

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
MEAH TELL PRESIDING
JUNE 3, 2010
9:00 A.M. –11:31 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
Peggy Burks, Code Enforcement Supervisor
Cheryl Pingitore, Code Enforcement Supervisor
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Aretha Davis, Code Enforcement Officer
Adam Feldman, Sr. Code Enforcement Officer
Ingrid Gottlieb, Sr. Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Wanda Sappington, Code Enforcement Officer
Ron Tetreault, Fire Inspector
Ursula Thime, Sr. Code Enforcement Officer
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Frank Arrigoni, Building Inspector
Barry Fein, Building Inspector

Respondents and Witnesses

CE08120817: Justin Toal, owner, Neal Adler, neighbor, John Quaintance, contestant
CE09110458, CT09110448: Ileen Cantor, Bank representative
CE10041711: Courtney Crush, attorney
CE09031931: Francesca San Roman, attorney
CE08040850: Kevin Fernander, owner
CE10021464, CE09121290: Virgil Bolden, owner
CE10041483: Sheila Jones, condo association president
CE09031928: Marcelo Sandrini, owner's son, Gary Spivak, part owner
CE10040466: Selva Rodriguez, owner
CE09090803, CE09090490, CE09090472, CE09090801: Thomas Nazzaro, condo association president
CE09091511: Robert Willard, owner
CE10050013: Patricia Svorinich, manager, James Carter Sr., engineer
CE08081559: E. Gail Brown-Mulder, manager, Bharat Shah, engineer

CE09120356: Theodore Hasle III, owner
CE10011718: Aimee Daugaard, owner's wife

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: CE10041711

TRG New River Ltd
401 Southwest 1 Ave

Certified mail sent to the owner was accepted on 5/11/10 and certified mail sent to the registered agent was accepted on 5/11/10.

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 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 1:10.4.4

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

NFPA 1:13.6.1.2

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

NFPA 1:1.12.1

WORK REQUIRES A PERMIT.

NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

NFPA 1:43.1.7.1

THE SPRAY BOOTH DOES NOT HAVE A FIRE SUPPRESSION SYSTEM CONSISTENT WITH NFPA 1 CHAPTER 43.

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.

Inspector Tetreault recommended ordering compliance with NFPA 1:13.3.1.1, NFPA 101:7.9.2.1, NFPA 101:7.10.5.2.1, NFPA 1:13.6.1.2, NFPA 101:7.2.1.5.2 and NFPA

1:11.1.2 within 91 days or a fine of \$100 per day and with NFPA 1:10.4.4, NFPA 1:1.12.1, NFPA 1:13.3.2.1 and NFPA 1:43.1.7.1 within 182 days or a fine of \$100 per day, per violation.

Ms. Courtney Crush, attorney, stated the owner was working with the Fire Marshall to bring the fire system into compliance.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:13.3.1.1, NFPA 101:7.9.2.1, NFPA 101:7.10.5.2.1, NFPA 1:13.6.1.2, NFPA 101:7.2.1.5.2 and NFPA 1:11.1.2 within 91 days or a fine of \$100 per day and with NFPA 1:10.4.4, NFPA 1:1.12.1, NFPA 1:13.3.2.1 and NFPA 1:43.1.7.1 within 182 days or a fine of \$100 per day, per violation.

Case: CE10011718

Stephen Daugaard
6511 Northeast 20 Terrace

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

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:
28-33(a)

THE BUILDING AT THIS LOCATION IS NOT CONNECTED TO
THE CITY'S SEWER SYSTEM.

Officer Bass 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 would begin to accrue.

Ms. Aimee Daugaard, the owner's wife, said she had thought the house was already hooked up to the City sewer system and they had been paying for it for 6 years. They had subsequently found the property had a septic tank. The property was now in foreclosure and they could not afford to make the connection. Officer Bass said when the owner bought the property, the sewer system was present on the property but the owner had never connected to the City's sewer.

Ms. Wald stated the owner must pay a \$1,000 connection fee, hire a plumber to pull the permit and have the connection done. The City would then inspect the property.

Ms. Daugaard reiterated that she could not afford to make the connection. She requested more than 30 days.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$25 per day would begin to accrue.

Case: CE08081559

Mars Powerline L P

Request for extension

C/O E J Plesko
5300 Northwest 9 Avenue # Bldg A

This case was first heard on 10/16/08 to comply by 4/16/09. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$1,350.

Mr. Sal Viscusi, Code Enforcement Officer, stated the case had originated from a complaint. He said the manager was working diligently to comply. Officer Viscusi recommended a 182-day extension. He explained the fines had accrued because the owner had been unable to get on the previous agenda to request an extension.

Ms. E. Gail Brown-Mulder, manager, stated she agreed with the 182-day extension. Ms. Tell retroactively extended the compliance date to June 3, 2010, which abated the \$1,350 fine.

Ms. Tell granted a 182-day extension, during which time no fines would accrue.

Case: CE10050013

L 'Ambiance Beach Condo Assn Inc
4240 Galt Ocean Drive

Certified mail sent to the owner was accepted on 5/14/10 and certified mail sent to the registered agent was accepted [no date].

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

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

Complied:

NFPA 1:11.7.4.2

Inspector Tetreault recommended ordering compliance within 91 days or a fine of \$250 per day would begin to accrue.

Ms. Patricia Svorinich, manager, agreed to comply within 91 days.

Mr. James Carter Sr., engineer, agreed this was adequate time.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$250 per day would begin to accrue.

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

Case: CE09110458

Glenn Powell & Mara Mendez
220 Southwest 20 Avenue

This case was first heard on 1/21/10 to comply by 1/31/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,500 fine, which would continue to accrue until the property complied.

Ms. Ileen Cantor, Bank representative, explained the bank thought that the issues had been addressed. She stated she would ensure that someone cut the grass and fixed the fence in the next 30 days.

Mr. Andre Cross, Code Enforcement Officer, said another bank representative had informed him that repairs could not be made because there was someone living at the property. The bank's maintenance person had informed the bank that the fence was repaired and the lawn was mowed, but this was not true.

Ms. Wald stated the fence permit could be obtained in one day, but the bank would have a problem because it was not listed as the property owner. She advised that the bank could get a court order to pull permits or remove the fence to comply.

Ms. Tell granted a 63-day extension during which time no fines would accrue.

Case: CT09110448

Glenn Powell & Mara Mendez
220 Southwest 20 Avenue

This case was first heard on 1/21/10 to comply by 2/4/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$200 civil penalty, plus a \$6,100 fine, which would continue to accrue until the property complied.

Ms. Tell granted a 35-day extension during which time no fines would accrue.

Case: CE08120817

Request for extension

SVP Las Olas Limited Partnership
100 East Las Olas Boulevard

This case was first heard on 6/18/09 to comply by 10/1/09. Violations and extensions were as noted in the agenda. The property was not complied and fines would begin to accrue on 6/4/10.

Mr. Adam Feldman, Code Enforcement Officer, stated the owner had been very diligent and he would not object to a request for an extension.

Mr. Justin Toal, owner, reported the Board of Adjustment had granted two variances regarding landscaping on the lot. He said they had performed an exhaustive lighting study and enhanced their lighting plan and were working with the County to get a waiver for the drainage requirement. Mr. Toal believed 6 months would be sufficient time to work through these other issues and implement their plan.

Ms. Tell granted a 182-day extension, during which time no fines would accrue.

The following four cases for the same address were heard together:

Case: CE09090803

Thomas A Nazzaro
2880 Northeast 32 Street # 1

Certified mail sent to the owner was accepted on 5/21/10.

Mr. Barry Fein, Fire Inspector, testified to the following violation:
FBC(2007) 105.10.3.1

THERE IS AN EXPIRED PERMIT, #07081193, TO REPLACE
9 WINDOWS WITH IMPACT WINDOWS.

Inspector Fein recommended ordering compliance within 35 days or a fine of \$25 per day would begin to accrue.

Mr. Thomas Nazzaro, condo association president, stated he represented all four properties at this address on the agenda. He stated the permits should be finalized in 14 days.

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

Case: CE09090490

Fred P Senesi Revocable Living Trust
Fred P Senesi, Trustee
2880 Northeast 32 Street # 5

Certified mail sent to the owner was accepted on 5/12/10.

Mr. Barry Fein, Fire Inspector, testified to the following violation:
FBC(2007) 105.10.3.1

THERE IS AN EXPIRED PERMIT, #07081198, TO REPLACE
8 WINDOWS WITH IMPACT WINDOWS.

Inspector Fein recommended ordering compliance within 35 days or a fine of \$25 per day would begin to accrue.

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

Case: CE09090472

Gary Lee Oliver
2880 Northeast 32 Street # 6

Certified mail sent to the owner was accepted on 5/12/10.

Mr. Barry Fein, Fire Inspector, testified to the following violation:

FBC(2007) 105.10.3.1

THERE IS AN EXPIRED PERMIT, #07081190, TO REPLACE
6 WINDOWS WITH IMPACT WINDOWS.

Inspector Fein recommended ordering compliance within 35 days or a fine of \$25 per day would begin to accrue.

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

Case: CE09090801

Thomas A Nazzaro
2880 Northeast 32 Street # 8

Certified mail sent to the owner was accepted on 5/21/10.

Mr. Barry Fein, Fire Inspector, testified to the following violation:

FBC(2007) 105.10.3.1

THERE IS AN EXPIRED PERMIT, #07081194, TO REPLACE
7 WINDOWS WITH IMPACT WINDOWS.

Inspector Fein recommended ordering compliance within 35 days or a fine of \$25 per day would begin to accrue.

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

Case: CE10050028

The Isles at Coral Ridge Condo
1400 Northeast 56 Street

Certified mail sent to the owner was accepted on 5/13/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 1:11.1.2

ELECTRICAL WIRING NOT PER NFPA 70, NATIONAL ELECTRICAL CODE.

NFPA 101:31.3.4.5.1

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

Withdrawn:

NFPA 101:31.3.4.1.1

The property representative could not be located and Ms. Tell agreed to hear other cases.

Inspector Tetreault recommended ordering compliance with NFPA 1:11.1.2 within 63 days or a fine of \$100 per day, and with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:11.1.2 within 63 days or a fine of \$100 per day, and with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day would begin to accrue.

Case: CE09091511

Robert Charles Willard
3900 Galt Ocean Drive # 1114

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

Mr. Barry Fein, Fire Inspector, testified to the following violation:
FBC(2007) 105.10.3.1

THERE ARE 2 EXPIRED PERMITS: PERMIT #07021309 TO INSTALL KITCHEN CABINETS AND PERMIT #07021317 FOR PLUMBING FOR KITCHEN CABINETS.

Inspector Fein recommended ordering compliance within 14 days or a fine of \$25 per day would begin to accrue.

Mr. Robert Willard, owner, said he had mistakenly believed that the electrical inspection was the last one. He had found a new contractor to renew the permits.

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

Case: CE09120356

5691 LLC
5691 Northeast 14 Avenue

Ordered to reappear from 4/15/10

This case was first heard on 2/4/10 to comply by 4/8/10. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$1,800.

Ms. Stephanie Bass, Code Enforcement Officer, reported the owners had some permits but needed final inspections.

Mr. Theodore Hasle III, owner, explained that after a heavy rain, the bottom of the retaining wall had been washed into a retention pond, along with a couple of trees and shrubbery. The next-door property manager had given permission to install a berm on the south side of the wall to prevent further damage. The City inspector had then advised him to sod this area, which he had done. The City requested a letter from the neighboring owner, which the owner refused to provide. Mr. Hasle stated the neighboring property would be re-sodded and re-graded soon, which would result in removal of the berm. He presented photos of the property to Ms. Tell.

Ms. Tell asked why the City was requiring a letter from the neighbor. Ms. Wall advised Ms. Tell to grant an extension for Mr. Hasle to speak with the Landscape Department.

Ms. Tell granted a 63-day extension to 8/5/10, during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE08040850

Kevin Fernander
1125 Northeast 5 Avenue

This case was first heard on 9/4/08 to comply by 9/18/08. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,100 and the City was requesting imposition of \$520 for administrative costs.

Ms. Ingrid Gottlieb, Code Enforcement Officer, explained the case had not been scheduled for imposition of fines because there had been a lis pendens on the property but the lis pendens was no longer in effect. She stated the City was requesting \$520 for administrative costs.

Mr. Kevin Fernander, owner, stated he had not seen any proof of service in the case file. Mr. McKelligett clarified that service was via posting on the property and at City Hall. Mr. Fernander said in May 2010, he had received an affidavit on non-compliance signed by Officer Gottlieb indicating the property was not complied as of 9/19/08. He felt being notified 20 months after the fact made him "prejudiced and at a disadvantage because I don't have my records or my files to show the efforts that I made in order to comply." Mr. Fernander said he had spoken with Officer Gottlieb on the phone, and she had indicated the property was in compliance. He had been unable to obtain phone records to confirm this. Mr. Fernander requested the fine be reduced to \$100. Mr. McKelligett reported actual administrative costs were \$548.

Ms. Tell imposed a \$150 fine.

Case: CE09031931

Benjamin Bugarin
1030 Northwest 3 Avenue

Ordered to reappear from 4/1/10

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 \$41,850 fine, which would continue to accrue until the property complied.

Ms. Francesca San Roman, bank attorney, reported the property was in foreclosure. There was a judicial sale scheduled for 7/1/10. She requested an extension.

Mr. Todd Hull, Code Enforcement Officer, recommended a 63-day extension.

Ms. Tell granted a 63-day extension, during which time no fines would accrue.

Case: CE09031928

Jose A Fernandez & George W Sandrini, et al
1466 Holly Heights Drive

Certified mail sent to the owner was accepted on 5/14/10.

Mr. Frank Arrigoni, Fire Inspector, testified to the following violation:
FBC 105.10.3.1

PERMIT 07100380 WAS ISSUED FOR INTERIOR
REMODELING.
PERMIT 07100382 WAS ISSUED FOR PLUMBING
REMODELING.
PERMIT 07100381 WAS ISSUED FOR ELECTRICAL
REMODELING.
PERMIT 06103171 WAS ISSUED FOR LP GAS.
THE PERMITS HAVE EXPIRED WITHOUT PASSING THE REQUIRED
INSPECTIONS.

Ms. Wald explained that the correct citation was: FBC 105.10.3.1. She made a motion to correct the scrivener's error. Ms. Tell ordered the error corrected.

Inspector Arrigoni explained there was a lis pendens on the property.

Mr. Marcelo Sandrini, the owner's son, requested an extension, noting that they were unsure if they would be retaining the property. Ms. Wald said the case required the

permit to be renewed and asked the foreclosure timeline. Mr. Sandrini said they intended to deed the property back to the bank.

Mr. Gary Spivak, part owner, reported negotiations with the bank were moving very slowly.

Inspector Arrigoni recommended ordering compliance within 14 days or a fine of \$50 per day would begin to accrue.

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

Case: CE10021464 Request for extension
Capital Homes Lending LLC
1220 Northwest 6 Court

This case was first heard on 4/29/10 to comply by 6/3/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 6/4/10. Mr. McKelligett noted that as of 4/2/10, the property was owned by Rosa Bolden.

Ms. Wanda Sappington, Code Enforcement Officer, stated she would not object to an extension.

Mr. Virgil Bolden, owner, said the architect was working on plans he hoped to submit the following week. He requested an additional 91 days.

Ms. Tell granted a 91-day extension, during which time no fines would accrue.

Case: CE09121290 Request for extension
Virgil & Rosa Mae Bolden
1227 Northwest 6 Street

This case was first heard on 1/21/10 to comply by 2/25/10. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$1,300.

Ms. Tell granted a 91-day extension, during which time no fines would accrue.

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

Case: CE10040466
Manuel Rodriguez & Selva Calvo
2675 Southwest 6 Court

Personal service had been made to the owner.

Ms. Aretha Davis, Code Enforcement Officer, testified to the following violations:

9-279(b)(2)

AT LEAST ONE UNIT, #8, ON THE PROPERTY IS WITHOUT A KITCHEN SINK.

9-279(e)

THE HOT WATER HEATER FOR UNIT 8 IS LOCATED IN A SEPARATE LIVING UNIT, #6, WHICH HAS BEEN UNPLUGGED AND THEREFORE UNIT 8 IS NOT SUPPLIED WITH HOT WATER.

9-279(g)

THE PLUMBING FIXTURES IN THE BATHROOM OF UNIT 8 ARE IN DISREPAIR AS THE TOILET IS NOT PROPERLY ANCHORED AND SECURE.

9-280(b)

THE CRANK IS BROKEN ON AT LEAST ONE WINDOW AND AT LEAST TWO WINDOWS ARE CRACKED AND/OR BROKEN IN UNIT 8.

Officer Davis presented photos of the property and the case file into evidence and stated this property was an illegal conversion. She had explained to the owner that if this were no longer a separate living unit, the violations would be complied.

Ms. Selva Rodriguez, owner, said they had purchased the property in this condition. She said she was evicting the tenants in unit 8 and would fix the situation then. Ms. Tell explained the work that must be done to comply unit 8 and cautioned her that this might not be permitted by the City.

Officer Davis stated the City could not allow the current tenants to remain in the apartment for 60 days in unsanitary living conditions. She stated the owner's best course of action would be to convert the property back to the proper number of living units; there was no legal recourse for the owner to make the necessary corrections for unit 8.

Ms. Wald said because this unit was occupied without proper plumbing or hot water, this could be brought as a criminal case. Ms. Rodriguez said the tax roll stated this was an 8-unit building and she did not understand the violation. She said the tenants were supposed to be out that week.

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

Case: CE10040759

Manuel Rodriguez & Selva Calvo
2675 Southwest 6 Court

Personal service was made to the owner.

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

NUISANCE - DISCARDED FURNITURE, APPLIANCES, AND
OTHER MISCELLANEOUS RUBBISH, TRASH, AND DEBRIS
BEING STORED ON THIS OCCUPIED MULTI-UNIT COMPLEX.

Officer Davis presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$25 per day would begin to accrue.

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

Case: CE10042170

Ervin A Mendel
3904 Southwest 12 Place

Service was via posting on the property on 5/17/10 and at City Hall on 5/20/10.

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

THERE IS OVERGROWTH, RUBBISH, TRASH, AND DEBRIS
SCATTERED ALL AROUND THE PROPERTY AND SWALE AREA
INCLUDING, BUT NOT LIMITED TO, YARD WASTE, A SOFA,
AND UNMAINTAINED BUSHES AND SHRUBS.

Officer Campbell 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 would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE10040772

Stipulated agreement

Bradford W & Roslyn J Fitzgerald
4404 Northeast 23 Avenue

Violation:
18-11(a)

THE POOL AT THIS LOCATION IS FILLED WITH GREEN,
STAGNANT WATER. IN ITS PRESENT CONDITION, THE
POOL IS A POTENTIAL BREEDING GROUND FOR MOSQUITOES.
THIS PRESENTS A HEALTH, SAFETY, AND WELFARE ISSUE
FOR THE SURROUNDING COMMUNITY.

The City had a stipulated agreement with the owner to comply within 10 days or a fine of \$100 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

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

Case: CE10040608

C & M Developers LLC
413 Southwest 17 Street # 2

Certified mail sent to the owner was accepted on 5/18/10 and certified mail sent to the registered agent was accepted on 5/18/10.

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

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 would begin to accrue.

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

Case: CE10040442

Harlee Fisher
5161 Northeast 18 Terrace

Service was via posting on the property on 5/11/10 and at City Hall on 5/20/10.

Ms. Stephanie Bass, Code Enforcement Officer, testified to the following violation:
18-11(b)

THE POOL AT THIS VACANT PROPERTY IS GREEN WITH
STAGNANT WATER AND ENDANGERS THE HEALTH, SAFETY,
AND WELFARE OF THE COMMUNITY.

Officer Bass 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 would begin to accrue.

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

Case: CE10041913

Jorge Popovitch
6720 Northwest 29 Lane

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 OVERGROWTH PRESENT ON THIS PROPERTY AND REAR UTILITY EASEMENT. THIS IS A RECURRING VIOLATION THAT HAS BEEN CITED 5 TIMES (CE09050038/CT09050723/CT09071122/CE10030518) IN THE LAST YEAR AND WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE DATE OF THE HEARING.

Officer Viscusi 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 would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE09011268

Leighton Ray Tomkins Jr & Debra J Tomkins
2541 Northeast 22 Terrace

Service was via posting on the property on 5/13/10 and at City Hall on 5/20/10. Mr. McKelligett noted that the proper citation was for FBC 105.10.3.1. Ms. Tell allowed the amendment of the scrivener's error to indicate the violation was for FBC 105.10.3.1.

Mr. Frank Arrigoni, Fire Inspector, testified to the following violation:
FBC 105.10.3.1

PERMIT 03090061 WAS ISSUED FOR CONSTRUCTION OF A POOL.
PERMIT 03090068 WAS ISSUED FOR INSTALLATION OF A FENCE.
PERMIT 03090065 WAS ISSUED FOR ELECTRICAL WORK.
THESE PERMITS HAVE EXPIRED W/O PASSING ALL REQUIRED INSPECTIONS.

Inspector Arrigoni announced that this property was in foreclosure; final judgment was on 4/29/10 and public sale was set for 9/21/10. He recommended ordering compliance within 14 days or a fine of \$50 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE10032584

OB Real Estate Holdings 1695 LLC
636 Southwest 14 Terrace

Certified mail sent to the owner was accepted on 5/11/10 and certified mail sent to the registered agent was accepted on 5/11/10.

Mr. Andre Cross, Code Enforcement Officer, testified to the following violation:
47-19.4.D.1.

ALL RESIDENTIAL PROPERTIES OF FOUR (4) OR MORE
UNITS AND ALL BUSINESS AND INDUSTRIAL PROPERTIES
WHICH ELECT TO USE BULK CONTAINERS SHALL PROVIDE
AN ON-SITE ENCLOSURE FOR BULK CONTAINERS OR WASTE
RECEPTACLES. THERE IS NO ON-SITE DUMPSTER ENCLOSURE
INSTALLED AT THIS MULTI-UNIT APARTMENT COMPLEX.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$100 per day would begin to accrue.

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

Case: CE10041222

Nelly Klamo
1023 Southwest 15 Terrace

Service was via posting on the property on 5/6/10 and at City Hall on 5/20/10.

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

THE PROPERTY HAS BECOME OVERGROWN IN THE SWALE
AREA ALONG Southwest 16TH Avenue AND HAS NOT BEEN MAINTAINED.

Officer Cross 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 would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE10041291

Martha Castillo
1451 Southwest 11 Place

Service was via posting on the property on 5/6/10 and at City Hall on 5/20/10.

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

THE PROPERTY HAS BECOME OVERGROWN IN THE SWALE
AREA ALONG SW 15TH AVE AND HAS NOT BEEN MAINTAINED.

Officer Cross 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 would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE10041069

David C Potter
1515 Southwest 9 Street

Certified mail sent to the owner was accepted on 5/10/10.

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

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

Officer Cross 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 would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE10030757

Dwayne & Gisela Fletcher
421 Pennsylvania Avenue

Service was via posting on the property on 5/14/10 and at City Hall on 5/20/10.

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

NUISANCE - THERE IS AN ACCUMULATION OF OVERGROWTH,
RUBBISH, TRASH, AND DEBRIS ON THE PROPERTY AND SWALE
OF THIS RESIDENTIAL PROPERTY THAT APPEARS TO BE OCCUPIED.

Officer Davis presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$25 per day would begin to accrue.

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

Case: CE10050019

94-96 Hendricks Isle LLC

94 Hendricks Isle

Certified mail sent to the registered agent was accepted on 5/11/10.

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

NFPA 25:6.2.1

THE HOSE STATION(S) HAS/HAVE NOT BEEN INSPECTED WITHIN THE
PAST 12 MONTHS.

NFPA 25:12.6.2.2

THE REQUIRED INSPECTIONS AND OPERATIONAL TESTS HAVE NOT
BEEN MADE ON THE BACKFLOW PREVENTION DEVICE WITHIN THE
PAST 12 MONTHS.

NFPA 1:13.6.6.8.3.1 OUT

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

MO SEC. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

NFPA 101:31.3.4.5.1

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

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day, and with all other violations within 91 days or a fine of \$100 per day, per violation would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day, and with all other violations within 91 days or a fine of \$100 per day, per violation would begin to accrue.

Case: CE10041847

94-96 Hendricks Isle LLC
96 Hendricks Isle

Certified mail sent to the registered agent was accepted on 5/11/10.

Mr. Ron Tetreault, Fire Inspector, testified to the following violations:
MO SEC. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

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 with MO SEC. 9-313. within 91 days or a fine of \$100 per day, and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance with MO SEC. 9-313. within 91 days or a fine of \$100 per day, and with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day would begin to accrue.

Case: CE10041828

BRE/LQ FL Properties LLC
C/O La Quinta Corp
999 Northwest 62 Street

Certified mail sent to the owner was accepted on 5/13/10 and certified mail sent to the registered agent was accepted on 5/11/10.

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

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

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

Ms. Tell 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: CE10041825

Flagler Place LLC
616 Northwest 2 Avenue

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 1:13.3.1.1

THE FIRE SPRINKLER SYSTEMS ARE IN NEED OF SERVICE.

NFPA 25:12.7.1

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

NFPA 1:18.3.4.3

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

MO SEC. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

NFPA 1:13.3.1.1

SPRINKLER HEAD IS DAMAGED.

NFPA 1:10.4.4

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

NFPA 25:6.2.1

THE HOSE STATION(S) HAS/HAVE NOT BEEN INSPECTED WITHIN THE PAST 12 MONTHS.

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 1:11.1.2

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

Inspector Tetreault recommended ordering compliance within 42 days or a fine of \$100 per day, per violation would begin to accrue.

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

Case: CE10041483

Cypress Anchorage Condo Association Inc
1400 Northeast 55 Street

Certified mail sent to the owner was accepted on 5/14/10 and certified mail sent to the registered agent was accepted on 5/15/10.

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 withdrew the case.

Case: CE10041707

SD-Fort Lauderdale LLC
1401 Southwest 33 Place

Certified mail sent to the owner was accepted on 5/24/10 and certified mail sent to the registered agent was accepted on 5/24/10.

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

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.

Complied:

NFPA 1:13.3.1.1

NFPA 25:12.7.1

Inspector Tetreault recommended ordering compliance within 42 days or a fine of \$100 per day would begin to accrue.

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

Case: CE10041436

Value Development LLC
1401 Northeast 53 Street # 204

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041439

Value Development LLC
1401 Northeast 53 Street # 205

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041441

Value Development LLC
1401 Northeast 53 Street # 206

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041472

Value Development LLC
1401 Northeast 53 Street # 207

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041473

Value Development LLC
1401 Northeast 53 Street # 208

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041474

Value Development LLC
1401 Northeast 53 Street # 209

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041475

Value Development LLC
1401 Northeast 53 Street # 210

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041476

Value Development LLC
1401 Northeast 53 Street # 211

Certified mail sent to the owner was accepted on 5/11/10.

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.

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041477

Value Development LLC
1401 Northeast 53 Street # 212

Certified mail sent to the owner was accepted on 5/11/10.

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.

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041488

Zeshan Usman
1420 Northeast 50 Court

Certified mail sent to the owner was accepted on 5/11/10.

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

Inspector Tetreault recommended ordering compliance within 42 days or a fine of \$100 per day would begin to accrue.

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

Case: CE10041705

Coral Ridge Isles Properties LLC
1740 Northeast 51 St

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

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

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

Case: CE10041831

Hoy Sun Wong,
Xiona Li Wong, et al
1746 East Commercial Boulevard

Certified mail sent to the owner was accepted on 5/12/10.

Mr. Ron Tetreault, Fire Inspector, testified to the following violation:
NFPA 1:1.7.6.1

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

Inspector Tetreault recommended ordering compliance within 14 days or a fine of \$150 per day would begin to accrue.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$150 per day would begin to accrue.

Case: CE10041693

Coral Ridge Isles Properties LLC
1752 Northeast 51 Street

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

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

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

Case: CE10040025

Kelly S Muys
3061 Northeast 49 Street # 04

Service was via posting on the property on 5/11/10 and at City Hall on 5/20/10.

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.

Withdrawn:

NFPA 101:31.3.4.1.1

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

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

Case: CE10050023

Kia Investments Inc
2960 North Federal Highway

Certified mail sent to the owner was accepted on 5/12/10 and certified mail sent to the registered agent was accepted on 5/12/10.

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

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 ARE IN NEED OF SERVICE.

NFPA 1:11.1.2

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

NFPA 1:13.3.3.3

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

NFPA 55:7.1.4.4

COMPRESSED GAS CONTAINERS, CYLINDERS, AND TANKS IN USE OR IN STORAGE HAVE NOT 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 101:13.2.2.2.3

PANIC OR FIRE HARDWARE NOT PROVIDED AS PER CODE.

NFPA 1:13.3.1.1

SPRINKLER HEAD IS DAMAGED.

NFPA 1:50.5.2.1

THE HOOD FIRE SUPPRESSION SYSTEM HAS NOT BEEN INSPECTED AND TAGGED BY A STATE LICENSED COMPANY WITHIN THE PAST 6 MONTHS.

NFPA 101:7.2.1.8.1

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

NFPA 1:4.4.5

THERE IS AN UNPROTECTED VERTICAL OPENING.

NFPA 101:7.1.5.1

THE HEADROOM IN THE MEANS OF EGRESS IS NOT IN ACCORDANCE WITH NFPA 101:7.1.5.1.

Inspector Tetreault recommended ordering compliance within 42 days or a fine of \$100 per day, per violation would begin to accrue.

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

Case: CE10041839

S & Malka Natanson
5161 Northeast 18 Avenue

Certified mail sent to the owner was accepted on 5/17/10.

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

NFPA 101:31.3.4.5.1

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

Complied:

NFPA 101:31.3.4.1.1

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

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

Case: CE10041834

S & Malka Natanson
5181 Northeast 18 Avenue

Certified mail sent to the owner was accepted on 5/13/10.

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 presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$250 per day would begin to accrue.

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

Case: CE08080618

John & Rosa Bermudez
601 Southwest 22 Terrace

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 not complied and the City was requesting imposition of a \$27,850 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$27,850 fine, which would continue to accrue until the property complied.

Case: CE10011222

Request for extension (by Inspector)

Richard R & Barbara S Daigle
4300 North Ocean Boulevard # 20E

This case was first heard on 3/4/10 to comply by 6/3/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 6/4/10.

Mr. Ron Tetreault, Fire Inspector, requested a 91-day extension on behalf of the owner.

Ms. Tell granted a 91-day extension, during which time no fines would accrue.

Case: CE08110769

Christian Fuxa
707 Southwest 17 Street

This case was first heard on 2/5/09 to comply by 2/19/09. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$23,400 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$23,400 fine, which would continue to accrue until the property complied.

Case: CE06060553

Dan Davies
1624 Northwest 16 Street

This was a request to vacate the Order Imposing a Fine dated 9/7/06.

Ms. Tell vacated the Order Imposing a Fine dated 9/7/06.

Case: CT08110900

Loce Group LLC
1212 Northeast 16 Terrace

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 a \$50 fine, plus a \$200 civil penalty and \$433.56 lot clearing costs.

Ms. Tell imposed the \$50 fine, plus a \$200 civil penalty and \$433.56 lot clearing costs.

Case: CE10020674

Gordon W Roepe
812 North Victoria Park Rd

This case was first heard on 4/15/10 to comply by 4/25/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property complied.

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

Case: CE10030875

Barrie M Peterson
615 Northeast 13 Avenue

This case was first heard on 4/15/10 to comply by 4/25/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$2,500 fine.

Ms. Tell imposed the \$2,500 fine.

Case: CE09121091

Just Happens Inc
1001 Northwest 51 Court

This case was first heard on 2/4/10 to comply by 2/18/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,750 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$3,750 fine, which would continue to accrue until the property complied.

Case: CE09121100

Just Happens Inc
1001 Northwest 51 Court

This case was first heard on 2/4/10 to comply by 2/18/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,750 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$3,750 fine, which would continue to accrue until the property complied.

Case: CE09061053

Esplanade on the New River Condominium Association Inc
401 Southwest 4 Avenue

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

Ms. Tell vacate the Final Order dated 8/20/09.

Case: CE08061820

Ten at Victoria Park Condo
639 Northeast 10 Avenue

This was a request to vacate the Final Order dated 11/20/08.

Ms. Tell vacated the Final Order dated 11/20/08.

Case: CE09021029

Riverside Condo Assn Of Broward
1540 Southwest 5 Place

This was a request to vacate the Final Order dated 4/16/09.

Ms. Tell vacated the Final Order dated 4/16/09.

Case: CE09121441

Fabio Galo
1103 Southwest 15 Terrace

This case was first heard on 3/4/10 to comply by 4/29/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,400 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$3,400 fine, which would continue to accrue until the property complied.

Case: CE10030124

Mark Hirsch
2000 Southwest 16 Court

This case was first heard on 4/15/10 to comply by 4/29/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,400 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$3,400 fine, which would continue to accrue until the property complied.

Case: CE09091012

Bradley Hertz
2065 Riverland Road

This case was first heard on 1/21/10 to comply by 4/1/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,200 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$6,200 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:

CE10042527	CE10040994	CE10011396	CE10041479
CE10040967	CE10032380	CE10021047	CE10021205
CE10032478	CE10041580	CE10041759	CE10040948
CE09021054	CE10041232	CE10040265	CE10032626
CE10040246	CE10041709	CE10041484	CE10050032
CE10050030	CE10050031	CE10041703	CE10041701
CE10041836	CE10041832		

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:

CE10041487	CE10041481	CE10041843
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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:

CE10031382	CE10031388	CE10031391	CE09090616
CE09110697	CE09110727	CE09110731	CE09110737
CE09110739	CE09110742	CE09110743	CE09110744
CE09110745	CE09110748	CE09110749	CE09110750
CE09110751	CE09110753	CE09110718	CE09110720
CE09110722	CE09110723	CE09110725	CE09110726
CE09110728	CE09110729	CE09110733	CE09110736
CE09110861	CE09110862	CE09110864	CE09110865
CE09110866	CE09110867	CE09110868	CE09110869
CE09110870	CE09110871	CE09110872	CE09110873
CE09110874	CE09110875	CE09110876	CE09110877
CE09100163	CE09080970	CE09081688	CE09090582
CE09090587	CE09090591	CE09090593	CE09090594
CE09090597	CE09090600	CE09090602	CE09090605
CE09090607	CE09090612		

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:

CE09032126
CE10041438

CE09032075

CE10041027

CE10042172

There being no further business, the hearing was adjourned at **11:31 a.m.**



SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services