

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
MEAH TELL PRESIDING
FEBRUARY 17, 2011
9:00 A.M. –10:55 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Sue Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate – Supervisor
Lori Grossfeld, Clerk III
John Gossman, Code Enforcement Supervisor
Cheryl Pingitore, Code Enforcement Supervisor
Ginger Wald, Assistant City Attorney
Frank Arrigoni, Building Inspector
Burt Ford, Building Inspector
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Alejandro DelRio, Code Enforcement Officer
Dick Eaton, Senior Code Enforcement Officer
Todd Hull, Code Enforcement Officer
John Madden, Building Inspector
Jorge Maura, Detective
Mary Rich, Code Enforcement Officer
Wanda Sappington, Code Enforcement Officer
William Snow, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Craig Stevens, Chief Electrical Inspector
Ron Tetreault, Fire Inspector
Ursula Thime, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents and Witnesses

CE10081902: Gregory Baum, owner
CE10080490: Grace Antonello, manager
CE10091255: June Murray, owner
CE10062607: Kelly Elkins, bank attorney
CE09091301: Barbara Morris, church executive assistant
CE11010016: Peter Hughes, facilities manager
CE11011764: Linda Mann, pastor
CE11011828; CE11011714: Pierre Petit-Frere, Pastor
CE08121655: Tarek Bahlawan, tenant
CE10120129; CE10120054: Yvette Fletcher, owner

CE10071983: Barry Woods, owner
CE11011697: Russell Bratt, owner of corporation
CE11011580: Christine Rocha, agent
CE07120555: Barbara Cohen, owner; Lawrence Cohen, owner; Scott Fistel attorney

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: CE11010016

1180 N Federal Hwy
MAY B W H YOUNG TR
CARRIAGE HSE MTR LDG INC

Service was via posting on the property on 1/27/11 and at City Hall on 2/3/11.

John Madden, Building Inspector, testified to the following violation:
FBC 109.16

THE 40 YEAR INSPECTION FOR THIS PROPERTY HAS NOT BEEN DONE IN ACCORDANCE WITH THE BROWARD COUNTY BOARD OF RULES APPEALS IN REFERENCE TO:
BCBRA POLICY #05-05.D.(1) THE WRITTEN BUILDING SAFETY INSPECTION CERTIFICATION REPORT HAS NOT BEEN SUBMITTED TO THE BUILDING OFFICIAL WITHIN THE 90-DAY TIME FRAME.

Inspector Madden presented the case file into evidence, and recommended ordering compliance within 30 days or a fine of \$250 per day.

Mr. Peter Hughes, facilities manager for the Art Institute, agreed to comply; he reported the structural inspection was already complete.

Ms. Tell found in favor of the City and ordered compliance within 30 days or a fine of \$250 per day would begin to accrue.

Case: CE10091255

823 Southeast 14 Street
MURRAY, JUNE

Request for extension

This case was first heard on 10/21/10 to comply by 11/18/10. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$6,500.

Ms. June Murray, owner, stated there was a hole in the roof and the insurance company had refused to pay for the repair. She was working with a public adjuster, who had informed her the process could take five months. She stated there were battery powered smoke detectors in the apartments.

Ron Tetreault, Fire Inspector, recommended a 91-day extension. He said the electrician was reluctant to install the smoke detectors until the roof was repaired.

Ms. Tell inquired about the fines, and said she would backdate the extension to 2/4/11.

Ms. Tell granted a 91-day extension retroactive to 2/4/11 during which time no fines would accrue and ordered the respondent to reappear at the 5/19/11 hearing.

Case: CE10080490

604 Southwest 5 Avenue
STUART, IRENE EST
C/O STUART, ROBERT JOHN

This case was first heard on 10/21/10 to comply by 12/23/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,900 fine, which would continue to accrue until the property complied.

Todd Hull, Code Enforcement Officer, stated the property manager would request an extension.

Ms. Grace Antonello, manager, requested a 63-day extension.

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

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

Case: CE10120129

1726 Lauderdale Manors Drive
FLETCHER, YVETTE

Service was via posting on the property on 1/20/11 and at City Hall on 2/3/11.

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 the case had begun as a result of a complaint from a former tenant. He reported Mr. Fletcher was working to resolve issues at the property. Inspector

Viscusi 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. Yvette Fletcher, owner, agreed to comply by the ordered date.

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: CE10120054

1726 Lauderdale Manors Drive
FLETCHER, YVETTE

Service was via posting on the property on 1/14/11 and at City Hall on 2/3/11.

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

9-276(b)(3)

THIS OCCUPIED SINGLE FAMILY RESIDENCE IS INFESTED WITH RODENTS OR OTHER VERMIN. DROPPINGS/ FECES WERE FOUND TO BE PRESENT ON THE FLOORS IN ALL ROOMS OF THE HOME INCLUDING THE BATHROOM AND KITCHEN.

9-280(b)

THERE ARE NUMEROUS BUILDING COMPONENTS/PARTS OF THIS OCCUPIED SINGLE FAMILY RESIDENCE THAT ARE IN DISREPAIR OR ARE NOT BEING MAINTAINED THOSE ITEMS INCLUDE BUT ARE NOT LIMITED TOO THE SOFFIT OVER THE REAR DOOR IS IN DISREPAIR AND NOT BEING MAINTAINED AND IS ALLOWING INTRUSION BY THE ELEMENTS, INSECTS, AND ANIMALS. IE RATS, SQUIRRELS, ETC...
THE FRONT DOOR KNOB, LATCH AND LOCK MECHANISM ARE IN DIREPAIR MAKING IT IMPOSSIBLE TO USE THE FRONT DOOR FOR INGRESS AND EGRESS TO THE HOME. ALL WINDOWS ARE MISSING SCREENS AND THE AREA AROUND THE WALL MOUNTED AIR CONDITIONER IS EXPOSED ALLOWING INTRUSION BY THE ELEMENTS, INSECTS, AND ANIMALS.THERE ARE AREAS OF THE WALLS IN THE BATHROOM, BEDROOM NEAREST TO THE BATHROOM AND UNDER THE KITCHEN SINK THAT ARE DAMAGED, HAVE HOLES, MISSING/CHIPPING/PEELING PAINT AND ARE NOT BEING MAINTAINED.

Complied:

9-280(f)

9-280(g)

Officer Viscusi said the owner was working on this property as well. He presented the case file into evidence, and recommended ordering compliance with 9-276(b)(3) and 9-280(b) within 35 days or a fine of \$25 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with 9-276(b)(3) and 9-280(b) within 35 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE11011697

1955 South Andrews Avenue
ARDOX CORP

Service was via posting on the property on 1/27/11 and at City Hall on 2/3/11.

John Madden, Building Inspector, testified to the following violation:
FBC 109.16

THE 40 YEAR INSPECTION FOR THIS PROPERTY HAS NOT BEEN DONE IN ACCORDANCE WITH THE BROWARD COUNTY BOARD OF RULES APPEALS IN REFERENCE TO:
1) BCBRA POLICY #05-05.D.(1) THE WRITTEN BUILDING SAFETY INSPECTION CERTIFICATION REPORT HAS NOT BEEN SUBMITTED TO THE BUILDING OFFICIAL WITHIN THE 90-DAY TIME FRAME.

Inspector Madden stated three copies of the Notice of violation had been sent since 2007 with no response from the owner. He presented the case file into evidence, and recommended ordering compliance within 35 days.

Mr. Russell Bratt, owner of the corporation, reported he had been trying to put a roof on the building for a year and the permits had expired. He said the zoning had recently changed and they were faced with either a major remodeling or demolition. He said the building was sealed and was not used. Ms. Wald confirmed that inspection [even if the building failed] or demolition would comply this violation. Inspector Madden offered to help Mr. Bratt through the process. Ms. Tell urged Mr. Bratt to take care of the inspection within 35 days.

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: 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.

Ms. Tell disclosed that she had mediated some of Mr. Fistel's hurricane-related cases.

Mr. Lawrence Cohen, owner, announced that next week, the umpire would visit the Cohen's home.

Mr. Scott Fistel, the Cohens' attorney, said he was representing the Cohens against Citizens Insurance. He anticipated an award approximately 30 days after the meeting with the umpire.

Ursula Thime, Code Enforcement Officer, said she received calls from neighbors and the homeowners association every day about this property. She stated the problem between the Cohens and their insurance company was a civil matter. She recommended imposition of the fines and noted the owner could have a lien discussion when the case was complied.

Mr. Fistel said he understood the neighbors' concerns and the City's point of view.

Mr. Cohen explained that the roof had been repaired and dried in, but he had been told to halt the repair process for the inspection from Citizens. A contractor had informed him that the damage to the interior of the house from the mold and the cracks in the walls might require it to be torn down. Officer Thime said the citation involved the tiles on the roof, not the base of the roof. She noted the owner did not have a current permit, so the roof could not be complied.

Mr. Burt Ford, Building Inspector, stated the permit for the roof had expired. There had been a tin tab inspection on 8/17/06 but the dry-in had never passed inspection. The owners would need to renew the permit. Ms. Tell said the owners would need to renew the permit before they reappeared.

Ms. Tell granted a 49-day extension to 4/7/11, during which time no fines would accrue and ordered the respondent to reappear at that hearing.

Case: CE11011580
3299 Southwest 9 Ave
ARI LIMITED PRTNR

Service was via posting on the property on 1/27/11 and at City Hall on 2/3/11.

John Madden, Building Inspector, testified to the following violation:
FBC 109.16

THE 40 YEAR INSPECTION FOR THIS PROPERTY HAS NOT
BEEN DONE IN ACCORDANCE WITH THE BROWARD COUNTY

BOARD OF RULES APPEALS IN REFERENCE TO:
BCBRA POLICY #05-05.D.(1) THE WRITTEN BUILDING
SAFETY INSPECTION CERTIFICATION REPORT HAS NOT
BEEN SUBMITTED TO THE BUILDING OFFICIAL WITHIN THE
90-DAY TIME FRAME.

Inspector Madden stated the demolition was underway with a permit. He recommended ordering compliance within 90 days to allow the owner to complete the demolition process and close out the permit.

Ms. Christine Rocha, agent, thought 91 days would be sufficient.

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

Case: CE09091301

1141 Northwest 8 Avenue
RESTORING GRACE COMMUNITY CHURCH INC

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 complied, fines had accrued to \$1,400 and the City was requesting a \$400 fine be imposed.

Ms. Barbara Morris, church executive assistant, requested the fines be waived because they had begun repairs immediately and repairs had been expensive. She added the congregation was small, and requested a reduction to \$100. Ms. Morris said she had thought they had an additional 180 days to comply after hiring the contractor.

Frank Arrigoni, Building Inspector, requested a \$400 fine to cover expenses. He stated he had made approximately six inspections.

Ms. Tell imposed a \$150 fine.

Case: CE10062607

1001 Southwest 4 Avenue
HONOVICH, FELIX

This case was first heard on 11/18/10 to comply by 1/6/11. Violations were as noted in the agenda. Fines had accrued to \$2,050 and the City was recommending a 91-day extension.

Todd Hull, Code Enforcement Officer, said he had spoken with the out-of-state owner, who had indicated a short sale was in the works.

Ms. Kelly Elkins, bank attorney, confirmed a short sale was in process.

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

Case: CE11011764
1227 Northeast 4 Ave
CHURCH OF GOD

Service was via posting on the property on 1/27/11 and at City Hall on 2/3/11.

Craig Stevens, Electrical Inspector, testified to the following violation:
FBC 109.16

BCBRA POLICY #05-05.D.(5). THE ELECTRICAL REPAIRS
OR MODIFICATIONS THAT POSE AN IMMEDIATE THREAT TO
LIFE SAFETY OR WHERE FAILURE OF A CRITICAL
COMPONENT IS IMMINENT HAS NOT BEEN CORRECTED
WITHIN THE 180-DAY TIME FRAME.

Inspector Stevens entered the case file into evidence, and recommended allowing a 35-day extension to obtain the permit and for the repairs to be done within 60 days.

Ms. Diane Mann, pastor, agreed to comply with Inspector Stevens' recommendations.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$250 per day would begin to accrue.

Case: CE10081902 Ordered to reappear
540 Northeast 17 Avenue
BAUM, GREGORY

This case was first heard on 10/21/10 to comply by 10/31/10. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$6,400 and the City was requesting the full fine be imposed.

Dick Eaton, Senior Code Enforcement Officer, stated the case was begun as the result of a complaint. He said the owner had phoned him on 11/30/10 to state the property was complied but when Officer Eaton inspected on 12/1/10 the pool was not complied. The owner had received an extension on 12/2 but had not complied within 14 days. Upon Officer Eaton's inspection on 12/5, the pool was starting to revert back to its previous state. He had met with owner at the property on 1/19/11 and the pool was complied.

Mr. Gregory Baum, owner, said he had explained that the property was "mis-registered" and his name should not be on the case. He presented foreclosure papers on the property in the name of Annette Ortiz. Mr. Baum said he had paid to clear the property and to comply the pool. He did not know who owned the property currently.

Ms. Wald said the property was in Mr. Baum's name and he should have filed some action to address this. Ms. Wald stated the City was trying to recover hard costs for inspections, hearings and mailings.

Ms. Tell asked Mr. Baum if he was the owner of the property and he stated, "Apparently I am on this title work but I have legal suits going on that say that I'm not." He said he had purchased the property a long time ago, built townhomes and sold them. The townhomes had gone through "transitions of owner that never got registered." Mr. Baum could not recall to whom he had sold this particular property. Ms. Tell informed Mr. Baum he must determine who the current property owner was on his own and return with documentation proving his argument.

Ms. Tell granted a 49-day extension to 4/7/11 during which time no fines would accrue and ordered the respondent to reappear at that hearing.

Case: CE10071983

1825 Southwest 30 Street
WOODS, BARRY B

This case was first heard on 11/4/10 to comply by 1/6/11. 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.

Mr. Barry Woods, owner, said he had phoned to request an extension on December 23 at 3:15 AM. He requested 180 days. Mr. McKelligett stated there was no record of this call.

Ms. Tell advised Mr. Woods to remove the fence, but Mark Campbell, Code Enforcement Officer, informed her there was a pool behind the fence. Officer Campbell was aware that Mr. Woods had experienced hardships recently. He said there was no health and safety issue.

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

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

Case: CE11011828

1317 Northeast 4 Avenue
AGAPE CHURCH OF GOD INC

Service was via posting on the property on 2/1/11 and at City Hall on 2/3/11.

Ron Tetreault, Fire Inspector, testified to the following violations:
NFPA 25:5.3.3.1

THE SPRINKLER SYSTEM ALARM BELL DOES NOT FUNCTION AS

DESIGNED.

NFPA 1:13.3.1.7.1

SPRINKLER CONTROL VALVES ARE NOT PROPERLY SUPERVISED.

NFPA 1:13.3.3.7.1

SPARE SPRINKLER HEADS ARE MISSING.

NFPA 101:7.2.1.4.2

THE EXIT DOORS DO NOT SWING IN THE DIRECTION OF EGRESS.

Complied:

NFPA 1:13.3.2.1

NFPA 1:1.12.1

NFPA 1:14.14.1.2

NFPA 1:14.4.1

NFPA 101:7.2.2.5.3.1

Withdrawn:

NFPA 1:13.3.1.1

NFPA 25:12.7.1

NFPA 1:10.4.4

NFPA 1:1.7.6.2

NFPA 1:1.7.6.2

NFPA 1:13.7.3.2.6.1

NFPA 101:7.2.1.5.2

NFPA 101:13.2.2.2.3

NFPA 1:11.1.2

NFPA 1:13.3.3.3

NFPA 101:7.10.5.2.1

NFPA 101:7.10.2

NFPA 101:7.9.1.1

NFPA 101:7.2.1.8.1

NFPA 101:12.7.9.3.1

Inspector Tetreault recommended ordering compliance within 91 days or a fine of \$150 per day, per violation.

Mr. Pierre Petit-Frere, Pastor, agreed to comply within 91 days. He agreed to meet with Inspector Tetreault to determine what must be done to comply.

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

Case: CE11011714

1317 Northeast 4 Avenue

AGAPE CHURCH OF GOD INC

Service was via posting on the property on 1/27/11 and at City Hall on 2/3/11.

John Madden, Building Inspector, testified to the following violation:
FBC 109.16

THE 40 YEAR INSPECTION FOR THIS PROPERTY HAS NOT BEEN DONE IN ACCORDANCE WITH THE BROWARD COUNTY BOARD OF RULES APPEALS IN REFERENCE TO:
1) BCBRA POLICY #05-05.D.(1) THE WRITTEN BUILDING SAFETY INSPECTION CERTIFICATION REPORT HAS NOT BEEN SUBMITTED TO THE BUILDING OFFICIAL WITHIN THE 90-DAY TIME FRAME.

Inspector Madden said he had received nothing from the owner regarding a request for an inspection, but someone had provided him an inspection report that indicated repairs were required. Inspector Madden recommended ordering compliance within 180 days.

Ms. Wald declared the inspection report complied the case. She said items noted on the report must be repaired and advised Mr. Petit-Frere to consult with the inspector.

Case: CE08121655

Ordered to reappear

1447 Northwest 6 Street
JAMES, LOUIS

This case was first heard on 2/19/09 to comply by 3/19/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$17,250 fine, which would continue to accrue until the property complied.

Wanda Sappington, Code Enforcement Officer, said she would not object to the tenant's request for an extension.

Mr. Tarek Bahlawan, tenant, said he was waiting to appear before the Planning and Zoning Board in March and requested 180 days.

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

Case: CE10111447

1304 Orange Isle
EVERSLEY, SYLVAN

Certified mail sent to the owner was accepted on 1/29/11. Service was also via posting at City Hall on 2/3/11.

Mark Campbell, Code Enforcement Officer, testified to the following violation:
6-34

THERE ARE 5 ADULT DOGS BEING KEPT ON THIS PROPERTY. HAVING MORE THAN 3 ADULT DOGS OVER THE

AGE OF 4 MONTHS CONSTITUTES A KENNEL.

Officer Campbell said the tenant had admitted to having more than five dogs at the property. 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: CE10121416

2010 Northeast 62 Street
CITIBANK

Service was via posting on the property on 1/28/11 and at City Hall on 2/3/11.

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

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

Officer Rich 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: CE11010384

624 Southwest 16 Avenue
RODRIGUEZ, ROGELIO

Service was via posting on the property on 1/26/11 and at City Hall on 2/3/11.

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

THERE IS AN ACCUMULATION OF TRASH, RUBBISH AND
SOLID WASTE SCATTERED ABOUT THE PROPERTY. THE
MAJORITY OF THE TRASH IS PILED UP ON THE REAR OF
THE PROPERTY. THE TRASH, RUBBISH AND SOLID WASTE
CONSISTS OF, BUT IS NOT LIMITED TO BLACK GARBAGE
BAGS, CARPET, ASSORTED HOUSEHOLD ITEMS AND OTHER
ASSORTED TRASH AND SOLID WASTE.

Officer Snow 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: CE10111457

1235 Northwest 3 Avenue
SIRGANY, SHEVONE M & ORTIZ, MARCO L

Service was via posting on the property on 1/31/11 and at City Hall on 2/3/11.

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

THIS VACANT AND UNOCCUPIED BUILDING IS PARTIALLY
BOARDED WITHOUT A CURRENT VALID BOARDING
CERTIFICATE AS REQUIRED.

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

Case: CE10120273

1625 Northwest 7 Terrace
MONCRIEF, DAISY EST

Service was via posting on the property on 1/31/11 and at City Hall on 2/3/11.

Wanda Sappington, 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
LANDSCAPE DEBRIS. THE PROPERTY HAS BECOME
OVERGROWN AND HAS NOT BEEN MAINTAINED.

Officer Sappington 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: CE10121821

850 Southwest 21 Terrace
BAEZ REAL ESTATE II LLC

Service was via posting on the property on 1/29/11 and at City Hall on 2/3/11.

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

THERE IS TRASH, RUBBISH AND DEBRIS SCATTERED ABOUT THE PROPERTY. THE SWALES ARE OVERGROWN AT THIS PROPERTY AND NOT BEING MAINTAINED.

Officer Bass 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: CE11010047

5921 Northeast 18 Terrace
RYAN, JOHN & MOROZ, GERALD A

Service was via posting on the property on 1/26/11 and at City Hall on 2/3/11.

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

THE SWIMMING POOL LOCATED AT THE BACK OF THIS UNOCCUPIED PROPERTY HAS STAGNANT WATER, TRASH AND DEBRIS. THE BUILDING DOES NOT HAVE THE REQUIRED UTILITY SERVICES AND SAFEGUARDS HAVE NOT BEEN TAKEN TO PREVENT MOSQUITOES TO BREED. THE PROPERTY IN THIS CONDITION IS A PUBLIC NUISANCE.

Officer Thime 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: CE11010100

1900 North Federal Highway
THOMPSON, JANET & ANTWEILER, J L
RICKEL, JOHN
C/O REC DEVELOPMENT

Certified mail sent to the owner was accepted on 1/31/11. Service was also via posting at City Hall on 2/3/11.

Ursula Thime, Code Enforcement Officer, testified to the following violations:
24-27.(f)

THE LIDS OF THE DUMPSTER ARE OPEN AT ALL TIMES.
47-19.4.D.4

THE ENCLOSURE GATES AT THIS DUMPSTER ENCLOSURE ARE OPEN AT ALL TIMES.

47-19.4.D.8.

THE DUMPSTER ENCLOSURE IS NOT MAINTAINED IN GOOD CONDITION AND APPEARANCE. THERE IS RUBBISH, TRASH AND DEBRIS INSIDE THE DUMPSTER ENCLOSURE AND UNDERNEATH THE DUMPSTER, CREATING AN UNSANITARY CONDITION.

Officer Thime 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, per violation.

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

Case: CE11010101

1762 North Federal Highway
19TH STREET INVESTORS INC

Certified mail sent to the owner was accepted on 1/28/11 and certified mail sent to the registered agent was accepted on 1/28/11.

Ursula Thime, Code Enforcement Officer, testified to the following violations:
24-27.(f)

THE DUMPSTER AT THIS LOCATION REMAINS AT ALL TIMES WITH THE LIDS OPEN AND NOT ATTACHED.

47-19.4.D.4

THE GATES OF THE DUMPSTER ENCLOSURE REMAIN OPEN AT ALL TIMES.

Officer Thime presented photos of the property and the case file into evidence, and recommended ordering compliance with 24-27(f) within 10 days or a fine of \$100 per day, and with 47-19.4.D.4 within 35 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance with 24-27(f) within 10 days or a fine of \$100 per day, and with 47-19.4.D.4 within 35 days or a fine of \$100 per day would begin to accrue.

Case: CE11011602

2109 Northeast 68 Street
TARA WEST ASSOCIATION INC

Service was via posting on the property on 2/1/11 and at City Hall on 2/3/11.

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.

Inspector Tetreault recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day would begin to accrue.

Case: CE11011616

1109 East Las Olas Boulevard #1
VILLAGGIO DI LAS OLAS INC

Certified mail sent to the owner was accepted on 2/2/11. Service was also via posting at City Hall on 2/3/11.

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

NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

NFPA 101:7.2.1.8.1

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

Withdrawn:

NFPA 1:13.3.1.1

NFPA 1:13.3.1.7.1

NFPA 101:7.9.2.1

NFPA 101:7.10.5.2.1

Inspector Tetreault recommended ordering compliance with NFPA 1:13.3.2.1 and NFPA 101:7.2.1.8.1 within 182 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with NFPA 1:13.3.2.1 and NFPA 101:7.2.1.8.1 within 182 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11011840

3813 Southwest 13 Court
GSR ASSETS INC

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

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

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.

69A-60.0081

THIS STRUCTURE HAS BEEN CONSTRUCTED USING LIGHT-FRAME TRUSS-TYPE STRUCTURAL MEMBERS. THE REQUIRED IDENTIFYING SYMBOL IS NOT POSTED TO SUFFICIENTLY WARN PERSONS CONDUCTING FIRE CONTROL AND OTHER EMERGENCY OPERATIONS OF THE EXISTENCE OF LIGHT-FRAME TRUSS-TYPE CONSTRUCTION IN THE STRUCTURE.

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11011841

3821 Southwest 13 Court
RAMANATHAN, SURESH

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

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.

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.

69A-60.0081

THIS STRUCTURE HAS BEEN CONSTRUCTED USING LIGHT-FRAME TRUSS-TYPE STRUCTURAL MEMBERS. THE REQUIRED IDENTIFYING SYMBOL IS NOT POSTED TO SUFFICIENTLY WARN PERSONS CONDUCTING FIRE CONTROL OF LIGHT-FRAME TRUSS-TYPE CONSTRUCTION IN THE STRUCTURE.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 and 69A-60.0081 within 63 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 and 69A-60.0081 within 63 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11011846

3817 Southwest 13 Court
GSR ASSETS INC

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

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.

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.

69A-60.0081

THIS STRUCTURE HAS BEEN CONSTRUCTED USING LIGHT-FRAME
TRUSS-TYPE STRUCTURAL MEMBERS. THE REQUIRED IDENTIFYING
SYMBOL IS NOT POSTED TO SUFFICIENTLY WARN PERSONS
CONDUCTING FIRE CONTROL AND OTHER EMERGENCY OPERATIONS
OF THE EXISTENCE OF LIGHT-FRAME TRUSS-TYPE CONSTRUCTION IN
THE STRUCTURE.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1
within 63 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 and 69A-
60.0081 within 63 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1
within 63 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 and 69A-
60.0081 within 63 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11011850

1224 Northwest 3 Street
1224 NW 3RD STREET TR
DELGADO, DINO TRSTEE

Service was via posting on the property on 2/1/11 and at City Hall on 2/3/11.

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.

NFPA 1:13.6.6.8.3.1

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

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 within 28 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 within 28 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11011858

922 Northwest 2 Street
PLUMMER, COLLINS

Service was via posting on the property on 2/1/11 and at City Hall on 2/3/11.

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.

NFPA 1:13.6.6.8.3.1

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

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 within 91 days or a fine of \$150 per day, per violation.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 91 days or a fine of \$250 per day, and with NFPA 1:13.6.6.8.3.1 within 91 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE11011863

1923 Cordova Rd
HARBOR SHOPS LLC

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

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

NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

COMPLIED:

NFPA 1:50.5.2.1

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

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

Case: CE09061055

208 Southeast 21 Street
RUBIN, ROBERT D

This was a request to vacate the Order dated 1/20/11.

Ms. Tell vacated the Order dated 1/20/11.

The property was complied, fines had accrued to \$97,750 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10041685

216 Northwest 8 Avenue
FOXWORTH, ALETHA H EST

This case was first heard on 7/15/10 to comply by 1/13/11. 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: CE10100384

3420 Berkeley Blvd
SINGH, DULARIE

This case was first heard on 12/16/10 to comply by 12/31/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,250 and the City was requesting the full fine be imposed.

Ms. Tell imposed the \$1,250 fine.

Case: CE10082088

2081 Northeast 63 Street
JABRECH LLC

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 \$7,000 and the City was requesting the full fine be imposed.

Ms. Tell imposed the \$7,000 fine.

Case: CE10091537

1231 Southeast 1 Street # 6
JOHNSON, CHERYL

This case was first heard on 11/18/10 to comply by 12/16/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,750 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

Case: CE10091578

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

This case was first heard on 11/18/10 to comply by 12/16/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,750 and the City was requesting no fine be imposed.

Ms. Tell 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:

CE10121866	CE10120976	CE10121878	CE10121910
CE10121843	CE10121877	CE11010054	CE11010014
CE11010576	CE11011604	CE11011609	CE11011826
CE11011830	CE11011832	CE11011834	CE11011836
CE11011848	CE11011852	CE11011854	CE11011857
CE11011856	CE11011860	CE11011861	CE11011827
CE11011747	CE11011779	CE11011784	

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:

CE10110931 CE10120815

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:

CE11010635 CE11011573 CE11010013 CE11011837

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:


CE10110905 CE10120265

There being no further business, the hearing was adjourned at **10:55 AM**.



SPECIAL MAGISTRATE

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services