foreclosure. Ms. Ferro requested an extension.

Ms. Beatriz Ferro, owner's mother, explained that they had repaired the property, but squatters had moved in and caused severe damage. Ms. Ana Ferro stated she had been left the property by her uncle.

Mr. Wilson Quintero, Code Enforcement Officer, recommended a 60-day extension to allow Ms. Ferro time to repair the windows and fascia and secure the property.

Judge Purdy granted a 42-day extension to 3/18/10 during which time no fines would accrue.

Case: CE09090747

American One Rentals Inc
2201 North Ocean Boulevard

This case was first heard on 11/5/09 to comply by 12/17/09. 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.

Mr. Donald Dixon, owner, reported he had a permit, and requested 28 days for the installation.

Mr. Ron Tetreault, Fire Inspector, did not object to a 28-day extension.

Judge Purdy granted a 28-day extension to 3/4/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE09091740

Richard & Cynthia Driskill
2741 Northeast 17 Street

Certified mail sent to the owner was accepted on 1/21/10.

8-91(b)

THE DOCK AT THIS LOCATION IS IN DISREPAIR IN THAT
THERE ARE LARGE SECTIONS THAT ARE MISSING.

9-308(b)

THE ROOF ON THIS PROPERTY IS NOT BEING MAINTAINED
IN THAT THERE ARE AREAS THAT ARE STAINED/DIRTY AND
IN NEED OF PAINT.

Complied:
47-21.8.A.

The City had a stipulated agreement with the owner to comply within 98 days or a fine of \$25 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 98 days, by 5/13/10, or a fine of \$25 per day would begin to accrue.

Case: CE09121003

Fabian Gonzalez
Surmani Gavilla, et al
604 Southwest 10 Street

Service was via posting on the property on 1/14/10 and at City Hall on 1/21/10.

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

THE TWO SWIMMING POOLS LOCATED AT THE REAR OF THIS UNOCCUPIED PROPERTY HAVE STAGNANT WATER, TRASH, AND SOLID WASTE. THE BUILDING DOES NOT HAVE THE REQUIRED UTILITY SERVICES AND SAFEGUARDS HAVE NOT BEEN TAKEN TO PREVENT HUMAN BEINGS OR ANIMALS FROM FALLING INTO OR HAVING ACCESS TO THE POOLS PER THE CODE ORDINANCE. THE PROPERTY IN THIS CONDITION IS A PUBLIC NUISANCE.

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

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

Case: CE09120836

Gary Davidson
1400 Southwest 28 Street

Service was via posting on the property on 1/20/10 and at City Hall on 1/21/10.

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

THE POOL AT THIS LOCATION IS FILLED WITH GREEN, STAGNANT WATER. THE POOL IN THIS CONDITION IS A BREEDING PLACE FOR MOSQUITOES AND ENDANGERS THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

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

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

Case: CE09121579

Suzette Delva
2169 Northeast 62 Street

Certified mail sent to the owner was accepted on 1/16/10.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:
18-12(a)

THE PROPERTY HAS BECOME OVERGROWN INCLUDING THE
SWALE AND IS NOT BEING MAINTAINED.

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

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/20, or a fine of \$50 per day would begin to accrue.

Case: CE09121338

John M Burkett
2701 Northeast 49 Street

Service was via posting on the property on 1/19/10 and at City Hall on 1/21/10.

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

THERE ARE MISSING AND BROKEN WINDOW PANES ON THE
PROPERTY. THE WINDOWS ARE NOT WEATHER, WATER TIGHT,
OR RODENT PROOF.

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

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/10, or a fine of \$50 per day would begin to accrue.

Case: CE09121398

Jodi & John Kavrik
2831 Northwest 23 Street

Certified mail sent to the owner was accepted on 1/9/10.

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

THERE IS AN INOPERABLE WHITE BUICK WITH A FLAT
TIRE PARKED IN THE DRIVEWAY OF THIS HOUSE.

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

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

Case: CE09121109

US Pavers & Suppliers Inc
1000 Northwest 52 Street

Service was via posting on the property on 1/4/10 and at City Hall on 1/21/10.

Mr. Sal Viscusi, Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS LAWN/WEED OVERGROWTH PRESENT ON THIS
VACANT/UNOCCUPIED PROPERTY AND SURROUNDNG SWALE
AREAS. THIS PROPERTY IS ALSO HEAVILY LITTERED WITH
LARGE PILES OF TRASH/RUBBISH/DEBRIS AND THERE IS
LITTER SCATTERED ABOUT THE SURROUNDING SWALE AREAS
AS WELL.

Officer Viscusi explained that U.S. Pavers had gone bankrupt and there was a lis pendens on the property. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/10, or a fine of \$50 per day would begin to accrue.

Case: CE09110410

James & Antoinette Lekas
Christopher Lekas
260 Southwest 20 Avenue

Service was via posting on the property on 1/15/10 and at City Hall on 1/21/10.

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

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

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

Judge Purdy found in favor of the City and ordered compliance within 35 days, by 3/11/10, or a fine of \$100 per day would begin to accrue.

Case: CE09121120

Bradley Hertz
2065 Riverland Road

Certified mail sent to the owner was accepted on 1/20/10.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
18-4(c)

THERE IS AN UNLICENSED/INOPERABLE VEHICLE BEING
STORED ON THE PROPERTY INCLUDING, BUT NOT LIMITED
TO, A BLUE DODGE VAN. THE VEHICLE DESCRIBED HAS
FLAT TIRES.

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

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

Case: CE09120529

Waverly Las Olas LLC
110 North Federal Highway # B-1

Certified mail sent to the owner was accepted on 1/13/10 and certified mail sent to the registered agent was accepted [no date].

Mr. Ron Tetreault, Fire Inspector, testified to the following violations:
F-21.1.3

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

Complied:

NFPA 101:7.10.5.2.1
NFPA 1:1.7.6.2
NFPA 101:7.2.1.8.1
NFPA 1:1.7.6.2

Inspector Tetreault recommended ordering compliance with F-21.1.3 within 105 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance with F-21.1.3 within 105 days, by 5/20/10, or a fine of \$250 per day would begin to accrue.

Case: CE09120532

Pirita Apartments Inc
1431 Southwest 24 Court

Certified mail sent to the owner was accepted on 1/11/10 and certified mail sent to the registered agent was accepted on 1/11/10.

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.

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

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 3/4/10, or a fine of \$250 per day would begin to accrue.

Case: CE09120533

Pirita Apartments Inc
1433 Southwest 24 Court

Certified mail sent to the owner was accepted on 1/11/10 and certified mail sent to the registered agent was accepted on 1/11/10.

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.

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

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 3/4/10, or a fine of \$250 per day would begin to accrue.

Case: CE09120653

Jean C & Magdala G Duperoux
1450 Southwest 24 Court

Certified mail sent to the owner was accepted on 1/11/10.

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.

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

Judge Purdy found in favor of the City and ordered compliance within 28 days, by 3/4/10, or a fine of \$250 per day would begin to accrue.

Case: CE09120655

Pierre-Paul Smith
1460 Southwest 24 Court

Certified mail sent to the owner was accepted on 1/11/107.

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.

Judge Purdy 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.

Case: CE09120664

Katherine M Parziale
1605 Southwest 25 Street

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

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

NFPA 101:31.3.4.5.1

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.

Judge Purdy found in favor of the City and ordered compliance within 42 days, by 3/18/10, or a fine of \$250 per day would begin to accrue.

The following 11 cases at the same address were heard together:

Case: CE09120278

Claudette E Rotella-Serpico
2701 Middle River Drive # 1

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

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 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 had met with representatives of the condo association, and they had agreed that the smoke detectors should be completed within a few days, and the fire alarm would take 180 days. For all 11 cases he recommended ordering compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CE09120281

Harold & Winifred Pearson
2701 Middle River Drive # 3

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

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CE09120285

Darcy S Vicary
2701 Middle River Drive # 5

Certified mail sent to the owner was accepted on 1/11/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CE09120287

Margaret Gannotta
2701 Middle River Drive # 6

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

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

NFPA 101:31.3.4.5.1

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

NFPA 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CE09120291

Matthew F & Carrie Diamond
2701 Middle River Drive # 9

Certified mail sent to the owner was accepted on 1/14/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Case: CE09120293

Isolda M Galvao
2701 Middle River Drive # 10

Certified mail sent to the owner was accepted on 1/20/10.

Mr. Ron Tetreault, Fire Inspector,

NFPA 101:31.3.4.5.1

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

NFPA 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Case: CE09120295

Paul Lavallee
2701 Middle River Drive # 12

Certified mail sent to the owner was accepted on 1/14/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Case: CE09120299

Helen H Pappas & Katherine Mintzias
2701 Middle River Drive # 15

Certified mail sent to the owner was accepted on 1/28/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Case: CE09120313

John Joseph IV & Matthew Franklin Diamond
2701 Middle River Drive # 17

Certified mail sent to the owner was accepted on 1/20/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CE09120324

Silvana Lorena Ramirez
2701 Middle River Drive # 18

Certified mail sent to the owner was accepted on 1/13/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CE09120330

Michael Margetts 1/2 Interest
Marcia Penaherrera
2701 Middle River Drive # 20

Certified mail sent to the owner was accepted on 1/22/10.

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 101:31.3.4.1.1

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

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day and with NFPA 101:31.3.4.1.1 within 182 days or a fine of \$250 per day.

Case: CT09121107

Lori Anne Clune & John Blackburn
2220 Southwest 33 Terrace

Service was via posting on the property on 1/20/10 and at City Hall on 1/21/10.

9-306

THERE IS GRAFFITI ON THE EAST SIDE OF THIS VACANT
PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 12/23/09 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 Campbell 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 \$50 per day would begin to accrue.

Judge Purdy found in favor of the City and ordered compliance within 14 days, by 2/18/10, or a fine of \$50 per day would begin to accrue.

Case: CT09120863

Patrick Gordy Morse
1515 Northwest 4 Street

Certified mail sent to the owner was accepted on 1/27/10.

9-306

THERE IS MULTIPLE GRAFFITI PAINTED WITH
BLACK/GREEN INK ON THE WOODEN FENCE OF THIS
PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice 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 Quintero had spoken with the owner, who disagreed with the citation but had not attended the hearing. Officer Quintero 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.

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

Case: CE09120688

World Jet, Inc.
Don Whittington
3000 Northwest 59 Street

Certified mail sent to the owner was accepted [no date] and certified mail sent to the registered agent was accepted [no date].

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

NFPA 101:7.2.1.4.2

THE EXIT DOORS DO NOT SWING IN THE DIRECTION OF EGRESS.

NFPA 101:7.2.1.8.1

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

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:10.4.4

THE FIRE ALARM SYSTEM HAS NOT BEEN TESTED, INSPECTED AND/OR TAGGED IN ACCORDANCE WITH THE CODE.

NFPA 1:13.6.3.6

THE FIRE EXTINGUISHER(S) ARE NOT VISIBLE AND/OR OBSTRUCTED.

NFPA 1:13.6.6.8.3.1

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

Complied:

NFPA 1:11.1.5

NFPA 1:14.4.1

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

Judge Purdy found in favor of the City and ordered compliance within 28 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE06121442

Julina Dorval

700 Southwest 16 Avenue

This was a request to vacate the Final Order dated 5/3/07.

Judge Purdy vacated the Final Order dated 5/3/07.

Case: CE06050846

Miseline Fabre

1122 Northwest 8 Avenue

This was a request to vacate the Final Order dated 10/19/06.

Judge Purdy vacated the Final Order dated 10/19/06.

Case: CT09020825

Duver Zapata
1140 Southwest 25 Avenue

This case was first heard on 4/16/09 to comply by 4/26/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$591.56 lot clearing costs, a \$200 civil penalty and a \$2,825 fine.

Judge Purdy imposed \$591.56 lot clearing costs, a \$200 civil penalty and a \$2,825 fine.

Case: CT09092355

Ermite & Lovelt Duvelsaint
208 Southwest 14 Court

This case was first heard on 12/3/09 to comply by 12/17/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty plus a \$1,200 fine, which would continue to accrue until the property complied.

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

Case: CT09100502

Camila Fernandez
2640 Northwest 21 Street

This case was first heard on 12/17/09 to comply by 12/31/09. 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 \$3,400 fine, which would continue to accrue until the property complied.

Judge Purdy imposed a \$200 civil penalty plus a \$3,400 fine, which would continue to accrue until the property complied.

Case: CE09091008

Eric C McDade
2561 Northwest 16 Court

This case was first heard on 12/3/09 to comply by 12/17/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$1,150 fine.

Judge Purdy imposed the \$1,150 fine.

Case: CT09061481

Helen & Michael Seligman
637 Northeast 18 Avenue

This case was first heard on 8/20/09 to comply by 8/30/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$744.26 lot clearing costs, a \$200 civil penalty and a \$650 fine.

Judge Purdy imposed \$744.26 lot clearing costs, a \$200 civil penalty and a \$650 fine.

Case: CT09092000

Bruce William Smith
1628 Northeast 5 Street

This case was first heard on 12/3/09 to comply by 12/13/09. 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 \$1,300 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$200 civil penalty and a \$1,300 fine, which would continue to accrue until the property complied.

Case: CE08061967

Anthony X Merino
3130 Southwest 17 Street

This case was first heard on 10/2/08 to comply by 10/16/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$123,050 fine, which would continue to accrue until the property complied.

Judge Purdy imposed a \$123,050 fine, which would continue to accrue until the property complied.

Case: CE08062310

Anthony X Merino
3130 Southwest 17 Street

This case was first heard on 9/18/08 to comply by 9/28/08. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$320.39 board-up costs and an \$800 fine.

Judge Purdy imposed \$320.39 board-up costs and an \$800 fine.

Case: CE08100547

Anthony X Merino
3130 Southwest 17 Street

This case was first heard on 1/15/09 to comply by 2/19/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$22,900 fine.

Judge Purdy imposed a \$22,900 fine.

Case: CE08080067

Louis Handler
2836 Southwest 13 Court

This case was first heard on 10/16/08 to comply by 10/30/08. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$20,550 fine.

Judge Purdy imposed a \$20,550 fine.

Case: CE09031920

Alfred Joseph
1201 Northwest 5 Avenue

This case was first heard on 8/6/09 to comply by 10/1/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$1,700 and the City was recommending no fine be imposed.

Judge Purdy imposed no fine.

Case: CE09090303

Jorge Cabrera
1301 Northwest 7 Terrace

This case was first heard on 12/3/09 to comply by 12/17/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,400 fine, which would continue to accrue until the property complied.

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

Case: CT09050919

Sheila Gentile
1600 Northwest 2 Avenue

This case was first heard on 8/6/09 to comply by 8/20/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of \$587.82 lot clearing costs, a \$400 civil penalty and a \$1,400 fine.

Judge Purdy imposed \$587.82 lot clearing costs, a \$400 civil penalty and a \$1,400 fine.

Case: CE01011228

Jessie Walden
2336 Northwest 15 Street

This was a request to vacate the Final Orders dated 4/19/2001 & 8/12/2004.

Judge Purdy vacated the Final Orders dated 4/19/2001 & 8/12/2004.

Case: CE09092259

Dolores & Julie Hankerson, 2/3 Interest et al
203 Northwest 11 Avenue

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

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

Case: CE07061123

Riverside Condo Association Of Broward
1556 Southwest 5 Place

This was a request to vacate the Final Order dated 2/21/08.

Judge Purdy vacated the Final Order dated 2/21/08.

Case: CE07061772

Riverside Condo Association Of Broward
1540 Southwest 5 Place

This was a request to vacate the Final Order dated 3/20/08.

Judge Purdy vacated the Final Order dated 3/20/08.

Case: CE09072332

Jerome Wilson
633 Northwest 11 Avenue

Ordered to reappear from 12/3/09
with fines continuing to accrue

This case was first heard on 9/3/09 to comply by 10/1/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$40,750 fine, which would continue to accrue until the property complied.

Judge Purdy imposed a \$40,750 fine, which would continue to accrue until the property complied.

Case: CE09100151

Deutsche Bank National Trust Co Trustee
C/O AHM Tax Dept
2121 Northwest 7 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 the City was requesting imposition of a \$24,000 fine, which would continue to accrue until the property complied.

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

Case: CE09100159

Lumane Meuze & Lixe Metayer
2320 Northwest 9 Court

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

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

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:

CE09121115	CE09120997	CE09120364	CE09121951
CE09120818	CE09110176	CE09110178	CE09110179
CE09110180	CE09110085	CE09110171	CE09110174
CE09110175	CE09120685	CE09120525	CE09120668
CE09120659	CE09120523	CE09120346	CE09091475

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:

CE09101680	CE09120682	CE09120665	CE09120531
CE09120512	CE09120521	CE09120280	CE09120283
CE09120288	CE09120290	CE09120294	CE09120297
CE09120300	CE09120328	CE09120332	

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:

CE09071094	CE09121654	CE09111994	CT09060492
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Cases Rescheduled

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

CE09090939	CE09111832	CE09111374	CT09120536
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There being no further business, the hearing was adjourned at **11:05 a.m.**


SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate