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**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
H. MARK PURDY PRESIDING
AUGUST 18, 2011
9:00 A.M. –10:21 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Sue Manning, Secretary, Special Magistrate
Brian McKelligett, Clerk of Special Magistrate - Supervisor
Erin Peck, Clerk III
Cheryl Pingitore, Code Enforcement Supervisor
Ginger Wald, Assistant City Attorney
John Heller, Chief Structural Inspector
Frank Arrigoni, Building Inspector
Stephanie Bass, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Alejandro Del Rio, Code Enforcement Officer
Adam Feldman, Senior Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
Todd Hull, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Mario Sotolongo, Code Enforcement Officer
Ursula Thime, Senior Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer

Respondents and Witnesses

CE11071030: Enid Robinson, owner
CE11030712: Richard Whitecloud, complainant
CE11032733: Gina Tuchman, owner; Isaac Tuchman, owner
CE11052330: G. Vann Padgett, owner
CE11072059: Elias Mitrani, owner
CE09100254: Cedric Merone, owner's son; Otelia Merone, owner
CE11072160; CE11011764: James Brown, deacon
CE11061755: Leon White, owner
CE11011754: Tanie Vigo, new owner's representative
CE11030323: Courtney Crush, attorney
CE11040358: Steven Wernick, attorney
CE10071189: Ilan Neuwirth, owner
CE11021777: Tyler Tuchow, owner
CE11062379: Robert Boch, district manager; Kymberlee Smith, attorney
CE11072046: Richard Maynard, contractor
CE11062023: Hugh Hoover, facilities manager

CE11041456: Odeon Riley, owner
CE11050398: Earle Moore, property manager
CE09091067: Robert Worman, attorney
CE09050682: Michael Gonzalez, manager
CE11020725: Paul Cahaly, general manager; James Hanskat, engineer
CE11020099: Harold Osborne, owner
CE11072131: Dennett Matt, owner

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

The meeting was called to order at 9:00 A.M.

Case: CE11052330

804 East Las Olas Boulevard
THE LAS OLAS COMPANY INC

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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

THE FOLLOWING PERMITS HAVE EXPIRED AND MUST BE
RENEWED.
SHUTTER PERMIT 07032191
SIGN PERMIT 05032038

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

Ms. G. Vann Padgett, requested additional time, indicating she may need to find another contractor.

Judge Purdy found in favor of the City and ordered compliance within 49 days or a fine of \$25 per day would begin to accrue.

Case: CE11020725

4060 Galt Ocean Drive
PLAZA BEACH HOTEL CORP
C/O TIDAN CONST INC

Request for extension

This case was first heard on 3/3/11 to comply by 7/21/11. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$6,750.

Mr. James Hanskat, engineer, said they had determined that the railings were not worth fixing, as they had originally planned, and the owner would replace them instead. This project would take longer to accomplish – up to nine months for a full restoration of the property.

John Heller, Chief Structural Inspector, recommended a 9-month extension.

Judge Purdy granted a 9-month extension during which time no fines would accrue.

Case: CE11021777 Request for extension
2009 Northwest 21 Avenue
TUCHOW, TYLER

This case was first heard on 7/21/11 to comply by 8/25/11. Violations were as noted in the agenda. The property was not complied.

Sal Viscusi, Code Enforcement Officer, said the owner had experienced issues with his insurance company and had boarded the property to prevent vandalism. Officer Viscusi recommended a 91-day extension.

Mr. Tyler Tuchow, owner, agreed to the extension.

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

Case: CE11041456
3015 Southwest 2 Court
RILEY, ODEON

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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

THE FOLLOWING PERMITS HAVE EXPIRED.
09061463 WINDOWS
10061862 SHUTTERS

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

Mr. Odeon Riley, owner, requested additional time, stating he was waiting for a new contractor to obtain the permits.

Judge Purdy found in favor of the City and ordered compliance within 49 days or a fine of \$25 per day would begin to accrue.

Case: CE11030323

Request for extension

1650 Northwest 23 Avenue
J & E INVESTMENTS LLC

This case was first heard on 5/19/11 to comply by 6/30/11. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$4,800. Mr. McKelligett said the owner and the Code Enforcement Officer had agreed to a 14-day extension for the Officer to verify compliance.

Ingrid Gottlieb, Senior Code Enforcement Officer, recommended a 14-day extension.

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

Case: CE11032733

Request for extension

725 Northwest 6 Avenue
LUMA PROPERTIES INC

This case was first heard on 5/19/11 to comply by 8/18/11. Violations were as noted in the agenda. The property was not complied.

Ms. Gina Tuchman, owner, requested an extension.

John Heller, Chief Structural Inspector, recommended a 63-day extension.

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

Case: CE11020099

Rescheduled from 7/21/11

4825 Northeast 19 Avenue
OSBORNE, HAROLD J

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

PERMIT 09040967 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.

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

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

Case: CE11072160

1219 Northeast 4 Avenue
FOURTH AVENUE CHURCH OF GOD
REYNOLD, HAYWOOD, BROWN TRSTEES

Certified mail sent to the registered agent was accepted on 8/1/11.

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 REPAIRS OR MODIFICATIONS AS INDICATED IN THE BUILDING SAFETY INSPECTION REPORT(S) WHICH WERE SUBMITTED TO THE CITY HAVE NOT BEEN COMPLETED, AND/OR NEW BUILDING SAFETY INSPECTION REPORT(S) INDICATING THAT NO REPAIRS ARE REQUIRED HAVE NOT BEEN SUBMITTED WITHIN 180 DAYS FROM THE DATE OF THE INITIAL REPORT.

Inspector Stevens said the owner was making repairs.

Mr. James Brown, deacon, requested 14 days.

Inspector Stevens recommended ordering compliance within 14 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day would begin to accrue.

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 and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$13,500 fine, which would continue to accrue until the property complied.

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

Case: CE09100254

1151 Northwest 19 Court
MERONE, CLONY & MERONE, OTELIA

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 and the City was requesting imposition of a \$2,225 fine, which would continue to accrue until the property complied.

Mr. Cedric Merone, the owner's son, said they were waiting for the insurance company.

Frank Arrigoni, Building Inspector, suggested an extension.

Ms. Otelia Merone, owner, informed Ms. Wald that the insurance company had not indicated when the project would be completed. She stated the insurance company had hired the contractor. Mr. Merone requested 28 days.

Judge Purdy granted a 28-day extension during which time no fines would accrue.

Case: CE11072059

913 Northeast 18 Avenue
ARECA PALMS LLC

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

John Heller, Chief Structural 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 REPORTS 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 SENT TO YOU.

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

Mr. Elias Mitrani, owner, agreed to comply within 28 days.

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

Case: CE11040358

Request for extension

1915 Southwest 21 Avenue
FORT LAUDERDALE BOATCLUB LTD

This case was first heard on 6/16/11 to comply by 8/18/11. Violations were as noted in the agenda. The property was not complied.

John Heller, Chief Structural Inspector, said the respondent would request an extension.

Mr. Steven Wernick, attorney, requested a 63-day extension.

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

Case: CE11072131

4833 Northeast 23 Avenue
DEE MATT INC

Certified mail sent to the registered agent was accepted on 7/30/11.

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 REPAIRS OR MODIFICATIONS AS INDICATED IN THE BUILDING SAFETY INSPECTION REPORT(S) WHICH WERE SUBMITTED TO THE CITY HAVE NOT BEEN COMPLETED, AND/OR NEW BUILDING SAFETY INSPECTION REPORT(S) INDICATING THAT NO REPAIRS ARE REQUIRED HAVE NOT BEEN SUBMITTED WITHIN 180 DAYS FROM THE DATE OF THE INITIAL REPORT.

Inspector Stevens recommended ordering compliance within 14 days or a fine of \$250 per day.

Ms. Dennett Matt, owner, agreed to comply within 14 days.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day would begin to accrue.

Case: CE11072046

2491 State Road 84

BILL RICHARDSON TR RICHARDSON, BILL TRSTEE

Certified mail sent to the owner was accepted on 8/1/11.

John Heller, Chief Structural 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 REPORTS 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 SENT TO YOU.

Mr. Heller recommended ordering compliance within 14 days or a fine of \$250 per day.

Mr. Richard Maynard, contractor, explained that the report had been done in 2009 but the owner had not submitted it. The engineer would reinspect and the owner would submit the report to the City.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day would begin to accrue.

Case: CE11061755

1407 Northwest 15 Street

WHITE, LEON & PHILLIPS, PAULINE MAXINE

Service was via posting on the property on 7/27/11 and at City Hall on 8/4/11.

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

18-7(a)

THE VACANT/UNOCCUPIED SINGLE FAMILY RESIDENCE THAT IS ON THE ABANDONED CONSTRUCTION SITE HAS HAD SEVERAL OF ITS WINDOWS, DOORS AND OTHER OPENINGS BOARDED UP WITHOUT FIRST OBTAINING THE REQUIRED BOARD UP CERTIFICATE FROM THE CITY OF FORT LAUDERDALE BUILDING DEPARTMENT AND DOES NOT MEET THE REQUIRED CITY OF FORT LAUDERDALE BOARD UP STANDARD.

Officer 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.

Mr. Leon White, owner, requested 63 days to comply. Officer Viscusi did not object to this request.

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

Case: CE09091067

3648 Southwest 13 Court
HSBC BANK USA TRSTEE

This case was first heard on 8/19/10 to comply by 9/30/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$7,425 fine.

Mr. Robert Worman, attorney, requested that the fines be abated.

Andre Cross, Code Enforcement Officer, requested the full fine be imposed.

Mr. McKelligett remarked that the new owner had done significant work on the property and recommended reducing the fine to \$520.

Judge Purdy imposed a \$520 fine, which would continue to accrue until the property complied.

Case: CE09050682

3750 Galt Ocean Drive
REGENCY TOWERS SOUTH ASSN INC

This case was first heard on 6/16/11 to comply by 7/14/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$850 fine, which would continue to accrue until the property complied.

Mr. Michael Gonzalez, manager, said the permit was on hold while they hired a new contractor. He requested a 28-day extension.

Frank Arrigoni, Building Inspector, agreed to this request.

Judge Purdy granted a 28-day extension during which time no fines would accrue, and abated the fines that had accrued to date.

Case: CE11071030
300 Florida Avenue
ROBINSON, ENID A

Service was via posting on the property on 8/2/11 and at City Hall on 8/4/11.

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

THERE IS AN EXPOSED PIPE IN THE REAR OF THE
PROPERTY WITH WATER FLOWING DIRECTLY ON THE
OUTSIDE FROM THE KITCHEN SINK, CAUSING A POSSIBLE
HEALTH HAZZARD TO NEIGHBORING PROPERTIES. THE
KITCHEN SINK HAS NO FAUCET ATTACHED.

Complied:
9-280(b)

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. Enid Robinson, owner, agreed to comply within 14 days.

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

Case: CE10071189
2000 S Federal Highway
WATERPLAY II INC

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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.
99030203 WAS ISSUED FOR THE REPLACEMENT OF A
OVERHEAD DOOR.
99040080 WAS ISSUED FOR REROOF

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

Mr. Ilan Neuwirth, owner, agreed to comply within 28 days.

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

Case: CE11030712

625 N Ft Lauderdale Beach Blvd
MALLICK, NISHI

Personal service was made to the owner on 7/27/11.

Mario Sotolongo, Code Enforcement Officer, testified to the following violation:
6-51

MULTIPLE ARTIFICIAL LIGHT SOURCES INSTALLED ON THE PROPERTY ARE VISIBLE FROM THE BEACH. INCLUDING, BUT NOT LIMITED TO:
1- ILLUMINATED SIGNS.
2- MAIN ENTRANCE FLUORESCENT LIGHTING.
3- DECORATIVE UP-LIGHTING ALONG THE EAST SIDE OF THE BUILDING.
4- WALL MOUNTED PARKING LOT LIGHT FIXTURES.
5- WALL MOUNTED EXTERIOR LIGHT FIXTURES IN GUEST ROOM BALCONIES.

Officer Sotolongo stated the light fixtures were on back order. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day would begin to accrue.

Case: CE11062379

2314 E Sunrise Blvd
KEYSTONE-FLORIDA PROPERTY HOLD
C/O BURDINES TAX DEPT

Certified mail sent to the owner was accepted on 7/15/11. Service was also via posting at City Hall on 8/4/11.

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

NFPA 1:11.3.1.2

THE FIRE SERVICE FEATURES OF THE ELEVATOR(S) DOES NOT/DO NOT FUNCTION AS DESIGNED.

F-21.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

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

Ms. Kimberlee Smith, attorney, agreed to comply within 182 days.

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

Case: CE11050398

3600 North Federal Highway
FIRST STATES INVESTORS 5200 LLC
C/O AMERICAN FINANCIAL REALTY TR

Service was via posting on the property on 7/27/11 and at City Hall on 8/4/11.

Violations:

9-280(b)

THE CONCRETE SLATTED FENCE ON THIS PROPERTY TOWARDS Northeast 22 AVENUE HAS DETERIORATED AND IS IN DISREPAIR. SOME AREAS OF THE FENCE ARE ON THE GROUND, BROKEN, OR MISSING.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$50 per day.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 91 days or a fine of \$50 per day would begin to accrue.

Case: CE11070734

6991 Northwest 30 Terrace
THE SOUTHEAST BUILDER GROUP LLC

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

Mary Rich, Code Enforcement Officer, testified to the following violation:

18-12(a)

THERE IS GRASS/PLANT/WEED OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON PROPERTY. THIS VIOLATION HAS BEEN CITED PREVIOUSLY UNDER CASE CE11031074 AND HAS RECURRED. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER IT IS FOUND IN COMPLIANCE PRIOR TO THE HEARING OR NOT.

Officer Rich presented photos of the property and the case file into evidence, and requested a finding of fact that the violation had existed as cited.

Judge Purdy found the violation had existed as cited

Case: CE11041170

709 Southeast 11 Court
ARIAS, GLADYS EST

Service was via posting on the property on 8/2/11 and at City Hall on 8/4/11.

Todd Hull, Code Enforcement Officer, testified to the following violation:
9-306

THERE ARE AREAS OF MISSING, DAMAGED OR ROTTED
FASCIA BOARD.

Officer Hull 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.

Judge Purdy found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day would begin to accrue.

Case: CE11052324

521 Southwest 10 Street
COLLINS, RICHARD E

Service was via posting on the property on 8/2/11 and at City Hall on 8/4/11.

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

THIS VACANT PROPERTY HAS BECOME OVERGROWN AND HAS
NOT BEEN MAINTAINED. THIS PROPERTY HAS BEEN
PREVIOUSLY CITED FOR OVERGROWTH PER CASE#S
CE09081228, CE10030535, CE10060882, AND
CE10091112. THIS CASE WILL BE PRESENTED TO THE
SPECIAL MAGISTRATE REGARDLESS OF COMPLIANCE STATUS
TO ADDRESS THE RECURRING NATURE OF THE VIOLATION.

Officer Hull presented photos of the property and the case file into evidence, and requested a finding of fact that the violation had existed as cited.

Judge Purdy found that the violation had existed as cited.

Case: CE11072135

5549 Northwest 9 Avenue
ESTELLE TEMKIN REV TR
TEMKIN, ESTELLE TRSTEE ETAL

Certified mail sent to the owner was accepted on 8/2/11.

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 REPAIRS OR MODIFICATIONS AS INDICATED IN THE BUILDING SAFETY INSPECTION REPORT(S) WHICH WERE SUBMITTED TO THE CITY HAVE NOT BEEN COMPLETED, AND/OR NEW BUILDING SAFETY INSPECTION REPORT(S) INDICATING THAT NO REPAIRS ARE REQUIRED HAVE NOT BEEN SUBMITTED WITHIN 180 DAYS FROM THE DATE OF THE INITIAL REPORT.

Inspector Stevens recommended ordering compliance within 49 days or a fine of \$250 per day.

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

Case: CE11071427

1325 Northeast 7 Avenue
CASALE, DOMINICK & FAZIO, VINCENT

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

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

THE VACANT/UNOCCUPIED PROPERTY HAS BECOME OVERGROWN (INCLUDING THE SWALE) AND HAS NOT BEEN MAINTAINED. THIS IS A RECURRING VIOLATION ON THIS PROPERTY OF CODE CASES CE10091740, CE09121670, AND CE09080696. THIS VIOLATION WAS AGAIN FOUND TO BE PRESENT ON THIS VACANT LOT ON 07-19-11. AS A RESULT A NEW CASE CE11071287 WAS OPENED ON THIS VACANT LOT TO ADDRESS THIS ISSUE THROUGH THE ABATEMENT PROCESS ONLY. THIS CASE WAS ALSO OPENED ON 07-19-11 AND WILL RUN CONJUNCTION WITH CASE CE11071287. THIS CASE WILL BE PRESENTED AT SPECIAL MAGISTRATE WHETHER THE VIOLATION IS BROUGHT INTO COMPLIANCE BY THE PROPERTY OWNER OR ABATED BY THE CITY OF FORT LAUDERDALE PUBLIC SERVICES DIVISION. THIS IS BEING DONE IN ORDER TO OBTAIN A FINDING OF FACT SHOWING THAT THIS VIOLATION WAS PRESENT AND

IS OF A RECURRING NATURE ON THIS PROPERTY.

Officer Cross presented photos of the property and the case file into evidence, and requested a finding of fact that the violation had existed as cited and was recurring.

Judge Purdy found the violation had existed as cited and was recurring.

Case: CE11011754

1615 Northwest 16 Street
DEUTSCHE BANK NATL TR CO TRSTEE

This case was first heard on 6/2/11 to comply by 7/7/11. 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. McKelligett recommended a 14-day extension.

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

Case: CE11062300

1812 Northeast 11 Avenue
BANKUNITED

Certified mail sent to the owner was accepted on 7/20/11. Service was also via posting at City Hall on 8/4/11.

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

9-280(g)

THE SECURITY LIGHTS ARE IN DISREPAIR WHERE AS THE BULBS ARE MISSING INCLUDING BUT, NOT LIMITED TO THE CHRISTMAS LIGHTS ARE STILL UP.

9-313(a)

THE ADDRESS NUMBERS ARE MISSING AND ARE NOT VISIBLE FROM THE STREET.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$100 per day, per violation.

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

Case: CE11062302

1808 Northeast 11 Avenue
DORANTES INC

Service was via posting on the property on 7/28/11 and at City Hall on 8/4/11.

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

9-280(g)

THE SECURITY LIGHTS ARE IN DISREPAIR WHERE AS THE BULBS ARE MISSING INCLUDING BUT, NOT LIMITED TO THE CHRISTMAS LIGHTS ARE STILL UP.

9-313(a)

THE ADDRESS NUMBERS ARE MISSING AND ARE NOT VISIBLE FROM THE STREET.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$100 per day, per violation.

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

Case: CE11051055

1300 Northeast 4 Avenue
CIRCLE K STORES INC
C/O PROPERTY TAX DEPT

Certified mail sent to the owner was accepted on 7/21/11. Service was also via posting at City Hall on 8/4/11.

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

47-21.8.A.

THE LANDSCAPED AREA'S ARE NOT KEPT IN A NEAT AND WELL-KEPT APPEARANCE AT ALL TIMES INCLUDING BUT, NOT LIMITED TO DEAD AND MISSING GROUND COVERS AND AREAS WHERE THERE SHOULD BE MULCH OR GROUND COVER IT'S BARE.

9-306

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

Officer Cross 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, per violation.

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

Case: CE11070635

800 Southeast 4 Street
CHATEAU MAR CONDO ASSN INC

Certified mail sent to the vice president was accepted on 8/1/11.

John Heller, Chief Structural 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:
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Mr. Heller recommended ordering compliance within 56 days or a fine of \$250 per day.

Judge Purdy found in favor of the City and ordered compliance within 56 days or a fine of \$250 per day would begin to accrue.

Case: CE11072056

309 Southeast 18 Street
NORTH BROWARD HOSPITAL DISTRICT

Certified mail sent to the registered agent was accepted on 8/1/11.

John Heller, Chief Structural 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 REPORTS 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 SENT TO YOU.

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

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

Case: CE09101580

1841 Northeast 53 Street
DEUTSCHE BANK NATL TR CO

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

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

PERMIT 08080672 WAS ISSUED FOR REPLACEMENT OF KITCHEN CABINETS. THE PERMIT HAS EXPIRED WITHOUT PASSING ALL REQUIRED INSPECTIONS.

Inspector Arrigoni recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE11042260

5280 Northeast 19 Avenue
MILLER, ROBERT

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

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

PERMIT 10061855 ISSUED FOR PAVING HAS EXPIRED.

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

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

Case: CE11042335

1142 Alabama Avenue
LOCKHART, BARRY & MARYANN

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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

ADDITION PERMIT 05122734 HAS EXPIRED.

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

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

Case: CE11042364

4750 Northwest 15 Avenue
FIRST INDUSTRIAL L P

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

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

THE FOLLOWING PERMITS HAVE EXPIRED.

PAVING 02091468 (RENEWED)

ALTERATION 02091471 (RENEWED)

MECHANICAL 03050768 (RENEWED)

ALTERATION 09042188

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

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

Case: CE11042367

743 Northeast 17 Court
LAVENDER, JOEL LAVENDER, ILEANA

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

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

THE FOLLOWING PERMITS HAVE EXPIRED.

01100175 ROOF (RENEWED)
03041881 PAVING
04070990 ELECTRICAL (VOID)
09050394 ADDITION (RENEWED)

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

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

Case: CE11042381

100 Bay Colony Ln
LEVIN, GEORGE G & GAYLA SUE

Service was via posting on the property on 8/1/11 and at City Hall on 8/4/11.

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

THE FOLLOWING PERMITS HAVE EXPIRED.
PLUMBING GAS 96070462
ALTERATION 09092004

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

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

Case: CE11051888

2052 Southwest 28 Avenue
DAVE AND SAM LLC II

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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

PERMIT 07100680 ISSUED FOR A NEW RESIDENCE HAS
EXPIRED.

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

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

Case: CE11052005

361 Carolina Avenue
ISBELL, DAVID
& BOEGLI, CYNTHIA

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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

WINDOW PERMIT 07111800 HAS EXPIRED

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

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

Case: CE11060743

736 Northwest 19 Terrace
ARNOLD, JAMES W GORDON, CLINT

Service was via posting on the property on 7/29/11 and at City Hall on 8/4/11.

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

ROOF PERMIT 10081024 HAS EXPIRED AND MUST BE
RENEWED

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

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

Case: CE11062008

1799 Southeast 17 Street
ART INSTITUTE INVESTMENT LLC

Certified mail sent to the owner was accepted on 7/13/11 and certified mail sent to the registered agent was accepted on 7/13/11.

Ron Tetreault, Fire Inspector, testified to the following violation:
F-21.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY
BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

Complied:
NFPA 1:13.3.1.1
NFPA 1:11.1.5

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

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

Case: CE11062013

3019 Harbor Drive
FLORIBBEAN PROPERTIES INC

Certified mail sent to the owner was accepted on 7/13/11. Service was also via posting at City Hall on 8/4/11.

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 91 days or a fine of \$150 per day.

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

Case: CE11062026

716 Southeast 18 Street
POSCH, ANDREW L JR

Service was via posting on the property on 7/15/11 and at City Hall on 8/4/11.

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

NFPA 101:31.3.4.5.1

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

COMPLIED:

NFPA 1:13.6.6.8.3.1 4

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$250 per day.

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

Case: CE11062364

2760 Davie Blvd
LA SEGUNDA REALTY CORP

Certified mail sent to the owner was accepted on 7/13/11. Service was also via posting at City Hall on 8/4/11.

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

NFPA 96 10.1.1

FIRE SUPPRESSION SYSTEM IN THE HOOD IS NOT PROVIDED.

NFPA 1:50.5.4.1

UPON INSPECTION, THE EXHAUST SYSTEM HAS BEEN FOUND TO BE CONTAMINATED WITH DEPOSITS FROM GREASE-LADEN VAPORS.

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

Judge Purdy 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: CE11062373

215 Southwest 27 Avenue
HORN LAND TR #1 HORN, GEORGE TRSTEE

Certified mail sent to the owner was accepted on 7/14/11. Service was also via posting at City Hall on 8/4/11.

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

NFPA 101:13.2.2.2.3

PANIC OR FIRE HARDWARE NOT PROVIDED AS PER CODE.

NFPA 1:14.4.1

THE PATH OF EGRESS IS OBSTRUCTED / BLOCKED.

NFPA 101:12.7.9.3.1

MAXIMUM CAPACITY SIGN IS NOT PROVIDED.

NFPA 1:11.1.5

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

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

Judge Purdy 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: CE11062378

2675 Southwest 6 Court
RODRIGUEZ, MANUEL & SELVA CALVO

Certified mail sent to the owner was accepted on 7/13/11. Service was also via posting at City Hall on 8/4/11.

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

FL Admin Code 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.

Complied:

MO Sec. 9-313.

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

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

Case: CE03091384

1839 Southwest 4 Avenue
PIERRE, BRUNEI

This was a request to vacate the Order dated 4/15/04.

Judge Purdy vacated the Order dated 4/15/04.

Case: CE09050286

841 Northeast 16 Terrace
GRANT, DONOVAN

This was a request to vacate the Orders dated 4/21/11 and 6/16/11.

Judge Purdy vacated the Orders dated 4/21/11 and 6/16/11.

Case: CE10120530

700 Southeast 14 Court
BOTELL, MARIO

This case was first heard on 6/16/11 to comply by 7/14/11. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$850 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$850 fine, which would continue to accrue until the property complied.

Case: CE11011791

1470 Northwest 20 Street
MIDFIRST BANK

This case was first heard on 6/2/11 to comply by 7/7/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,225 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$9,225 fine, which would continue to accrue until the property complied.

Case: CE11032410

1515 Northwest 11 Place
FRAZIER, CLYDE EST

This case was first heard on 6/2/11 to comply by 7/7/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,100 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$4,100 fine, which would continue to accrue until the property complied.

Cases Complied

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:

CE11061994	CE11051461	CE11061764	CE11062136
CE11060291	CE11042507	CE11042641	CE11040728
CE11060907	CE11060707	CE11070043	CE11062530
CE11062304	CE11050297	CE11062196	CE11070031
CE11060268	CE11061195	CE11061373	CE11061612
CE11061619	CE11051897	CE11072048	CE11072049

CE11072052	CE11072055	CE11042257	CE11052142
CE11062009	CE11062014	CE11062015	CE11062016
CE11062017	CE11062019	CE11062021	CE11062022
CE11062023	CE11062030	CE11062034	CE11062354
CE11062357	CE11062361	CE11062362	CE11062372
CE11062386			

Cases Withdrawn

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:

CE11040740	CE11071029	CE11072053	CE11072061
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Cases Rescheduled

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:

CE11040243	CE11060967	CE11051691	CE11060234
CE11060274	CE11071024	CE11070634	CE11072047
CE11062003			

Cases Closed

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:

There being no further business, the hearing was adjourned at **10:21 AM**.



SPECIAL MAGISTRATE

ATTEST:



Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services