

**SPECIAL MAGISTRATE HEARING
8th FLOOR CONFERENCE ROOM
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
OCTOBER 17, 2013
9:00 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Lori Grossfeld, Clerk III
John Gossman, Code Enforcement Supervisor
Peggy Burks, Clerk III
Ginger Wald, Assistant City Attorney
Stephanie Bass, Code Enforcement Officer
Mark Campbell, Code Enforcement Officer
Leonard Champagne, Code Enforcement Officer
Andre Cross, Code Enforcement Officer
Alejandro DelRio, Code Enforcement Officer
Anthony Fajardo, Zoning Administrator
Adam Feldman, Senior Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Wilson Quintero Jr., Code Enforcement Officer
Mary Rich, Code Enforcement Officer
Maria Roque, Code Enforcement Officer
Ursula Thime, Senior Code Enforcement Officer
Aretha Wimberly, Code Enforcement Officer
Shelly Wright, Code Enforcement Officer

Respondents and Witnesses

CE13060296 CE13051125; CE13051225: Diane Wolf-Magid, owner; David Magid, owner; Leslie Stevens, attorney
CE13060938; CE13060936; CE13060939: Nectaria Chakas, attorney
CE13081748: David Timmons, owner
CE13021592: Salomon Zrihen, owner's representative; Matthew Militzok, attorney
CE12110473: Roschell Franklin Jr.
CE13061979: Garrett Grious, business owner's assistant
CE13051470: Mercy Heimbach, property manager
CE13021535: Shannon King, owner; Joanna Warski, realtor
CE13031687: Dawn Duskin, owner; Diana Freese, owner's mother; Wayne Newberry, neighbor
CE12100693: Eugene Turner, owner; Rodney Davis, owner's nephew
CE12022511: Heather Ann Monsalve, attorney

CE12022508: Yacob Kobi Thaller, owner's representative
CE12041354: Marlow Silvera, owner's son
CE12041355: Veronel Pierre, owner
CE13080776; CE13050942: Paul Minoff, attorney
CE12041363: George Toledano, former owner
CE12041381: Milnet Metayer, owner
CE13061114: Liza Rebecca Amar, property manager
CE13042106: Steven Dennis III, property manager
CE13040603: Darmindra Persaud, owner's husband
CE13060104: Javanette Rolle, owner's daughter

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.

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

Case: CE13060936

425 Northeast 4 Avenue
PUTNAM REALTY LTD

Certified mail sent to the owner was accepted on 9/27/13. Service was also via posting at City Hall on 10/3/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THE VACANT LOT IS BEING USED FOR A CONSTRUCTION
STAGING AREA TO STORE HEAVY EQUIPMENT AND PARKING
OF VEHICLES.

Officer Cross said the equipment had been removed but vehicles were still parked on the lot. The owner had also installed fencing around the lot.

Nectaria Chakas, attorney for the tenant, stated the project would be complete in a few months and said they had agreed to comply within 140 days.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 140 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 140 days or a fine of \$50 per day would begin to accrue.

Case: CE13060937

421 Northeast 4 Avenue
PUTNAM REALTY LTD

Certified mail sent to the owner was accepted on 9/27/13. Service was also via posting at City Hall on 10/3/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THE VACANT LOT IS BEING USED FOR A CONSTRUCTION STAGING AREA TO STORE HEAVY EQUIPMENT AND PARKING OF VEHICLES.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 140 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 140 days or a fine of \$50 per day would begin to accrue.

Case: CE13060938

417 Northeast 4 Avenue
PUTNAM REALTY LTD

Certified mail sent to the owner was accepted on 9/27/13. Service was also via posting at City Hall on 10/3/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THE VACANT LOT IS BEING USED FOR A CONSTRUCTION STAGING AREA TO STORE HEAVY EQUIPMENT AND PARKING OF VEHICLES.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 140 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 140 days or a fine of \$50 per day would begin to accrue.

Case: CE13060939

415 Northeast 4 Avenue
PUTNAM REALTY LTD

Certified mail sent to the owner was accepted on 9/27/13. Service was also via posting at City Hall on 10/3/13.

Andre Cross, Code Enforcement Officer, testified to the following violation:
47-34.1.A.1.

THE VACANT LOT IS BEING USED FOR A CONSTRUCTION STAGING AREA TO STORE HEAVY EQUIPMENT AND PARKING OF VEHICLES.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 140 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 140 days or a fine of \$50 per day would begin to accrue.

Case: CE13051225

307 Southwest 2 Street
CITY CENTER PROPERTIES INC

Service was via posting on the property on 9/27/13 and at City Hall on 10/3/13.

Leonard Champagne, Code Enforcement Officer, testified to the following violation:
47-34.2.B.

THE SUBJECT SITE WAS GRANTED A USE VARIANCE BY THE BOARD OF ADJUSTMENT (CASE #91-60) TO PERMIT A COMMERCIAL PARKING LOT ON WEEKENDS AND AFTER 5:00 P.M. ON WEEKDAYS IN THE H1 ZONING DISTRICT WHERE SUCH USE WAS NOT PERMITTED BY THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE AT THE TIME OF APPLICATION. SUBJECT TO THE APPROVAL OF THE BOARD OF ADJUSTMENT FOR CASE #91-60 TO PERMIT THE USE OF THE SITE AS A COMMERCIAL PARKING LOT AND SUBJECT TO SECTION 47-34.2.B THE SITE WAS AND IS REQUIRED TO MEET THE REQUIREMENTS OF A COMMERCIAL PARKING LOT FOR DESIGN, PAVING, DRAINAGE, AND LANDSCAPING. THE SUBJECT SITE IS CURRENTLY BEING UTILIZED AS A COMMERCIAL PARKING LOT IN VIOLATION OF SECTION 47-20 PARKING AND LOADING REQUIREMENTS; SECTION 47-21 LANDSCAPE AND TREE PRESERVATION REQUIREMENTS; AND SECTION 47-25.2 ADEQUACY REQUIREMENTS OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE.

Officer Champagne presented photos of the property and the case file into evidence, and requested immediate cessation of the property's use as a commercial parking lot until building permits had been issued and the site had been brought into conformance with the provisions and requirements of Section 47-20, Section 47-21 and Section 47-25.2 or a fine of \$200 per day.

Leslie Stevens, attorney, explained that they needed to appear before the Historical Preservation Board and pull permits, and requested they be able to continue to use the property for the business that had operated under the variance since 1971, and that they be granted six months to bring the property into full compliance. Mr. Stevens said the City Attorney had agreed to this time period.

Ms. Wald agreed that the property needed to go before the Historic Preservation Board and obtain permits and she did not object to the request for six months.

Officer Champagne requested that the use as a parking lot cease immediately. He noted there was another parking lot nearby that had been cited and had subsequently stopped the use. Mr. Stevens stated this had been going on for 20 years and ceasing the parking use on the property would represent a significant financial blow to his client. He also believed that ordering immediate cessation of the parking would "create more of a legal issue with the City."

Ms. Flynn found in favor of the City and ordered compliance within 182 days or a fine of \$200 per day would begin to accrue.

Case: CE13051125

301 Southwest 2 Street
301 SECOND CORP

Service was via posting on the property on 9/27/13 and at City Hall on 10/3/13.

Leonard Champagne, Code Enforcement Officer, testified to the following violations:
47-19.4.D.8.

DUMPSTER ENCLOSURE IS NOT BEING MAINTAINED. THE GATES AND THEIR CONSTRUCTION ARE NOT OF STURDY METAL AND FRAME HINGES. THE HEIGHT OF THE ENCLOSURE IS NOT SIX (6) INCHES GREATER THAN THE HIGHEST PART OF ANY BULK CONTAINER. THE DRAIN AND WATER FACILITIES ARE NOT WORKING, AND THE CONSTRUCTION OF THE WOOD FENCE IS NOT UP TO CODE.

47-34.2.B.

THE SUBJECT SITE WAS GRANTED A USE VARIANCE BY THE BOARD OF ADJUSTMENT (CASE #91-60) TO PERMIT A COMMERCIAL PARKING LOT ON WEEKENDS AND AFTER 5:00 P.M. ON WEEKDAYS IN THE H1 ZONING DISTRICT WHERE SUCH USE WAS NOT PERMITTED BY THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE AT THE TIME OF APPLICATION. SUBJECT TO THE APPROVAL OF THE BOARD OF ADJUSTMENT FOR CASE #91-60 TO PERMIT THE USE OF THE SITE AS A COMMERCIAL PARKING LOT AND SUBJECT TO SECTION 47-34.2.B THE SITE WAS AND

IS REQUIRED TO MEET THE REQUIREMENTS OF A COMMERCIAL PARKING LOT FOR DESIGN, PAVING, DRAINAGE, AND LANDSCAPING. THE SUBJECT SITE IS CURRENTLY BEING UTILIZED AS A COMMERCIAL PARKING LOT IN VIOLATION OF SECTION 47-20 PARKING AND LOADING REQUIREMENTS; SECTION 47-21 LANDSCAPE AND TREE PRESERVATION REQUIREMENTS; AND SECTION 47-25.2 ADEQUACY REQUIREMENTS OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE.

9-280(b)

THE WINDOWS AND THE WINDOW FRAMES ARE IN DISREPAIR.

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 MILDEW STAINED.

Officer Champagne presented photos of the property and the case file into evidence, and requested immediate cessation of the property's use as a commercial parking lot until building permits had been issued and the site had been brought into conformance with the provisions and requirements of Section 47-20, Section 47-21 and Section 47-25.2 or a fine of \$200 per day. He also recommended ordering compliance with 47-19.4.D.8. within 14 days or a fine of \$50 per day, with 9-280(b) within 14 days or a fine of \$50 per day and with 9-306 within 14 days or a fine of \$50 per day.

Leslie Stevens, attorney, said this property must go before the Historic Preservation Board. He said there was a full evaluation being conducted on the property and requested six months, and to be allowed to continue business on the property.

Ms. Wald agreed that the parking lot would require six months to address, but the dumpster enclosure and building repairs should be able to be addressed in 35 days. Mr. Stevens requested 90 days for the building issues.

David Magid, owner, said they intended to move the dumpster and bring it up to code but requiring him to repair it in 14 days represented a financial hardship. He stated he intended to reinvest in the neighborhood and put another business here.

Ms. Flynn found in favor of the City and ordered compliance with 47-19.4.D.8. within 14 days or a fine of \$50 per day, with 47-34.2.B. within 182 days or a fine of \$200, with 9-280(b) within 63 days or a fine of \$50 per day and with 9-306 within 63 days or a fine of \$50 per day would begin to accrue.

Case: CE13060296

201 Southwest 2 Street
RIVERWALK CENTRE LTD

Service was via posting on the property on 9/27/13 and at City Hall on 10/3/13.

Leonard Champagne, Code Enforcement Officer, testified to the following violations:

9-280(b)

THERE ARE RAIN GUTTERS AND DOWN SPOUTS THAT ARE IN DISREPAIR.

9-280(g)

THERE IS OUTDOOR ELECTRICAL EQUIPMENT ON THE NORTH SIDE OF THE PROPERTY THAT IS NOT BEING MAINTAINED IN A GOOD, SAFE WORKING CONDITION.

9-306

THERE IS GRAFFITI, FADED, CHIPPED AND MILDEW STAINED PAINT ON THE BUILDING AND FACADES. THERE ARE HOLES AND OPENINGS THAT ARE NOT IMPERVIOUS TO THE ELEMENTS.

9-307(a)

THERE ARE WINDOW SASHES AND DOORS THAT ARE IN DISREPAIR AND NOT SECURED IN A TIGHT-FITTING AND WEATHERPROOF MANNER. THERE IS ROTTEN WOOD AND BROKEN JOINTS.

Officer Champagne said he had met a contractor on October 15 who had already begun pulling permits. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 21 days or a fine of \$50 per day, per violation.

Leslie Stevens, attorney, confirmed a contractor had been hired, but the contractor estimated it would take 45 days to complete repairs.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE13042106

3000 Northwest 59 Street
WORLD JET INC

Request for extension

This case was first heard on 9/19/13 to comply by 10/25/13. Violations were as noted in the agenda. The property was not complied.

Steven Dennis III, property manager, stated they were in negotiations with the tenant and requested additional time to determine whether they would wash or paint the building.

Erin Saey, Code Enforcement Officer, agreed to a 63-day extension.

Ms. Flynn granted a 63-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 and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,800 fine, which would continue to accrue until the property complied.

George Toledano, former owner, reported his wife had short-sold the property in July or August. He believed the permit had been pulled and the connection had already been made.

Ms. Wald said the connection fee had been paid but the permit had not been pulled.

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

Case: CE12022511

1540 Southwest 5 Place # 3
SWK48 LLC

This case was first heard on 5/21/12 to comply by 6/18/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$20,900 and the City was requesting the full fine be imposed.

Heather Ann Monsalve, attorney, said the property had needed a lateral and they were waiting for the City to install it. She requested total abatement of the fines.

Ms. Flynn imposed no fine.

Case: CE12061225

1540 Southwest 5 Place # 4
DEUTSCHE BANK NATIONAL TRUST CO TRUSTEE

This case was first heard on 9/24/12 to comply by 1/2/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$14,000 and the City was requesting the full fine be imposed.

Heather Ann Monsalve, attorney, said the property had needed a lateral and they were waiting for the City to install it. She requested total abatement of the fines.

Ms. Flynn imposed no fine.

Case: CE12022508

1540 Southwest 5 Place # 1
SOL INDUSTRIES LLC

This case was first heard on 5/21/12 to comply by 6/18/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$23,600 and the City was requesting the full fine be imposed.

Yacob Kobi Thaller, owner's representative said the property had needed a lateral and they were waiting for the City to install it. He requested total abatement of the fines.

Ms. Flynn imposed no fine.

Case: CE13031687

1458 Southwest 18 Terrace
DUSKIN, DAWN

Service was via posting on the property on 10/2/13 and at City Hall on 10/3/13.

Mark Campbell, Code Enforcement Officer, testified to the following violations:
47-19.5.B.1.a.ii.

THE FENCE IN THE REAR OF THIS PROPERTY ABUTTING WATERWAY IS HIGHER THAN 30 INCHES. FOR PROPERTIES ABUTTING A WATERWAY, NO OPAQUE FENCE IS PERMITTED TO EXCEED TWO AND ONE-HALF (2½) FEET IN HEIGHT WHEN LOCATED WITHIN TEN (10) FEET OF THE EDGE OF THE WATERWAY.

47-19.5.E.4.

THE FENCE ON THE SOUTH SIDE OF THIS PROPERTY HAS THE FINISHED SIDE FACING IN AND NOT FACING TOWARD NEIGHBORING PROPERTY. ALL FENCES ARE TO BE FINISHED ON THE SIDE FACING NEIGHBORING PROPERTIES, EXCEPT WHEN A NEW FENCE DIRECTLY ABUTS AN EXISTING WALL OR FENCE PREVENTING ACCESS.

Officer Campbell stated a fence permit had been issued in 1997 and closed out but the ordinance had subsequently been changed.

Dawn Duskin, owner, said she had purchased the property two years ago. She said in March 2012, an inspector had told her she needed an after-the-fact permit, which had been closed out. Ms. Duskin pointed out that this had been going on almost two years, and several cases had been opened and closed. She felt that her neighbor was using the Building Department to bully her. She presented photos showing that a chain link fence had abutted this fence, negating the second violation.

Officer Campbell stated in 2005 the fence had fallen down and the prior owner had rebuilt the fence with the wrong side facing the neighboring property and not pulled a permit. Ms. Duskin had pulled the after-the-fact permit in April 2012 and the permit had been closed out.

Ms. Wald said a mistake might have been made when the fence permit passed final inspection and was closed out, but the City still had the ability to cite the owner and require the owner to rectify the mistake. Ms. Wald stated the owner had the option to present a collateral estoppel or laches defense, which she was doing in this case.

Wayne Newberry, neighbor, referred to the permit pulled by the former owner, which specified the fence would be "20 boards per panel, 10 boards per side." He said he did not have quiet enjoyment of his property and the view was blocked. Mr. Newberry stated he had politely asked Ms. Duskin to change the fence and she had "dismissed" him.

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

Ms. Flynn found for the respondent in this case and advised the neighbors to work on a resolution.

Case: CE13061979

835 Northeast 3 Avenue
ATALLAH, IHAB

This case was first heard on 8/15/13 to comply by 8/25/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,800 and the City was requesting the full amount.

Andre Cross, Code Enforcement Officer, confirmed the property was now complied.

Garrett Grious, the business owner's assistant, said the property was only used for storage and there was a problem with illegal dumping there. Ms. Flynn pointed out that it was the owner's responsibility to maintain the property. Officer Cross agreed, and noted there had been a very large amount of trash that the owner should have noticed.

Ms. Flynn imposed an \$850 fine.

Case: CE13060104

3613 Southwest 12 Place
KERR-ROLLE, SWABY

This case was first heard on 8/15/13 to comply by 8/25/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Alejandro DelRio, Code Enforcement Officer, said he had last inspected the property on October 15 and the violations remained.

Javanette Rolle, the owner's daughter, said construction was ongoing at the property and they were re-grouting the pool. The power had recently been turned back on to run the pool filter. She requested 60 days.

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

Case: CE13050942

3512 Southwest 12 Court
JPMORGAN CHASE BANK

This case was first heard on 7/1/13 to comply by 7/28/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,200 and the City was requesting the full fine be imposed.

Alejandro DelRio, Code Enforcement Officer, confirmed the property was now complied.

Paul Minoff, attorney, said the bank had taken over the property in June 2013 and the notices had been addressed to the former property owner. As soon as the bank was notified, they had acted to comply.

Ms. Wald confirmed what Mr. Minoff had said and informed Ms. Flynn that until September, all hearing notices had only been sent to the previous owner, not to the bank. She recommended no fines be imposed.

Ms. Flynn imposed no fine.

Case: CE12100693

1531 Northwest 15 Avenue
TURNER, MARY EST

This case was first heard on 3/7/13 to comply by 6/20/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$390 fine, which would continue to accrue until the property complied.

Rodney Davis, the owner's nephew, said the owner was trying to secure a loan and requested six months.

Wilson Quintero, Code Enforcement Officer, recommended a 189-day extension.

Ms. Flynn granted a 189-day extension during which time no fines would accrue.

Case: CE13021592

626 Southwest 14 Avenue
26 MADISON LLC % PAUL FELDMAN PA

This case was first heard on 5/16/13 to comply by 5/30/13, 6/6/13 and 8/16/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$15,600 fine, which would continue to accrue until the property complied.

Stephanie Bass, Code Enforcement Officer, stated only the parking lot violation remained.

Matthew Militzok, attorney, confirmed that they had experienced problems pulling the permit, but had now obtained one and work would commence at the end of the month. He anticipated work would be completed by mid-November. Mr. Militzok requested an extension and abatement of the fines for the violations that were complied.

Officer Bass confirmed that the owner was working diligently to resolve the parking lot violation.

Ms. Wald advised Ms. Flynn to grant an extension and address the fines once the last violation was complied.

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

Case: CE13040603

3081 Northwest 19 Street
TULARAM-PERSAUD, DEVI

This case was first heard on 7/18/13 to comply by 8/22/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$8,250 fine, which would continue to accrue until the property complied.

Erin Saey, Code Enforcement Officer, had been shown photos by the owner's husband showing the property complied. She needed to reinspect to confirm.

Darmindra Persaud, the owner's husband, agreed.

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

Case: CE13051470

1217 Northeast 5 Avenue
SPERLING, BENJIE TRSTEE

This case was first heard on 8/15/13 to comply by 9/19/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$175 and the City was requesting the full amount.

Andre Cross, Code Enforcement Officer, confirmed the violation was complied.

Mercy Heimbach, property manager, explained that they had acted to comply the fence as soon as they were notified but they had initially repaired the wrong fence.

Ms. Flynn imposed no fine.

Case: CE12041381

1906 Southwest 8 Street
METAYER, MILNET

This case was first heard on 8/27/12 to comply by 11/26/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,800 fine, which would continue to accrue until the property complied.

Milnet Metayer, owner, stated the property was vacant, in foreclosure, and he was short-selling it. He presented letter indicating he had applied for a loan.

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

Case: CE12041354

1709 Southwest 10 Street
SILVERA, KENNETH A

This case was first heard on 8/27/12 to comply by 11/26/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$22,500 fine, which would continue to accrue until the property complied.

Marlow Silvera, the owner's son, said his father was living in a facility and he would return in six months. He intended to comply the violations before his father returned home and requested six months.

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

Case: CE12041355

1709 Southwest 11 Court
PIERRE, VERONEL & PIERRE, MARIE MIRANA

This case was first heard on 8/27/12 to comply by 11/26/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$22,500 fine, which would continue to accrue until the property complied.

Veronel Pierre, owner, said he had applied for a loan modification and requested an additional 60 days to have the work done.

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

Case: CE13061114

2161 Northwest 26 Avenue
CR12BE LLC

This case was first heard on 8/1/13 to comply by 8/15/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$5,300 and the City was requesting a \$534 fine be imposed.

Liza Rebecca Amar, property manager, said she had acted to comply as soon as possible and now had a contract with a pool maintenance company. She stated the owner had not received the notices because he lived in France. She requested total abatement of the fine.

Erin Saey, Code Enforcement Officer, did not object to the request, noting that the property manager had acted quickly as soon as she was aware of the violation.

Ms. Flynn imposed no fine.

Case: CE13080776

1727 Bayview Drive
JPMORGAN CHASE BANK NA

Certified mail sent to the owner was accepted on 9/30/13. Service was also via posting at City Hall on 10/3/13.

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

THE PROPERTY IS OVERGROWN WITH GRASS, WEEDS AND OTHER PLANT LIFE. THERE IS TRASH, RUBBISH, AND DEBRIS SCATTERED ABOUT THE PROPERTY. THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

Officer Wright explained that the bank owned the property and the previous owner had refused to vacate but there was an eviction order requiring her to leave the property by October 18. 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.

Paul Minoff, attorney, confirmed there had been a contentious eviction. He agreed to comply within 14 days.

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: CE13021535

1321 Northwest 46 Street
KING, SHANNON

This case was first heard on 5/16/13 to comply by 6/20/13. Violations and extensions 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.

Erin Saey, Code Enforcement Officer, said the property was under contract for sale but the tarp remained on the roof. She recommended an extension.

Shannon King, owner, requested an extension for the short sale to go through.

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

Case: CE13081748

517 Northwest 16 Avenue
MATHIS, PHYLLIS & TIMMONS, DAVID

Service was via posting on the property on 9/28/13 and at City Hall on 10/3/13.

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

9-276(c)(3)

THE PROPERTY IS INFESTED WITH ROACHES AND IS IN
NEED OF EXTERMINATING.

9-280(b)

THE CEILING IN THE FRONT ROOM IS PEELING AND
CHIPPED AND IS IN NEED OF REPLACING OR REPAIR.

9-280(g)

THE ELECTRICAL SYSTEM IS NOT MAINTAINED IN A SAFE
CONDITION INCLUDING BUT NOT LIMITED TO LIGHT
SWITCHES ARE HANGING AND LIGHT SOCKETS ARE NOT
COVERED. THIS IS AN ELECTRICAL HAZARD.

9-308(a)

THE ROOF IS NOT MAINTAINED IN A SAFE, SECURE AND WATERTIGHT CONDITION INCLUDING BUT, NOT LIMITED TO A ROOF LEAK IN THE FRONT ROOM.

Complied:
9-279(f)

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

David Timmons, owner, said he was on a fixed income and was working on compliance. He requested 90 days to pull a permit and finish work.

Officer Cross recommended ordering compliance within 91 days or a fine of \$25 per day, per violation.

Mr. Timmons presented proof that the water had been restored, complying 9-279(f).

Ms. Flynn found in favor of the City and ordered compliance within 91 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE13080644

801 Northwest 6 Street
TRI-COUNTY MEDICAL PROVIDERS & SENIOR SERVICES INC

Service was via posting on the property on 9/28/13 and at City Hall on 10/3/13.

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

THE CHAIN LINK FENCE SURROUNDING THIS VACANT LOT
IN DISREPAIR.

Officer Wimberly stated this was a repeat violation. She 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: CE13080462

1540 Southwest 36 Way
GAVILLA, RENE S & HURST, CHARLES WILLIAM

Service was via posting on the property on 9/25/13 and at City Hall on 10/3/13.

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

THE POOL AT THIS PROPERTY IS FILLED WITH GREEN,
STAGNANT WATER. THE PROPERTY IN THIS CONDITION IS
A PUBLIC NUISANCE.

Officer DelRio 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: CE13081102

1750 Northeast 52 Street
MILLER, CHRISTINE

Service was via posting on the property on 9/26/13 and at City Hall on 10/3/13.

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

THERE IS TRASH AND DEBRIS ON THIS PROPERTY,
INCLUDING BUT NOT LIMITED TO TIRES, CAR PARTS,
CONSTRUCTION MATERIAL ETC.

Officer Roque presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$25 per day.

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

Case: CE13081650

743 Northeast 17 Way
CLERSAINT, HENRY

Service was via posting on the property on 10/1/13 and at City Hall on 10/3/13.

Adam Feldman, Senior Code Enforcement Officer, testified to the following violation:
9-306

THE WALL ADJACENT TO THE SIDEWALK AREA IS IN
DISREPAIR. THE WALL HAS LARGE AREAS OF
PEELING/FADED PAINT. THERE ARE AREAS OF THE WALL
THAT ARE STAINED/DIRTY AND HAVE MILDEW.

Officer Feldman 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: CE12071654

534 Northwest 9 Avenue
MEZA, PEDRO P

Service was via posting on the property on 9/30/13 and at City Hall on 10/3/13.

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

PERMIT# 03021952 TO RE-STRIPING THE PARKING LOT
WAS LEFT TO EXPIRED

Inspector Oliva 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: CE13030580

257 City View Drive
NGUYEN, QUYEN & CHEUNG, MARY

Service was via posting on the property on 9/30/13 and at City Hall on 10/3/13.

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

THE FOLLOWINGS PERMIT WERE LEFT TO EXPIRED
12011257 BUILDING, AND ELECTRIC 99040703

Inspector Oliva 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: CE13090671

1221 Northwest 5 Avenue
SFRH SF RENTAL LP

Service was via posting on the property on 9/30/13 and at City Hall on 10/3/13.

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

THE FOLLOWING PERMITS WERE LEFT TO EXPIRE
BUILDING# 12051616 [Renewed]
ELECTRICAL# 12051619
PLUMBING# 12051621 [Renewed]
MECHANICAL# 12051622

Inspector Oliva stated the building and plumbing permits had been renewed. He 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: CE13040935

1408 Northwest 3 Avenue
PHD DEVELOPMENT LLC

Certified mail sent to the owner was accepted on 9/17/13. Service was also via posting at City Hall on 10/3/13.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THE
PROPERTY AND SWALE ARE COVERED WITH WEEDS, AND
HAVE DEAD OR MISSING GROUND COVER.

9-306

THERE IS DIRTY, STAINED AND MISSING PAINT ON THE
STRUCTURE.

Complied:

9-280(b)
9-280(h)(1)
9-313(a)

Officer Gottlieb 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: CE13051387

1344 Northwest 8 Avenue
IB VICTORY INVESTMENT INC

Certified mail sent to the owner was accepted on 9/17/13. Service was also via posting at City Hall on 10/3/13.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE ARE WEEDS AND AREAS OF MISSING GROUND COVER, WHERE THERE IS BARE DIRT.

18-12(a)

THERE IS OVERGROWTH, TRASH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE OF THIS RENTAL DUPLEX PROPERTY.

9-280(b)

THERE ARE WINDOWS THAT DO NOT OPEN, SOME THAT HAVE PLEXIGLAS INSTEAD OF GLASS, AND SEVERAL THAT HAVE MISSING FRAMING AROUND THE GLASS. THERE ARE DOORS WITH GAPS AROUND THEM.

Complied:

9-280(h)(1)

9-308(a)

Officer Gottlieb said the owner was working on compliance. She 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: CE13061402

1634 Northwest 3 Avenue
MORROW, RUSSELL V G

Service was via posting on the property on 9/24/13 and at City Hall on 10/3/13.

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

THERE IS OVERGROWTH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE OF THIS VACANT HOUSE.

9-308(b)

THE ROOF IS DIRTY AND STAINED.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance with 18-12(a) within 14 days or a fine of \$100 per day and with 9-308(b) within 14 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-12(a) within 14 days or a fine of \$100 per day and with 9-308(b) within 14 days or a fine of \$50 per day would begin to accrue.

Case: CE13071382

Stipulated agreement

1406 Northwest 15 Terrace

THOMPSON, ANTHONY A & COLLETTE, JOYCE M

Violation:

8-1.

THERE IS TRASH, RUBBISH AND DEBRIS ON THE FRONT AND AT THE NORTH SIDE OF THIS SINGLE FAMILY RESIDENCE DWELLING VISIBLE FROM THE RIGHT-OF Way , INCLUDING BUT NOT LIMITED TO USED APPLIANCES, FURNITURE, PICK UP TRUCK FULL OF METAL JUNK PARTS, AND MISCELLANEOUS TRASH, RUBBISH AND DEBRIS. THESE CONDITIONS CONSTITUTE OBJECTIONABLE AND UNSIGHTLY MATTER THAT MAY REASONABLE ENDANGER THE PUBLIC HEALTH, SAFETY OR WELFARE OF ADJACENT PROPERTY, IS DECLARED TO BE A PUBLIC NUISANCE. THIS IS A RECURRENT VIOLATION OF THE FOLLOWING CASE CE10041792 CITED ON 4/20/10, SAME LOCATION, SAME OWNER.

The City had a stipulated agreement with the owner to comply within 35 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 35 days or a fine of \$25 per day would begin to accrue.

Case: CE13062082

433 Northeast 1 Avenue

SPAXON CORP II

Certified mail sent to the owner was accepted on 9/26/13. Service was also via posting at City Hall on 10/3/13.

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

9-307(a)

THE FRONT WINDOW ON THE PROPERTY IS BROKEN AND IS IN NEED OF REPAIR OR REPLACING.

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: CE12041452

2200 Northwest 7 Court
WILLIAMS, JIMMIE L EST

This case was first heard on 9/20/12 to comply by 10/18/12. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$9,100 fine which would continue to accrue until the property complied.

Case: CE11051670

1407 Northwest 15 Street
WHITE, LEON & PHILLIPS, PAULINE MAXINE

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 and the City was requesting imposition of a \$19,600 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$19,600 fine which would continue to accrue until the property complied.

Case: CE13061731

2415 Castilla Isle
WHEELER, PHILIP GREGORY

This case was first heard on 8/15/13 to comply by 8/25/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

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

Case: CE13061223

3400 North Ocean Boulevard
3404 North Ocean Boulevard LLC

This case was first heard on 8/1/13 to comply by 8/22/13. 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: CE13041682

2370 Northwest 26 Street
26-237 LAUDERDALE TR STOUTE, D TRSTEE

This case was first heard on 7/18/13 to comply by 8/22/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,375 fine which would continue to accrue until the property complied.

Case: CE13040667

3051 Northwest 19 Street
TOP DOG REAL ESTATE HOLDINGS II LLC

This case was first heard on 7/18/13 to comply by 8/22/13. 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: CE13050015

3001 Northwest 68 Street # BLDG 9
PALM-AIRE VILLAGE CONDO ASSN NO1 IN

This case was first heard on 8/1/13 to comply by 8/15/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,100 fine which would continue to accrue until the property complied.

Case: CE13051829

5961 Northeast 18 Terrace
FANNIE MAE

This case was first heard on 8/1/13 to comply by 8/22/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,375 fine which would continue to accrue until the property complied.

Case: CE13040080

5130 Northeast 17 Terrace
MATTHEWS, CAROL ANNE

This case was first heard on 7/18/13 to comply by 8/22/13. 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: CE13031279

1210 Northeast 1 Avenue
CROW, CHAD LEE

This case was first heard on 7/18/13 to comply by 8/22/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$16,500 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$16,500 fine which would continue to accrue until the property complied.

Case: CE13041795

642 Northwest 22 Rd
CNW REALTY STATE LLC

This case was first heard on 7/18/13 to comply by 8/22/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,375 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,375 fine which would continue to accrue until the property complied.

Case: CE13010059

1111 Northwest 21 Street
TBN HOMES LLC

This case was first heard on 4/4/13 to comply by 4/18/13 and 5/10/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$34,100 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$34,100 fine which would continue to accrue until the property complied.

Case: CE13050145

207 Northwest 7 Avenue
SOPHER INVESTMENTS INC

This case was first heard on 7/18/13 to comply by 8/22/13. 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: CE13041476

2466 Bimini Ln
HUTCHINSON, BRUCE

This case was first heard on 8/1/13 to comply by 8/15/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,200 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE13061334

3321 Northwest 64 Street
FEDERAL HOME LOAN MORTGAGE CORP

This case was first heard on 8/1/13 to comply by 8/15/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,200 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$6,200 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 and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,800 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$21,800 fine which would continue to accrue until the property complied.

Case: CE12041373

1821 Southwest 11 Street
CARDOTT, BERRY E

This was a request to vacate the Orders dated 8/27/12 and 3/7/13.

Ms. Flynn vacated the Orders dated 8/27/12 and 3/7/13.

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:

CE13071530	CE13081260	CE13081348	CE13060854
CE13081616	CE13061783	CE13071050	CE13071489
CE13081883	CE13082069	CE13071946	CE13070662
CE13051825	CE13050481	CE13080155	CE13071383
CE13071693	CE13081462	CE13090084	CE13070814

Cases Withdrawn

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

CE13080291 CE12110473

Cases Rescheduled

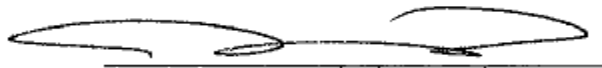
The below listed cases had been rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE13061599

There being no further business, the hearing was adjourned at 10:50 A.M.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services