

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
MEAH TELL PRESIDING
DECEMBER 16, 2010
9:00 A.M. –10:54 P.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate - Supervisor
Erin Peck, Clerk III
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
Alejandro DelRio, Code Enforcement Officer
Dick Eaton, Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Jorge Maura, Detective
Bill Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ron Tetreault, Fire Inspector
Ursula Thime, Code Enforcement Officer
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents and Witnesses

CE09061056: Robert Rubin, owner
CE10050385: Roman Rustia, director
CE09061055: Donald Proietto, contractor; Robert Rubin, owner
CE10061047: Jeffrey Bor, Vice President; Jean Nevin, President
CE10081649; CE10081648: Mary Earnest, attorney
CT09091789; CE10062322: Greg Homsey, bank representative
CE10081343: Eliyahu Bohadanah, owner
CE10092024: Frankel Maurice, owner; Jean Dieujuste, witness and translator
CE10081709; CE10081705; CE10081708; CE10081710; CE10081707: John Frank Schmatz, sub-lessee; Clara Bennett, City representative
CE10071523: Mark Brown, owner's son
CE07120555: Barbara Cohen, owner; Lawrence Cohen, 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: CE10071523

3020 Northwest 23 Street
BROWN, CYNTHIA L

This case was first heard on 10/21/10 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 \$1,025 fine, which would continue to accrue until the property complied.

Sal Viscusi, Code Enforcement Officer, reported the property was now vacant. The owner's son was working to comply the property, and Officer Viscusi recommended an extension.

Mr. Mark Brown, the owner's son, thought he could comply the property in two weeks.

Ms. Tell granted a 35-day extension to 1/20/11 during which time no fines would accrue and ordered the respondent to reappear at that hearing.

Case: CE10050385

Request for extension

201 Southwest 5 Avenue
PERFORMING ARTS CENTER
AUTHORITY OF BROWARD COUNTY

This case was first heard on 6/17/10 to comply by 12/16/10. Violations were as noted in the agenda.

Mr. Roman Rustia, director, said his contractor had applied for a permit already.

Ron Tetreault, Fire Inspector, suggested a 182-day extension.

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

Case: CE10061047

600 TENNIS CLUB Drive
THE TENNIS CLUB

This case was first heard on 8/5/10 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 \$10,250 fine, which would continue to accrue until the property complied.

Mr. Jeffrey Bor, Vice President, said the system had originally been installed without a permit but he had hired a contractor in October to pull a permit. One test remained to be completed.

Ron Tetreault, Fire Inspector, said the work must be inspected. He examined documents from Mr. Bor and confirmed the work still needed final inspection and recommended a 39-day extension.

Ms. Tell granted a 49-day extension to 2/3/11, during which time no fines would accrue and ordered the respondent to reappear at that hearing.

Case: CE10092024

1431 Northwest 20 Street
MAURICE, FRANKEL & MAURICE, LEXILIA

Service was via posting on the property on 11/3/10 and at City Hall on 12/2/10.

Sal Viscusi, Code Enforcement Officer, testified to the following violation:
9-280(g)

THE AIR CONDITIONING SYSTEM AND ALL COMPONENTS
RELATED TO THE AIR CONDITIONING SYSTEM IN THE
RESIDENCE ON THIS PROPERTY ARE NOT WORKING
PROPERLY OR ARE IN DISREPAIR.

Officer Viscusi stated the case had begun as a result of a complaint from a former tenant. The owner believed that tenant had repeated sabotaged the air conditioning system. Officer Viscusi recommended ordering compliance within 30 days or a fine of \$25 per day.

Mr. Jean Dieujuste, witness, acted as translator for Mr. Maurice.

Mr. Frankel Maurice, owner, explained to Officer Viscusi that the tenant remained at the property in another apartment and was keeping pit bulls in his old apartment to prevent the owner access. The electric service had been cut off due to non-payment of the FPL bill. Ms. Wald recommended a 91-day extension for the eviction to proceed.

Officer Viscusi presented photos of the property and the case file into evidence.

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

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

Case: CE09061055

208 Southeast 21 Street
RUBIN, ROBERT D

This case was first heard on 8/20/09 to comply by 9/24/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$95,750 fine, which would continue to accrue until the property complied.

Ron Tetreault, Fire Inspector, explained that the final fire inspection had never been performed and recommended a 35-day extension.

Mr. Robert Rubin, owner, thought the inspection had been conducted on both houses.

Ms. Tell granted a 35-day extension to 1/20/11 during which time no fines would accrue and ordered the respondent to reappear at that hearing

Case: CE09061056

200 Southeast 21 Street
RUBIN, ROBERT D

This case was first heard on 8/20/09 to comply by 9/24/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$13,750 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

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

Case: CE10081709

Request for extension

1805 Northwest 51 Place
ZELEY AVIATION
C/O ROBERT LETTMAN

All five cases were first heard on 10/7/10 to comply by 12/16/10. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 12/17/10.

Mr. John Frank Schmatz, sub-lessee, explained the buildings were airplane hangars at Fort Lauderdale Executive Airport. He said they were working to redevelop the property in the next 12 months.

Ron Tetreault, Fire Inspector, said Mr. Schmatz kept him updated regarding the property redevelopment. The Fire Marshall recommended a 91-day extension, at which time the case could be heard again and another extension requested.

Ms. Tell granted a 91-day extension to 3/17/10 during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE10081705 Request for extension
1805 Northwest 51 Place # 2
ZELEY AVIATION
C/O ROBERT LETTMAN

Ms. Tell granted a 91-day extension to 3/17/10 during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE10081710 Request for extension
1805 Northwest 51 Place # 4
ZELEY AVIATION
C/O ROBERT LETTMAN

Ms. Tell granted a 91-day extension to 3/17/10 during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE10081708 Request for extension
1805 Northwest 51 Place # 7
ZELEY AVIATION
C/O ROBERT LETTMAN

Ms. Tell granted a 91-day extension to 3/17/10 during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

Case: CE10081707 Request for extension
1805 Northwest 51 Place # 8
ZELEY AVIATION
C/O ROBERT LETTMAN

Ms. Tell granted a 91-day extension to 3/17/10 during which time no fines would accrue, and ordered the respondent to reappear at that hearing.

The following two cases were heard together:

Case: CE10062322
2531 Gulfstream Ln
MINNICK, DONALD

This case was first heard on 8/19/10 to comply by 8/29/10. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$3,800 and the City was requesting the full fine be imposed. Mr. McKelligett reported service had not been made to the owner, but the bank representative was present to report of the status of the foreclosure.

Alejandro DelRio, Code Enforcement Officer, stated the property was complied.

Mr. Greg Homsey, bank representative, explained that everything was on hold with Bank of America.

The case was rescheduled for a hearing to impose fines.

Case: CT09091789

1201 North Andrews Avenue
STANLEY, STEVEN

This case was first heard on 12/3/09 to comply by 12/17/09. Violations and extensions were as noted in the agenda. The property was complied, the civil penalty had been paid, fines had accrued to \$12,150 and the City was requesting the full fine be imposed.

Barbara Urow, Code Enforcement Officer, stated there had been 21 inspections and four hearings regarding this case.

Mr. Greg Homsey, bank representative, explained that everything was on hold with Bank of America. Officer Urow stated the City – not the owner or the bank - had done the work to comply the property. Ms. Wald explained that the ordinance regarding pools had changed approximately one year ago and another nuisance case had been opened. When that case was complied, this case had been complied.

Ms Tell imposed the \$12,150 fine.

The following two cases were heard together:

Case: CE10081648

800 Southeast 16 Street
AREA GROUP DEVELOPMENT LLC

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$16,000 and the City was requesting the full fine be imposed.

Ron Tetreault, Fire Inspector, recommended imposition of a \$100 fine to cover administrative costs.

Ms. Mary Earnest, attorney, accepted the imposition of the fine on behalf of the owner.

Ms. Tell imposed a \$100 fine.

Case: CE10081649

720 Southeast 16 Street
AREA GROUP DEVELOPMENT LLC

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$22,000 and the City was requesting the full fine be imposed.

Ron Tetreault, Fire Inspector, recommended imposition of a \$520 fine to cover administrative costs.

Ms. Mary Earnest, attorney, accepted the imposition of the fine on behalf of the owner.

Ms. Tell imposed a \$520 fine.

Case: CE07120555

3316 Northeast 38 Street
COHEN, LAWRENCE E & BARBARA F

Ordered to reappear

This case was first heard on 4/3/08 to comply by 7/3/08 and 8/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,875 fine, which would continue to accrue until the property complied.

Ursula Thime, Code Enforcement Officer, noted the owners had been granted two year's worth of extensions. She said the neighbors were outraged about how the house looked. Officer Thime said the City had been more than lenient in granting extensions that "other citizens never got." She stated if the insurance company had not yet paid, the owner should have pulled a permit himself to repair the roof.

Mr. Lawrence Cohen, owner, said the roof was dried in but the tiles had not been installed. He stated their umpire had been selected in November but the inspection had not yet occurred. Ms. Tell said if another extension were granted, she wanted the attorney representing the Cohens to be present at the next hearing. Mr. Cohen said Citizens Insurance had chosen an out of state representative and they were experiencing scheduling issues. He submitted a letter from his attorney to Citizens discussing the scheduling issues into evidence.

Officer Thime said every neighbor had contacted her about this house and they felt that the Cohens' issues with their insurance company were not the neighbors' concern. Other residents had experienced similar difficulties but had never been granted this lengthy extension. She explained that if the roof had stayed in this condition for years it was unsafe without the tiles. Mr. Cohen described work that had been done on the roof and insisted the roof was safe.

Ms. Tell asked Mr. Cohen to phone his attorney to see if he could be present on February 17, 2011.

Officer Thime reminded Ms. Tell that the roof permit had expired.

Mr. Cohen phoned his attorney and reported his attorney could be present on February 17, 2011. He said he was aware that the new contractor would need to apply for a new permit.

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

Case: CE10081343

1201 Northeast 6 Avenue
SPERLING, BENJIE

This case was first heard on 10/7/10 to comply by 11/11/10. Violations were as noted in the agenda. The property was complied, and fines had accrued to \$3,500. Mr. McKelligett stated there was a new property owner, who was present.

Mr. Eliyahu Bohadanah, the new owner, provided a copy of the title showing he was the new owner into evidence and said he had not yet recorded it. He stated he had made the repairs as soon as he was aware of the violations and then called for inspection.

Andre Cross, Code Enforcement Officer, confirmed that Mr. Bohadanah had purchased the property after the case had begun. This was why fines had begun to run. Mr. Bohadanah stated he had spent approximately \$1,000 to comply the property. Officer Cross said the City was recommending imposition of the full \$3,500 fine.

Ms. Wald reminded Ms. Tell that the owner was required to give a new owner and the City notice in writing of any case against a property. Mr. McKelligett said the City had received no such notice. She recommended fines be imposed against Mr. Sperling. Mr. McKelligett said administrative costs for the case were approximately \$1,000.

Ms. Tell imposed a \$1,000 fine.

Case: CE10110060

2012 South Miami Rd
MIAMI ROAD PARTNERS LLC

Service was via posting on the property on 11/30/10 and at City Hall on 12/2/10.

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

HOT WATER IS NOT BEING PROPERLY SUPPLIED TO THE

KITCHEN AND BATHROOM SINKS OF THIS OCCUPIED RESIDENTIAL DUPLEX AS THE HEATING FACILITIES ARE NOT PROPERLY CONNECTED TO ELECTRIC SERVICE AND ARE NOT MAINTAINED IN SAFE CONDITION BEING THAT ELECTRIC POWER IS SUPPLIED BY AN ILLEGAL CONNECTION TO FPL POWER.

9-280(b)

THERE IS AT LEAST ONE BROKEN WINDOW PANE ON THIS OCCUPIED RESIDENTIAL PROPERTY. THE FASCIA AND SOFFITS HAVE AREAS OF ROTTING AND DECAYING WOOD.

9-280(g)

THE ELECTRICAL WIRING AT THIS PROPERTY IS NOT IN GOOD, SAFE WORKING CONDITION AS THERE IS AN ILLEGAL CONNECTION TO FPL POWER. ILLEGAL TAMPERING WITH FPL POWER SOURCE AND ILLEGAL ELECTRICAL WIRING IS CONSIDERED TO BE A THREAT TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY DUE TO THE POTENTIAL FIRE HAZARD.

9-306

EXTERIOR WALLS, FASCIA AND SOFFIT ARE DIRTY AND UNATTRACTIVE.

Officer Davis 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, per violation.

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

Case: CE10101669

1351 Holly Heights Drive
DEUTSCHE BANK NATL TR CO TRSTEE
C/O ALVAREZ, BRIAN ROBERT

Certified mail sent to the owner was accepted on 12/8/10. Service was also via posting at City Hall on 12/2/10.

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

18-12(a)

THE PROPERTY HAS BECOME OVERGROWN IN AREAS 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.

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: CE10110214

301 Northwest 8 Street
KEYSTONE HALLS INC

Certified mail sent to the owner was accepted on 11/30/10. Service was also via posting at City Hall on 12/2/10.

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

THERE IS TRASH STORED ON THE PROPERTY INCLUDING
BUT, NOT LIMITED TO AN OLD COUCH.

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.

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: CE10110332

4040 Galt Ocean Drive # L1
TALERICO FAMILY LIMITED PARTNERSHIP

Personal service was made to the owner on 11/29/10.

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

THERE IS ACCUMULATION OF RUBBISH, TRASH AND DEBRIS
ON THE SOUTH SIDE OF THE PROPERTY, INCLUDING BUT
NOT LIMITED TO, CORRUGATED STEEL SHEETS, ALUMINUM
AND STEEL CLIPPINGS, WOOD AND LUMBER.

Officer Sotolongo said the property manager had promised to clean the property but had not done so. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. 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: CE10051325

3115 Southwest 2 Avenue
SLOMAN, HOWARD S JR

Certified mail sent to the owner was accepted on 11/30/10. Service was also via posting at City Hall on 12/2/10.

Mark Campbell, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THERE IS OUTDOOR STORAGE MISCELLANEOUS ITEMS ON THIS INDUSTRIAL ZONED PROPERTY WITHOUT THE REQUIRED BUFFERWALL. PER ULDR TABLE 47-7.10, THIS IS AN UNPERMITTED LAND USE.

Withdrawn:

47-19.9

Complied:

9-280(b)

Officer Campbell said the owner was experiencing medical issues. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 119 days or a fine of \$50 per day.

Ms. Tell found in favor of the City and ordered compliance within 119 days or a fine of \$50 per day would begin to accrue.

Case: CE10092115

1725 Southwest 30 Street
STRUNK, MAX

Service was via posting on the property on 11/29/10 and at City Hall on 12/2/10.

Mark Campbell, Code Enforcement Officer, testified to the following violation:
18-11(b)

THE POOL ON THIS VACANT PROPERTY HAS GREEN STAGNANT WATER, WHICH IS OR MAY REASONABLY BECOME INFESTED WITH MOSQUITOS AND IS ENDANGERING THE PUBLIC HEALTH, SAFETY AND WELFARE.

Officer Campbell said there had been a final judgment in May 2010 and a sale date was set for January 5, 2011. He had spoken with the owner, who promised to comply as soon as possible. Officer Campbell 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. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day would begin to accrue.

Case: CE10091873

1407 Northwest 13 Court
SHERMAN, AMY

Service was via posting on the property on 11/3/10 and at City Hall on 12/2/10.

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

THE ROOF ON THE HOME ON THIS VACANT/ UNOCCUPIED
PROPERTY IS IN DISREPAIR AND IS PARTIALY COVERED
WITH THE REMNANTS OF A BLUE TARP.

Officer Viscusi reported the property was in foreclosure, was involved in a bankruptcy case and was being turned over to the bank. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$25 per day.

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: CE10101673

2111 Northwest 28 Terrace
FERTIL, BERLANDE
FERTIL, RIBERT & JOSEPH, TERESE I

Service was via posting on the property on 11/10/10 and at City Hall on 12/2/10.

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

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

Officer Viscusi stated the property was in foreclosure. 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. 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: CE10100384

3420 Berkeley Blvd
SINGH, DULARIE

Service was via posting on the property on 11/19/10 and at City Hall on 12/2/10.

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 but the owner was aware that he must address the violations because the property was still in his name. 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.

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

Case: CE10110057

1041 Southwest 22 Avenue
US BANK NATIONAL ASSN TRSTEE
C/O CITI RESIDENTIAL LENDING INC

Certified mail sent to the owner was accepted on 11/24/10. Service was also via posting at City Hall on 12/2/10.

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

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

Officer Bass reported this 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. 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: CE10101462

2691 Northeast 59 Street
VILLA BAYVIEW PROPERTIES LLC

Service was via posting on the property on 11/30/10 and at City Hall on 12/2/10.

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.

COMPLIED:

NFPA 1:1.7.6.2

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

Case: CE10111389

623 Northwest 9 Avenue
CITIMORTGAGE INC
C/O LAW OFFICES OF DAVID J STERN PA

Certified mail sent to the owner was accepted on 11/30/10.

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

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

Case: CE10111411

1510 Southeast 17 Street
MARINE EXEC CENTER CONDO ASSN INC

Certified mail sent to the owner was accepted on 12/8/10 and certified mail sent to the registered agent was accepted on 11/30/10.

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

MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

MO 13-64

KNOX BOX IS NOT PROVIDED WITH AT LEAST ONE(1) SET OF
FIREFIGHTER SERVICE KEYS FOR THE ELEVATOR(S)

NFPA 1:18.3.4.3

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

NFPA 72:5.4.5

ALARM DEVICE NEEDS TO BE INSTALLED.

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 35 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE10111409

5811 Northeast 14 Rd

ZAPPIN, DONNA M & LACKNER, EDMUND K

Certified mail sent to the owner was accepted on 11/30/10.

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

NFPA 101:31.3.4.5.1

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

MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

COMPLIED:

NFPA 1:1.7.6.2

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, and with MO Sec. 9-313. within 35 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, and with MO Sec. 9-313. within 35 days or a fine of \$150 per day would begin to accrue.

Case: CE10062353

2720 Northeast 15 Street
RIO VILLAS OF CORAL RIDGE

This case was first heard on 8/5/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,950 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10081644

717 Southeast 16 Street
RAMADHAR LLC

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,000 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10081645

719 Southeast 16 Street
RAMADHAR LLC

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,000 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10082107

2790 Southwest 2 Street
BROWNING, RANDALL

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 \$50 and the City was requesting the full fine be imposed.

Ms. Tell imposed the \$50 fine.

Case: CE10091499

500 North Federal Highway
5 STREET FTL PARTNERS LLC

This case was first heard on 11/4/10 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 \$3,100 fine, which would continue to accrue until the property complied.

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

Case: CE10091501

490 North Federal Highway
5 STREET FTL PARTNERS LLC

This case was first heard on 11/4/10 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 \$3,100 fine, which would continue to accrue until the property complied.

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

Case: CE10090616

2764 Northeast 33 Street
CUNNINGHAM, BERRIS JR CUNNINGHAM, ROBBIN L

This case was first heard on 11/4/10 to comply by 11/14/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$775 fine, which would continue to accrue until the property complied.

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

Case: CE08051427

2601 Acacia Court
WILLIAMS, CAROLYN L

This case was first heard on 8/7/08 to comply by 8/21/08. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,350 and the City was requesting the full fine be imposed.

Ms. Tell imposed the \$3,350 fine.

Case: CE10062120

1444 Northwest 8 Avenue
CWABS INC C/O COUNTRYWIDE HOME LOANS

This case was first heard on 10/21/10 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 \$2,050 fine, which would continue to accrue until the property complied.

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

Case: CE10031738

4040 Galt Ocean Drive # L1
TALERICO FAMILY LIMITED PARTNERSHIP

This case was first heard on 9/2/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$850 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10032584

636 Southwest 14 Terrace
OB REAL ESTATE HOLDINGS 1695 LLC

This was a request to vacate the Orders dated 6/3/10 and 8/19/10.

Ms. Tell vacated the Orders dated 6/3/10 and 8/19/10.

Case: CE10081305

505 Southwest 11 Street
DESMARIS, DERLYSE F

This case was first heard on 10/21/10 to comply by 11/11/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,700 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$1,700 fine, which would continue to accrue until the property complied.

Case: CE09021499

1470 North Dixie Hwy
WISTERIA COURT CONDO ASSN INC

This was a request to vacate the Orders dated 4/2/09 and 7/16/09.

Ms. Tell vacated the Orders dated 4/2/09 and 7/16/09.

Case: CE09080341

234 Southwest 19 Street
EDEWAARD, LEAH D

This case was first heard on 10/1/09 to comply by 10/29/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$12,000 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE09090747

2201 North Ocean Boulevard
AMERICAN ONE RENTALS INC

This case was first heard on 11/5/09 to comply by 12/17/09. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$42,500 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE09091484

4040 Galt Ocean Drive
OCEAN MANOR CONDO ASSOC

This was a request to vacate the Orders dated 10/15/09, 3/4/10, 4/15/10 and 7/16/10.

Ms. Tell vacated the Orders dated 10/15/09, 3/4/10, 4/15/10 and 7/16/10.

Case: CE10041843

5110 Northeast 18 Avenue
INGLIS, LAURA I

This case was first heard on 7/18/10 to comply by 8/19/10. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$13,500 and the City was requesting the full fine be imposed.

Ms. Tell imposed the \$13,500 fine.

Case: CE10081653

700 Southeast 14 Court
BOTELL, MARIO

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,000 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10081688

2500 Marina Bay Drive E
FALLS AT MARINA BAY LP

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$6,500 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10081692

2520 Marina Bay Drive E
FALLS AT MARINA BAY LP

This case was first heard on 10/7/10 to comply by 11/4/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$6,500 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CT09082544

Request for extension

315 Northeast 3 Avenue # 1001
CLA STRADA UNIT OWNER LLC
C/O RELATED GROUP

This case was first heard on 11/5/09 to comply by 11/19/09. Violations and extensions were as noted in the agenda. The property was complied, civil penalty and fines had accrued to \$3,600 and the City was requesting no fine or civil penalty be imposed.

Ms. Tell imposed no fine or civil penalty.

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:

CE10101531	CE10110215	CE10110630	CE10090420
CE10101747	CE10101293	CE10111394	CE10111402
CE10111403	CE10111404	CE10111405	CE10111407
CE10111412	CE10111413	CE10111416	CE10111418
CE10111420	CE10111421	CE10111422	CE10111423
CE10111424	CE10111426	CE10111427	CE10111428
CE10111429	CE10111430	CE10111432	CE10111433
CE10111434	CE10111435	CE10111436	CE10111437
CE10111439	CE10111440	CE10111441	CE10111442

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:

CE10111400

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:

CE10090438 CE10100435

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:

CE10060952 CE10110199

There being no further business, the hearing was adjourned at **10:54 A.M.**



SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate