

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
FORT LAUDERDALE CITY HALL
MARK PURDY PRESIDING
SEPTEMBER 20, 2012
9:00 A.M. – 10:57 A.M.**

Staff Present:

Jeri Pryor, Clerk of Special Magistrate Supervisor
Dee Paris, Administrative Aide
Mary Allman, Secretary, Special Magistrate
Lori Grossfeld, Clerk III
Erin Saey, Clerk III
John Gossman, Code Enforcement Supervisor
Ginger Wald, Assistant City Attorney
Wanda Acquavella, Code Enforcement Officer
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
Todd Hull, Code Enforcement Officer
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Gerry Smilen, Building Inspector
Ron Tetreault, Fire Inspector
Salvatore Viscusi, Code Enforcement Officer
Aretha Wimberly, Code Enforcement Officer

Respondents and Witnesses

CE11121004: Mary Anne Kerr, owner
CE12041447: Adi Cohen, owner
CE12032331: Mark Cheeley, owner
CE12080100: Ashley Armbrister, tenant
CE11121188: Lidia Robertson, agent
CE12081570: Wilnar Wilson, owner
CE11101991: Christine Clautier, condo board president
CE12022073: CE12052334: Claire Clark, company representative; Goran Dragoslavic,
company owner
CE12040647: Dennis Swaby, owner's husband
CE12041745: Claire Clark, company representative; Michael cocking, owner
CE12081473: John Handley Jr., owner
CE12052256: Joseph Batalini, owner
CE12071807: Scott Shapiro, owner's attorney

CE12020460: Humberto Roque, manager
CE12080071: Humberto Garcia, property manager
CE08110825: William Conway Jr., 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: CE12022073

1032 Northwest 1 Avenue
DRAGOSLAVIC GORAN

This case was first heard on 4/19/12 to comply by 6/21/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$10,250 and the City was requesting no fine be imposed.

Goran Dragoslavic, company owner, thanked the City for the fine reduction.

Ms. Flynn imposed no fine.

Case: CE12041745

1300 Northwest 9 Avenue
COCKING, MICHAEL G

This case was first heard on 7/19/12 to comply by 8/2/12 and 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$13,700 fine, which would continue to accrue until the property complied.

Michael Cocking, owner, stated the fence had been repaired but noted that the trees were located in the swale and not on his property. He stated the notices had been sent to a property he no longer owned.

Ingrid Gottlieb, Senior Code Enforcement Officer, said one tree was definitely on Mr. Cocking's property and the one in the swale was also his responsibility. Officer Gottlieb remarked that the fence had not been repaired, but it could be removed to comply. Any repair or replacement required a permit. Mr. Cocking agreed to pull a permit for the fence. Ms. Flynn tried to impress upon Mr. Cocking that the trees were his responsibility, whether they were in the swale or not.

Ms. Wald noted that it had already been determined that the violations existed.

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

Case: CE12080100

318 W Dixie Court
HOUSING AUTHORITY OF
THE CITY OF FORT LAUDERDALE

Service was via posting on the property on 8/30/12 and at City Hall on 9/6/12.

Andre Cross, Code Enforcement Officer, testified to the following violation:
9-276(c)(3)

APARTMENT UNIT 202 IS INFESTED WITH ROACHES AND IS
IN NEED OF EXTERMINATING.

Officer Cross presented the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ashley Armbrister, tenant, confirmed that there were roaches and bed bugs in the apartment.

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

Case: CE12052334

1711 Southwest 4 Avenue
LUMAX USA LLC

Certified mail sent to the owner was accepted on 8/24/12. Service was also via posting at City Hall on 9/6/12.

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

THE HOT WATER SUPPLIED TO THIS OCCUPIED PROPERTY
IS INCONSISTENT. EVERY SINK, BASIN, BATHTUB, AND
SHOWER SHALL BE SUPPLIED WITH HOT AND COLD WATER.

9-279(g)

THE AIR CONDITIONING UNIT IN THIS OCCUPIED RENTAL
PROPERTY IS DISREPAIR. EVERY SUPPLIED FACILITY AND
PIECE OF EQUIPMENT SHALL BE MAINTAINED IN A SAFE,
SANITARY, AND PROPERLY OPERATING CONDITION.

9-280(b)

THERE ARE HOLES IN THE INTERIOR WALLS AND SHOWER
SHALL OF THIS RENTAL PROPERTY.

9-280(f)

PLUMBING NOT MAINTAINED IN A GOOD, SANITARY
WORKING CONDITION. PIPING IN BATHROOM LEAKING
WATER ONTO FLOOR.

9-280(g)

ELECTRICAL ACCESSORIES NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION. SEVERAL FACEPLATES ARE EITHER BROKEN OR MISSING FROM OUTLETS. THERE ARE EXPOSED ELECTRICAL ACCESSORIES AND WIRES. THIS MAY PRESENT A DANGER TO THE COMMUNITY.

Officer Campbell 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, per violation.

Goran Dragoslavic, company owner, said the violations had been addressed immediately and he had begun eviction proceedings against the tenant, who had stopped paying rent. The eviction case was not progressing because the judge was on vacation. He said the tenant had been denying access to the inspector to reinspect the property and as soon as the tenant left the inspector could visit the property.

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

Case: CE12081570

633 Northwest 11 Avenue
WILSON, JEROME

Service was via posting on the property on 8/29/12 and at City Hall on 9/6/12.

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

NFPA 1:13.6.2

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 101:31.3.4.5.1.

Inspector Tetreault recommended ordering compliance with NFPA 1:13.6.2 within 28 days or a fine of \$150 per day and with NFPA 101:31.3.4.5.1 within 28 days or a fine of \$250 per day.

Wilnar Wilson, owner, said the property had been in and out of foreclosure since 2008. Earlier in the month, he had gone to court and a sale date of November 6 had been set. Mr. Wilson presented documentation regarding the sale date. He stated there were regular smoke alarms in the property.

Inspector Tetreault remarked on the urgency of the life safety issue presented by the lack of smoke detectors. He noted that the case had been going on for two years. Mr.

Wilson thought it would cost \$600 per unit for the smoke alarms, but Inspector Tetreault said he knew of companies that charged only \$100 - \$150 per unit.

Ms. Flynn found in favor of the City and ordered compliance with NFPA 1:13.6.2 within 28 days or a fine of \$150 per day and with NFPA 101:31.3.4.5.1 within 42 days or a fine of \$250 per day would begin to accrue.

Case: CE12040647

1224 Northwest 11 Place
SWABY, ENID

Certified mail sent to the owner was accepted on 8/24/12.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

THE FOLLOWING ALTERATION PERMITS ARE EXPIRED
11051594 BUILDING
11051595 ELECTRICAL
11051596 PLUMBING
11051597 MECHANICAL

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

Dennis Swaby, the owner's husband, said they had purchased the house on April 15 and knew nothing about the permits. The title company had told him they were only responsible to research liens. Ms. Wald said the title company should have checked for permits as well, and advised Mr. Swaby to contact his real estate attorney. He should also confer with Inspector Oliva regarding the permits.

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: CE12080071

4730 Northwest 10 Avenue
FUSION RE I LLC

Service was via posting on the property on 8/15/12 and at City Hall on 9/6/12.

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

THERE IS LAWN OVERGROWTH PRESENT ON THIS PROPERTY, AND
THE PROPERTY INCLUDING THE CARPORT AREA ARE LITTERED WITH
TRASH/RUBBISH/DEBRIS.

Officer Viscusi 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.

Humberto Garcia, property manager, agreed to comply within 48 hours.

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: CE12071807

2765 Northwest 19 Street
JOH, HAUN-JA

Certified mail sent to the owner was accepted on 8/30/12.

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

9-280(h)(1)

THERE IS A 4FT CHAIN LINK FENCE THAT SURROUNDS THE
VACANT LOT ON THIS PROPERTY THAT IS DAMAGED AND IN
DISREPAIR.

Officer Viscusi said the owner was in the process of making the repairs. 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.

Scott Shapiro, the owner's attorney, said the property had been acquired as payment for a judgment a few months ago and the owner had put approximately \$15,000 into the property to comply the violations. He agreed to comply within 35 days.

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: CE11101991

1001 Southeast 16 Street
HARBORDALE CONDO ASSN INC

This case was first heard on 5/17/12 to comply by 6/14/12. Violations were as noted in the agenda. The property was complied, fines had accrued to \$350 and the City was requesting no fine be imposed.

Gerry Smilen, Building Inspector, reported the violations were complied and recommended no fines be imposed.

Christine Clautier, condo board president, thanked the City for the fine abatement.

Ms. Flynn imposed no fine.

Case: CE12052256

1600 Southwest 17 Avenue
BATALINI, JOSEPH JAMES

This case was first heard on 8/2/12 to comply by 8/12/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$3,800 and the City was recommending a 63-day extension.

Joseph Batalini, owner, explained that he had gone through bankruptcy in 2009 and the State had taken possession of the house. The bank had apparently never taken possession of the house from the State and it reverted back to him without his knowledge. Mr. Batalini said he would borrow the money to have the water turned on and clean the pool.

Ms. Wald said because there were questions regarding the bankruptcy, she recommended an extension to research the issue.

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

Case: CE11121004

201 Southwest 11 Court
KERR, MARY ANNE & KERR, LOIS

This case was first heard on 4/19/12 to comply by 5/24/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,900 fine, which would continue to accrue until the property complied.

Todd Hull, Code Enforcement Officer, said permits had been issued in April, but the contractor had walked off the job due to non-payment.

Mary Anne Kerr, owner, said the contractor had walked off the job and removed the windows. She said her sister was paying the contractor but she could not get in touch with her in Panama. Ms. Kerr stated she could not afford to have the work done herself.

Ms. Wald advised Ms. Kerr that she could properly board the windows or replace what was damaged.

Inspector Hull recommended a 42-day extension.

Ms. Flynn granted a 42-day extension during which time no fines would accrue.

Case: CE08110825

5900 Northwest 9 Avenue
CONWAY, WILLIAM C & ELEANOR A

This case was first heard on 4/2/09 to comply by 10/1/09. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,800 fine, which would continue to accrue until the property complied.

Sal Viscusi, Code Enforcement Officer, said progress was being made at the property. He recommended a 35-day extension.

William Conway Jr., owner, agreed to the extension. He stated this was a criminal act by a contractor and Tri-Rail.

Ms. Flynn granted a 35-day extension during which time no fines would accrue.

Case: CE12081473

1600 Northeast 56 Street
PROMISE FOUNDATION

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

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

MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

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

John Handley Jr., owner, said he had been unable to schedule an inspection. Ms. Flynn advised him to comply the violations first.

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: CE12032331

315 Southwest 7 Street
GEORGE, WILLIAM

This case was first heard on 5/17/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$8,500 fine, which would continue to accrue until the property complied.

Ron Tetreault, Fire Inspector, stated the owner had health issues which was delaying the work. He recommended granting a 119-day extension and making it retroactive to 8/16/12 to remove the accrued fines.

Mark Cheeley, owner, agreed to the recommendation.

Ms. Flynn granted a 119-day extension during which time no fines would accrue, and made the extension retroactive to 8/16/12, removing the accrued fines.

Later in the meeting, Ms. Flynn clarified that she had abated the accrued fines.

Case: CE12020460

3220 Bayview Drive # 102
WELLS FARGO BANK
% BPI/BANK OF AMERICA

This case was first heard on 3/1/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,100 fine, which would continue to accrue until the property complied.

Humberto Roque, manager, said the violation on unit 102 had been addressed by installing a new door. He stated the five units that had not complied should be cited individually, not the association.

Ron Tetreault, Fire Inspector, requested a 28-day extension to reinspect the property, and making the extension retroactive to 8/16/12 to remove the accrued fines.

Ms. Flynn granted a 28-day extension during which time no fines would accrue and made the extension retroactive to 8/16/12, removing the accrued fines.

Later in the meeting, Ms. Flynn clarified that she had abated the accrued fines.

Case: CE11121188

Ordered to reappear

545 E Campus Cir
SOUTHEASTERN CONFERENCE ASSN
OF SEVENTH DAY ADVENTISTS INC

This case was first heard on 2/2/12 to comply by 5/17/12 and 8/2/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$68,400 fine, which would continue to accrue until the property complied.

Lidia Robertson, agent, said the contractor had pulled the electrical permit and the City had informed her that she needed to submit another set of plans for the concrete restoration. She described work that still needed to be done.

Ron Tetreault, Fire Inspector, recommended imposing the fines to encourage the church to get the work done.

Ms. Wald pointed out that Ms. Robertson had actually been hired to comply with the 40-year inspection requirement, not these violations.

Ms. Flynn imposed the \$68,400 fine, which would continue to accrue until the property complied.

Case: CE12041447

206 Northeast 13 Street
COHEN, ADI

This case was first heard on 7/19/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$8,500 fine, which would continue to accrue until the property complied.

Adi Cohen, owner, said many of the violations were complied and he was working on the rest. He said he had been advised by an inspector that some items did not require a permit. Mr. Cohen requested 35 days.

Ingrid Gottlieb, Senior Code Enforcement Officer, explained that a large chunk of flooring had been replaced with plywood and a building inspector had informed Mr. Cohen, based on his photos, that a permit was not needed. When Inspector Gottlieb showed the same building inspector her photos of the floor, he indicated that a permit was needed. She wanted to be sure Mr. Cohen knew exactly what must be done to comply. Mr. Cohen argued again that an inspector had told him the floor did not need a permit. He said he intended to lay an entire new plywood subfloor in the apartment.

Ms. Wald explained what must be done to complete compliance, and remarked that it would be determined by the Building Department whether a permit was needed for the floor.

Ms. Flynn granted a 35-day extension during which time no fines would accrue.

Case: CE12060734

1104 Northeast 13 Street
BORGES, WAGNO

Certified mail sent to the owner was accepted on 8/24/12.

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

THE TOILETS DO NOT FLUSH PROPERLY, THE SINK AND
SHOWERS DO NOT DRAIN PROPERLY. THERE IS A SMELL
CONSISTENT WITH RAW SEWAGE IN THE BATHROOM.

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

Case: CE12052475

1109 Northeast 15 Avenue
MCKENNA, EUGENE R & COOKE, JOHN F

Certified mail sent to the owner was accepted on 8/27/12.

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

THE POOL IN THE REAR YARD ON THIS VACANT AND
ABANDONED SINGLE FAMILY RESIDENCE DWELLING IS
FILLED WITH GREEN/STAGNANT WATER. IN ITS CURRENT
CONDITION, THE POOL ON THIS PROPERTY IS UNSIGHTLY,
UNSANITARY, AND IS A POTENTIAL BREEDING GROUND FOR
MOSQUITOES. IT ALSO POSES A THREAT TO THE HEALTH,
SAFETY, AND WELFARE TO THE SURROUNDING PROPERTIES
AND TO THE COMMUNITY AS A WHOLE.

Officer Acquavella 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: CE12080044

412 Southeast 22 Street
VENTER, TAMMY

Service was via posting on the property on 8/30/12 and at City Hall on 9/6/12.

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

NUISANCE - IN SPITE OF MULTIPLE VIOLATION NOTICES
AND NUMEROUS CONVERSATIONS WITH THE PROPERTY
MANAGERS, AN ACCUMULATION OF OVERGROWN GRASS AND
WEEDS IS CONSTANT.

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

Case: CE12051352

1701 Northeast 59 Court
GLAZER, DOUGLAS C & MARIA

Certified mail sent to the owner was accepted on 8/27/12. Service was also via posting at City Hall on 9/6/12.

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

THE SOFFIT IN FRONT PORCH AREA APPEARS TO BE IN
DISREPAIR AND SUPPORTED BY WOODEN 2X4 BEAMS. ROOF
PAINT IS PEELING AND MILDEW IN AREAS.

Officer Rich presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$25 per day.

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

Case: CE12071411

1701 Northeast 59 Court
GLAZER, DOUGLAS C & MARIA

Certified mail sent to the owner was accepted on 8/27/12. Service was also via posting at City Hall on 9/6/12.

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

18-11(a)

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

Officer Rich 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: CE12081158

2530 Southwest 5 Street
WILSON, CARNAL

Service was via posting on the property on 9/5/12 and at City Hall on 9/6/12.

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

18-12(a)

THERE IS AN ACCUMULATION OF OVERGROWN
GRASS ON THE EXTERIOR OF THIS OCCUPIED
PROPERTY. THIS IS A REPEAT VIOLATION
PROPERTY CITED ON 5/14/10 CE10051145, 8/20/10
CE10081469, 9/30/10 CE11092212 SCHEDULED FOR
11/18/10 SM HEARING, 9/16/11 CE11091209, 11/30/11
CE11111891 SCHEDULED FOR 7/19/12 SM HEARING AND
5/22/12 CE12051647.

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. She requested a finding of fact so the next time the violation recurred, fines could begin immediately.

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: CE12041682

902 Mandarin Isle
TREBBI, RONALD G & KATHY M

Certified mail sent to the owner was accepted on 8/24/12.

Mark Campbell, Code Enforcement Officer, testified to the following violations:

9-280(b)

CEILING NOT MAINTAINED IN A SAFE AND SECURE
CONDITION. THERE ARE AREAS OF CEILING THAT ARE
WATER DAMAGED AND IN DANGER OF FALLING DOWN.

9-308.

ROOF NOT MAINTAINED IN A SAFE, SECURE, AND
WATERTIGHT CONDITION.

Officer Campbell said the owner was replacing the entire roof. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$50 per day, per violation.

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

Case: CE12051914

1103 Southwest 15 Terrace
GALO, FABIO

Service was via posting on the property on 8/30/12 and at City Hall on 9/6/12.

Mark Campbell, Code Enforcement Officer, testified to the following violations:

9-280(b)

CEILING NOT MAINTAINED IN A SAFE AND SECURE
CONDITION. THERE ARE AREAS OF CEILING THAT ARE
WATER DAMAGED AND IN DANGER OF FALLING DOWN. THE
FASCIA BOARDS ARE DAMAGED AND FALLING DOWN.

9-280(g)

ELECTRICAL ACCESSORIES NOT MAINTAINED IN A GOOD,
SAFE WORKING CONDITION. CEILING FAN HAS WATER
DAMAGE FROM LEAKING ROOF. THIS MAY PRESENT A
DANGER TO THE COMMUNITY.

9-308.

ROOF NOT MAINTAINED IN A SAFE, SECURE, AND
WATERTIGHT CONDITION. THERE ARE TATTERED REMNANTS
OF A BLUE TARP AND STRIPS OF WOOD ON THE ROOF.

Officer Campbell said the owner was complying the violations. He 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: CE12051443

Stipulated agreement

3080 Northwest 17 Court
MARTIN, THERESA

Violation:

47-21.8.A.

THERE IS MISSING GROUND COVER ON THE PROPERTY OF THIS SINGLE FAMILY HOME. MOST OF THE PROPERTY IS EITHER DIRT OR MULCH.

Complied:

18-4(c)

47-34.1.A.1.

The City had a stipulated agreement with the owner to comply within 63 days or a fine of \$25 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 63 days or a fine of \$25 per day would begin to accrue.

Case: CE12070634

1301 Northeast 7 Avenue
ALABASTER REAL ESTATE HOLDINGS LLC

Certified mail sent to the owner was accepted on 8/26/12.

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

47-20.20.H.

THE ASPHALT PARKING AREA HAS POTHOLES AND HAS NOT BEEN MAINTAINED IN A SMOOTH, WELL-GRADED CONDITION.

Officer Cross 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: CE12070668

1710 Northwest 6 Street
ZAKZOOK INC

Service was via posting on the property on 8/30/12 and at City Hall on 9/6/12.

Andre Cross, Code Enforcement Officer, testified to the following violation:
9-306

THERE ARE AREAS OF 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 \$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: CE12021789

1621 Northwest 28 Avenue
US BANK NATIONAL ASSN TRUSTEE

Certified mail sent to the owner was accepted on 8/27/12.

George Oliva, Building Inspector, testified to the following violation:
FBC(2007) 105.10.3.1

PERMIT 04032513 IS EXPIRED. NO CERTIFICATE OF
OCCUPANCY. C.O. HAS BEEN ISSUED AND IS REQUIRED TO
THIS PERMIT CLOSE.

Withdrawn:
FBC(2007) 109.10

Inspector Oliva 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: CE12041452

2200 Northwest 7 Court
WILLIAMS, JIMMIE L EST

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.11.2.1

WINDOW/DOOR REPLACEMENT PERMIT 11090190 IS EXPIRED

Inspector Oliva 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: CE12041244

2511 Northwest 27 Avenue
TUNNAGE, LEROY L

Certified mail sent to the owner was accepted on 8/27/12.

George Oliva, Building Inspector, testified to the following violation:

FBC(2010) 105.11.2.1

REROOF PERMIT 11081533 IS EXPIRED, AND IT FAILED
BOTH OF THE REQUIRED INSPECTIONS.

Withdrawn:

FBC(2010) 110.9

Inspector Oliva 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: CE12041439

1030 Northwest 7 Avenue
HERTZ, BRAD

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

George Oliva, Building Inspector, testified to the following violation:

FBC(2010) 105.11.2.1

ELECTRICAL SERVICE PERMIT 11090147 IS EXPIRED

Withdrawn:

FBC(2010) 110.9

Inspector Oliva 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: CE12080700

1816 Northeast 11 Avenue
FLEISHMAN, DOUGLAS

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

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

NFPA 1:19.1.2

COMBUSTIBLE WASTE MATERIAL HAS ACCUMULATED IN A MANNER
THAT CREATES A FIRE HAZARD TO LIFE OR PROPERTY.

NFPA 1:13.6.2

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

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: CE12080705

1400 Northeast 10 Avenue
BADER, STEVEN

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

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

NFPA 1:13.6.9.3.1.1.1

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

NFPA 1:11.1.10

THERE IS/ARE MISSING ELECTRICAL COVER(S).

Complied:

FL Admin Code 69A-60.0081

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: CE12080706

1410 Northeast 10 Avenue
BADER, STEVEN

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

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

NFPA 1:13.6.9.3.1.1.1

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

NFPA 1:11.1.1.10

THERE IS/ARE MISSING ELECTRICAL COVER(S).

Complied:

FL Admin Code 69A-60.0081

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: CE12080710

829 Northeast 17 Avenue
LORENZ REV TR
LORENZ, HARRY ROGERS TRUSTEE ET AL

Service was via posting on the property on 8/29/12 and at City Hall on 9/6/12.

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 101:31.3.4.5.1.

Complied:

MO Sec. 9-313.

Inspector Tetreault 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: CE12081545

3115 Southwest 2 Avenue
SLOMAN, HOWARD S JR

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

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

F-103.2.5

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

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: CE12081552

2158 Northwest 6 Court
CHURCH OF NEW LIFE
CHRISTIAN FELLOWSHIP INC

Service was via posting on the property on 8/31/12 and at City Hall on 9/6/12.

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

F-103.2.5

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

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: CE12081556

725 Northwest 4 Avenue
WORD, TONY JR

Service was via posting on the property on 8/29/12 and at City Hall on 9/6/12.

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

NFPA 1:13.6.2

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

NFPA 1:1.7.6.2

THE ELECTRICAL METER ROOM IS BEING USED FOR STORAGE.

NFPA 1:11.1.10

THERE IS/ARE MISSING ELECTRICAL COVER(S).

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: CE12021302

1207 Northwest 16 Court
INGRAM, LETITIA B

This case was first heard on 5/17/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,400 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,400 fine, which would continue to accrue until the property complied.

Case: CE12032064

2381 Southwest 34 Way
CHINDA, RAUL

This case was first heard on 8/2/12 to comply by 8/16/12. 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.

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

Case: CE12060799

2630 Riverland Drive
ST LOUIS, WILGER & PATRICIA B

This case was first heard on 8/2/12 to comply by 8/12/12. 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.

Ms. Flynn imposed the \$1,900 fine, which would continue to accrue until the property complied.

Case: CE12061268

601 Southwest 22 Terrace
BERMUDEZ, JOHN & BERMUDEZ, ROSA

This case was first heard on 8/2/12 to comply by 8/12/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,800 fine, which would continue to accrue until the property complied.

Case: CE12041676

2025 Northwest 24 Avenue
WILSON, TOMMIE L JR & SADE NIKERA

This case was first heard on 6/21/12 to comply by 8/2/12. 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: CE12050742

3151 Northwest 66 Street
GANGEMI, JANE C EST

This case was first heard on 8/2/12 to comply by 8/12/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,800 fine, which would continue to accrue until the property complied.

Case: CE12041999

1506 Davie Blvd
AMERICAN ONE INC

This case was first heard on 8/2/12 to comply by 8/12/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,800 fine, which would continue to accrue until the property complied.

Case: CE12040208

1624 Northwest 12 Court
VICTORES, NORMA

This case was first heard on 7/19/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,550 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,550 fine, which would continue to accrue until the property complied.

Case: CE12060514

2200 Southeast 4 Avenue
COLONEY, SCOTT D

This case was first heard on 8/2/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of the \$3,200 fine.

Ms. Flynn imposed the \$3,200 fine.

Case: CE12041952

1923 S Federal Highway # A
TED KOSTER LLC

This case was first heard on 8/2/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,700 fine, which would continue to accrue until the property complied.

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

Case: CE11121072

333 Las Olas Way # 910
ROBISKIE, TERRY H/E ROBISKIE, CYNTHIA

This case was first heard on 2/2/12 to comply by 8/2/12. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,600 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE11121082

Request for extension

333 Las Olas Way # 2409
ITSKOVICH, DAVID & KARINA L

This case was first heard on 2/2/12 to comply by 8/2/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$7,200 fine and the City was recommending a 91-day extension.

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

Case: CE12051951

Request for extension

409 Northwest 16 Avenue
BOLDEN, VIRGIL LEE & BOLDEN, ROSA MAE

This case was first heard on 7/19/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$8,500 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$8,500 fine, which would continue to accrue until the property complied.

Case: CE12052288

2004 Northeast 19 Street
JP MORGAN CHASE BANK NA ASSN

This case was first heard on 7/19/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$5,100 fine, which would continue to accrue until the property complied.

Case: CE12060887

1433 Southwest 33 Court
BELTRAN, ELSA

This case was first heard on 7/19/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$18,700 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$18,700 fine, which would continue to accrue until the property complied.

Case: CE12031436

1304 Northeast 2 Avenue
BUTLER, MICHAEL T

This case was first heard on 7/19/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,225 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,225 fine, which would continue to accrue until the property complied.

Case: CE12051456

1500 Northwest 8 Avenue
BERRIOS, ROBERTO

This case was first heard on 8/2/12 to comply by 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,700 fine, which would continue to accrue until the property complied.

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

Case: CE12022198

1645 Northwest 6 Avenue
HSBC BANK USA NA TRUSTEE

This case was first heard on 7/19/12 to comply by 7/29/12 and 8/16/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,300 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,300 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:

CE12061167	CE12031898	CE12080043	CE12071674
CE12070555	CE12021900	CE12080577	CE12071347
CE12071719	CE11010769	CE12080454	CE12070459
CE12071677	CE12080519	CE12080574	CE12021383
CE12040498	CE12080707	CE12080697	CE12080712
CE12080708	CE12080709	CE12081476	CE12081481
CE12081510	CE12081482	CE12081485	CE12081511

CE12081512	CE12081513	CE12081546	CE12081547
CE12081551	CE12081548	CE12081549	CE12081550
CE12081553	CE12081555	CE12081569	

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:

CE12081554 CE12051942

Cases Rescheduled

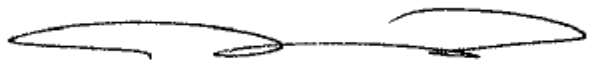
The below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE12071342 CE12040202

There being no further business, the hearing was adjourned at **10:57 AM**.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services