

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
ROSE-ANN FLYNN PRESIDING
MAY 19, 2011
9:00 A.M. –1:33 P.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Sue Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate Supervisor
Gail Jagessar, Administrative Aide
Lori Grossfeld, Clerk III
Skip Margerum, Code Enforcement Supervisor
Cheryl Pingitore, Code Enforcement Supervisor
John Heller, Chief Building Inspector
Ginger Wald, Assistant City Attorney
Frank Arrigoni, Building Inspector
Stephanie Bass, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Dick Eaton, Senior Code Enforcement Officer
Burt Ford, Building Inspector
Ingrid Gottlieb, Senior Code Enforcement Officer
Jorg Hruschka, Building Inspector
Todd Hull, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Wanda Sappington, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Craig Stevens, Chief Electrical Inspector
Ron Tetreault, Fire Inspector
Ursula Thime, Senior Code Enforcement Officer
Richard Thompson, Building Inspector
Barbara Urow, Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Aretha Wimberly, Code Enforcement Officer

Respondents and Witnesses

CE10080337: Cara Cameron, owner
CE09040008: Angeline Merrisant, owner
CE11032362: Catherine Fitzpatrick, representative; Daniel Aaronson, attorney; Ihab Atallah, owner's son; Johnny Clements, chef; James Benjamin, attorney; Police Officer William Spodnick, witness
CE09071730: Ronald Rogowski, attorney
CE10042649: Vilamar Julme, owner
CE10080490: Grace Antonello, manager
CE11032388: William Lanning, owner

CE10080906: Elouise Burns, owner's daughter
CE11032733: Vivian Tuchman, owner; Abraham Tuchman, owner
CE09060502: Vernon Pierce, owner
CE10091255: June Murray, owner
CE11010423; CE11010444: Ronald Guziejka, contractor
CE10062602: Nguyen Nguyen, owner
CE09111669: Laurie Weinstein, attorney
CE10121652: Lucy Perez, owner's wife
CE10070494: Lisbet Perez, owner's wife
CE10021464: Virgil Bolden, owner; Dwight McKinzie, contractor
CE09060712: Thomas Tejada, owner
CE11011764: Linda Mann, Pastor; James Brown, church member
CE11032668: Tia Striggles, owner's daughter
CE09121290: Virgil Bolden, owner; Dwight McKinzie, contractor
CE10111457: David Cramer, attorney
CE09111480: Goran Dragoslavic, owner
CE09071766: Allan Futterman, property manager
CE11040082: Keith Skinner, owner
CE11040710: Janna Lhota, attorney
CE11010099: Laura Beason, bank attorney
CE11042129: Johnny Alexander, owner
CE11011697: Russell Bratt, owner of corporation
CE09071472: Eugene Dominko, owner
CE11040783: David Rambarran, Pastor
CE10111141; CE11021729: John Russell, owner's representative
CE11040706: Edward Kranz, engineer; Jerome Faber, owner
CE10110931: Kenneth Keechl, attorney
CE11041380: Donald Rosenthal, managing agent
CE10121376: John Burkett, owner
CE11020991: Arlester Shorter, owner
CE10101882: Maureen Diaz, representative
CE10041633: John Hammel, Jr., consultant; Vincenzo Esposito, owner
CE11040674: Andrew Daire, attorney
CE09101348: E. Gail Brown Mulder, manager
CE10111409: Donna Zappin, owner
CE11040075: Richard Coker, attorney
CE11010677: Mary Degne, representative; Nicholas Nanchuk, representative

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: CE09111480

1417 Northwest 13 Place
LUCKYMAX LLC

This case was first heard on 12/2/10 to comply by 3/3/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,900 fine, which would continue to accrue until the property complied.

Frank Arrigoni, Building Inspector, stated the permits were still expired.

Mr. Goran Dragoslavic, owner, said he had just purchased the property from the bank and discovered the expired permits. He had contacted a contractor, who would repair the plumbing and provide an estimate to enclose the garage. The original architect had agreed to provide the plans to the new contractor. Mr. Dragoslavic requested a six-month extension.

Inspector Arrigoni stated it would only take two days to renew the permit, which would comply the case.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE11040706

2470 Southwest 21 Street
JUNGLE QUEENS INC

Certified mail sent to the owner was accepted on 5/2/11 and certified mail sent to the registered agent was accepted on 5/2/11.

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

NFPA 1:13.3.2.1

SPRINKLER PROTECTION IS REQUIRED.

NFPA 101:39.3.4.1

THIS BUSINESS DOES NOT HAVE A F/A SYSTEM IN ACCORDANCE WITH SECTION 9.6 AS REQUIRED BY NFPA 101:39.3.4.1.

Inspector Tetreault recommended ordering compliance within 6 months or a fine of \$250 per day, per violation.

Mr. Edward Kranz, engineer, said they had a permit and the work was in progress. He said 6 months should be adequate.

Ms. Flynn found in favor of the City and ordered compliance within 6 months or a fine of \$250 per day, per violation would begin to accrue.

Case: CE10041633
3145 Northeast 9 Street
ESPOSITO ENTERPRISES INC

Request for extension

This case was first heard on 1/20/11 to comply by 4/21/11. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$5,400.

Mr. John Hammel, consultant, said plans had been submitted and the permit had been issued on May 2. He reported life safety issues had been addressed, and requested a 105-day extension and a waiving of fines already accrued.

Mario Sotolongo, Code Enforcement Officer, stated work was moving along. The stipulated agreement had expired on April 21 and fines had begun to accrue. Officer Sotolongo did not object to backdating the extension to April 21.

Mr. McKelligett stated the City was requesting extension of the compliance date on the original Order to 5/19/11.

Ms. Flynn extended the compliance date on the original Order to 5/19/11 and granted a 105-day extension during which time no fines would accrue.

Case: CE11040783
2300 Southwest 15 Avenue
BUD ROBINSON MEMORIAL CHURCH OF THE NAZARENE

Certified mail sent to the owner was accepted on 4/30/11 and certified mail sent to the registered agent was accepted on 4/30/11

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

NFPA 101:12.7.9.3.1

MAXIMUM CAPACITY SIGN IS NOT PROVIDED.

NFPA 101:13.1.7.1

APPROVED MAXIMUM CAPACITY CALCULATIONS ARE NOT PROVIDED.

NFPA 101:39.3.4.1

THIS BUSINESS DOES NOT HAVE A F/A SYSTEM IN ACCORDANCE WITH SECTION 9.6 AS REQUIRED BY NFPA 101:39.3.4.1.

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).

NFPA 101:13.2.2.2.3

PANIC OR FIRE HARDWARE NOT PROVIDED AS PER CODE.

NFPA 1:13.6.1.2

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

NFPA 1:11.1.2

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

NFPA 1:11.1.5

EXTENSION CORDS ARE BEING USED AS A SUBSTITUTE FOR PERMANENT WIRING.

NFPA 1:12.6

FURNISHINGS, CONTENTS, DECORATIONS, AND TREATED FINISHES MUST MEET OR EXCEED MINIMUM FIRE RATING.

NFPA 101:7.2.1.5.2

LOCKS PROVIDED IN THE MEANS OF EGRESS REQUIRE A KEY, TOOL, OR SPECIAL KNOWLEDGE OR EFFORT FOR OPERATION FROM THE EGRESS SIDE.

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

Mr. David Rambarran, Pastor, reported that seven of the violations had been cleared two years ago. He said they were still working on the fire alarm system, a lengthy process. Since this was a very small congregation, he said they were considering changing the configuration to fall below the level. Pastor Rambarran presented estimates from fire alarm companies he had been working with and emails to and from the Fire Marshall on this issue.

Inspector Tetreault said he had visited the property within two years and the violations still existed. He remarked that Pastor Rambarran had not been very cooperative. He had not known about Pastor Rambarran's conversation with the Fire Marshall, but the Fire Marshall had indicated to Inspector Tetreault that the property should be cited for the listed violations. He stated he would visit the property and comply any violation that had been corrected.

Ms. Wald asked if Pastor Rambarran had paperwork indicating any violations were complied. Pastor Rambarran stated he had proof the fire extinguishers were installed and serviced two years ago. Pastor Rambarran said the entire church board had met with the Fire Marshall at his office, and he had visited the property and indicated several violations that did not apply

Ms. Wald suggested continuing the case for 28 days to allow Inspector Tetreault to reinspect the property. Pastor Rambarran agreed.

Ms. Flynn continued the case for 28 days to June 16 and ordered the respondent to reappear at that hearing.

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

Case: CE11010423 Request for extension
923 North Federal Highway
R K ASSOCIATES #5 INC
C/O SEARS-TAX D/768 B2-116A

This case was first heard on 4/7/11 to comply by 5/12/11. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$175.

Mr. Ronald Guziejka, contractor, requested a 60-day extension.

Frank Arrigoni, Building Inspector, said it would take only a couple of days to renew the permit, which would comply the case. Mr. Guziejka said getting the permits also entailed committing to inspections and getting the work done, for which he needed more time. Mr. Guziejka explained that the owner of the property was on a religious sabbatical. He said he had worked with an engineer to have plans drawn, which Inspector Arrigoni had rejected. Inspector Arrigoni stated plans were not needed for the permit renewal. If needed, a change of contractor form must be submitted. If the owner was absent, a representative could sign the applications for renewal.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE11010444 Request for extension
929 North Federal Highway
R K ASSOCIATES #5 INC
C/O SEARS-TAX D/768 B2-116A

This case was first heard on 4/7/11 to comply by 5/12/11. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$175.

Ms. Flynn granted a 28-day extension during which time no fines would 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 and extensions were as noted in the agenda. The property was complied, fines had accrued to \$2,050 and the City was requesting no fine be imposed.

Ms. Lisbet Perez, owner's wife, thanked the City.

Ms. Flynn imposed no fine.

Case: CE09101348

5300 Northwest 9 Avenue # 1B
MARS POWERLINE L P
C/O E J PLESKO & ASSOC INC

This case was first heard on 11/19/09 to comply by 5/20/10. Violations and extensions were as noted in the agenda. The property was complied, and fines had accrued to \$34,000 and the City was requesting a fine of \$520 be imposed.

Ms. Gail Brown Mulder, manager, agreed to the fine reduction.

Ms. Flynn imposed a \$520 fine.

Case: CE10121652

1115 Northeast 3 Avenue
COOK, LUCY ALONSO S

Certified mail sent to the owner was accepted on 4/22/11.

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

THE FASCIA AND EXTERIOR BUILDING WALLS HAVE PEELING,
MISSING AND/OR FADING PAINT. THE FASCIA IS ALSO ROTTED
IN AREAS INCLUDING, BUT NOT LIMITED TO, THE FRONT PORCH
POSTS.

Officer Urow 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. Lucy Perez Cook, the owner's wife, said she could not afford to have the work done right now, and someone was interested in purchasing the house.

Officer Urow said she would agree to a longer time. She had spoken with Sal, the homeowners association president, she informed her that he had offered to help Ms. Cook, but she had not responded. Ms. Cook said no one had contacted her.

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.

SPECIAL ADMINISTRATIVE HEARING

Case: CE11032362

300 Southwest 1 Avenue
OFF THE HOOKAH
LOUIS ATALLAH

Rescheduled from 4/21/11

Skip Margerum, Community Inspections Supervisor, testified to the following violation: THE RESTAURANT BUSINESS TAX FOR OFF THE HOOKAH WAS REVOKED. THE BUSINESS WAS NOT OPERATING AS A BONA FIDE RESTAURANT PER CITY ORDINANCE DEFINITION 5-36.

THIS HEARING HAS BEEN REQUESTED BY THE BUSINESS TO APPEAL THE CITY'S DETERMINATION AS TO BONA FIDE RESTAURANT STATUS ONLY, TO A SPECIAL MAGISTRATE, PURSUANT TO SECTION 11 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE.

Supervisor Margerum read the definition and criteria for a "bona fide restaurant" from the City Code. He stated that based upon inspection by the Fort Lauderdale Police Department, this establishment did not meet the criteria to qualify as a bona fine restaurant.

Police Officer William Spodnick testified that every time he visited the establishment, it was operating as a nightclub, not a restaurant, and the primary service was alcohol, not food. He reported the State of Florida had conducted an inspection in 2008 regarding the establishment's SRX license, which provided an exemption to City ordinance 536, the patron age requirements. This inspection revealed that less than 17% of the establishment's sales were for food; the establishment had given up the SRX license and obtained a 4COP alcohol license.

Officer Spodnick noted that the establishment advertised for drink specials and contests, and charged a cover fee. He explained that the business had begun as a restaurant but had turned into a nightclub.

Mr. Daniel Aaronson, attorney for Off the Hookah, asked Officer Spodnick the percentage of food sales in the establishment in 2011 when the business tax license was revoked, but Officer Spodnick did not know. He stated the violation was based on his visual inspection. Officer Spodnick stated he had visited the property at least twice in 2011.

Mr. Aaronson presented an undated article from Lifestyles Magazine reviewing the revamped restaurant menu at the establishment. Mr. Aaronson stated the article was from 2011. He presented another menu review that he stated was from 2011, and another from 2010. Mr. Aaronson pointed out that each of the reviews classified this as a restaurant.

Mr. Aaronson then presented Off the Hookah photos and advertisements wherein the establishment referred to itself as a restaurant and mentioned its food and menu.

Ms. Flynn asked if Mr. Aaronson had evidence regarding the percentage of sales that represented food versus alcohol. Mr. Aaron said, "We tried to do that your honor, and we were unable to for one reason, because the way the definition of the restaurant is, it includes beverages served for the restaurant. And yet, they have all of their alcohol and

beverages and everything like that is categorized in one category, so therefore, the beverages is going to be more than it should be because based upon the City of Fort Lauderdale definition, Cokes, sodas, coffees, any things like that would fall under the restaurant, but under their tabulation it doesn't; it falls under the beverage part. So we were unable to that, quite honestly. Because just, we couldn't do the breakdown. I will tell your honor, point blank, more than 51% of their sales is alcohol. We're not contending that. We don't think the ratio is 16%, 17% or anything like that; we think it's much closer than that, but I'm not going, I'm not here to lie, I'm not here to make a false record."

Mr. Aaronson remarked that a martini was priced at \$15, so a patron who purchased full-course dinner with two drinks could spend more on alcohol than food. This skewed the percentage of alcohol sales.

Mr. Aaronson stated the establishment opened at 5 PM and closed at 2 AM or 4 AM and a patron could order a full meal during all open hours. He said there was a late night menu they preferred patrons to order from, but a full meal from the regular menu was always available.

Mr. Aaronson displayed photos of food served at the restaurant, while Mr. Ihab Atallah, the owner's son, described the food and the dining experience available in every location of the establishment. Mr. Atallah then described the menu offerings. He stated there was a simpler, late-night menu, but patrons could order from the full menu at all times. Mr. Atallah then showed photos of the kitchen, equipment, food, personnel and pantry items, and Mr. Johnny Clements, executive chef, described them.

Ms. Flynn asked Mr. Clements how many full meals were sold on an average night. Mr. Clements stated he did not "keep an accurate count on what we actually sell" he stated he tracked food and labor costs on the kitchen.

Mr. Aaronson showed a photo of patrons having full course meals, and Ms. Wald asked what time the photo had been taken. Mr. Clements stated, "This is probably 12:30, 1 o'clock in the morning."

Mr. Clements provided a background of his work experience, and said food was served at Off the Hookah until 4 AM. He stated they stopped serving full course meals at 4 A.M. and people could eat anywhere in the establishment. Mr. Clements estimated they served 60 – 100 full course meals per evening. He described the food served. Mr. Clements had recently tended a booth at the Las Olas Wine and Food Festival showcasing some of the food available at Off the Hookah.

Mr. Aaronson stated the establishment's capacity was 334, and showed a floor plan indicating seating was available for 338, which exceeded the required seating.

Mr. Aaronson stated prior to the licenses being pulled, the establishment had licenses for a nightclub and a restaurant from the City of Fort Lauderdale, and a food serving license from the State of Florida; these were the licenses required to be deemed a restaurant. He explained that they were required to devote 75% of the square footage to the restaurant. This included food storage and preparation area and a five-foot perimeter from the food serving area. He said they had made measurements and determined there was no area of the establishment that did not fall into the category of floor space for the restaurant, so they were at 100%.

Officer Spodnick said when he had visited the establishment at 11 PM or later, he had never seen food presentations like those shown by Mr. Aaronson. He reiterated that the definition of a restaurant required that the sale and service of alcoholic beverages be incidental to the sale and service of food and non-alcoholic beverages. Officer Spodnick said this business was not primarily engaged in the sale and service of food; by their own admission, their alcohol accounted for more than 50% of their sales. Officer Spodnick advised that in order to comply, "You can put away all your alcohol, you can let in all your underage patrons and have an underage night...and then when you want to go ahead and start serving alcohol again, you can go ahead and let all the underage people out, open the [inaudible] alcohol and let all the adults back in."

Mr. Aaronson noted that Fort Lauderdale Code did not specify fixed percentages for alcohol and food sales; it used the words "primarily" and "Incidental." He said there was no doubt based upon his presentation that the establishment's main focus was as a restaurant.

Ms. Wald presented a copy of Section 5-36 of the Municipal Code, which was called "Patron Age Restrictions" but noted that it dealt with bona fide restaurants and listed the requirements.

Ms. Flynn said in her view, the establishment did offer food, and she asked Ms. Wald how this fit in with the violation. Ms. Wald stated the establishment had not been charged with violating something; this was similar to a revocation proceeding to determine if the revocation was correct or not. Ms. Wald explained that Section 5-36 allowed underage patrons if this was a bona fide restaurant, but this had certain requirements. The establishment must be engaged primarily in the service of food and non-alcoholic beverages. In addition, Ms. Wald noted that this establishment was in the Special Entertainment District, which provided the ability to stay open until 4 A.M., as long as they provided full kitchen service and met the other requirements. She explained that one exception to this was if an establishment had a State SRX license, but she reminded Ms. Flynn that this establishment had lost that license.

Ms. Flynn stated she would take this under advisement, take the evidence with her and issue her written Order at a later date, within 20 days. Mr. Aaronson wanted to be sure that no additional information would be submitted to Ms. Flynn prior to her issuing her opinion. Ms. Flynn agreed to rule based upon the record.

Case: CE11041380

2700 Davie Blvd
LA SEGUNDA REALTY CORP

Certified mail sent to the registered agent was accepted on 4/20/11 and additional certified mail was accepted on 4/19/11.

Richard Thompson, Building Inspector, testified to the following violation:
FBC 109.16

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH:
THE REQUIRED 40-YEAR BUILDING SAFETY INSPECTION CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

Mr. Donald Rosenthal, managing agent, said the shopping center had been rebuilt and they must have the architect re-certify that structural and electrical were up to code. He requested 30 days.

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

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

Case: CE11011697

1955 S Andrews Avenue
ARDOX CORP

This case was first heard on 2/17/11 to comply by 3/24/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$13,750 fine, which would continue to accrue until the property complied.

Mr. Russell Bratt, owner of the corporation, said he had the inspection report but it had not been signed yet by the engineer. He requested one week to have the report signed and turned in.

Richard Thompson, Building Inspector, said he did not object to the request. Mr. Bratt said the report indicated that repairs were required, and he had thought that the repairs

should be made first. Ms. Wald suggested granting a 28-day extension for the report to be submitted; required repairs could be made later.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE10110931

2605 Northeast 13 Court
GIACCHETTO, BRIAN T H/E MELANCON, THOMAS A

This case was first heard on 3/17/11 to comply by 3/31/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,300 and the City was requesting the full fine be imposed.

Mr. Kenneth Keechl, attorney, explained this case concerned a domestic partnership dissolution in which one partner had placed the rocks on the property and it had required a crane to remove them. He requested the fines be reduced to \$764 for administrative costs.

Ms. Flynn imposed a \$764 fine.

Case: CE10080337

111 Southwest 2 Avenue
111 PROPERTIES INC
C/O CARA EBERT CAMERON P A

This case was first heard on 9/2/10 to comply by 1/20/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$17,700 fine, which would continue to accrue until the property complied.

Ms. Cara Cameron, owner, said a handicapped exit had been built without a permit. She said the exit had been built to engineering standards and she had contracted August Pujols, engineer, to apply for the after-the-fact permit. The inspection was scheduled for the next day.

Ron Tetreault, Fire Inspector, suggested a 28-day extension.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE09071730

Rescheduled from 4/21/11

490 Southeast 21 Street
BEBLUK, WILLIAM & ROGOWSKI, RONALD R

This case was first heard on 9/17/09 to comply by 10/29/09. Violations were as noted in the agenda. The property was complied, and fines had accrued to \$13,450.

Ron Tetreault, Fire Inspector, said there had been some issues regarding service to the owner because the Property Appraiser's records were incorrect.

Mr. Ronald Rogowski, attorney, said he had filed a motion to dismiss because of the service issue. He stated the Code Department had been provided the correct address on two occasions. Mr. Rogowski said the electrician he had hired had passed away before the work was complete and Mr. Rogowski had filed the paperwork and pulled the permit in December 2010. He said he had been unaware that there was a deadline he was exceeding since he had not received the notices. Mr. Rogowski said he had received notice in August 2009.

Mr. McKelligett stated the case had been initiated in July 2009 and the Property Appraiser showed the address: 628 Southeast 5th Avenue, Fort Lauderdale, as the mailing address. The Property Appraiser now had an address of 4 South Gordon Road.

Mr. Rogowski said the City's records would show when he spoke to the Code Officer and requested a correction to his mailing address. He said he had spoken to someone in Code Enforcement twice, and both times he had requested an extension.

Ms. Flynn imposed a \$520 fine.

Case: CE11032388

640 Southwest 28 Way
LANNING, WILLIAM E III

Certified mail sent to the owner was accepted on 4/16/11.

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

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

Officer Bass presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Mr. William Lanning, owner, said he had been out of town due to a family illness and death. He said the pool had been used as a dump by neighbors. Officer Bass said once the pool was cleaned completely, the property would be complied. Mr. Lanning requested 16 days.

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

Case: CE09071472

2157 Northeast 63 Court
DOMINKO, EUGENE J JR

This case was first heard on 10/7/10 to comply by 2/17/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,350 fine, which would continue to accrue until the property complied.

Frank Arrigoni, Building Inspector, said progress was being made and recommended a 28-day extension.

Mr. Eugene Dominko, owner, agreed.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE10062602

1005 Northeast 16 Place
NGUYEN, NGUYEN VAN

Service was via posting on the property on 4/29/11 and at City Hall on 5/5/11.

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

PERMIT 08061845 WAS ISSUED FOR PAVING. THE PERMIT
HAS EXPIRED W/O PASSING ALL REQUIRED INSPECTIONS.

Inspector Arrigoni explained that the contractor had failed to call for inspection and had not responded to Inspector Arrigoni's phone call. He recommended ordering compliance within 28 days or a fine of \$25 per day.

Mr. Nguyen Nguyen, owner, said the contractor's office was closed. Inspector Arrigoni said a contractor was required, but they could request that the Engineering Department allow Mr. Nguyen put the permit in his name to get the inspections done. Otherwise, Mr. Nguyen would need to hire another contractor.

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

Case: CE10080906
660 Northwest 22 Rd
RANDALL, SADIE

Request for extension

This case was first heard on 10/21/10 to comply by 1/20/11. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$2,700.

Todd Hull, Code Enforcement Officer, said the general contractor had met with a building inspector and they determined that structural damage must be addressed by an engineer.

Ms. Elouise Burns, the owner's daughter, said everything but the roof was completed and requested an extension.

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

Case: CE09040008
165 Vermont Avenue
JEAN-BAPTISTE, ANGELINE

This case was first heard on 10/7/10 to comply by 1/6/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,575 and the City was requesting no fine be imposed.

Jorg Hruschka, Building Inspector, said he supported full abatement of the fine.

Ms. Angeline Merrisant, owner, thanked the City.

Ms. Flynn imposed no fine.

Case: CE11040674
3700 North Federal Highway
3700 NORTH FEDERAL ASSOCIATES

Certified mail sent to the owner was accepted on 4/15/11.

Richard Thompson, Building Inspector, testified to the following violation:
FBC 109.16

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY
ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS
FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING
HAS NOT BEEN FULLY COMPLIED WITH:
THE REQUIRED 40-YEAR BUILDING SAFETY INSPECTION
CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR

ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

Inspector Thompson had spoken with the owner's attorney and agreed to recommend ordering compliance within 28 days or a fine of \$250 per day.

Mr. Andrew Daire, attorney, said there was minor stucco work to be done, and he agreed to comply within 28 days.

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

Case: CE11010099

1755 Northeast 58 Street
BERMAN, MARIA

This case was first heard on 3/3/11 to comply by 3/13/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,600 fine, which would continue to accrue until the property complied.

Mary Rich, Code Enforcement Officer, said the property was not complied as of her inspection on 5/17.

Ms. Laura Beason, bank attorney, said the bank did not have title yet, and requested an extension until then. Officer Rich did not object to the request.

Ms. Wald advised that the bank could file a motion with the foreclosure court to allow them to enter the property to comply violations; they did not need to wait for title. Ms. Flynn noted the pool was a health and safety issue and advised Ms. Beason to address this as soon as possible.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE09060712

Request for extension

1225 Northwest 2 Street
TEJADA, THOMAS

This case was first heard on 9/17/09 to comply by 3/18/10. Violations and extensions were as noted in the agenda. The property was not complied.

Mr. Thomas Tejada, owner, presented his permit application documents and explained the application was in the final stages. He requested a 60-day extension.

Andre Cross, Code Enforcement Officer, entered photos of the property into evidence and agreed to the 63-day extension.

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

Case: CE10121376

2701 Northeast 49 Street
BURKETT, JOHN M

This case was first heard on 2/3/11 to comply by 4/7/11. 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. John Burkett, owner, requested a 28-day extension. He stated he had pulled a permit for the smoke detectors.

Ron Tetreault, Fire Inspector, did not object to the request.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

Case: CE11040075

5985 Northwest 31 Avenue
LAKEVIEW PLAZA INC

Certified mail sent to the owner was accepted on 4/8/11 and certified mail sent to the registered agent was accepted on 4/8/11.

Ron Tetreault, Fire Inspector, testified to the following violation:
NFPA 1:13.3.1.1

THE FIRE SPRINKLER SYSTEM IS IN NEED OF SERVICE.

Inspector Tetreault stated he and the respondent had agreed to a 28-day continuance.

Mr. Richard Coker, attorney, thanked the City.

Ms. Flynn continued the case for 28 days.

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

Case: CE10021464

1220 Northwest 6 Court
BOLDEN, ROSA

Request for extension

This case was first heard on 4/29/10 to comply by 6/3/10. 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.

Todd Hull, Code Enforcement Officer, reported permits had been issued and it would take 35 days to do the work.

Mr. Dwight McKinzie, contractor, agreed to comply within 35 days.

Mr. McKelligett recommended a 63-day extension.

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

Case: CE09121290

Request for extension

1227 Northwest 6 Street
BOLDEN, VIRGIL & ROSA

This case was first heard on 1/21/10 to comply by 2/25/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$7,400 fine, which would continue to accrue until the property complied.

Todd Hull, Code Enforcement Officer, said DRC approval was required for the work, and he had recommended boarding the property in the meantime. A board-up certificate was needed. He recommended a 35-day extension.

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

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 12/9/10 and 12/23/10. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$9,300 and the City was requesting the full fine be imposed.

Todd Hull, Code Enforcement Officer, recommending imposing administrative costs of \$893.

Ms. Grace Antonello, manager, agreed to the \$893 fine.

Ms. Flynn imposed an \$893 fine.

Case: CE11042129

1920 Northwest 9 Street
ALEXANDER, JOHNNY L

Certified mail sent to the owner was accepted on 4/26/11.

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

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH:
THE REQUIRED 40-YEAR BUILDING SAFETY INSPECTION CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

Johnny Alexander, owner, stated he had hired an electrician and pulled permits, and the electrician advised it would take six to eight weeks to special order a part. He requested 90 days.

Inspector Stevens entered the Notice of Violation into evidence and agreed to a 91-day extension.

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

Case: CE10091255

823 Southeast 14 Street
MURRAY, JUNE

Ordered to reappear from 2/17/11

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 \$3,250.

Ms. June Murray, owner, said the insurance company was giving her difficulty paying for repairs to her bathroom roof. The new public adjuster she had hired had advised her that it could take 18 months to resolve this. She requested an extension.

Ron Tetreault, Fire Inspector, said the hole in the roof made it inadvisable to do electrical work at this time. Ms. Murray would keep a written log of the battery-operated smoke detector tests she performed. He recommended a 182-day extension.

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

Case: CE09060502

800 S Andrews Avenue
800 ANDREWS AVENUE CORP

This case was first heard on 9/16/10 to comply by 12/2/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$4,125 and the City was requesting the full fine be imposed.

Jorg Hruschka, Building Inspector, said the case dated to June 2009. No progress had been made until he was contacted by an associate of the architect in April 2011, and the architect and owner had come into the City to renew the permit, which had been issued two days prior. Inspector Hruschka said he did not see a compelling reason to support reduction of the fine.

Mr. Vernon Pierce, owner, said they had difficulty finding a contractor to take over someone else's work. He requested reduction of the fines.

Ms. Flynn imposed a \$1,200 fine.

Case: CE11011764

1227 Northeast 4 Avenue
CHURCH OF GOD

This case was first heard on 2/17/11 to comply by 4/21/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,750 fine, which would continue to accrue until the property complied.

Craig Stevens, Chief Electrical Inspector, said the owners had submitted permit applications, and recommended an extension.

Mr. James Brown, church member, requested 30 to 60 days.

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

Case: CE10111457

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

This case was first heard on 2/17/11 to comply by 3/24/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,800 and the City was requesting the full fine be imposed.

Mr. David Cramer, attorney, asked if the fine could be reduced.

Barbara Urow, Code Enforcement Officer, suggested reducing the fine to inspection and hearing costs: \$520.

Ms. Flynn imposed a \$520 fine.

Case: CE11032733

725 Northwest 6 Avenue
LUMA PROPERTIES INC

Certified mail sent to registered agent was accepted on 4/18/11.

Richard Thompson, Building Inspector, testified to the following violation:
FBC 109.16

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH:
THE REQUIRED 40-YEAR BUILDING SAFETY INSPECTION CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

Inspector Thompson stated a report had been submitted in 2007 indicating that repairs were needed but nothing had occurred since then.

Ms. Vivian Tuchman, owner, requested an extension to finalize the work and inspections. She requested 182 days.

Inspector Thompson felt 180 days was unreasonable. Ms. Tuchman said since 2007, they had incurred significant unexpected expenses and there was no cash flow. She stated many issues in the report had already been addressed.

Ms. Wald clarified that this Code section required that the 40-year inspection must be done, and repairs listed in the inspection report must be made in order to comply. In this case, the report had been submitted, but the repairs listed had not been completed.

Ms. Tuchman stated they still needed to rework electrical and she had estimates of \$15,000 to \$24,000. She said this cost was onerous. Ms. Wald said the purpose of this Code section was to protect tenants from potential life safety issues. She suggested a maximum compliance deadline of 91 days.

Inspector Thompson entered a copy of the Notice of Violations into evidence.

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

Case: CE11040082

1536 Northwest 6 Street
SKINNER, KEITH K & SKINNER, VERDELL H

Service was via posting on the property on 4/11/11 and at City Hall on 5/5/11.

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

NFPA 1:50.5.2.1

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

Mr. Keith Skinner, owner, said he had used a KP-type fire suppression system for three years and it was serviced every year.

Inspector Tetreault explained that the existing system must be serviced every six months. He said Mr. Skinner needed a wet system and a class K extinguisher.

Mr. Skinner requested a lengthy extension for time to replace the system.

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

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

Case: CE09111669

1050 Southwest 39 Avenue
BAPTISTE, ORILIEN H/E BAPTISTE, AGNES JOSEPH

This case was first heard on 11/4/10 to comply by 12/2/10. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,575 fine, which would continue to accrue until the property complied.

Ms. Laurie Weinstein, attorney, explained that the home had been destroyed by a fire and the owner, the contractor and the bank, which was holding the insurance proceeds, were still negotiating. She was unsure if the owners could afford the fees to renew the permits, or if this was their intention. Ms. Weinstein requested a 63-day extension.

Ms. Wald suggested a 28-day extension and requested the bank's information to send notice of the next hearing. She advised Ms. Weinstein to bring her client to the next hearing as well.

Ms. Weinstein was given an order to reappear at the next hearing.

Ms. Flynn granted a 28-day extension during which time no fines would accrue.

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

Case: CE10111141

2301 N Atlantic Blvd
BANK OF AMERICA N A
C/O MICULITZKI, YANINA

This case was first heard on 1/20/11 to comply by 2/17/11. Violations and extensions were as noted in the agenda. The property was not complied, fines had accrued to \$1,200 and the City was requesting the full fine be imposed.

Mr. John Russell, the owner's representative, said the former owner, on whom the bank had foreclosed, was still occupying the premises and would not allow bank representatives on the property. An eviction was ongoing, but this would take time.

Ms. Wald advised Mr. Russell that, "That's also a simple motion filed with the court and then you get to take that order, you get to bring that order to the Sheriff and they remove them." Mr. Russell, stated, "I wish it were that simple."

Mr. Russell said the bank had addressed the swale issue for Case CE10111141, but the pool issue for Case CE11021729 would take additional time.

Mario Sotolongo, Code Enforcement Officer, agreed the swale issue had been addressed, but said no one from the bank had contacted him. He believed the bank "had all the tools to remove this person from the property..." Officer Sotolongo said he had treated the pool with mosquito dunks, but this was not a cure.

Ms. Flynn imposed a \$520 fine

Case: CE11021729

Request for extension

2301 N Atlantic Blvd
BANK OF AMERICA N A
C/O MICULITZKI, YANINA

This case was first heard on 4/7/11 to comply by 5/19/11. Violations were as noted in the agenda. The property was not complied and fines would begin to accrue on 5/20/11.

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

Case: CE10111409

5811 Northeast 14 RD
ZAPPIN, DONNA M & LACKNER, EDMUND K

This case was first heard on 12/16/10 to comply by 1/20/11. Violations were as noted in the agenda. The property was complied, and fines had accrued to \$29,600.

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

Ms. Donna Zappin, owner, thanked the City.

Ms. Flynn imposed no fine.

Case: CE10042649

Ordered to reappear from 4/7/11

500 Northeast 13 Street
JULUME, VILAMAR ST LOUIS EXAMENE ETAL

This case was first heard on 11/4/10 to comply by 2/17/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Andre Cross, Code Enforcement Officer, said the owner had installed a grease trap and drain and this had passed inspection. He said the owner had been confused because he had been cited for not having the raised slab. He recommended an extension for the owner to work with the contractor.

Mr. Vilamar Julme, owner, requested an extension and Officer Cross suggested 63 days.

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

Case: CE11032668

1227 Northwest 15 Avenue
DENNIS SHANNON TR
SHANNON, DENNIS TRSTEE

Personal service was made to the owner.

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

18-4(c)

THERE IS A COPPER NISSAN 350X WITH AN EXPIRED FL TAG
889-IBX 12/10 ON IT AND IN VARIOUS STAGES OF DISREPAIR

BEING PARKED/STORED ON THE FRONT LAWN ON THIS PROPERTY.
THIS VEHICLE IN THIS CONDITION POSES A THREAT TO THE
HEALTH, SAFETY, AND WELFARE TO THE COMMUNITY.

Officer Viscusi stated the car was owned by the property owner's daughter. The car had been in an accident and a mechanic had taken money to perform repairs and abandoned the job. He said the vehicle had been moved to the driveway but was blocked in by another vehicle. Officer Viscusi wished an order including the right to tow the vehicle, but admitted this would be problematic because towing the vehicle could damage it further.

Ms. Tia Striggles, the owner's daughter, confirmed what Officer Viscusi had said about the mechanic, and offered a Police report. Ms. Striggles stated she had the license plate for the car and Ms. Flynn advised her to attach it to the car to comply.

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 10 days or the City would have the right to tow the vehicle and a fine of \$100 per day would begin to accrue.

Case: CE10101882

3100 Davie Blvd
DAVIE STATION INC

Certified mail sent to the owner was accepted on 5/2/11 and certified mail sent to the registered agent was accepted on 5/2/11.

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:
10020920 WAS ISSUED FOR DOOR REPLACEMENT
05121320 WAS ISSUED FOR A NEW CANOPY
02061816 WAS ISSUED FOR A POLE SIGN
02061489 WAS ISSUED FOR REPLACEMENT OF CANOPY DECK &
FASCIA

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

Ms. Maureen Diaz, representative, requested 63 days to pull the permits. She said they had not owned the property when the work was done. Inspector Arrigoni noted the biggest problem would be finding a contractor to take over the permits.

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: CE09071766

1470 N Dixie Hwy # 35
1470 DIXIE LLC
C/O M KATZ

This case was first heard on 10/21/10 to comply by 11/25/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$450 and the City was requesting no fine be imposed.

Jorg Hruschka, Building Inspector, recommended no fine be imposed.

Allan Futterman, property manager, thanked the City.

Ms. Flynn imposed no fine.

Case: CE11020991

2770 Southwest 2 Street
SHORTER, ARLESTER JAMES II

Service was via posting on the property on 4/13/11 and at City Hall on 5/5/11.

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

CHAIN LINK FENCE AT THIS MULTI-UNIT PROPERTY IS IN
GENERAL DISREPAIR, NOT ATTACHED PROPERLY TO POST.

Officer Bass presented photos of the property and the case file into evidence, and recommended ordering compliance within 21 days or a fine of \$50 per day.

Mr. Arlester Shorter, owner, said he had recently lost his job. He stated he had been unaware that a permit was needed to repair the fence and said he could not afford the permits now. He requested two to three months. Mr. McKelligett suggested the fence could be removed to comply.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$50 per day would begin to accrue.

Case: CE10120709

709 Southwest 13 Avenue
CITIMORTGAGE INC

Certified mail sent to the owner was accepted on 4/18/11.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
24-26.(2)

THERE IS NO SCHEDULED SOLID WASTE COLLECTION AT THIS OCCUPIED RESIDENTIAL FOUR-UNIT PROPERTY.

24-29(a)

THE LACK OF TRASH COLLECTION SERVICE ON THE PROPERTY HAS LED TO TRASH OVERFLOWING FROM THE TRASH BINS, AND ON THE GROUND SURROUNDING THE AREA, CREATING UNSIGHTLY AND UNSANITARY CONDITIONS.

Officer Gottlieb said the property owner had assured her he would take care of the violations but nothing had been done. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE11030908

1527 Northwest 7 Street
GIBSON, RICHARD T

Service was via posting on the property on 5/3/11 and at City Hall on 5/5/11.

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

THERE ARE BROKEN AND CRACKED WINDOW PANES ON THE BUILDING AT THIS LOCATION. THE WINDOWS ARE NOT WEATHER, WATERTIGHT, OR RODENTPROOF.

9-313(a)

ADDRESS NUMBERS ARE NOT VISIBLE OR DISPLAYED ON THIS PROPERTY.

Officer Hull 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, per violation.

Ms. Flynn 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: CE11031945

1200 North Federal Highway
NORTH MIA INVESTMENTS LLC

Service was via posting on the property on 5/4/11 and at City Hall on 5/5/11.

Wanda Sappington, Code Enforcement Officer, testified to the following violation:
9-306

THERE IS GRAFFITI ON THE WEST SIDE OF THE BUILDING
AT THIS LOCATION.

Officer Sappington 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: CE11031270

1821 Southwest 29 Street
JALAJEL, MARK

Service was via posting on the property on 5/2/11 and at City Hall on 5/5/11.

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

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

Officer Gottlieb 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: CE11031227

1836 Southwest 9 Avenue
ROGOWSKI, RONALD R

Service was via posting on the property on 4/21/11 and at City Hall on 5/5/11.

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

THERE IS OVERGROWTH, RUBBISH, TRASH, AND DEBRIS

SCATTERED ALL AROUND THE PROPERTY AND SWALE AREA INCLUDING, BUT NOT LIMITED TO, YARD WASTE AND UNMAINTAINED BUSHES AND SHRUBS.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE11020275

633 Solar Isle
ROSARIO, ELIZABETH

Service was via posting on the property on 4/28/11 and at City Hall on 5/5/11.

Dick Eaton, Senior Code Enforcement Officer, testified to the following violation:
9-308.

THE TILE ROOF ON THIS PROPERTY IS DIRTY AND STAINED
AND NOT BEING MAINTAINED.

Complied:

47-21.8.A.

Withdrawn:

9-306

Officer Eaton stated the case had begun as the result of a complaint. He 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: CE11021413

2301 Solar Plaza Drive
FARKAS, LEE

Service was via posting on the property on 4/14/11 and at City Hall on 5/5/11.

Dick Eaton, Senior Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THE RECREATION AREA ABOVE THE PARKING GARAGE AT
THIS PROPERTY IS OCCUPIED AND BEING USED AS RENTAL
PROPERTY. THIS IS AN ILLEGAL LAND USE IN THE RS-8
ZONED PROPERTY.

Officer Eaton stated the case was begun as the result of a complaint. 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: CE11031559

2660 Northeast 37 Drive
SONAGLIA, CATHERINE S

Service was via posting on the property on 4/20/11 and at City Hall on 5/5/11.

Ursula Thime, Senior Code Enforcement Officer, testified to the following violation:
18-12(a)

THERE IS RUBBISH, TRASH, AND DEBRIS SCATTERED ABOUT
THE PROPERTY INCLUDING, BUT NOT LIMITED TO, BLACK
BAGS, BROKEN FURNITURE, DISCARDED CLOTHES, ETC.

Officer Thime 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: CE11020404

1121 W Prospect Rd
HUDSON INVESTMENTS & ASSN INC

Service was via posting on the property on 5/2/11 and at City Hall on 5/5/11.

Mary Rich, Code Enforcement Officer, testified to the following violation:
BCZ 39-215.(f)

THE PARKING LOT ON THIS PROPERTY IS NOT BEING MAINTAINED.
ONE OR MORE PARKING SPACES ARE NOT CLEARLY MARKED AND
ONE OR MORE WHEELSTOPS HAVE MISSING/PEELING PAINT.

Officer Rich 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.

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

Case: CE11030152

1302 Northwest 9 Avenue
DEUTSCHE BANK NATL TR CO TRSTEE

Certified mail sent to the owner was accepted on 4/18/11.

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

THE WOOD FENCE ON THIS PROPERTY HAS LOOSE, MISSING
SLATS AND IS IN GENERAL DISREPAIR.

Officer Urow 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: CE11041747

1500 Northwest 8 Avenue
BERRIOS, ROBERTO

Service was via posting on the property on 5/4/11 and at City Hall on 5/5/11.

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

THERE IS OVERGROWTH, TRASH, RUBBISH, AND DEBRIS AT
THIS VACANT DUPLEX. CASE NUMBER CE11040922 WAS
OPENED TO ADDRESS THE VIOLATION.
THIS IS A REPEAT VIOLATION. THE PROPERTY HAS BEEN
CITED FOR THIS VIOLATION 3 TIMES SINCE 8/17/10.
CE11041747 - 4/26/11 CITY ABATED NUISANCE
CE10092014 - 11/22/10 CITY ABATED NUISANCE
CE10070590 - 8/17/10 CITY ABATED NUISANCE
DUE TO THE REPEAT NATURE OF THE VIOLATION, THIS CASE
WILL BE PRESENTED TO SPECIAL MAGISTRATE WHETHER THE
VIOLATION COMPLIES PRIOR TO THE HEARING DATE OR NOT.

Officer Urow reported the property was now complied, and requested a finding of fact that the violations had existed as cited because the property owner had been cited for the public nuisance violation three times in the past nine months. This would allow any future violation to be enforced as a repeat violation with potential daily fines of up to \$1,000.

Ms. Flynn found the violation had existed as cited.

Case: CE11032246

1600 Northwest 2 Avenue
COUNTRYWIDE HOME LOANS INC
C/O FERRELL, ELIZABETH M

Certified mail sent to the owner was accepted on 4/21/11.

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

THERE IS A BROKEN WINDOW AT THIS RESIDENCE INCLUDING,
BUT NOT LIMITED TO, THE WINDOW ON THE SOUTH SIDE.

Officer Urow 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: CE11041564

1624 Northwest 8 Avenue
PESTER, STUART & BROWN, SAMMY

Service was via posting on the property on 5/4/11 and at City Hall on 5/5/11.

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

THERE IS OVERGROWTH, TRASH, AND DEBRIS AT THIS VACANT
DUPLEX. CASE NUMBER CE11041292 WAS OPENED TO ADDRESS
THE VIOLATION.

THIS IS A REPEAT VIOLATION. THE PROPERTY HAS BEEN CITED
PREVIOUSLY FOR THIS VIOLATION.

CE11041292 - 4/26/11 CITY ABATED NUISANCE

CE11011516 - 2/14/11 CITY ABATED NUISANCE

DUE TO THE REPEAT NATURE OF THE VIOLATION, THIS CASE WILL
BE PRESENTED TO SPECIAL MAGISTRATE WHETHER THE VIOLATION
COMPLIES PRIOR TO THE HEARING DATE OR NOT.

Officer Urow reported the property was now complied, and requested a finding of fact that the violations had existed as cited because the property owner had been cited for the public nuisance violation twice in the past five months. This would allow any future violation to be enforced as a repeat violation with potential daily fines of up to \$1,000.

Ms. Flynn found the violation had existed as cited.

Case: CE11030323

1650 Northwest 23 Avenue
J & E INVESTMENTS LLC

Violation:

47-20.20.D.

MOST OF THE PARKING LOT AREA IS BEING USED FOR THE STORAGE OF SHIPPING CONTAINERS AND BOXES FULL OF MERCHANDISE USED IN THE OPERATION OF THE BUSINESS, EXIST SPORTSLINE.

The City had a stipulated agreement with the owner to comply within 42 days or a fine of \$100 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

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

Case: CE11021171

1501 Lauderdale Villa Drive
JOHNSON, RAYFIELD H/E JOHNSON, MARGARET C

Service was via posting on the property on 4/21/11 and at City Hall on 5/5/11.

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

18-4(c)

THERE IS A DERELICT/INOPERABLE VEHICLE BEING PARKED/STORED ON THE DRIVEWAY OF THIS PROPERTY. THE VEHICLE IS A BOAT TRAILER WITH A BOAT ON IT THAT HAS FLAT TIRES, AN EXPIRED FL TAG V45-KWL 09/03 AND IS IN VARIOUS STAGES OF DISREPAIR. THE VEHICLE IN THIS CONDITION IS THREAT TO THE HEALTH, SAFETY, AND WELFARE TO THE COMMUNITY.

Officer Viscusi reported the property was in foreclosure and the owner had removed three of four derelict vehicles from the property. He said there were many personal items that would be difficult to inventory, so he would not seek a right to tow for the boat and trailer. 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: CE11020643

711 Northeast 14 Street
LORING, CHARLES

Certified mail sent to the owner was accepted on 4/30/11.

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

PERMIT 05022701 ISSUED FOR WINDOWS HAS EXPIRED W/O
PASSING THE REQUIRED INSPECTIONS.

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

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

Case: CE11022415

1336 Northwest 7 Terrace
ASTORIA FEDERAL SAVINGS & LOAN
C/O GLADSTONE LAW GROUP P A

Service was via posting on the property on 4/29/11 and at City Hall on 5/5/11.

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

REROOF PERMIT 06060699 HAS EXPIRED W/O PASSING THE
REQUIRED INSPECTIONS.

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

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

Case: CE09082528

1611 Northeast 15 Avenue
STEINER, JOSEPH G

Certified mail sent to the owner was accepted on 4/30/11.

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

PERMIT 07111533 WAS ISSUED FOR INSTALLATION OF A
FENCE.

PERMIT 07111532 WAS ISSUED FOR TREE REMOVAL.
THE PERMITS HAVE EXPIRED W/O PASSING ALL REQUIRED
INSPECTIONS.

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

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

Case: CE10032154

2000 W Commercial Blvd
CITY COLLEGE INC
ATTN: CM FIKE

Certified mail sent to the owner was accepted on 4/30/11.

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

THE FOLLOWING PERMIT HAS EXPIRED AND HAS NOT
PASSED ALL REQUIRED INSPECTIONS:
05090519 ISSUED FOR UNDERGROUND PROPANE TANK

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

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

Case: CE11020369

2030 Northeast 14 Court
KLINE, PATRICIA L

Certified mail sent to the owner was accepted on 5/12/11.

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:
08120972 ISSUED FOR A FENCE
09011003 ISSUED FOR AN ADDITION

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

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

Case: CE11020386

2727 Northeast 33 Street
ANKRUM, KEITH

Certified mail sent to the owner was accepted on 4/30/11.

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

PERMIT 09030769 WAS ISSUED FOR PAVING. THE PERMIT
HAS EXPIRED W/O PASSING ALL REQUIRED INSPECTIONS.

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

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

Case: CE10100303

3330 Northeast 14 Court
PENNY LANE INVESTMENTS LLC

Service was via posting on the property on 4/29/11 and at City Hall on 5/5/11.

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:

06100548 KITCHEN/BATH REPAIRS
06100556 PLUMBING KITCHEN/BATH
06100752 SHUTTER INSTALLATION

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

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

Case: CE11030331

509 Northwest 20 Avenue
RETLEY, J & LELA

Service was via posting on the property on 4/22/11 and at City Hall on 5/5/11.

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

9-280(b)

THERE IS A CRACK IN THE NORTHSIDE WALL CAUSING WATER TO PENETRATE THROUGH AND NOW THE INTERIOR WALLS ARE STAINED AND PEELING.

9-307(a)

THE FRONT DOOR IS NOT SECURED IN A TIGHT-FITTING WATERTIGHT CONDITION, THE FRONT DOOR FRAME SYSTEM IS BUSTED WHERE THE DEAD BOLT LOCK LATCHES TO CAUSING THE FRONT DOOR TO PULL OPEN WITH FORCE WHETHER LOCKED OR NOT.

Complied:

9-280(f)

Officer Cross 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: CE11032124

701 Northeast 13 Street
SAAHIL INVESTMENT

Service was via posting on the property on 5/2/11 and at City Hall on 5/5/11.

Violations:

9-280(g)

THE FLOURESCENT LIGHTS DO NOT HAVE PROPER COVERS. ALSO, THERE ARE FLOURESCENT LIGHTS THAT ARE NOT INSTALLED.

9-306

THERE IS CHIPPED, FADED AND MILDEW STAINED PAINT ON THE BUILDING.

Complied:

9-280(b)

The City had a stipulated agreement with the owner to comply within 28 days or a fine of \$50 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

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

Case: CE11032736

1239 N Flagler Drive
FLAGLER NORTH LLC

Certified mail sent to the owner was accepted on 4/14/11 and certified mail sent to the registered agent was accepted on 4/14/11.

Richard Thompson, Building Inspector, testified to the following violation:

FBC 109.16

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH:
THE REQUIRED 40-YEAR BUILDING SAFETY INSPECTION CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

Inspector Thompson submitted a copy of the Notice of Violations into evidence and recommended ordering compliance within 28 days or a fine of \$250 per day.

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

Case: CE11041319

2511 Southwest 2 Avenue
CROISSANT PARK MANAGEMENT GROUP

Service was via posting on the property on 4/18/11 and at City Hall on 5/5/11.

Richard Thompson, Building Inspector, testified to the following violation:

FBC 109.16

PURSUANT TO FLORIDA BUILDING CODE AND THE POLICY ESTABLISHED BY THE BROWARD BOARD OF RULES AND APPEALS FOR THE BUILDING SAFETY INSPECTION PROGRAM, THE FOLLOWING HAS NOT BEEN FULLY COMPLIED WITH:

THE REQUIRED 40-YEAR BUILDING SAFETY INSPECTION CERTIFICATION PREPARED BY A PROFESSIONAL ENGINEER OR ARCHITECT REGISTERED IN THE STATE OF FLORIDA HAS NOT BEEN FURNISHED TO THE BUILDING OFFICIAL WITHIN 90 DAYS OF THE INITIAL NOTICE, OR THE REPORT INDICATED REQUIRED MODIFICATIONS OR REPAIRS.

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

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

Case: CE11040719

374 Southwest 14 Avenue
TRANQUILO INVESTMENT SA

Service was via posting on the property on 5/3/11 and at City Hall on 5/5/11.

Ron Tetreault, Fire Inspector, testified to the following violation:
NFPA 1:10.11.7

A(AN) HIBACHI, GAS-FIRED GRILL, CHARCOAL GRILL, OR OTHER SIMILAR DEVICE(S) USED FOR COOKING, HEATING, OR ANY OTHER PURPOSE, IS(ARE) BEING USED OR KINDLED ON A BALCONY OR UNDER AN OVERHANGING PORTION OR WITHIN 10 FT (3M) OF A STRUCTURE.

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

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

Case: CE11040088

519 N Birch Rd
SUNSCAPE GROUP LLC

Certified mail sent to the owner was accepted on 4/11/11 and certified mail sent to the registered agent was accepted on 4/11/11.

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

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

NFPA 1:11.1.2

THERE IS A COVER MISSING ON AN ELECTRICAL BOX CAUSING

ELECTRICAL WIRING TO BE EXPOSED.

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

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

Case: CE11040080

1106 Northwest 7 Street
CLAVIJO, MIGUEL

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

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

NFPA 1:13.6.1.2

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

NFPA 101:31.3.4.5.1

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

NFPA 1:11.1.2

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

NFPA 1:1.7.6.2

THE ELECTRICAL METER ROOM IS BEING USED FOR STORAGE.

Inspector Tetreault recommended ordering compliance with NFPA 1:13.6.1.2, NFPA 1:11.1.2 and NFPA 1:1.7.6.2 within 28 days or a fine of \$150 per day, per violation and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 1:13.6.1.2, NFPA 1:11.1.2 and NFPA 1:1.7.6.2 within 28 days or a fine of \$150 per day, per violation and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day would begin to accrue.

Case: CE11040652

1212 Southwest 12 Street
RIO NUEVO DOCKS INC
C/O LOUIS REY

Certified mail sent to the owner was accepted on 4/30/11.

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 TO.

Inspector Tetreault recommended ordering compliance within 182 days or a fine of \$250 per day.

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: CE11040788

2845 Northeast 51 Street
LATZ, GORDON W

Service was via posting on the property on 5/2/11 and at City Hall on 5/5/11.

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

F-32 BROWARD CO AMENDMENT

APPROVED SIGNS ARE NOT PROVIDED AT EACH MANUAL FIRE ALARM BOX STATING LOCAL ALARM ONLY - IN CASE OF FIRE CALL 911.

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

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

Case: CE11040670

5661 Northeast 18 Avenue
LA FONTANA APARTMENTS INC

Certified mail sent to the owner was accepted on 5/4/11 and certified mail sent to the registered agent was accepted on 5/4/11.

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

NFPA 101:7.2.1.8.1

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

NFPA 1:10.4.4

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

F-32 BROWARD CO AMENDMENT

APPROVED SIGNS ARE NOT PROVIDED AT EACH MANUAL FIRE ALARM BOX STATING LOCAL ALARM ONLY - IN CSASE OF FIRE CALL 911.

Complied:

NFPA 101:7.10.5.2.1

NFPA 1:1.7.6.2

NFPA 1:12.5

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

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

Case: CE11011745

842 Southwest 13 Street
RICHARDS, EVELYN

This case was first heard on 3/17/11 to comply by 3/31/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,800 fine, which would continue to accrue until the property complied.

Case: CE10120815

2020 S Miami Rd
MIAMI ROAD PARTNERS LLC

This case was first heard on 3/17/11 to comply by 3/27/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,600 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,600 fine, which would continue to accrue until the property complied.

Case: CE10022035

4300 North Ocean Boulevard # 14M
SOUFRINE, MICHELE J & ALEX M

This was a request to vacate the Final Orders dated 8/19/10 and 1/20/11.

Ms. Flynn vacated the Final Orders dated 8/19/10 and 1/20/11.

Case: CE11010869

521 Long Island Avenue
CREAMER, JAMES F EST

This case was first heard on 3/17/11 to comply by 3/31/11. 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: CE11012024

3761 Southwest 1 Street
DEUTSCHE BANK NATL TR CO TRSTEE
C/O MOSKOWITZ M S SIMOWITZ P A

This case was first heard on 3/3/11 to comply by 4/7/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$5,200 fine, which would continue to accrue until the property complied.

Case: CE09050343

2617 Northeast 27 Way
LEEDS, STEVEN A

This case was first heard on 3/3/11 to comply by 4/7/11. 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: CE10092137

1913 Northeast 21 Street
ELVEMBER, MATS

This case was first heard on 3/3/11 to comply by 4/7/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$500 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$500 fine.

Case: CE11011389

3001 Bayview Drive
SHERMAN, STEVEN T

This case was first heard on 3/17/11 to comply by 3/31/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,800 fine, which would continue to accrue until the property complied.

Case: CE11012315

1821 Southwest 23 Terrace
GLOBAL DIRECT MANAGEMENT LLC

This case was first heard on 3/17/11 to comply by 3/27/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$5,200 fine, which would continue to accrue until the property complied.

Case: CE10120328

3301 Northeast 17 Street
GRUBER, RICHARD C & BARBARA J

This case was first heard on 1/20/11 to comply by 1/30/11. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$4,500 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE10100443

1545 Northwest 15 Terrace
CABRERA, ANTONIO

This case was first heard on 1/20/11 to comply by 3/3/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$450 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$450 fine.

Case: CE09121157

1106 Northwest 10 Terrace
AMTRUST BANK

This was a request to vacate the Final Orders dated 3/4/10 and 5/20/10.

Ms. Flynn vacated the Final Orders dated 3/4/10 and 5/20/10.

Case: CE11020276

544 Northeast 17 Avenue
HSBC BANK USA NA TRSTEE

This case was first heard on 3/17/11 to comply by 3/27/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$5,000 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$5,000 fine.

Case: CE11010791

636 Northeast 1 Avenue
LAMBRIX, BRICE J

This case was first heard on 3/17/11 to comply by 3/31/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,150 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$1,150 fine.

Case: CE11010098

743 Northeast 17 Way
CASSAGNOL, CYNTHIA

This was a request to vacate the Final Order dated 3/3/11.

Ms. Flynn vacated the Final Order dated 3/3/11.

Case: CE10110279

795 Northwest 13 Street
LAKE SHORE ASSETS LLC

This case was first heard on 3/17/11 to comply by 3/31/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,400 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,400 fine, which would continue to accrue until the property complied.

Case: CE10090864

1322 Northwest 8 Avenue # B
SAINT FORT, MARIE

This case was first heard on 3/17/11 to comply by 3/31/11. 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: CE09080029

1437 Northwest 4 Avenue
FISHER, LARRY A JR

This case was first heard on 10/7/10 to comply by 11/25/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,350 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,350 fine, which would continue to accrue until the property complied.

Case: CE11010463

1412 Northeast 57 Court
FRUHWIRT, JOHANNES

This was a request to vacate the Final Order dated 3/3/11.

Ms. Flynn vacated the Final Order dated 3/3/11.

Case: CE11010466

1412 Northeast 57 Court
FRUHWIRT, JOHANNES

This was a request to vacate the Final Order dated 3/3/11.

Ms. Flynn vacated the Final Order dated 3/3/11.

Case: CE11011796

1413 Northeast 56 Court
YANCEY, H B & ELIZABETH G

This case was first heard on 3/17/11 to comply by 3/27/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$5,200 fine, which would continue to accrue until the property complied.

Case: CE11010677

5201 Northeast 24 Terrace # A212
LOONEY, HAROLD E III

This case was first heard on 3/3/11 to comply by 3/13/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,600 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$6,600 fine, which would continue to accrue until the property complied.

Case: CE11011850

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

This case was first heard on 2/17/11 to comply by 3/17/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$24,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$24,800 fine, which would continue to accrue until the property complied.

Case: CE10100016

808 Southeast 13 Street
ROSSI, VANESSA

This case was first heard on 11/4/10 to comply by 12/2/10. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$12,000 and the City was requesting a \$520 fine be imposed for administrative costs.

Ms. Flynn imposed a \$520 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:

CE11031251	CE11040710	CE11021641	CE11030481
CE11030900	CE11021645	CE11031850	CE11031479
CE11030405	CE11031799	CE11031562	CE11032009
CE11032873	CE11030274	CE11030275	CE10100488
CE11031088	CE11031090	CE11033250	CE11032832
CE11030147	CE11020642	CE09031873	CE11032217
CE11020946	CE11030541	CE11032094	CE11031477
CE11033131	CE11032028	CE11030800	CE11032182
CE11032186	CE11040186	CE11040878	CE11040733
CE11040773	CE11040879	CE11040927	CE11040965
CE11040966	CE11040376	CE11041303	CE11040717
CE11040072	CE11040090	CE11040086	CE11040787
CE11040079	CE11040703	CE11040702	CE11040081
CE11040680	CE11040681	CE11040714	CE11040078
CE11040664	CE11040682	CE11040073	CE11040705
CT11032562	CE09031996		

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:

CE11031363	CE11022492	CE11030264	CE11041918
CE11040889	CE11040967	CE10081665	CE11040712
CT11022563			

Cases Closed

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

CE11040713

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:

CE11040358

There being no further business, the hearing was adjourned at **1:33 PM**.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services