

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
JUDGE H. MARK PURDY PRESIDING
APRIL 1, 2010
9:00 A.M. –10:11 A.M.**

Staff Present:

Susanne Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate – Supervisor
Ginger Wald, Assistant City Attorney
Lori Grossfeld, Clerk III
Erin Peck, Clerk III
Cheryl Pingitore, Code Enforcement Supervisor
Peggy Burks, Code Enforcement Supervisor
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Leonard Champagne, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Alejandro DelRio, Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ron Tetreault, Fire Inspector
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents and Witnesses

CE10020394: Ruben Rodriguez, owner's representative
CE09111019: Melanie Huegel, listing agent
CE09091877: Lee Watson, bank attorney
CE10021920: Tyler Tuchow, owner; James Ray Adam, Jr., property manager
CE10011493: Lisa Galgano, owner's assistant
CE09031931: Francesca San Roman, bank attorney
CE09121391: Odette Charles, owner
CE10020370: Pierre Petit Frere, pastor
CE10010169: Scott Mulheron, 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: CE10011493

Request for extension

Joshua & Norman Schwartz
817 Southwest 29 Street

This case was first heard on 3/4/10 to comply by 4/1/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 4/2/10.

Ms. Lisa Galgano, the owner's assistant, requested a 45-day extension to complete the work.

Mr. Ron Tetreault, Fire Inspector, did not object to the request for an extension.

Judge Purdy granted a 49-day extension to 5/20/10, during which time no fines would accrue.

Case: CE10021920

Riverside Capital Holdings LLC
626 Southwest 14 Avenue

Certified mail sent to the owner was accepted on 3/13/10 and certified mail sent to the registered agent was accepted on 3/15/10.

18-12(a)

THERE IS TRASH, RUBBISH, AND DEBRIS SCATTERED AROUND
THE DUMPSTER OF THE PROPERTY INCLUDING, BUT NOT LIMITED
TO OLD FURNITURE AND MISCELLANEOUS ITEMS.

The City had a stipulated agreement with the owner to comply within 10 days or a fine of \$50 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

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

Case: CE10020370

Agape Church Of God Inc
1317 Northeast 4 Avenue

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

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

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEM IS IN NEED OF SERVICE.

NFPA 25:12.7.1

THE FIRE DEPARTMENT CONNECTION (FDC) CAP(S)/PLUG(S) IS(ARE)
MISSING.

NFPA 101:7.2.1.5.2

LOCKS PROVIDED IN THE MEANS OF EGRESS REQUIRE A KEY, TOOL, OR SPECIAL KNOWLEDGE OR EFFORT FOR OPERATION FROM THE EGRESS SIDE.

NFPA 1:11.1.2

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

NFPA 101:7.2.1.4.5

EXIT DOOR REQUIRES TOO MUCH FORCE TO OPEN.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 101:7.10.5.2.1

THE EXIT SIGN DOES NOT ILLUMINATE AS DESIGNED.

NFPA 101:7.9.1.1

EMERGENCY LIGHTING IS NOT PROVIDED IN ACCORDANCE WITH THE CODE.

NFPA 101:13.2.2.2.3

PANIC OR FIRE HARDWARE NOT PROVIDED AS PER CODE.

NFPA 1:1.7.6.2

THE FIRE ALARM IS NOT FUNCTIONING AS DESIGNED AND INSTALLED.

NFPA 96 4.1.1

HOOD SYSTEM WITH FIRE SUPPRESSION SYSTEM IS NOT PROVIDED.

NFPA 96 10.1.1

FIRE SUPPRESSION SYSTEM IN THE HOOD IS NOT PROVIDED.

NFPA 101:7.2.1.8.1

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

NFPA 101:7.2.1.8.1

DOOR(S) THAT IS/ARE REQUIRED TO BE KEPT CLOSED IS/ARE BEING HELD OPEN.

NFPA 101:12.7.9.3.1

MAXIMUM CAPACITY SIGN IS NOT PROVIDED.

NFPA 101:7.8.1.1

THE MEANS OF EGRESS IS NOT CONTINUOUSLY ILLUMINATED.

NFPA 1:10.4.4

THE FIRE ALARM SYSTEM HAS NOT BEEN TESTED, INSPECTED AND/OR

TAGGED IN ACCORDANCE WITH THE CODE.

NFPA 1:13.3.3.3

CEILING TILE(S) IS(ARE) MISSING/DAMAGED.

Inspector Tetreault recommended ordering compliance with NFPA 101:7.9.1.1 and NFPA 96 4.1.1 within 182 days or a fine of \$100 per day, per violation, and with all other violations within 105 days or a fine of \$50 per day, per violation.

Mr. Pierre Petit Frere, pastor, said the church had been working with City inspectors to make the property safe and they had already begun addressing some of the issues.

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:7.9.1.1 and NFPA 96 4.1.1 within 182 days or a fine of \$100 per day, per violation, and with all other violations within 105 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE09091877

Shenika K Smith
515 Northwest 15 Way

This case was first heard on 1/21/10 to comply by 3/4/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$600 fine.

Mr. Lee Watson, bank attorney, stated the property was in foreclosure, and requested deferring the case while the foreclosure continued or abatement of the fine.

Mr. Wilson Quintero, Code Enforcement Officer, reported the property was now complied. He said the administrative costs were \$580.

Judge Purdy imposed the \$600 fine.

Case: CE09031931

Benjamin Bugarin
1030 Northwest 3 Avenue

This case was first heard on 5/21/09 to comply by 6/25/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$41,850 fine, which would continue to accrue until the property complied.

Ms. Francesca San Roman, bank attorney, reported the property was in foreclosure and the final summary judgment hearing was scheduled for April 28. She requested time to bring the property into compliance.

Mr. Todd Hull, Code Enforcement Officer, did not object to the request for an extension.

Judge Purdy granted a 63-day extension to 6/3/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE10010169

Scott M Mulheron
1820 Southwest 11 Court

Service was via posting on the property on 3/17/10 and at City Hall on 3/18/10.

Mr. Leonard Champagne, Code Enforcement Officer, testified to the following violation:
47-34.4 B.1.

THERE IS A COMMERCIAL BOX TRUCK BEING STORED ON
THIS RESIDENTIAL PROPERTY ON AN ONGOING BASIS
BETWEEN THE HOURS OF 9:00 P.M. AND 6:00 A.M. WHICH
IS PROHIBITED IN ANY RESIDENTIAL AREA.

Officer Champagne 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.

Mr. Scott Mulheron, owner, said he ran a small business and neither the property nor the truck was an eyesore in the neighborhood. He added that there were several other commercial vehicles kept on residential property in the neighborhood. Mr. Mulheron stated the cost to store the vehicle elsewhere would be prohibitive right now. It would also be difficult to make arrangements in 10 days. Officer Champagne said Mr. Mulheron had known about the violation since January, so he did not recommend allowing any longer than 10 days. Mr. Mulheron asked whom he could contact about other commercial vehicles kept in the neighborhood.

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

Case: CE10020394

Pings Company
112 Southwest 12 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 33:9.1.1

THE FIRE SUPPRESSION SYSTEM IN THE SPRAY BOOTH HAS NOT
BEEN CERTIFIED WITHIN THE PAST 6 MONTHS.

NFPA 1:43.1.8.1

ITEMS ARE HANGING ON THE FUSIBLE LINK IN THE BOOTH.

NFPA 1:11.1.2

BLANKS ARE MISSING IN THE ELECTRICAL PANEL CAUSING
ELECTRICAL CIRCUITS TO BE EXPOSED.

NFPA 1:11.1.2

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

NFPA 101:7.10.5.2.1

THE EXIT SIGN DOES NOT ILLUMINATE AS DESIGNED.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:11.1.2

ELECTRICAL WIRING NOT PER NFPA 70, NATIONAL ELECTRICAL CODE.

NFPA 55:7.1.4.4

COMPRESSED GAS CONTAINERS, CYLINDERS, AND TANKS IN USE OR IN STORAGE HAVE NOT BEEN SECURED TO PREVENT THEM FROM FALLING OR BEING KNOCKED OVER BY CORRALLING THEM AND SECURING THEM TO A CART, FRAMEWORK, OR FIXED OBJECT BY USE OF A RESTRAINT.

NFPA 1:13.6.6.8.3.1

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

NFPA 1:13.6.3.10

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

NFPA 1:11.1.5

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

NFPA 1:19.1.2

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

Inspector Tetreault said the owner had indicated that all violations had been complied since his inspection. He recommended ordering compliance with NFPA 33:9.1.1 within 105 days or a fine of \$100 per day and with all other violations within 28 days or a fine of \$50 per day, per violation.

Mr. Ruben Rodriguez, the owner's representative, agreed to comply with Inspector Tetreault's deadline.

Judge Purdy found in favor of the City and ordered compliance with NFPA 33:9.1.1 within 105 days or a fine of \$100 per day and with all other violations within 28 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE09121391

Odette Charles
1245 Northwest 2 Avenue

This case was first heard on 2/18/10 to comply by 2/28/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,100 fine, which would continue to accrue until the property complied.

Mr. Todd Hull, Code Enforcement Officer, said he had heard from the owner in March, asking about the violations and corrective actions.

Ms. Odette Charles, owner, said a tenant had been in the property for 18 months and paid no rent. Ms. Charles promised to clean up the pool. She explained to Mr. McKelligett that the former tenant had stolen her identity and transferred the property into her own name unbeknownst to Ms. Charles.

Judge Purdy granted a 28-day extension to 4/29/10, during which time no fines would accrue, and ordered property owner to reappear at that hearing.

Case: CE09101040

Stipulated agreement

Amera Flagler 46 Ltd
549 Northeast 2 Ave

Violations:

9-308(a)

THERE IS A ROOF IN DISREPAIR AND NOT WELL MAINTAINED
ON THIS DWELLING. IT IS NOT WEATHER AND WATER PROOF;
AREA AT THE SOUTH SIDE IS COVERED WITH CLEAR PLASTIC;
CEILING INSIDE THE PROPERTY IS CAVING IN.

Complied:

47-34.1.A.1.

The City had a stipulated agreement with the owner to comply 9-308(a) within 63 days or a fine of \$50 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 9-308(a) within 63 days or a fine of \$50 per day would begin to accrue.

Case: CE10011380

Timothy Witherspoon Sr &
Tatiana Witherspoon
2825 Southwest 2 Court

Service was via posting on the property on 3/5/10 and at City Hall on 3/18/10.

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

THE PLUMBING, SEWER, AND SEPTIC TANK FIXTURES,
CONNECTIONS, AND OTHER COMPONENTS ARE IN DISREPAIR
AND IN UNSANITARY CONDITIONS. THERE IS RAW SEWAGE
AND SEWER WATER SEEPING AND BUBBLING ABOVE GROUND
WHEN THE TOILET IS FLUSHED. THE RAW SEWAGE AND

SEWER WATER IS SETTLING ABOVE GROUND. THE CITY OF
FORT LAUDERDALE CONSIDERS THIS TO BE A THREAT TO
THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Officer Davis reported the owner of the property had declared bankruptcy. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 21 days or a fine of \$100 per day.

Judge Purdy found in favor of the City and ordered compliance within 21 days or a fine of \$100 per day would begin to accrue.

Case: CE10020404

Jimmy Burgos
1721 Northwest 6 Avenue

Service was via posting on the property on 3/15/10 and at City Hall on 3/18/10.

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

THERE IS AN UNLICENSED/INOPERABLE MAZDA RX-7 BEING
STORED ON THIS PROPERTY.

Officer Hull 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 or a fine of \$100 per day would begin to accrue.

Case: CE09111019

Wells Fargo Bank Trustee
Wilshire Credit Corp
247 Southwest 21 Street

Certified mail sent to the owner was accepted on 3/23/10.

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

THIS PROPERTY HAS BEEN BOARDED WITHOUT THE
REQUIRED BOARD-UP CERTIFICATE.

Officer Urow 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 or a fine of \$100 per day would begin to accrue.

Case: CE09120974

Robert Belson
1717 Southwest 11 Court

Certified mail sent to the owner was accepted on 3/15/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violation:
18-7(b)

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

Officer Champagne 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 or a fine of \$100 per day would begin to accrue.

Case: CE10020946

John A Terrill & Agnes E Howard
815 Middle River Drive # 206

Certified mail sent to the owner was accepted on 3/18/10.

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 said a contractor had already been hired to install the alarm. He recommended ordering compliance within 182 days or a fine of \$250 per day

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

Case: CE10020933

Edward M Calabro
815 Middle River Drive # 218

Certified mail sent to the owner was accepted on 3/17/10.

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 182 days or a fine of \$250 per day

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

Case: CE10020935

Stephen J Day Jr
815 Middle River Drive # 317

Certified mail sent to the owner was accepted on 3/18/10.

Mr. Ron Tetreault, Fire Inspector,
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 182 days or a fine of \$250 per day

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

Case: CE10020936

John A Terrill & Agnes E Howard
815 Middle River Drive # 306

Certified mail sent to the owner was accepted on 3/18/10.

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 182 days or a fine of \$250 per day

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

Case: CE10020940

Michael G & Celeste H Auvil
815 Middle River Drive # 305

Certified mail sent to the owner was accepted on 3/16/10.

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 182 days or a fine of \$250 per day

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

Case: CE10020323

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 11

Certified mail sent to the owner was accepted on 3/16/10 and certified mail sent to the registered agent was accepted on 3/16/10.

Mr. Ron Tetreault, Fire Inspector, testified to the following violations:
NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020340

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 12

Certified mail sent to the owner was accepted on 3/16/10 and certified mail sent to the registered agent was accepted on 3/16/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020348

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 13

Certified mail sent to the owner was accepted on 3/16/10 and certified mail sent to the registered agent was accepted on 3/16/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020351

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 14

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020353

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 15

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020354

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 16

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020356

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 17

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020363

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 18

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020365

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 19

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020367

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 20

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10020368

Villa Medici Association Inc
1033 Northeast 17 Way Bldg # 21

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 1:18.3.4.3

FDC SIGN CONSISTENT WITH NFPA 1:18.3.4.3 IS NOT PROVIDED.

NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:1.7.6.2

TROUBLE ALARM IS SHOWING ON THE FIRE ALARM PANEL.

NFPA 1:13.7.3.2.6.1

THE FIRE ALARM LOG IS NOT BEING MAINTAINED.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

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

Case: CE10011875

Benito B Delos Santos
1204 Northeast 11 Avenue

Service was via posting on the property on 3/10/10 and at City Hall on 3/18/10.

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

Case: CE10020925

Mount Olive Gardens #1 Inc
C/O Acclaim Mgmt & Realty Inc
1601 Northwest 6 Court

Certified mail sent to the owner was accepted on 3/17/10.

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 182 days or a fine of \$250 per day.

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

Case: CE10020402

West Yard Partners LLC
2025 Southwest 20 Street

Certified mail sent to the owner was accepted on 3/17/10 and certified mail sent to the registered agent was accepted on 3/17/10.

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:
NFPA 1:1.12.1

WORK REQUIRES A PERMIT.

Complied:

NFPA 1:13.3.2.1
NFPA 1:13.3.1.7.1
NFPA 101:7.9.2.1
NFPA 1:1.7.6.2
NFPA 1:13.6.6.8.3.1

NFPA 1:43.1.7.1

Inspector Tetreault recommended ordering compliance with NFPA 1:1.12.1 within 28 days or a fine of \$100 per day.

Judge Purdy found in favor of the City and ordered compliance with NFPA 1:1.12.1 within 28 days or a fine of \$100 per day.

Case: CE10020915

Janelle Nicole Hazell
5200 Northwest 31 Avenue # E-78

Certified mail sent to the owner was accepted on 3/27/10.

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 182 days or a fine of \$250 per day.

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

Case: CE10020907

Gabriel Dobrin
5200 Northwest 31 Avenue # E-90

Certified mail sent to the owner was accepted on 3/18/10.

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 182 days or a fine of \$250 per day.

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

Case: CE10020908

Donal Ryan
5200 Northwest 31 Avenue # E-91

Certified mail sent to the owner was accepted on 3/19/10.

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 182 days or a fine of \$250 per day.

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

Case: CE10020909

Daisy Y, Yazdi N & Hooshna Y Amaria
5200 Northwest 31 Avenue # E-92

Certified mail sent to the owner was accepted on 3/20/10.

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 182 days or a fine of \$250 per day.

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

Case: CE09080190

Millennium Plaza Acquisition LLC
1479 North Federal Highway

This case was first heard on 10/15/09 to comply by 2/18/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,400 and the City was recommending no fine be imposed.

Judge Purdy imposed no fine.

Case: CE09090564

John Dokimos & Middle River Oasis LLC
519 Antioch Avenue

This case was first heard on 1/21/10 to comply by 2/18/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,025 fine, which would continue to accrue until the property complied.

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

Case: CE08100533

John Lesousky
2424 Aquavista Boulevard

This case was first heard on 12/18/08 to comply by 1/22/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,975 fine, which would continue to accrue until the property complied. .

Judge Purdy imposed the \$2,975 fine, which would continue to accrue until the property complied.

Case: CT09041899

Julienne Cherilus-Jean
2401 Andros Lane

This case was first heard on 6/18/09 to comply by 6/28/09. 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 \$27,600 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$200 civil penalty and a \$27,600 fine, which would continue to accrue until the property complied.

Case: CE09121109

US Pavers & Suppliers Inc
1000 Northwest 52 Street

This case was first heard on 2/4/10 to comply by 2/19/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,050 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,050 fine, which would continue to accrue until the property complied.

Case: CE09121338

John M Burkett
2701 Northeast 49 Street

This case was first heard on 2/4/10 to comply by 2/18/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,050 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,050 fine, which would continue to accrue until the property complied.

Case: CE09062637

Ralph L Lynch
425 Northeast 8 Street

This case was first heard on 11/5/09 to comply by 1/7/10. Violations and extensions were as noted in the agenda. The property was complied and fines had accrued to \$3,250.

Mr. Ron Tetreault, Fire Inspector, recommended no fine be imposed.

Judge Purdy imposed no fine.

Case: CE08080951

Frank S Gambone III
1001 Northeast 17 Court

This case was first heard on 12/4/08 to comply by 12/18/08 and 1/1/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$31,800 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$31,800 fine, which would continue to accrue until the property complied.

Case: CE08050709

Jerry E Olah
1239 Northeast 5 Avenue

This case was first heard on 9/4/08 to comply by 10/2/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$13,650 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$13,650 fine, which would continue to accrue until the property complied.

Case: CE08061517

Josephine Nash
409 Northwest 14 Way

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 not complied and the City was requesting imposition of a \$14,425 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$14,425 fine, which would continue to accrue until the property complied.

Case: CE09032314

DLJ Mortgage Capital Inc
C/O Americas Servicing Company
814 Northeast 14 Place

This case was first heard on 5/21/09 to comply by 6/25/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$66,000 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$66,000 fine, which would continue to accrue until the property complied.

Case: CT09121107

Lori Anne Clune & John Blackburn
2220 Southwest 33 Terrace

This case was first heard on 2/4/10 to comply by 2/18/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$150 civil penalty and a \$1,400 fine.

Judge Purdy imposed the \$150 civil penalty and a \$1,400 fine.

Case: CE08100872

Emilio Bozan Leyva
1930 Southwest 36 Avenue

This case was first heard on 1/15/09 to comply by 1/29/09. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of an \$8,750 fine.

Judge Purdy imposed the \$8,750 fine.

Case: CE08071065

James W Rose
2130 Northwest 21 Terrace

This case was first heard on 11/20/08 to comply by 12/4/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$51,350 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$51,350 fine, which would continue to accrue until the property complied.

Case: CE08051958

Harry J Scanlan
300 Northwest 16 Street

This case was first heard on 10/16/08 to comply by 10/26 and 11/13/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$161,600 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$161,600 fine, which would continue to accrue until the property complied.

Case: CE08071011

Harry J Scanlan Jr
1536 Northwest 5 Avenue

This case was first heard on 10/2/08 to comply by 10/12 and 11/6/08. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$187,550 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$187,550 fine, which would continue to accrue until the property complied.

Case: CE09120162

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

This case was first heard on 1/21/10 to comply by 1/31/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,900 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$5,900 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:

| | | | |
|------------|------------|------------|------------|
| CE10011938 | CE10020741 | CE10022716 | CE10021120 |
| CE10020312 | CE10011348 | CE10021600 | CE09120511 |
| CE09111832 | CE10021128 | CE10021012 | CE10021296 |
| CE10021616 | CE10011224 | | |

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:

| | | | |
|------------|------------|------------|------------|
| CE10020937 | CE10020904 | CE10020906 | CE10020910 |
| CE10020911 | CE10020912 | CE10020913 | CE10020914 |
| CE10020917 | | | |

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:

| | | | |
|------------|------------|------------|------------|
| CE10020653 | CE10020928 | CE10020930 | CE10020931 |
| CE10020934 | CE10020941 | CE10020949 | CE08050823 |

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:

CE09081081

Cases Closed

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

CE10010539 CE09121579

There being no further business, the hearing was adjourned at **10:11 a.m.**


SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services