

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
JUDGE H. MARK PURDY PRESIDING  
NOVEMBER 18, 2010  
9:00 A.M. –10:13 P.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Susanne Manning, Secretary, Special Magistrate  
Brian McKelligett, Clerk of Special Magistrate – Supervisor  
Ginger Wald, Assistant City Attorney  
Lori Grossfeld, Clerk III  
Peggy Burks, Code Enforcement Supervisor  
Cheryl Pingitore, Code Enforcement Supervisor  
Frank Arrigoni, Building Inspector  
Stephanie Bass, Code Enforcement Officer  
Andre Cross, Code Enforcement Officer  
Aretha Davis, Code Enforcement Officer  
Adam Feldman, Code Enforcement Officer  
Bill Snow, Code Enforcement Officer  
Mario Sotolongo, Code Enforcement Officer  
Ron Tetreault, Fire Inspector  
Salvatore Viscusi, Code Enforcement Officer

**Respondents and Witnesses**

CE10033020: Robert Joseph, general manager  
CE10100819: Lillianne Lorenzo, owner  
CE09121326: Mintrue (Patricia) Gonzalez, property manager  
CE10091292: Alexandros Passakos, general manager  
CE09082100: Lawrence Mujica, chief engineer  
CE10080261: Maria Freeman, owner  
CE10031798: Rudolph McLennon, owner, Gregory Taylor, bank attorney  
CE10050028: Steven Kates, president of condo, William Hunt, manager  
CE10041436, CE10041439, CE10041441, CE10041472, CE10041473, CE10041474,  
CE10041475, CE10041476, CE10041477: Carlos Reyes, attorney  
CE10091041: Alexis Garcia, owner's daughter  
CE10080455: Rayfield Johnson, owner  
CE10100817: David Roland, power of attorney for condo  
CE10062461: Sharon Farrell, general manager, Cornelius Guijt, engineer  
CE09110671: R. Mark Stephenson, property manager  
CE10033038: Anne Ginsburg, 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: CE10080455**

1501 Lauderdale Villas Drive  
JOHNSON, RAYFIELD & JOHNSON, MARGARET COLLINS

This case was first heard on 10/7/10 to comply by 10/17/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,800 and the City was requesting the full fine be imposed.

Sal Viscusi, Code Enforcement Officer, reported the home was in foreclosure but no sale date had been set. The owner had informed him that lack of finances had prevented him from caring for the property.

Mr. Rayfield Johnson, owner, said he had no money and he was doing his best to keep the property until the bank evicted him. Officer Viscusi recommended abatement of the fine.

Judge Purdy imposed no fine.

**Case: CE09082100**

Request for extension

500 East Broward Blvd  
CTA PROPERTIES LTD  
C/O COLONIAL PROPERTIES TR

This case was first heard on 10/7/10 to comply by 11/14/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$650 fine, which would continue to accrue until the property complied.

Frank Arrigoni, Building Inspector, said the owner was working on the property, and recommended a 14-day extension.

Mr. Lawrence Mujica, chief engineer, requested a 14-day extension.

Judge Purdy granted a 14-day extension during which time no fines would accrue.

**Case: CE10091292**

300 Southwest 1 Avenue  
HISTORIC BRICKELL LTD

Service was via posting on the property on 10/29/10 and at City Hall on 11/4/10.

Ron Tetreault, Fire Inspector, testified to the following violations:  
NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:13.3.2.1  
SPRINKLER PROTECTION IS REQUIRED.

Inspector Tetreault recommended ordering compliance with NFPA 101:7.9.2.1 within 182 days or a fine of \$150 per day, and with NFPA 1:13.3.2.1 within 182 days or a fine of \$250 per day.

Mr. Alexandros Passakos, general manager, said the exit signs had been taken care of and he had an appointment with someone to adjust the sprinklers on Monday morning.

Judge Purdy found in favor of the City and ordered compliance with NFPA 101:7.9.2.1 within 182 days or a fine of \$150 per day, and with NFPA 1:13.3.2.1 within 182 days or a fine of \$250 per day would begin to accrue.

**Case: CE10100819**  
111 Southwest 33 Street  
AIR CARRIER HOLDINGS INC

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

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

NFPA 1:13.3.2.1  
SPRINKLER PROTECTION IS REQUIRED.

NFPA 1:14.4.1  
THE PATH OF EGRESS IS OBSTRUCTED / BLOCKED.

NFPA 101:7.9.1.1  
EMERGENCY LIGHTING IS NOT PROVIDED IN ACCORDANCE WITH THE  
CODE.

NFPA 1:14.14.1.2  
EXIT SIGN(S) IS(ARE) NOT PROVIDED AT THE(ALL) REQUIRED  
EXIT(S).

Inspector Tetreault recommended ordering compliance within 182 days or a fine of \$150 per day, per violation.

Ms. Lillianne Lorenzo, owner, agreed to Inspector Tetreault's terms.

Judge Purdy found in favor of the City and ordered compliance within 182 days or a fine of \$150 per day, per violation would begin to accrue.

**Case: CE10033020**

Request for extension

111 Southwest 2 Avenue  
#111 PROPERTIES INC

This case was first heard on 4/29/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,250 fine, which would continue to accrue until the property complied.

Judge Purdy said he had received an emergency motion to intervene on this case.

Ron Tetreault, Fire Inspector, said the owner had hired someone to do the work. The respondent was requesting a 91-day extension, retroactive to 11/4/10.

Ms. Wald acknowledged she had received the emergency motion, but she noted that the motion to intervene did not matter too much because any interested party could speak at the hearing. She therefore determined the motion did not need to be placed on the motion calendar.

Mr. Robert Joseph, general manager, requested an extension.

Judge Purdy granted a 91-day extension during which time no fines would accrue.

**Case: CE10062461**

2301 Southeast 17 Street  
2301 Southeast 17 Street LTD  
C/O PIER 66 HOTEL & MARINA

This case was first heard on 8/5/10 to comply by 10/7/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,500 and the City was requesting no fine be imposed.

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

Judge Purdy imposed no fine.

**Case: CE10091041**

1420 North Dixie Hwy # PKG  
ALLES, MAXINE JAMESSON

Service was via posting on the property on 11/2/10 and at City Hall on 11/4/10.

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

9-304(b)

THE PARKING FACILITY IS IN DISREPAIR, IT HAS  
SEVERAL POT HOLES, GRASS/WEEDS GROWING THROUGH THE

ASPAHALT, THE PARKING FACILITY IS NOT SURFACED  
WITH A HARD, DUSTLESS MATERIAL, AND MAINTAINED IN  
A SMOOTH, WELL-GRADED CONDITION.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 98 days or a fine of \$50 per day.

Ms. Alexis Garcia, the owner's daughter, agreed to Officer Cross's terms.

Judge Purdy found in favor of the City and ordered compliance within 98 days or a fine of \$50 per day would begin to accrue.

**Case: CE10033038**

3051 Northeast 32 Avenue  
ANNIEOPA LLC

This case was first heard on 4/29/10 to comply by 8/5/10. Violations were as noted in the agenda. The property was complied, and fines had accrued to \$20,200.

Ron Tetreault, Fire Inspector, said this property had been vacant and therefore posed no life safety hazard. He recommended no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10031798**

908 Southwest 15 Terrace  
JP MORGAN CHASE BANK NA

This case was first heard on 4/29/10 to comply by 8/5/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$41,600 fine, which would continue to accrue until the property complied.

Ron Tetreault, Fire Inspector, said the fire extinguishers needed to be re-inspected. There was also a roof leak that must be taken care of before the smoke detectors were installed. He recommended a 63-day extension.

Mr. Rudolph McLennon, owner, explained the roof had to be replaced before he could install the detectors and extinguishers.

Judge Purdy granted a 63-day extension during which time no fines would accrue.

**Case: CE09110671**

3047 Northwest 60 Street  
LAVI LIMITED PARTNERSHIP  
C/O MC KINNEY PROP

This case was first heard on 12/2/09 to comply by 4/1/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$600 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE09121326**

275 Southwest 27 Avenue  
BATMASIAN, JAMES H & MARTA  
C/O INVESTMENTS LIMITED

Certified mail sent to the owner was accepted on 11/2/10. Service was also via posting at City Hall on 11/4/10.

Frank Arrigoni, Building Inspector, testified to the following violation:  
FBC(2007) 105.10.3.1

PERMIT 06092698 WAS ISSUED FOR REROOF.  
THE PERMIT HAS EXPIRED W/O PASSING ALL REQUIRED  
INSPECTIONS.

Withdrawn:  
FBC 105.1

Inspector Arrigoni submitted permit information and inspection dates into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. Mintrue (Patricia) Gonzalez, property manager, requested additional time to meet with roofers. She said the AC units were on the ground, not on the roof. Inspector Arrigoni explained the violation regarding the work without permits was complied.

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

**Case: CE10080261**

907 Northwest 4 Street  
FREEMAN, MARIA

This case was first heard on 9/2/10 to comply by 10/7/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10050028**

1400 Northeast 56 Street  
THE ISLES AT CORAL RIDGE CONDO

This case was first heard on 6/3/10 to comply by 8/5/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$21,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10101357**

2800 Vistamar Street  
BLUE LOFTS LLC

Certified mail sent to the registered agent was accepted on 11/2/10.

Mario Sotolongo, Code Enforcement Officer, testified to the following violation:  
18-12(a)

THIS FENCED-IN VACANT LOT IS OVERGROWN WITH GRASS, WEEDS AND PLANT LIFE. THIS IS A REPEAT VIOLATION OF CODE SECTION 18-12(a) PREVIOUSLY CITED UNDER CASE CE10070775 AND FOUND IN VIOLATION BY SM PURDY ON 08/19/2010. THIS CASE WILL BE PRESENTED TO A SPECIAL MAGISTRATE BECAUSE ABATEMENT BY THE CITY IS NOT AN OPTION DUE TO RESTRICTED ACCESS TO THE PROPERTY.

Officer Sotolongo stated the property had been out of compliance for 13 days. He requested a fine of \$100 per day be imposed for each day the property was in violation.

Judge Purdy found in favor of the City and imposed a \$1,300 fine.

**Case: CE10062607**

1001 Southwest 4 Avenue  
HONOVICH, FELIX

Service was via posting on the property on 11/2/10 and at City Hall on 11/4/10.

William Snow, Code Enforcement Officer, testified to the following violation:  
9-306

THE STUCCO ON THE EXTERIOR WALL ADJACENT TO THE GARAGE DOORS IS DAMAGED AND DEFECTIVE. THERE ARE CRACKS IN THE STUCCO AND SECTIONS OF THE STUCCO

HAVE DETACHED FROM THE BLOCK WALL.

Officer Snow presented photos of the property and the case file into evidence, and recommended ordering compliance within 49 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 49 days or a fine of \$50 per day would begin to accrue.

**Case: CE10081901**

200 Southwest 9 Avenue  
SAILBOAT VENTURES LLC

Certified mail sent to the owner was accepted on 11/1/10. Service was also via posting at City Hall on 11/4/10.

William Snow, Code Enforcement Officer, testified to the following violation:  
9-308(a)

THE ROOF IS NOT SAFE, SECURE AND WATERTIGHT. THE ROOF SHINGLES, ROOF DECKING, SOFFITT AND FASCIA ARE WATER DAMAGED AND ROTTING. THE WATER DAMAGED SECTION OF THE ROOF IS IN DANGER OF COLLAPSE.

Officer Snow said the owner intended to demolish the property. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 70 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 70 days or a fine of \$50 per day would begin to accrue.

**Case: CE10090094**

4041 Galt Ocean Drive  
LOUISE R FIRTH LIV TR  
C/O GALT OCEAN MANOR CONDO

Certified mail sent to the owner was accepted on 11/2/10.

Adam Feldman, Code Enforcement Officer, testified to the following violation:  
47-19.5.E.7.

THE CHAIN LINK FENCE AT THIS LOCATION IS IN DISREPAIR, IN THAT THE HORIZONTAL SUPPORT BARS ARE BENT AND NOT PROPERLY ATTACHED IN SEVERAL AREAS; THERE ARE SEVERAL SUPPORT POSTS THAT ARE LEANING AND COMING OUT OF THE GROUND; THERE ARE AREAS OF THE CHAIN LINK FENCE THAT IS LEANING AND NOT PROPERLY ATTACHED TO THE SUPPORT POSTS; THERE ARE



AREAS OF THE CHAIN LINK THAT HAVE BEEN CUT.

Officer Feldman said the property was halfway complied. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$100 per day.

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

**Case: CE10091696**

840 Wyoming Avenue  
MONTGOMERY, KELLEY M

Service was via posting on the property on 11/1/10 and at City Hall on 11/4/10.

Adam Feldman, Code Enforcement Officer, testified to the following violation:  
18-11(a)

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

Officer Feldman said he had been in contact with a representative from the mortgage contracting services company who was working with the bank to get funds released to comply the pool. He 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: CE10092066**

1435 South Miami Rd  
FLORES, EDUARDO I & FLORES, EVA M

Personal service was made to the owner on 8/27/10.

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

NUISANCE - THERE IS AN ACCUMULATION OF OVERGROWN  
GRASS AND WEEDS ON THIS VACANT RESIDENTIAL  
PROPERTY AND THE ADJACENT SWALE. ADDITIONALLY,  
THERE IS TREE DEBRIS AND YARD WASTE ON THE  
PROPERTY INCLUDING A SANITATION CART FULL OF  
DEBRIS. PROPERTY IS ENCLOSED UNABLE TO ABATE  
VIOLATION.

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

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

**Case: CE10092083**

1435 South Miami Rd  
FLORES, EDUARDO I & FLORES, EVA M

Personal service was made to the owner on 8/27/10.

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

NUISANCE - THERE IS A DERELICT AND INOPERABLE WHITE CHRYSLER IN THE DRIVEWAY OF THIS VACANT RESIDENTIAL PROPERTY WITH A TAG THAT EXPIRED IN 2006 AND ACCORDING TO THE POLICE DEPARTMENT IS NOT REGISTERED TO ANY PARTICULAR VEHICLE. VEHICLE IS BEHIND LOCKED FENCE THEREFORE UNABLE TO ABATE VIOLATION.

Officer Davis said the owner had promised to tow the vehicle but had not done so. She 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: CE10100434**

1470 Northwest 20 Street  
ETIENNE, JEAN Street JEAN, GEORGES

Service was via posting on the property on 10/26/10 and at City Hall on 11/4/10.

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

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

Officer Viscusi said an order of lis pendens had been filed on the property in September 2009 and a final judgment had been recorded on 10/17/10. He 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.

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

**Case: CE10100377**

1470 Northwest 20 Street  
ETIENNE, JEAN Street JEAN, GEORGES

Service was via posting on the property on 10/26/10 and at City Hall on 11/4/10.

Sal Viscusi, Code Enforcement Officer, testified to the following violation:  
18-11(a)

THE POOL IN THE REAR YARD OF THIS OCCUPIED  
PROPERTY IS FILLED WITH GREEN/ STAGNANT WATER.  
THIS POOL IN THIS CONDITION IS UNSANITARY,  
UNSIGHTLY, AND IS A POTENTIAL BREEDING GROUND FOR  
MOSQUITOES. THIS POOL ALSO POSES A THREAT TO THE  
HEALTH, SAFETY AND WELFARE TO THE COMMUNITY

Officer Viscusi 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: CE10100167**

2630 Southwest 5 Street  
QUALITY HOME LOANS U S BANK NATIONAL

Certified mail sent to the owner was accepted on 11/3/10. Service was also via posting at City Hall on 11/4/10.

Stephanie Bass, Code Enforcement Officer,

9-280(b)

THERE ARE SEVERAL WINDOW JALOUSIES THAT ARE IN  
DISREPAIR. THE DAMAGED JALOUSIES ARE NOT WEATHER  
PROOF OR WATERTIGHT.

Officer Bass said a bank representative had informed her he had submitted a work order to have the windows repaired but this had not yet occurred. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

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

**Case: CE09111714**

3733 Southwest 12 Court  
3733 LAND TR  
LANCASTE INVESTMENTS LLC TRSTEE

Service was via posting on the property on 11/2/10 and at City Hall on 11/4/10.

Frank Arrigoni, Building Inspector, testified to the following violation:  
FBC(2007) 105.10.3.1

THE FOLLOWING PERMITS HAVE EXPIRED W/O PASSING ALL  
REQUIRED INSPECTIONS.  
06110732 SHUTTERS.  
06110730 WINDOWS.  
06110736 MECHANICAL.

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

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

**Case: CE10091090**

616 Northwest 4 Avenue  
JOHNSON, LOUIS A & KATERRI

Certified mail sent to the owner was accepted on 10/30/10. Service was also via posting at City Hall on 11/4/10.

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

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

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$50 per day.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day would begin to accrue.

**Case: CE10100206**

930 Northwest 9 Avenue  
MOTIVA ENTERPRISES LLC  
C/O SHELL OIL CO/PROP TAX DEPT

Service was via posting on the property on 11/1/10 and at City Hall on 11/4/10.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY INCLUDING BUT, NOT LIMITED TO BEER BOTTLES, PAPERS AND MISCELLANEOUS TRASH.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 \$100 per day.

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

**Case: CE10091253**

826 Southeast 14 Street  
EDWARDS, T HOMAS P & EDWARDS, AUDREY J

Service was via posting on the property on 10/29/10 and at City Hall on 11/4/10.

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: CE10091537**

1231 Southeast 1 Street # 6  
JOHNSON, CHERYL

Service was via posting on the property on 10/29/10 and at City Hall on 11/4/10.

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: CE10091578**

1231 Southeast 1 Street # 11  
AGARD, JAMES & AGARD, JANIS

Service was via posting on the property on 10/29/10 and at City Hall on 11/4/10.

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: CE10100817**

1540 Southeast 12 Street  
COMMODORE CLUB CONDOMINIUM LLC

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

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

NFPA 303:6.4.1

CLASS I STANDPIPE SYSTEM IS NOT PROVIDED FOR THE PIER, DOCK,  
BULKHEAD AND/OR BUILDING THAT IS GREATER THAN 150 FT (45 M)  
FROM THE CLOSEST PLACE WHERE THE FIRE APPARATUS CAN GAIN  
ACCESS TO.

NFPA 1:13.6.1.2

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

Inspector Tetreault recommended ordering compliance within 182 days or a fine of \$150 per day, per violation.

Judge Purdy found in favor of the City and ordered compliance within 182 days or a fine of \$150 per day, per violation would begin to accrue.

**Case: CE10101015**

822 Northeast 18 Avenue  
VICTORIA PARK APARTMENTS LLC

Certified mail sent to the owner was accepted on 11/2/10 and certified mail sent to the registered agent was accepted on 11/2/10.

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: CE10101017**

838 Northeast 14 Avenue  
RIZNICK, SCOTT T & LINDA D

Certified mail sent to the owner was accepted on 11/2/10.

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: CE10101455**

3213 South Port Royale Drive # D  
EQR-PORT ROYALE VISTAS INC  
C/O PROP TAX DEPT

Certified mail sent to the owner was accepted on 11/8/10 and certified mail sent to the registered agent was accepted on 11/2/10.

Ron Tetreault, Fire Inspector, testified to the following violation:  
NFPA 1:1.7.6.2 Fix F/A

THE FIRE ALARM IS NOT FUNCTIONING AS DESIGNED AND INSTALLED.

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: CE10101021**

3101 Port Royale Blvd # Bld 1  
ERP OPERATING LTD PRTNR  
LINCOLN HARBOUR APTS

Certified mail sent to the owner was accepted on 11/8/10.

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.

COMPLIED:  
NFPA 101:7.9.2.1

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

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

**Case: CE10101459**

3101 Port Royale Blvd # Bld3  
ERP OPERATING LTD PRTNR  
LINCOLN HARBOUR APTS

Certified mail sent to the owner was accepted on 11/8/10.

Ron Tetreault, Fire Inspector, testified to the following violation:  
NFPA 1:10.4.4

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

NFPA 1:1.7.6.2 FIX F/A

THE FIRE ALARM IS NOT FUNCTIONING AS DESIGNED AND INSTALLED.

NFPA 101:7.10.5.2.1

THE EXIT SIGN DOES NOT ILLUMINATE AS DESIGNED.

COMPLIED:



NFPA 101:7.9.2.1

Inspector Tetreault presented photos of the property and the case file into evidence, and recommended ordering compliance within 28 days or a fine of \$150 per day, per violation.

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

**Case: CE10101464**

3101 Port Royale Blvd # Bld5  
ERP OPERATING LTD PRTNR  
LINCOLN HARBOUR APTS

Certified mail sent to the owner was accepted on 11/8/10.

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

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.

Inspector Tetreault presented photos of the property and the case file into evidence, and recommended ordering compliance within 28 days or a fine of \$150 per day, per violation.

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

**Case: CE10081868**

1301 Northeast 15 Street  
TRANSCAPITAL BANK  
C/O GOLD, STUART, MITCHELL

This case was first heard on 10/7/10 to comply by 10/17/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,700 and the City was requesting a \$534 fine be imposed.

Judge Purdy imposed the \$534 fine.

**Case: CE09011268**

2541 Northeast 22 Terrace  
TOMKINS, LEIGHTON R JR & DEBRA J

This case was first heard on 6/3/10 to comply by 6/17/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$7,650 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$7,650 fine, which would continue to accrue until the property complied.

**Case: CE09072660**

3411 Southwest 19 Street  
ACCREDITED HOME LENDERS INC  
C/O BEN-EZRA KATZ PA

This case was first heard on 7/15/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,250 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$2,250 fine, which would continue to accrue until the property complied.

**Case: CE09120285**

2701 Middle River Drive # 5  
VICARY, DARCY S

This case was first heard on 2/4/10 to comply by 8/5/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$64,500 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$64,500 fine, which would continue to accrue until the property complied.

**Case: CE09120324**

2701 Middle River Drive # 18  
RAMIREZ, SILVANA LORENA

This case was first heard on 2/4/10 to comply by 8/5/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$64,500 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$64,500 fine, which would continue to accrue until the property complied.

**Case: CE10033024**

1750 North Federal Highway  
19TH STREET INVESTORS INC

This case was first heard on 4/29/10 to comply by 8/5/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,400 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$10,400 fine, which would continue to accrue until the property complied.

**Case: CE10041436**

1401 Northeast 53 Street # 204  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041439**

1401 Northeast 53 Street # 205  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041441**

1401 Northeast 53 Street # 206  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041472**

1401 Northeast 53 Street # 207  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041473**

1401 Northeast 53 Street # 208  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041474**

1401 Northeast 53 Street # 209  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041475**

1401 Northeast 53 Street # 210  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041476**

1401 Northeast 53 Street # 211  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10041477**

1401 Northeast 53 Street # 212  
VALUE DEVELOPMENT LLC

This case was first heard on 6/3/10 to comply by 7/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**Case: CE10052175**

1000 Southeast 4 Street  
RIVERVIEW GARDEN CONDO ASSN

This case was first heard on 8/5/10 to comply by 1/7/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$7,000 and the City was requesting no fine be imposed.

Judge Purdy imposed no fine.

**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:

CE10091399	CE10100254	CE10091024	CE10091455
CE10100055	CE10100580	CE10091697	CE10091525
CE10100213	CE10092212	CE10100249	CE10100559
CE09082000	CE09111423	CE09120769	CE10010723
CE10091194	CE10092167	CE10100126	CE10100212
CE10091258	CE10091294	CE10100815	CE10100820
CE10100822	CE10100825	CE10100827	CE10100832
CE10100834	CE10100836	CE10100839	CE10100840
CE10100841	CE10100842	CE10100843	CE10100844

CE10100845	CE10100847	CE10100849	CE10100851
CE10100853	CE10101018	CE10101020	CE10101463
CE10101466	CE10101467	CE09072664	

**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:

CE10100384      CE10101462      CE09110632

**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:

CE10100118      CE10100145      CE10091103

**Cases Rescheduled**

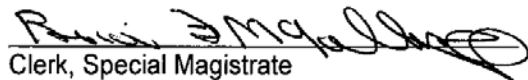
Mr. McKelligett announced that the below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE10100179      CE10100418      CE10050822

There being no further business, the hearing was adjourned at **10:13 A.M.**

  
SPECIAL MAGISTRATE

ATTEST:

  
Clerk, Special Magistrate