

**SPECIAL MAGISTRATE HEARING
CITY COMMISSION MEETING ROOM
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
MARCH 7, 2013
9:00 A.M. – 10:51 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
John Gossman, Code Enforcement Supervisor
Lori Grossfeld, Clerk III
Peggy Burks, Clerk III
Erin Saey, Clerk III
Bridget Patterson, Administrative Aide
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
Dick Eaton, Senior Code Enforcement Officer
Adam Feldman, Senior Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
Jorg Hruschka, Building Inspector
Karl Lauridsen, Landscape Inspector
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Maria Roque, Code Enforcement Officer
Gerry Smilen, Building Inspector
Ron Tetreault, Fire Inspector
Ursula Thime, Senior Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Aretha Wimberly, Code Enforcement Officer

Respondents and Witnesses

CE12021398: Paul Hammer, general partner
CE12121716: Justin singer, contractor
CE11090291: Andrew Chiwara, property manager
CE12031737: Douglas Stooshinoff, owner
CE13011397: Annette Simpson, owner
CE11070128: Scott Kramer, owner
CE12110112: Olivia Charlton, owner
CE12110326: Andre Andrews, owner's brother in law
CE12100693: Sarah Turner, owner's daughter

CE12050646: Lolita Files, owner
CE13011160: Claire Clark, office representative; Goran Dragoslavic, owner
CE12041363: George Toledano, owner
CE12041367: Joel Joseph, owner's representative
CE12051053: Ruth Stacy, owner
CE12041380: John Hill, owner
CE12041381: Milnet Metayer, owner
CE13011893: Edwin Melo, director
CE12101719: Moshe Levy, owner
CE13011948: Earle Moore, 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: CE12051053

1829 Southwest 23 Street
STACY, RUTH M & SPAINHOWER, JOAN

This case was first heard on 7/23/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$10,000 and the City was requesting a 182-day extension.

Heather Steyn, said the property was a candidate for the FEMA program and recommended a 168-day extension.

Ruth Stacy, owner, agreed to the extension.

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

Case: CE13011160

1800 W Broward Blvd
MAX LLC

Certified mail sent to the owner was accepted on 2/14/13.

Aretha Wimberly, Code Enforcement Officer, testified to the following violations:
47-19.9.

THERE IS A LARGE AMOUNT OF OLD TELEPHONE BOOTHS
AND MISC. RUBBISH BEING STORED OUTSIDE IN THE REAR
/ SOUTH SIDE OF THIS BUSINESS WITHOUT PROPER
SCREENING AND IS PARTIALLY ON UNPAVED SURFACES.

18-12(a)

RUBBISH, TRASH, AND DEBRIS IS BEING STORED OUTSIDE
ON THIS COMMERCIAL PROPERTY INCLUDING BUT NOT
LIMITED TO OLD TELEPHONE BOOTHS AND MISCELLANEOUS
COMMERCIAL EQUIPMENT THAT IS NO LONGER IN USE.

Officer Wimberly said the property was for office use only and did not have the proper screening or drainage for outside storage.

Goran Dragoslavic, owner, said he was unaware he could not store the payphones here. He said he also used the property to dispose of items from his real estate properties. Ms. Flynn reiterated that this property was not zoned for outdoor storage and Mr. Dragoslavic said he would apply for a variance or for a zoning change.

Officer Wimberly presented photos of the property and the case file into evidence, and recommended ordering compliance with 18-12(a) within 10 days or a fine of \$25 per day.

Ms. Wald said Mr. Dragoslavic must determine what would be possible at the property and whether he needed a variance regarding the outdoor storage.

Ms. Flynn found in favor of the City and ordered compliance with 18-12(a) within 10 days or a fine of \$25 per day and with 47-19.9. within 35 days or a fine of \$25 per day would begin to accrue.

Case: CE12031737

1108 Northwest 5 Avenue
G D INVESTMENTS LLC

This case was first heard on 9/6/12 to comply by 11/8/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$6,150 and the City was requesting the full fine be imposed.

Douglas Stooshinoff, owner, said the violations were complied and requested reduction of the fines.

Ingrid Gottlieb, Senior Code Enforcement Officer, recommended the fines be reduced to \$520 for administrative costs.

Ms. Flynn imposed a \$520 fine.

Case: CE12050646
1613 Northwest 15 Court
FILES, LILLIE B EST

Request for extension

This case was first heard on 8/16/12 to comply by 2/21/13. Violations were as noted in the agenda. The property not was complied and fines had accrued to \$325.

Wilson Quintero, Code Enforcement Officer, said he had been in contact with the owner.

Lolita Files, owner, requested six months to save the money to complete work. Officer Quintero did not object to the request.

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

Case: CE12041363
1801 Davie Blvd
JFK ACADEMY CO OF FORT LAUDERDALE CITY INC.

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$10,000 and the City was requesting a 90-day extension.

Heather Steyn, recommended a 105-day extension.

George Toledano, owner, said the day care facility was struggling financially and they were selling the property.

Ms. Flynn granted a 105-day extension during which time no fines would accrue.

Case: CE12110326
1427 Northwest 6 Street
MIZELL, T & MIZELL, Z & MIZELL, I & MIZELL, D

Service was via posting on the property on 2/1/13 and at City Hall on 2/21/13.

Aretha Wimberly, Code Enforcement Officer, testified to the following violations:

9-278(g)

WINDOW SCREENS ARE IN DISREPAIR AND/OR MISSING ON SEVERAL WINDOWS.

9-280(b)

WINDOWS ARE IN DISREPAIR: BROKEN OR MISSING WINDOW PANES ON SEVERAL WINDOWS.

9-306

EXTERIOR WALLS ARE DIRTY AND STAINED.

Officer Wimberly said the owner lived out of state.

Andre Andrews, the owner's brother-in-law, reported the windows were on order and produced a receipt. He requested more than 30 days.

Officer Wimberly 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, per violation.

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

Case: CE11070128

1134 Northwest 9 Terrace
KRAMER, SCOTT

This case was first heard on 9/1/11 to comply by 10/16/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$10,275 and the City was requesting the full fine be imposed.

Wilson Quintero, Code Enforcement Officer, confirmed the property was complied.

Scott Kramer, owner, said the property had taken the property through foreclosure and ownership had been a "grey area" for some time. He had taken the property back, and complied the violations. Officer Quintero stated the administrative costs were \$1,132.

Ms. Flynn imposed a \$1,132 fine.

Case: CE13011893

2610 Marina Bay Drive E
FALLS AT MARINA BAY LP

Certified mail sent to the owner was accepted on 2/15/13.

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

F-111.1.3

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.

Edwin Melo, director, agreed to comply within 182 days.

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: CE12041381

1906 Southwest 8 Street
METAYER, MILNET

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Heather Steyn, recommended imposition of the fines.

Milnet Metayer, owner, reported the property was in foreclosure and he was trying to work with the bank on a short sale. He said the property was vacant and had been vandalized.

Ms. Steyn recommended a 105-day extension.

Ms. Flynn granted a 105-day extension during which time no fines would accrue.

Case: CE12021398

524 North Federal Highway
AMERICAN HERITAGE ACQUISITIONS & RESTORATIONS

Service was via posting on the property on 2/1/13 and at City Hall on 2/21/13.

Jorg Hruschka, Building Inspector, testified to the following violation:

FBC(2010) 110.15

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 Hruschka said the owner was working to comply the violation. He recommended ordering compliance within 63 days or a fine of \$25 per day.

Paul Hammer, general partner, felt 63 days would be long enough.

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: CE12100693

1531 Northwest 15 Avenue
TURNER, MARY EST

Service was via posting on the property on 2/13/13 and at City Hall on 2/21/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violations:

9-280(b)

THERE ARE BUILDING COMPONENTS ON THIS PROPERTY THAT ARE IN DISREPAIR OR NOT BEING MAINTAINED DUE TO A RECENT FIRE. THEY INCLUDE, BUT ARE NOT LIMITED TO WINDOWS, FASCIA BOARDS, SOFFITS, CEILINGS, ETC.

9-280(g)

THERE ARE ELECTRICAL WIRES AND ACCESSORIES NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION DUE TO A RECENT FIRE ON THE DWELLING.

9-306

EXTERIOR WALLS AND OTHER SURFACES ARE UNATTRACTIVE, DIRTY AND STAINED FROM A RECENT FIRE.

Officer Quintero said the owner was experiencing financial difficulties. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 105 days or a fine of \$10 per day, per violation.

Sarah Turner, the owner's daughter, agreed to the 105 days.

Ms. Flynn found in favor of the City and ordered compliance within 105 days or a fine of \$10 per day, per violation would begin to accrue.

Case: CE12110112

1308 Northwest 8 Avenue
CHARLTON, OLIVIA

Personal service was made to the owner on 2/1/13. Service was also via posting at City Hall on 2/21/13.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
9-280(b)

THERE ARE WINDOWS IN DISREPAIR. THEY DO NOT CLOSE SECURELY, AND THERE IS ROTTING AND MISSING WOOD FRAMING SURROUNDING THE GLASS. THERE IS TERMITE EATEN AND ROTTED WOOD ON THE SOFFIT AND FASCIA.

9-280(g)

THE CLOTHES DRYER IS NOT WORKING. THERE IS EXPOSED WIRING ON THE CEILING, A MISSING PLATE COVER, AND A LIGHT FIXTURE THAT HAS BEEN INSTALLED IN AN AC VENT.

9-308(a)

THERE IS EVIDENCE OF A ROOF LEAK, AND PART OF THE MANSARD ROOF IS DETERIORATING, HAS ROTTED WOOD, AND IS OPEN AND EXPOSED TO THE ELEMENTS.

Complied:

9-280(h)(1)

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days.

Oliva Charlton, owner, said the unit was vacant and she had already completed some work. She requested 90 days to finish the work. Ms. Charlton stated she anticipated funding to pay for the repairs and reiterated her request for 90 days.

Ms. Wald pointed out the safety issue posed by the electrical violation and suggested that violation should be complied very quickly; the other two violations could be given 91 days. She also asked Ms. Flynn to specify that the unit must remain vacant until the violations were complied.

Ms. Flynn found in favor of the City and ordered compliance with 9-280(g) within 14 days or a fine of \$50 per day and with 9-280(b) and 9-308(a) within 91 days or a fine of \$50 per day, per violation would begin to accrue and the property must remain vacant until the violations were complied.

Case: CE11090291

1033 Northwest 10 Place
CHIWARA, GRACE

Service was via posting on the property on 2/13/13 and at City Hall on 2/21/13.

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

THERE ARE TWO BUILDING PERMITS THAT WERE ISSUED
AND LEFT TO EXPIRED AS:
PERMIT# 12020940 FOR A WOOD FENCE.
PERMIT# 12020937 FOR KITCHEN REMODEL.

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

Andrew Chiwara, property manager, said people were constantly driving into the fence and the architect was revising the plan. Inspector Oliva said the work already done would need to be removed and the permit voided. Mr. Chiwara agreed to close out the fence permit and requested additional time for the architect to re-draw the plans for the kitchen.

Ms. Wald suggested 42 days.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$25 per day would begin to accrue.

Case: CE12041380

1905 Southwest 11 Street
HILL, JOHN

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Heather Steyn, recommended imposition of the fines.

John Hill, owner, said he had experienced financial problems but he anticipated some money would come in within 30-60 days which would allow him to get the work done. Ms. Steyn recommended a 105-day extension.

Ms. Flynn granted a 105-day extension during which time no fines would accrue.

Case: CE13011397

1119 Northwest 18 Court
SIMPSON, ANNETTE

Certified mail sent to the owner was accepted on 2/2/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violations:
18-4(c)

THERE ARE DERELICT AND INOPERABLE VEHICLES PARK/STORE ON THIS PROPERTY INCLUDING BUT NOT LIMITED TO A GMC YUKON WITHOUT TAG AND A DISMANTLED MERCEDES, NO TAG, NO TIRES, NO MOTOR. THE CITY OF FORT LAUDERDALE CONSIDERS THIS TO BE A THREAT TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY.

THIS IS A REPEAT VIOLATION AS THE PROPERTY WAS CITED VIA RED TAGS, TOWS, AND MULTIPLE CASES FOR THE SAME VIOLATION, SAME OWNER, SAME LOCATION. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE AS A REPEAT VIOLATION WHETHER OR NOT IT COMES INTO COMPLIANCE BEFORE THE HEARING.

47-34.1.A.1.

THIS RESIDENTIAL PROPERTY, ZONED RD-15, IS BEING USED FOR THE PURPOSE OF OUTDOOR STORAGE INCLUDING, BUT NOT LIMITED TO, STORAGE OF METAL CAR PARTS, DISMANTLED VEHICLES AND MATERIALS. OUTDOOR STORAGE IS NOT WITHIN THE PERMITTED USE FOR PROPERTIES IN AREAS ZONED RD-15.

9-304(b)

THERE ARE VEHICLES PARKING ON A DIRT/BARE SURFACE AREA AT THE EAST SIDE OF THIS SINGLE FAMILY RESIDENCE DWELLING.

Officer Quintero said the case was begun pursuant to a complaint. He said vehicles that had been towed from the property had returned to the property in the same condition one week later. Officer Quintero presented photos of the property and the case file into evidence, and recommended a fine of \$100 per day be imposed for 18-4(c), starting on the day he cited the property on 1/23 and ordering compliance with 47-34.1.A.1. and 9-304(b) within 28 days or a fine of \$25 per day, per violation.

Annette Simpson, owner, said the vehicle belonged to her son and had been removed. She stated the vehicle that had been brought back had been registered. She stated she did not have enough money to finish applying the gravel.

Ms. Wald confirmed Ms. Simpson had a registration for a 2006 Mercedes that had been towed. She stated that fines could be imposed for the first violation immediately, since it was a repeat violation. Officer Quintero said there was plenty of parking on the property but her family was not parking in legal areas. He asked for the fine for 18-4(c) to begin immediately. Ms. Flynn said Ms. Simpson had indicated the car was gone so the violation was complied and Officer Quintero agreed to reinspect the property.

Ms. Wald clarified for Ms. Simpson that all cars must have registrations and license plates to comply and Ms. Simpson stated one car did not have a license plate but was registered.

Ms. Flynn found in favor of the City and imposed a fine of \$100 per day for 18-4(c) to begin immediately and ordered compliance with the other two violations within 28 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE13011948

3600 North Federal Highway
FIRST STATES INVESTORS 5200 LLC % A

Service was via posting on the property on 1/31/13 and at City Hall on 2/21/13.

Jorg Hruschka, Building Inspector, testified to the following violation:

FBC(2010) 110.15

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 Hruschka recommended ordering compliance within 70 days or a fine of \$25 per day.

Earle Moore, owner, agreed to comply within 70 days.

Ms. Flynn found in favor of the City and ordered compliance within 70 days or a fine of \$25 per day would begin to accrue.

Case: CE12101719

3233 Southwest 2 Avenue
ML VINTAGE LLC

This case was first heard on 11/15/12 to comply by 12/20/12. Violations were as noted in the agenda. The property was complied, fines had accrued to \$8,250 and the City was requesting no fine be imposed.

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

Moshe Levy, owner, thanked Ms. Flynn for the fine reduction.

Ms. Flynn imposed no fine.

Case: CE12010156

1769 Southwest 29 Avenue
SUTTON, MARCIA D

Service was via posting on the property on 2/13/13 and at City Hall on 2/21/13.

Gerry Smilen, Building Inspector, testified to the following violation:

FBC(2010) 105.11.2.1

PERMIT 12010776 HAS EXPIRED.

Inspector Smilen 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: CE12110857

Rescheduled from 2/7/13

801 Northwest 6 Street
FLORIDA MEDICAL PROVIDERS INC.

Aretha Wimberly, Code Enforcement Officer, testified to the following violation:

9-280(h)(1)

THE CHAIN LINK FENCE SURROUNDING THIS VACANT LOT
IS IN SERIOUS DISREPAIR.

Officer Wimberly said the owner had indicated the fence would be repaired by the second week in February but this had not happened. She presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. 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: CE12120188

Stipulated agreement

220 Southwest 2 Street
SECOND CITY ENTERTAINMENT CO

Violations:

47-19.4.D.8.

DUMPSTER ENCLOSURE IS NOT BEING MAINTAINED. THE SIDES OF THE ENCLOSURE ARE MISSING SLATS AND THERE ARE NO GATES. THE CONTAINER HAS GRAFFITI AND IS NOT BEING CLEANED TO PREVENT NOXIOUS ODORS AND UNSANITARY CONDITIONS FROM OCCURRING.

9-306

THE EXTERIOR BUILDING WALLS AND FACADES ARE NOT BEING MAINTAINED IN A SECURE AND ATTRACTIVE MANNER. THE EXTERIOR WALLS AND FACADES ARE DIRTY AND HAVE GRAFFITI, CRACKS, MISSING, FADED, CHIPPED AND MILDEW STAINS.

Complied:

9-305(a)

The City had a stipulated agreement with the owner to comply within 21 days or a fine of \$100 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 21 days or a fine of \$100 per day, per violation would begin to accrue.

Case: CE13010260

850 Arizona Avenue
DEVARDO, NATALE & SUSAN

Service was via posting on the property on 2/7/13 and at City Hall on 2/21/13.

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

18-12(a)

THERE IS AN ACCUMULATION OF RUBBISH AND DEBRIS SCATTERED ABOUT THE EXTERIOR OF THE PROPERTY INCLUDING THE CARPORT AREA. THERE IS OVERGROWN GRASS AND WEEDS IN THE REAR OF THE PROPERTY.

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. 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: CE12111611

2000 Southwest 16 Court
HIRSCH, MARK

Service was via posting on the property on 2/7/13 and at City Hall on 2/21/13.

Mark Campbell, Code Enforcement Officer, testified to the following violation:
47-21.13 A.

THERE IS A DEAD OR DYING TREE ON THIS VACANT
PROPERTY THAT PRESENTS A DANGER TO PUBLIC HEALTH,
SAFETY AND WELFARE.

Officer Campbell presented photos of the property and the case file into evidence, and recommended ordering compliance within 21 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$100 per day would begin to accrue.

Case: CE13010468

839 Southwest 13 Street
FEDERAL NATIONAL MORTGAGE ASSN

Certified mail sent to the owner was accepted on 2/4/13. Service was also via posting at City Hall on 2/21/13.

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

THERE IS NO WATER SERVICE TO THIS OCCUPIED
PROPERTY.

Officer Campbell presented 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: CE13010469

842 Southwest 13 Street
FEDERAL NATIONAL MORTGAGE ASSN
% ONE WEST BANK FSB

Certified mail sent to the owner was accepted on 2/4/13. Service was also via posting at City Hall on 2/21/13.

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

THERE IS NO WATER SERVICE TO THIS OCCUPIED
PROPERTY.

Officer Campbell presented 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: CE13010611

Rescheduled from 2/7/13

206 Northeast 13 Street
COHEN, ADI

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

THERE IS OVERGROWTH, TRASH, LITTER AND DEBRIS ON
THE PROPERTY AND SWALE OF THIS RENTAL PROPERTY.
THIS IS A RECURRING VIOLATION OF CASE #
CE12060968. THIS CASE WILL BE HEARD BY THE SPECIAL
MAGISTRATE, EVEN IF THE VIOLATION IS BROUGHT INTO
COMPLIANCE PRIOR TO THE HEARING.

47-34.1.A.1.

THIS DUPLEX PROPERTY IS BEING USED AS A TRIPLEX.
THIS IS NOT A PERMITTED USE FOR AN RD-15 ZONED
PROPERTY.

9-278(g)

THERE ARE SCREENS IN DISREPAIR AND SCREENS THAT
ARE NOT PROPERLY FITTED TO THE WINDOW AND DO NOT
ADEQUATELY PROTECT FROM INSECTS OR OTHER PESTS.
THIS IS A REPEAT VIOLATION OF CASE # CE12041447,
WHERE THE SPECIAL MAGISTRATE FOUND FOR THE CITY.
THIS CASE WILL BE PRESENTED TO THE MAGISTRATE,
EVEN IF THE VIOLATION IS BROUGHT INTO COMPLIANCE
PRIOR TO THE HEARING.

9-279(b)(2)

THERE IS NO KITCHEN SINK BEING SUPPLIED IN ONE DWELLING UNIT.

9-279(i)

THERE IS NO STOVE BEING SUPPLIED IN ONE OF THE DWELLING UNITS.

9-280(b)

THERE ARE WINDOWS IN DISREPAIR AND WINDOWS THAT HAVE BEEN PAINTED SHUT AND DO NOT OPEN. THIS IS A REPEAT VIOLATION OF CASE # CE12041447, WHERE THE SPECIAL MAGISTRATE FOUND FOR THE CITY. THIS CASE WILL BE PRESENTED TO THE MAGISTRATE, EVEN IF THE VIOLATION IS BROUGHT INTO COMPLIANCE PRIOR TO THE HEARING.

9-304(b)

THERE ARE VEHICLES PARKING ON A GRASS AND/OR DIRT SURFACE.

9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE LARGE AREAS OF MISSING GROUND COVER, WHERE THERE IS BARE DIRT. THERE IS MULCH BEING USED AS GROUND COVER.

Officer Gottlieb stated this was the second time the city received complaints about this property through the Police Department and the City Manager's office. She presented photos of the property and the case file into evidence, and recommended imposition of a fine of \$100 per day, per violation for 9-278(g) and 9-280(b) starting on 1/9/13 and ordering compliance with remaining violations within 28 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered imposition of a fine of \$100 per day, per violation for 9-278(g) and 9-280(b) starting on 1/9/13 and compliance with remaining violations within 28 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE12121097

417 Northwest 15 Avenue
ZADOK, RONEN & LIAT & ZADOK, SHOSHANA

Certified mail sent to the owner was accepted on 2/2/13.

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

9-280(g)

THE ELECTRICAL SYSTEM IS NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION. THE MAIN ELECTRICAL PANEL

HAS BEEN REPAIRED IN A TEMPORARY FIX. THE ELECTRICAL SYSTEM IS UNSAFE AND NOT PER THE NATIONAL ELECTRICAL CODE.

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.

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: CE12121716

525 Northeast 15 Street
RONALD T SPANN REV LIV TR
SPANN, RONALD T TRUSTEE

Service was via posting on the property on 2/14/13 and at City Hall on 2/21/13.

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

9-280(b)

THE REAR WALL HAS A HUGE CRACK THAT HAS CAUSED THE BUILDING TO SEPARATE. ALSO THERE ARE HUGE OPENINGS IN THE REAR OF THE BUILDING AND THE BUILDING IS NOT STRUCTURALLY SOUND.

9-280(f)

THE OUTSIDE WATER SPIGOTS ARE IN DISREPAIR, THEY ARE UNABLE TO TURN ON AND OFF AND THE SEWER PIPE IS NOT CAPPED AND THE AREA SMELLS AND THE PIPES HAVE A CONSTANT LEAK AND ARE IN NEED OF REPAIR.

9-280(g)

THE HOT WATER HEATER IS EXPOSED OUTSIDE OF THE RENTAL PROPERTY. THE WIRES ARE NOT CONNECTED IN A SAFE MANNER AND THIS IS A POSSIBLE FIRE HAZARD AND THE HOT WATER HEATER NEEDS TO BE COVERED WITH A PERMITTED STRUCTURE.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 63 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE12101219

1699 Lauderdale Manors Drive
CAMERON, WADELAND A

Service was via posting on the property on 2/13/13 and at City Hall on 2/21/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-308(a)

THERE IS A ROOF IN DISREPAIR ON THIS SINGLE FAMILY RESIDENCE DWELLING, IS NOT SAFE, SECURE AND IN WATERTIGHT CONDITION, A BLUE TARP IS COVERING THE MAJORITY OF THE ROOF AND THE SOFFIT, FASCIA AND OTHER BUILDING PARTS ARE ROTTEN AND BECOMING LOOSE.

Officer Quintero presented photos of the property and the case file into evidence, and recommended ordering compliance within 70 days or a fine of \$10 per day.

Ms. Flynn found in favor of the City and ordered compliance within 70 days or a fine of \$10 per day would begin to accrue.

Case: CE12120659

709 Northwest 15 Terrace
WARREN, V
% MARY SUTHERLAND

Certified mail sent to the owner was accepted on 2/2/13.

Wilson Quintero, Code Enforcement Officer, testified to the following violations:
9-280(h)(1)

THERE IS A WOOD FENCE IN DISREPAIR AT THE SOUTH SIDE OF THIS VACANT DWELLING, LEANING AGAINST THE NEIGHBORS CHAIN-LINK FENCE.

9-308(a)

THERE IS A ROOF ON THIS SINGLE FAMILY RESIDENCE, VACANT DWELLING THAT IS COVERED WITH A BLUE TARP; THE ROOF ON THIS CONDITION IS CONSIDERED TO BE NOT MAINTAINED IN A SAFE, SECURE AND WATERTIGHT CONDITION.

9-308(b)

THERE IS A TARP COVERING THE MAJORITY OF THE ROOF SURFACE ON THE STRUCTURE AT THIS LOCATION. THE TARP IS NOT A PERMANENT PART OF THE BUILDING OR A FUNCTIONAL ELEMENT OF ITS MECHANICAL OR ELECTRICAL SYSTEM AND IS NOT PERMITTED.

Officer Quintero said the owner had informed him the property was in foreclosure. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

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

Case: CE13020634

4501 NE 21 Ave
CORAL RIDGE EAST CONDO ASSN INC.

Ron Tetreault, Fire Inspector, testified to the following violations:
MO Sec. 9-313.

ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

COMPLIED:

NFPA 1:13.6.8.1.3.10.1

NFPA 1:1.7.6.2 FIX F/A

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: CE13020643

111 Southwest 2 Ave
111 PROPERTIES INC.
% CARA EBERT CAMERON PA

Ron Tetreault, fire Inspector, testified to the following violation:
NFPA 1:1.12.1

WORK REQUIRES A PERMIT.

Complied:

NFPA 101:7.2.1.5.2

NFPA 1:12.5.1

MO Sec. 9-313.

NFPA 1:1.7.6.2 OBS PANEL

NFPA 1:13.3.3.3

NFPA 101:7.4.1.1

NFPA 101:7.2.1.4.2

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: CE13020644

110 E Broward Boulevard
NEW YORK LIFE INSURANCE CO &
CABOT EAST BROWARD I LLC ET AL

Personal service was made on 2/19/13.

Ron Tetreault, Fire Inspector, testified to the following violation:
NFPA 1:11.3.1.2

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

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: CE13011897

1201 Northeast 15 Avenue
LYNCH PROPERTY VENTURES I LLC

Service was via posting on the property on 1/31/13 and at City Hall on 2/21/13.

Jorg Hruschka, Building Inspector, testified to the following violation:
FBC(2010) 110.15

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 Hruschka 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: CE13011898

2916 North Ocean Boulevard
HOTEL DEAUVILLE LLC

Service was via posting on the property on 1/31/13 and at City Hall on 2/21/13.

Violation:

FBC(2010) 110.15

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.

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: CE12101553

2920 Northeast 55 Place
MCPHATTER, CLYDE & WARD, CLYDE

This case was first heard on 12/20/12 to comply by 1/24/13. 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: CE08070153

6991 Northwest 30 Terrace
THE SOUTHEAST BUILDER GROUP LLC

This case was first heard on 8/21/08 to comply by 9/18/08. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,200 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$3,200 fine

Case: CE09040224

2700 Davie Blvd
LA SEGUNDA REALTY CORP

This case was first heard on 10/20/11 to comply by 11/24/11. Violations were as noted in the agenda. The property was not complied.

Karl Lauridsen, Landscape Inspector, stated the site was being redeveloped and recommended a 63-day extension

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

Case: CE12110970

941 Southwest 30 Avenue
GAYLE, KEITH

This case was first heard on 1/17/13 to comply by 1/27/13. 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: CE09050436

1238 Northeast 3 Avenue
BRILL, RICHARD

This case was first heard on 6/4/09 to comply by 6/14/09. Violations were as noted in the agenda. The property was complied, fines had been abated and the City was seeking board-up costs of \$1,277.86.

Ms. Flynn imposed the \$1,277.86 for board-up costs.

Case: CE12040521

2340 Northwest 15 Court
BRADLEY, J D JR & ALYCE

This case was first heard on 8/16/12 to comply by 9/20/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$3,225 and the City was requesting a \$260 fine be imposed.

George Oliva, Building Inspector,

Ms. Flynn imposed a \$260 fine.

Case: CT12061376

2471 East Commercial Boulevard
FIREPLACE INNS INC. & NOVAK, RICHARD J

This case was first heard on 10/4/12 to comply by 11/8/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$2,050 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$2,050 fine.

Case: CE11111302

1301 Northwest 2 Street
BANK OF AMERICA NA

This case was first heard on 1/19/12 to comply by 2/23/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$18,850 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$18,850 fine, which would continue to accrue until the property complied.

Case: CE12081296

1700 Northeast 13 Street
QUICK CAPITAL OF LI CORP

This case was first heard on 12/20/12 to comply by 1/10/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,750 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,750 fine, which would continue to accrue until the property complied.

Case: CE12081297

1240 Northeast 17 Avenue
QUICK CAPITAL OF LI CORP

This case was first heard on 12/20/12 to comply by 1/10/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,750 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,750 fine, which would continue to accrue until the property complied.

Case: CE11052063

1604 Northwest 11 Court
SMITH, CHARLIE J

This case was first heard on 8/4/11 to comply by 8/18/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$6,075 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$6,075 fine.

Case: CE11080284

1628 Northwest 15 Place
AHN, SOO HYANG

This case was first heard on 10/6/11 to comply by 11/10/11. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$12,050 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$12,050 fine, which would continue to accrue until the property complied.

Case: CE12090394

2550 Northwest 19 St
BH NEHAMA CAPITAL LLC

This case was first heard on 10/18/12 to comply by 11/15/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$110,700 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$110,700 fine, which would continue to accrue until the property complied.

Case: CE12110151

1039 N Victoria Park Rd
CAMPBELL, COLIN

This case was first heard on 12/6/12 to comply by 1/17/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$48,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$48,000 fine, which would continue to accrue until the property complied.

Case: CE12080224

1225 Southwest 4 Court
JORDAN, CHARLES M & JORDAN, DONNA A

Service was via posting on the property on 2/18/13 and at City Hall on 2/26/13.

Heather Steyn, testified to the following violation:
28-33(a)

NOT CONNECTED TO CITY'S SANITARY SEWER SYSTEM.

Ms. Steyn recommended ordering compliance within 70 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 70 days or a fine of \$100 per day would begin to accrue.

Case: CE12041348

1701 Southwest 11 Court
TRUST INVESTMENTS GROUP LLC

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,000 fine, which would continue to accrue until the property complied.

Case: CE12041366

1808 Southwest 9 Street
CLAVIJO, MIGUEL A

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,000 fine, which would continue to accrue until the property complied.

Case: CE12041370

1813 Southwest 10 Street
YATTEAU, TIMOTHY DOUGLAS

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,000 fine, which would continue to accrue until the property complied.

Case: CE12041367

1811 Southwest 10 Street
ADELSON-JOSEPH, MARIE ELOUDDÉ

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Heather Steyn, recommended imposition of the fines.

Joel Joseph, the owner's representative, said his aunt, the owner, was in Haiti and was having difficulty maintaining two residences. He said they had completed the roof repair and were working with a plumber to connect to the sewer system. He requested 90 days. Ms. Steyn recommended a 105-day extension.

Ms. Flynn granted a 105-day extension during which time no fines would accrue.

Case: CE12041373

1821 Southwest 11 Street
CARDOTT, BERRY E

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$10,000 and the City was requesting a 120-day extension.

Ms. Flynn granted a 120-day extension during which time no fines would accrue.

Case: CE12041375

1829 Southwest 11 Street
SCASSERA, JOSEPH P

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$10,000 fine, which would continue to accrue until the property complied.

Case: CE12041376

1881 Davie Blvd
HAROON, MOHAMMED A HAROON, YASMEEN ANWAR

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$10,000 and the City was requesting a 120-day extension.

Ms. Flynn granted a 120-day extension during which time no fines would accrue.

Case: CE12041378

1901 Southwest Riverside Drive
AZIZ, SAMI

This case was first heard on 8/27/12 to comply by 11/26/12. Violations were as noted in the agenda. The property was not complied, fines had accrued to \$10,000 and the City was requesting a 90-day extension.

Ms. Flynn granted a 90-day extension during which time no fines would accrue.

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:

CE11032584	CE13010307	CE12120403	CE12110725
CE12110040	CE12121468	CE12121104	CE12121115
CE12091108	CE12121684	CE13010074	CE12120181
CE13011551	CE12111486	CE12111503	CE12120520
CE12121514	CE13011891	CE13011892	CE13011894
CE13011895	CE13020623	CE13020627	CE13020632
CE13020638	CE13020645	CE13020673	CE13020675
CE13020676	CE13020679	CE13020680	CE13020657
CE13011964	CE12041309		

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:

CE12120937 CE11061010

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:

CE13011645

There being no further business, the hearing was adjourned at **10:51 A.M.**



Special Magistrate

ATTEST:


CLERK, SPECIAL MAGISTRATE

Minutes prepared by: J. Opperlee, Prototype Services