

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
ROSE ANN FLYNN PRESIDING  
DECEMBER 2, 2010  
9:00 A.M. –10:50 P.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Dee Paris, Administrative Aide  
Erin Peck, Clerk III  
Ginger Wald, Assistant City Attorney  
John Heller, Chief Building Inspector  
Lori Grossfeld, Clerk III  
John Gossman, Code Enforcement Supervisor  
Cheryl Pingitore, Code Enforcement Supervisor  
Frank Arrigoni, Building Inspector  
Stephanie Bass, Code Enforcement Officer  
Mark Campbell, Code Enforcement Officer  
Leonard Champagne, Code Enforcement Officer  
Andre Cross, Code Enforcement Officer  
Aretha Davis, Code Enforcement Officer  
Alejandro DelRio, Code Enforcement Officer  
Dick Eaton, Sr. Code Enforcement Officer  
Adam Feldman, Sr. Code Enforcement Officer  
Todd Hull, Code Enforcement Officer  
Jorge Maura, Detective  
Mary Rich, Code Enforcement Officer  
Wanda Sappington, Code Enforcement Officer  
Ron Tetreault, Fire Inspector  
Barbara Urow, Code Enforcement Officer  
Salvatore Viscusi, Code Enforcement Officer

**Respondents and Witnesses**

CE10110353: Cara Yablon, general counsel  
CE10110259: Luis Webb, chief engineer  
CE09062091: Adrian Moore, partner in business  
CE10081746; CE10081902: Gregory Baum, owner  
CE10081651; CE10070310: Howard Elfman, realtor; Jeffrey Longbrake, realtor  
CE10090264: Shai Morali, owner; Courtney Crush, attorney; Samuel Landol, neighbor;  
Kara Landol, neighbor  
CE10091255: June Murray, owner  
CE10071185: Bradley Decklebaum, interested party  
CE10070494: Rudy Teran, owner  
CE09111480: Se Pak, general manager  
CE10050026; CE10042585: Howard Roach, owner; Sarah Roach, owner

CE10050265: Russell Bratt, owner  
CE10110351: Eliezer Rivera, director of business  
CE10110158: Peter Margolin, tenant; Jennifer Mills, property manager; Jan Trana, plumber; Annette Blocker, regional director  
CE10080811: Guy Abbotoni, bank representative  
CE10081056: Carherine Malcom, owner; Desmond Malcom, owner  
CE10081398: Lillian Gil, manager; Joyce Errico, assistant manager  
CE10071170: Alba Vasquez, owner; Neil Tygar, attorney  
CE09101501: Joan Pixley, owner  
CE10070098: Alvin Johnson, owner  
CE08081559: E. Gail Brown Mulder, property manager  
CE08110825: William Conway, 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: CE09062091**

521 Southwest 27 Terrace  
JEAN LEONCE JOSEPH TR  
GONFRA RL EST SOLUTIONS INC TRUST

This case was first heard on 11/19/09 to comply by 1/21/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,100 fine, which would continue to accrue until the property complied.

Stephanie Bass, Code Enforcement Officer, confirmed the property was not complied.

Mr. Adrian Moore, partner in the business, stated the property was involved in a short sale, which should take place within 30 days. He requested a 30 – 60-day extension. Officer Bass did not oppose the request for an extension.

Ms. Flynn granted a 49-day extension during which time no fines would accrue.

**Case: CE10070098**

3440 Berkeley Blvd  
JOHNSON, ALVIN G

This case was first heard on 9/2/10 to comply by 9/16/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$700 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

**Case: CE10081056**

2301 Northwest 19 Street  
JERK MACHINE 19 STREET LLC

Service was via posting on the property on 10/27/10 and at City Hall on 11/18/10.

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

9-280(h)(1)

THERE IS A 6-FT CHAIN LINK FENCE ON THIS PROPERTY THAT IS DAMAGED AND IN DISREPAIR. THE FENCE IS DOWN IN SEVERAL AREAS, UNLEVEL, UNEVEN, AND HAS DAMAGED AND/OR MISSING TOP RAILS AND OTHER COMPONENTS.

Officer Viscusi had spoken to the owner, who was working to comply the property.

Mr. Desmond Malcom, owner, said they were obtaining bids for the work, and requested 60 – 90 days. Officer Viscusi said he would not object to 90 days or a fine of \$25 per day. Officer Viscusi presented photos of the property and the case file into evidence.

Ms. Flynn found in favor of the City and ordered compliance within 91 days or a fine of \$25 per day would begin to accrue.

**Case: CE10090264**

Continued from 10/21/10

761 Southeast 17 Street  
TC 17 STREET INVESTORS LLC  
ORIX PROPERTIES LLC ETAL

Aretha Davis, Code Enforcement Officer, testified to the following violation:

6-7(b)(1)

NUISANCE - THE BUSINESS, THE BARKERS PET RESORT, IS UNLAWFULLY CREATING A PUBLIC NUISANCE BY ALLOWING GROUPS OF DOGS IN THEIR CARE TO BARK AND WHINE EXCESSIVELY AND CONTINUOUSLY WHILE IN THE OUTSIDE EXERCISE AREA OF THE BUSINESS. ADDITIONAL LOUD NOISES ARE BEING CAUSED BY STAFF RAISING THEIR VOICES AND CREATING LOUD BANGING NOISES TO CALL THE ATTENTION OF THE DOGS. THESE NOISES ARE CAUSING A SERIOUS ANNOYANCE TO THE NEIGHBORING RESIDENTIAL COMMUNITY AS IT INTERFERES WITH THE ENJOYMENT OF THEIR HOMES.

Officer Davis listed dates the property had been inspected and duration of the violation during the inspections.

Ms. Wald said there had been a question regarding soundproofing the outside wall, and she had been informed by Mr. Burgess, Chief Zoning Examiner, that soundproofing was only required to the building.

Ms. Courtney Crush, attorney, said the owner had spoken with the complainants since the last hearing and they had been unable to reach an agreement. She said this was a boarding facility and the dogs must go outdoors. Ms. Crush noted that the site plan had been approved by Zoning, and the operators were complying with the conditions. She stated this therefore appeared to be a zoning issue, not a public nuisance issue. Officer Davis said she had not been aware that the complainant was concerned about noise outside of the 7 AM to 8 AM hour.

Mr. Samuel Landol, neighbor, stated "This is definitely an issue between 7 and 8 AM." He said the barking was waking his wife and son in the morning. He added that they heard dogs barking all day. Mr. Landol said the owner hadn't "made any offers as to what they could do to appease us..." Ms. Crush said the owner had tried to remediate the issue using timing and calming the dogs. She reiterated that this business was operating legally and her client had been as courteous as possible.

Ms. Flynn said based on the Inspector's report, she would not find that this was a nuisance at this time, but she encouraged continued cooperation between the owner and the surrounding residents because this could rise to the level of a nuisance.

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

**Case: CE10042585**

1801 Northwest 9 Place  
ROACH, HOWARD & SARAH

This case was first heard on 9/16/10 to comply by 10/21/10. 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.

Mr. Howard Roach, owner, said this was his deceased father's place of business. He described work he had preformed on the property.

Leonard Champagne, Code Enforcement Officer, stated the property was not completely complied and he had re-inspected it 11 times. Mr. Roach said he had completed repairs the previous day.

Ms. Sarah Roach, owner, said she and her husband were divorced prior to her husband's death but she still received documents related to it, such as the code citations. Ms. Flynn advised her to seek legal advice on this matter.

Ms. Flynn granted a 14-day extension during which time no fines would accrue.

**Case: CE10050026**

1800 Northwest 9 Lane  
ROACH, HOWARD & SARAH

This case was first heard on 9/16/10 to comply by 10/21/10. 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.

Ms. Flynn granted a 14-day extension during which time no fines would accrue.

**Case: CE10110158**

2201 Southeast 18 Street  
HAP I LLC HAP II LLC & HAP III LLC ETAL

Personal service was made to the owner.

Aretha Davis, Code Enforcement Officer, testified to the following violation:  
9-279(g)

THERE IS SEWER WATER WITH SEWAGE DEBRIS INCLUDING RAW SEWAGE AND BUGS BACKING UP INTO THE BATHROOM SHOWERS OF THIS OCCUPIED RESIDENTIAL UNIT, APARTMENT 108. ADDITIONALLY, THE BASE OF THE TOILETS LEAK IN CONJUNCTION WITH THE BACKUPS. THE CITY OF FORT LAUDERDALE CONSIDERS THIS TO BE A THREAT TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Officer Davis had spoken with the property manager, who was cooperative regarding the plumbing issues.

Ms. Annette Blocker, regional director for the management company, presented plumber's invoices for work done at the property and explained the issues had been present prior to the current owner's purchase of the property. She hoped the repair would be carried out the following Monday would finally address the issues. She requested 30 days.

Ms. Jennifer Mills, property manager, said a plumber had visited the property twice per week since September. She stated there had been four issues on one side of the building.

Officer Davis presented photos of the property and the case file into evidence and suggested giving the owner 60 days to comply, or a fine of \$25 per day.

Mr. Peter Margolin, tenant, said this had been a horrible experience on a number of occasions, and commended Officer Davis for her professionalism, and the property management and plumber for their diligent efforts.

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

**Case: CE10080811**

2301 Bayview Drive  
U S BANK NATIONAL ASSN TRSTEE  
C/O BAC HOME LOANS SERVICING LP

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 \$3,100 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

**Case: CE10110259**

511 Southeast 5 Avenue  
NURIVER LANDING CONDOMINIUM ASSN, INC

Certified mail sent to the owner was accepted on 11/16/10.

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.

Inspector Tetreault said the owner was working diligently to comply and recommended ordering compliance within 182 days or a fine of \$250 per day.

Mr. Luis Webb, chief engineer, agreed to comply within 182 days.

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

**Case: CE10070494**

1125 Southwest 15 Terrace  
DEUTSCHE BANK NATIONAL TRSTEE

This case was first heard on 9/16/10 to comply by 10/21/10. 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.

Todd Hull, Code Enforcement Officer, said the new owner would request an extension.

Mr. Rudy Teran, owner, felt it would take more than two or three months to install the proper windows.

Ms. Wald asked if Mr. Teran had a warrant deed and he explained he had provided his provisional deed to the Building Department.

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

**Case: CE10110351**

1951 Northwest 22 Street  
OCEAN INVESTMENT ENTERPRISES

Certified mail sent to the owner was accepted on 11/15/10.

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

WORK REQUIRES A PERMIT.

Inspector Tetreault said the permit had been issued and the owner was awaiting inspections. He recommended ordering compliance within 91 days or a fine of \$150 per day.

Mr. Eliezor Rivera, director of business, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 91 days or a fine of \$150 per day would begin to accrue.

**Case: CE10070310**

1032 Northwest 3 Avenue  
BANK OF NEW YORK

This case was first heard on 10/7/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,150 fine, which would continue to accrue until the property complied.

Mr. Howard Elfman, realtor, requested a 91-day extension and Officer Urow did not object.

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

**Case: CE10081651**

711 Northwest 4 Avenue  
BANK OF NEW YORK MELLON

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 not complied and the City was requesting imposition of a \$4,500 fine, which would continue to accrue until the property complied.

Andre Cross, Code Enforcement Officer, said the property was in foreclosure and there were tenants on the property without water. Officer Cross recommended a 91-day extension for the owner to remove the tenants.

Mr. Howard Elfman, realtor, agreed to the 91-day extension.

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

**Case: CE10110353**

413 Southwest 3 Avenue  
CABI NEW RIVER II LLC

Certified mail sent to the owner was accepted on 11/15/10 and certified mail sent to the registered agent was accepted on 11/15/10.

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

Inspector Tetreault had spoken with the owner and agreed to recommend ordering compliance within 182 days or a fine of \$250 per day.

Mr. Cara Yablon, general counsel, agreed.

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

**Case: CE10081398**

2320 Marina Bay Drive E  
FALLS AT MARINA BAY LP

This case was first heard on 9/16/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$6,000 and the City was requesting the full fine be imposed.

Ron Tetreault, Fire Inspector, recommended a \$200 fine be imposed to cover administrative costs.

Ms. Joyce Errico, assistant manager, said they were amending the lease to include the provision that no barbecues were permitted on the patios. She said they worked to enforce this every day.



Ms. Flynn imposed a \$200 fine.

**Case: CE09111480**  
1417 Northwest 13 Place  
LEE GROUP FINANCIAL LLC

Rescheduled from 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:  
07110909 ENCLOSE CARPORT  
07110911 PLUMBING

Inspector Arrigoni had spoken with the owner and agreed to recommend ordering compliance within 91 days or a fine of \$25 per day.

Mr. Se Pak, general manager, stated the general contractor had not done the work properly and Mr. Pak had filed a complaint against him with the DVPR in Tallahassee, but the contractor was insisting he had done his job. Mr. Pak requested 91 days to resolve this.

Ms. Flynn found in favor of the City and ordered compliance within 91 days or a fine of \$25 per day would begin to accrue.

**Case: CE08110825**  
5900 Northwest 9 Avenue  
CONWAY, W C & ELEANOR A

Request for extension

This case was first heard on 4/2/09 to comply by 10/1/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,100 fine, which would continue to accrue until the property complied.

Mary Rich, Code Enforcement Officer, said work was in progress at the property.

Mr. William Conway, owner, said there were FPL right-of-way issues that were out of his hands and must be resolved.

Ms. Flynn granted a 189-day extension during which time no fines would accrue.

**Case: CE08081559**

Request for extension

5300 Northwest 9 Avenue # BLDG A  
MARS POWERLINE L P  
C/O EJ PLESKO

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 would begin to accrue on 12/3/10.

Mary Rich, Code Enforcement Officer, stated work was progressing on the property and the property manager was requesting 189-day extension..

Ms. E. Gail Brown Mulder, property manager, said they were having difficulty with the DRC.

Ms. Flynn granted a 189-day extension during which time no fines would accrue.

The following two cases at the same address were hear together:

**Case: CE10081746**

540 Northeast 17 Avenue  
BAUM, GREGORY

This case was first heard on 10/21/10 to comply by 10/31/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$750 and the City was requesting the full fine be imposed.

Dick Eaton, Code Enforcement Officer, stated this case had begun as the result of a complaint. He recommended imposition of the fine.

Mr. Gregory Baum, owner, said the property had been taken back by the banks and foreclosed upon. He had been told by his lawyer not to comply the violations, but he hired someone to clean up the landscaping and would continue to pay him. He requested no fine be imposed.

Ms. Wald stated staff had not found that a lis pendens had been filed on the property and asked Mr. Baum for proof of a foreclosure action. He said documents had not been filed properly. He explained he had sold the property four years ago but the title had never transferred. She believed this other owner had been foreclosed upon.

Ms. Flynn imposed no fine.

**Case: CE10081902**

540 Northeast 17 Avenue  
BAUM, GREGORY

This case was first heard on 10/21/10 to comply by 10/31/10. 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.

Dick Eaton, Code Enforcement Officer, stated he had met the owner on the property on December 1 but the pool pump was not operating. The owner had someone coming that day to clean the pool. Officer Eaton recommended an extension and an order to reappear.

Ms. Flynn granted a 14-day extension during which time no fines would accrue, and ordered the respondent to reappear at the 1/20/11 hearing.

**Case: CE10050265**

1801 South Andrews Avenue  
BRATT, RUSSELL I

This case was first heard on 6/17/10 to comply by 9/16/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$42,000 fine, which would continue to accrue until the property complied.

Mr. Russell Bratt, owner, said everything but the first item and the ceiling tile were taken care of.

Ron Tetreault, Fire Inspector, recommended a 49-day extension.

Ms. Flynn granted a 49-day extension during which time no fines would accrue.

**Case: CE10071170**

2830 Southwest 9 Street  
VASQUEZ, ALBA E & VASQUEZ, GUILLERMO E

This case was first heard on 10/21/10 to comply by 10/31/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,450 and the City was requesting the full fine be imposed.

Stephanie Bass, Code Enforcement Officer, reported a lis pendens had been filed in January 2008 but no final judgment had been recorded. She had been promised by the bank's property preservation company that someone would take care of the beehive, but this had never been done; the owner had complied the property.

Mr. Neil Tygar, attorney, said the owner had gone to Ecuador to tend to a sick relative in August and when he returned at the end of October he found out about the bee problem and took care of it. Mr. Tygar requested the fines be waived and Officer Bass did not object.

Ms. Flynn imposed no fine.

**Case: CE09101501**

3100 Southwest 20 Court  
DRAGONE, CHARLES & JOAN L

Certified mail sent to the owner was accepted on 11/4/10.

Frank Arrigoni, Building Inspector, testified to the following violation:

FBC(2007) 105.10.3.1

THERE IS AN EXPIRED PERMIT, #08080165, TO INSTALL 6'X 70'  
WOOD FENCE WITH 1-3' GATE.

Inspector Arrigoni recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Joan Pixley, owner, said she had been divorced from her husband, who had taken the permit and refused to give it to her, so Inspector Fein advised her to reapply for it. Ms. Pixley had reapplied for the permit the previous week and been told it must go through Planning and Zoning.

Ms. Wald said the documentation had not been in the file when Ms. Pixley reapplied for the permit. It therefore must go through the same process as the original permit, which included Planning and Zoning. Ms. Wald recommended at least 63 days.

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

**Case: CE10101383**

2459 Andros Ln  
WELLS FARGO BANK NA TRSTEE  
C/O SOLOMON, MARIA M

Service was via posting on the property on 11/15/10 and at City Hall on 11/18/10.

Alejandro DelRio, Code Enforcement Officer, testified to the following violation:

18-4(c)

THERE IS A DERELICT VESSEL DOCKED BEHIND THIS PROPERTY.

Officer DelRio 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.

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

**Case: CE10070556**

160 Isle of Venice # 4  
NIKOLA, DIANE

Certified mail sent to the owner was accepted on 11/16/10. Service was also via posting at City Hall on 11/18/10.

Dick Eaton, Code Enforcement Officer, testified to the following violation:  
9-280(b)

THERE IS A JALOUSIE WINDOW HERE THAT IS IN DISREPAIR,  
MISSING SOME OF THE GLASS SLATS. THE ENTRY DOOR TO  
THIS UNIT HAS MISSING PEELING PAINT.

Officer Eaton had spoken with the owner, who promised the violation would be complied by today's date, but on November 19 he reinspected the property and the violation remained. 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.

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

**Case: CE10100418**

1815 Northwest 7 Avenue  
WILLIAMS, DARREN L & CONTINA

Service was via posting on the property on 11/15/10 and at City Hall on 11/18/10.

Barbara Urow, Code Enforcement Officer, testified to the following violation:  
9-308(b)

ROOFS SHALL BE MAINTAINED IN A CLEAN CONDITION AND KEPT  
FREE OF TRASH, DEBRIS, OR ANY OTHER ELEMENTS WHICH ARE  
NOT A PERMANENT PART OF THE BUILDING OR A FUNCTIONAL  
ELEMENT OF ITS MECHANICAL OR ELECTRICAL SYSTEM.

Officer Urow presented photos of the property into evidence, and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

**Case: CE10080321**

2821 Northwest 18 Court  
CITY FIRST MORTGAGE CORP INC

Service was via posting on the property on 11/15/10 and at City Hall on 11/18/10.

Barbara Urow, Code Enforcement Officer, testified to the following violation:  
9-306

THE HOUSE ON THIS PROPERTY HAS CHIPPED, MISSING  
AND/OR STAINED PAINT.

Officer Urow had spoken with a representative of the owner, who informed her they were about to paint the property. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 21 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$25 per day would begin to accrue.

**Case: CE10091389**

1313 Northwest 19 Avenue  
DEUTSCHE BANK TRUST CO TRSTEE  
C/O ADI REINSTEIN

Certified mail sent to the owner was accepted on 11/12/10.

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

THERE ARE SEVERAL WINDOWS ON THIS VACANT/UNOCCUPIED  
SINGLE-FAMILY RESIDENCE THAT HAVE BEEN BOARDED WITHOUT  
FIRST OBTAINING THE REQUIRED BOARD-UP CERTIFICATE FROM  
THE CITY OF FORT LAUDERDALE.

Officer Viscusi had been contacted by the bank's property manager but they had done no work at the property. He 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.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day would begin to accrue.

**Case: CE10101048**

1615 Northwest 16 Street  
THOMAS, DWAYNE & THOMAS, MARY

Service was via posting on the property on 10/27/10 and at City Hall on 11/18/10.

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

18-4(c)

THERE IS A DERELICT/INOPERABLE BLUE 1993 PLYMOUTH VOYAGER MINI-VAN IN VARIOUS STAGES OF DISREPAIR, WITH NO LICENSE PLATE ON IT BEING PARKED/STORED IN THE REAR YARD OF THIS VACANT/UNOCCUPIED PROPERTY. THE VEHICLE IS ALSO MISSING ALL 4 TIRES AND IS RESTING ON THE FRAME AND SUSPENSION. A 4-FT CHAIN-LINK FENCE WITH A LOCK ON THE GATE BY THE DRIVEWAY SURROUNDS THE PROPERTY AND MAKES IT IMPOSSIBLE FOR THE CITY OF FORT LAUDERDALE TO REMOVE THIS VEHICLE AT THIS TIME. THIS VEHICLE IN THIS CONDIDITON POSES A THREAT TO THE HEALTH, SAFETY, AND WELFARE TO THE COMMUNITY.

Officer Viscusi reported the property was in foreclosure and he had been unable to contact the owner. He remarked that if the City tried to remove the vehicle, damage could be done to the house and the surrounding property. 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.

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

**Case: CE10100990**

1605 Northwest 7 Street  
DOMINGUEZ, JULIETA GONZALEZ

Certified mail sent to the owner was accepted on 11/15/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violations:

9-280(h)(1)

THE CHAIN LINK FENCE ON THIS PROPERTY IS IN DISREPAIR AND HAS MISSING SECTIONS.

9-306

THE EXTERIOR OF THE BUILDING IS NOT BEING MAINTAINED IN A SECURE AND ATTRACTIVE MANNER. THE FASCIA AND SOFFITS ARE IN DISREPAIR.

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

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day, per violation would begin to accrue.

**Case: CE10100988**

1624 Northwest 7 Street  
MARKS, RICHARD B & CAROLE A

Service was via posting on the property on 11/5/10 and at City Hall on 11/18/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violation:  
9-280(h)(1)

THE CHAIN LINK FENCE ON THIS PROPERTY IS IN DISREPAIR.

Officer Champagne 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.

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

**Case: CE10091521**

2305 Northwest 9 Court  
HERTZ, BRADLEY

Certified mail sent to the owner was accepted on 11/12/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violations:  
9-280(b)

THE ROOF, FASCIA, SOFFIT, AND CEILING UNDER THE CARPORT AND UTILITY ROOM ARE IN DISREPAIR AND NOT WEATHER AND WATER TIGHT.

9-280(g)

THERE ARE SEVERAL ELECTRICAL COMPONENTS IN THE KITCHEN IN THE RESIDENCE ON THIS PROPERTY THAT ARE NOT WORKING PROPERLY OR ARE IN DISREPAIR. THOSE ITEMS INCLUDE, BUT ARE NOT LIMITED TO, THE STOVE AND THE REFRIGERATOR.

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



Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$50 per day, per violation would begin to accrue.

**Case: CE10081514**

1701 Northwest 7 Street  
LOURDES NUNEZ REV LIV TR  
NUNEZ, LOURDES TRSTEE

Service was via posting on the property on 11/5/10 and at City Hall on 11/18/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violation:  
9-280(h)(1)

CHAIN LINK FENCE IN DISREPAIR.

Officer Champagne 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.

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

**Case: CE10091094**

424 Southwest 25 Terrace  
BONILLA, ANA H/E MALTEZ, RAFAEL

Service was via posting on the property on 11/8/10 and at City Hall on 11/18/10.

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

THE LAWN AT THIS PROPERTY HAS BECOME OVERGROWN AND  
IS NOT BEING MAINTAINED.

Officer Bass reported the property was in foreclosure. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$25 per day would begin to accrue.

**Case: CE10100918**

1048 WYOMING Avenue  
GALEOTA, DAVID M & HELEN

Service was via posting on the property on 11/12/10 and at City Hall on 11/18/10.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:

18-11(b)

THE POOL AT THIS VACANT PROPERTY IS GREEN WITH STAGNANT WATER WHICH CAUSES A BREEDING GROUND FOR MOSQUITOES. THE POOL IN THIS CONDITION ENDANGERS THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

Officer Bass reported the property was in foreclosure. 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.

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

**Case: CE10090002**

2020 S Miami Rd  
MIAMI ROAD PARTNERS LLC

Service was via posting on the property on 11/10/10 and at City Hall on 11/18/10.

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

9-280(b)

MULTIPLE WINDOWS AND DOORS ARE IN DISREPAIR OR MISSING INCLUDING, BUT NOT LIMITED TO, THE DRY, ROTTED DOOR ON UTILITY ROOM FOR THE ELECTRIC METERS; DOOR FOR APARTMENT 3 HAS NO DOOR KNOB OR LOCKING MECHANISM; WOOD BOARDS INSTALLED TO REPLACE BROKEN OR MISSING WINDOW PANES ON APARTMENTS 1 AND 4.

9-306

EXTERIOR WALLS, FASCIA, AND SOFFITS ARE UNATTRACTIVE, DIRTY, AND HAVE AREAS OF CHIPPING, FADING, OR PEELING PAINT.

Complied:

9-279(e)

9-280(g)

Officer Davis presented photos of the property and the case file into evidence, and recommended ordering compliance with 9-280(b) within 28 days or a fine of \$50 per day, and with 9-306 within 28 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(b) within 28 days or a fine of \$50 per day, and with 9-306 within 28 days or a fine of \$25 per day would begin to accrue.

**Case: CE10110257**

240 Southwest 32 Street  
GRAND WESTERN BRANDS INC

Certified mail sent to the owner was accepted on 11/26/10 and certified mail sent to the registered agent was accepted on 11/15/10.

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

NFPA 101:7.4.1.1

A SECOND MEANS OF EGRESS IS NOT PROVIDED.

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 said the owner had a permit and was repairing the situation. He recommended ordering compliance within 182 days or a fine of \$150 per day, per violation.

Ms. Flynn 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: CE10110354**

604 Southeast 14 Court  
COLANER, ANITA M

Certified mail sent to the owner was accepted on 11/24/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

The following 7 cases at the same address were heard together:

**Case: CE10110471**

808 Southeast 12 Court # 1  
ORMAN, JOHN & ORMAN, LESLIE E

Certified mail sent to the owner was accepted on 11/13/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110472**

808 Southeast 12 Court # 2  
LESKY, PAUL J & JULIA K

Certified mail sent to the owner was accepted on 11/13/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110474**

808 Southeast 12 Court # 3  
ARSCOTT, CHERYL R & RICHARD E

Certified mail sent to the owner was accepted on 11/17/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110475**

808 Southeast 12 Court # 4  
BURGESS, LYNN

Certified mail sent to the owner was accepted on 11/17/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110476**

808 Southeast 12 Court # 5  
JOFFE, LINDA S

Certified mail sent to the owner was accepted on 11/13/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110477**

808 Southeast 12 Court # 6  
STERRENBURG, W  
JOHNSON, KATHRYN

Certified mail sent to the owner was accepted on 11/13/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110482**

808 Southeast 12 Court # 8  
CARBONERA, DANIELLE

Certified mail sent to the owner was accepted on 11/13/10.

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 presented photos of the property into evidence, and recommended ordering compliance within 49 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$250 per day would begin to accrue.

**Case: CE10110485**

5101 Northwest 9 Avenue  
BIC CORP  
C/O EDWARD DE R CAYLA ESQ

Certified mail sent to the owner was accepted on 11/22/10.

Ron Tetreault, Fire Inspector, testified to the following violations:  
NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

NFPA 1:13.3.3.3

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

NFPA 1:13.3.1.1

SPRINKLER HEAD IS DAMAGED.

Inspector Tetreault presented photos of the property into evidence, and recommended ordering compliance within 182 days or a fine of \$150 per day, per violation.

Ms. Flynn 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: CE10080056**

2348 Southwest 17 Avenue  
COOPER, RANDALL PAUL  
C/O BERNYCE K ROMPEL

This case was first heard on 10/7/10 to comply by 10/21/10. 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.

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

**Case: CE10091255**

Request for extension

823 Southeast 14 Street  
MURRAY, JUNE

This case was first heard on 10/21/10 to comply by 11/18/10. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$3,250.

Ron Tetreault, Fire Inspector, recommended a 63-day extension.

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

**Case: CE10081487**

304 Southeast 21 Street  
DORENKOTT, JOHN B

This case was first heard on 10/7/10 to comply by 10/21/10. 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.

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

**Case: CE10071185**

1111 Seminole Drive  
HORKY, JAMES

This case was first heard on 10/21/10 to comply by 10/31/10. 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.

Ms. Flynn imposed the \$3,100 fine, which would continue to accrue until the property complied.

**Case: CE10090537**

2213 Northeast 16 Street  
SCARINCIO, MARK & SUSIE

This case was first heard on 10/21/10 to comply by 10/31/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$775 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$775 fine, which would continue to accrue until the property complied.

**Case: CE10080345**

1501 Lauderdale Villas Drive  
JOHNSON, RAYFIELD H/E JOHNSON, MARGARET COLLINS

This case was first heard on 10/7/10 to comply by 10/21/10. 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.

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

**Case: CE08071705**

6525 Northwest 15 Way  
SHIRLEY ANN TROUT REV TR  
TROUT, SHIRLEY ANN TRSTEE ETAL

This case was first heard on 9/18/08 to comply by 3/19/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$12,000 and the City was requesting imposition of the full fine.

Ms. Flynn imposed the \$12,000 fine.



**Case: CE10071030**

1302 Northwest 9 Avenue  
CHARLTON, OLIVIA Y

This case was first heard on 10/7/10 to comply by 10/21/10. 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.

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

**Case: CE10081595**

800 Northeast 16 Street  
SPADACCINI, RUSSELL A

This case was first heard on 10/7/10 to comply by 10/21/10. 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.

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

**Case: CE10081691**

1464 Holly Heights Drive  
FERNANDEZ, JOSE A & SANDRINI, GEORGE W ETAL

This case was first heard on 10/7/10 to comply by 10/21/10. 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.

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

**Case: CE09081571**

1026 Northwest 9 Avenue  
MARCELIN, HARRY

This case was first heard on 9/16/10 to comply by 10/14/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,200 fine, which would continue to accrue until the property complied.

**Case: CE09100440**

2100 S Ocean Ln # 1703  
BERNARD FAMILY LIMITED PARTNERSHIP

This case was first heard on 9/16/10 to comply by 10/14/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,000 and the City was requesting imposition of a \$200 fine.

Ms. Flynn imposed a \$200 fine.

**Case: CE09051299**

2100 S Ocean Drive # 11B  
CONROY, MARIE

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 complied, fines had accrued to \$800 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

**Case: CE09100799**

3108 Northeast 23 Court  
LINDSAY CROSSING LLC

This case was first heard on 9/16/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$525 and the City was requesting imposition of a \$500 fine.

Ms. Flynn imposed a \$500 fine.

**Case: CE10062213**

3721 Southwest 1 Street  
GEORGE, CLAUDE P

This case was first heard on 10/21/10 to comply by 10/31/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$775 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$775 fine, which would continue to accrue until the property complied.

**Case: CE10081503**

201 Southeast 8 Avenue  
ROCK-FRENCH QUARTER LLC  
C/O ROCK-MIRAMAR

This case was first heard on 10/7/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of the \$2,000 fine.

Ms. Flynn imposed the \$2,000 fine.

**Case: CE10080592**

2601 Acacia Court  
WILLIAMS, CAROLYN L

This case was first heard on 10/7/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,600 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$1,600 fine.

**Case: CE10080857**

908 Northeast 17 Terrace  
BARTON, DANIEL W  
C/O HOMEFINDERS/PRO PROP MGMT

This case was first heard on 9/16/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,250 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,250 fine, which would continue to accrue until the property complied.

**Case: CE10080859**

918 Northeast 17 Avenue  
2006 DEVELOPMENT LLC

This case was first heard on 9/16/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$8,000 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

**Case: CE10080737**

2020 S Miami Rd  
MIAMI ROAD PARTNERS LLC

This case was first heard on 9/16/10 to comply by 10/21/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$22,550 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$22,550 fine, which would continue to accrue until the property complied.

**Case: CE10070323**

1032 Northeast 16 Avenue  
WELLS FARGO BANK N A TRSTEE

This was a request to vacate the Final Orders dated 8/19/10 and 10/7/10.

Ms. Flynn vacated the Final Orders dated 8/19/10 and 10/7/10.

**Case: CE08120817**

Request for extension

100 East Las Olas Boulevard  
SVP LAS OLAS LIMITED PRTRNSP

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 12/3/10.

Adam Feldman, Code Enforcement Officer, recommended a 91-day extension. He said they were still awaiting information from Planning and Zoning regarding DRC requirements.

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

**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:

CE10090933	CE10091790	CE10100324	CE10101315
CE09101369	CE10100609	CE10100963	CE10101009
CE10100993	CE10100992	CE10101290	CE10100805
CE10100692	CE10100687	CE10100795	CE10100364
CE10110062	CE10110101	CE10090117	CE10110356
CE10110260	CE10110226	CE10110355	CE10110234

CE10110469	CE10110232	CE10110238	CE10110251
CE10110240	CE10110252	CE10110253	CE10101456
CE10110352	CE10110229	CE10110486	

**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:

CE09101598	CE10110258	CE10110481	CE10110255
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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:

CE10100179	CE10091503	CE09101693	CE10110489
CE10082088			

**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:

CE10092115

There being no further business, the hearing was adjourned at **10:50 A.M.**

  
Special Magistrate

ATTEST:

  
Clerk, Special Magistrate