

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
FEBRUARY 20, 2014
9:00 A.M.**

Staff Present:

Mary Allman, Secretary, Special Magistrate
Peggy Burks, Clerk III
Lori Grossfeld, Clerk III
Skip Margerum, Supervisor, Clerk of Special Magistrate
Ginger Wald, Assistant City Attorney
Wanda Acquavella, Code Enforcement Officer
Stephanie Bass, Code Enforcement Officer
Tom Clements, Fire Inspector
Andre Cross, Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Wilson Quintero Jr., Code Enforcement Officer
Ron Tetreault, Fire Inspector
Ursula Thime, Senior Code Enforcement Officer
Salvatore Viscusi, Code Enforcement Officer
Aretha Wimberly, Code Enforcement Officer
Shelly Wright, Code Enforcement Officer

Respondents and Witnesses

CE13061972: Norman Braslow, prior owner; Ariel Malchuk, current owner
CE13081748: David Timmons, owner
CE12051026: Rosy Baron, property manager
CE13120640: Claire Clark, representative
CE12121225: Ercan Aydin, owner
CE13111092: Jean-Marie Frannix, owner
CE13120523: Alan Vordermeier, real estate agent
CE13040935: Darrin D. Brown, representative
CE13121170: Andre Andrews, owner's brother-in-law
CE13101295: Rosa Katia, owner's representative
CE13100302: David McDonald, owner
CE13111402: Vincent Rispoli, attorney
CE14010488: Thomas Lanigan, owner
CE13060859: James Wood, owner
CE13090477: Corey Greene, church board member
CE13110748: Katrice Jefferson, trust representative

CE13080905: Denise Cobb, owner
CE13090741: Inez Lewis, 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: CE13120640
700 Northwest 10 Terrace
MAX LLC

Certified mail sent to the owner was accepted on 1/31/14.

Shelly Wright, Code Enforcement Officer, testified to the following violation:
47-19.4.D.6.

ALL DUMPSTER ENCLOSURES SHALL BE PLACED ON A PAD.

Claire Clark, the owner's representative, said the project would begin Monday morning and requested 35 days.

Officer Wright 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: CE13060859
1741 Northwest 7 Avenue
WOOD, JAMES R & AIMEE C

Service was via posting on the property on 1/24/14 and at City Hall on 2/6/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:
18-7(b)

THERE ARE BOARDS COVERING WINDOWS ON THIS VACANT HOUSE THAT DO NOT MEET CITY REQUIREMENTS FOR BOARDING. THERE IS NO BOARD UP CERTIFICATE ON FILE FOR THIS PROPERTY.

Complied:
18-12.1.(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.

James Wood, owner, agreed to comply within 28 days.

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

Case: CE14010488

1725 Southwest 4 Street
LANIGAN, THOMAS P

Service was via posting on the property on 1/28/14 and at City Hall on 2/6/14.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:
18-1.

THERE IS AN ACCUMULATION OF RUBBISH, DEBRIS AND MISCELLANEOUS ITEMS BEING STORED IN THE CARPORT AREA OF THIS OCCUPIED PROPERTY. IT IS UNLAWFUL AND A PUBLIC NUISANCE IN THIS CITY TO MAINTAIN SUCH PROPERTY IN A MANNER THAT THE PROPERTY IS OR MAY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS OR IMPAIRS THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THIS CASE HAS BEEN PREVIOUSLY CITED FOR THE SAME VIOLATION WITHIN THE LAST FIVE YEARS WHICH CONSTITUTES A RECURRING VIOLATION. THE PROPERTY WAS CITED ON 7/2/12 CASE CE12070002, 3/20/13 CASE CE13031376, 6/11/13 CASE CE13060552 AND CURRENT CASE CE14010488. THIS CASE WILL GO FORWARD TO A SPECIAL MAGISTRATE HEARING FOR A FINDING OF FACTS AS A RECURRING VIOLATION AND FOR FURTHER VIOLATIONS OF THIS SAME NATURE TO BE CITED AS A REPEAT VIOLATION FOR IMMEDIATE IMPOSITION OF FINES.

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.

Thomas Lanigan, owner, noted that the photos Inspector Bass had shown were not current and she agreed. He questioned how Inspector Bass could state there was trash on the property when she had never been closer than 35 feet from the property. Inspector Bass explained that she could see the property from the right of way. Mr. Lanigan insisted the property was in compliance. He explained that he was permitted to store items other than a car in the carport. Mr. Lanigan said he was being harassed by Inspector Bass and by a neighbor.

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: CE13090741

2889 Southwest 16 Street
LEWIS, D R & INEZ C

Certified mail sent to the owner was accepted on 1/23/14.

Wilson Quintero Jr., Code Enforcement Officer, testified to the following violations:
9-280(b)

THERE ARE WINDOWS ON THE BUILDING THAT ARE IN DISREPAIR IN THAT THERE ARE MISSING/SAGGING WINDOW PANES; THERE ARE NUMEROUS WINDOWS THAT ARE TAPED AND NOT WEATHER/WATERTIGHT AS REQUIRED. THE AWNINGS ON THE EXTERIOR WALLS OF THE PROPERTY ARE IN DISREPAIR, IN THAT THEY ARE STAINED AND HAVE MILDEW.

9-306

THE EXTERIOR WALLS OF THE PROPERTY ARE IN DISREPAIR, IN THAT THERE IS PEELING/MISSING PAINT; THERE ARE AREAS THAT ARE DIRTY AND HAVE MILDEW; THERE ARE ALSO AREAS OF THE FASCIA BOARDS THAT ARE ROTTED AND IN NEED OF REPAIR.

Complied:
9-280(h)(1)
9-304(b)

Officer Quintero presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$25 per day, per violation.

Inez Lewis, owner, requested more than 42 days.

Ms. Flynn found in favor of the City and ordered compliance within 56 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE13120523

Administrative Hearing-Nuisance Abatement

1300 Riverland Road
T&G TOWER CORPORATION INC

Salvatore Viscusi, Code Enforcement Officer, testified to the following violation:
24-7(b)

UNLAWFUL ACCUMULATION OF SOLID WASTE (RUBBISH, DEBRIS, BUILDING MATERIALS, LITTER BULK TRASH, ETC.) ON THE PROPERTY AND/OR SWALE CONSTITUTING A PUBLIC NUISANCE.

Officer Viscusi presented photos of the property and the case file into evidence, and stated the City had removed the rubbish on 12/10/13.

Alan Vordermeier, real estate agent, said he had written a letter objecting to this process. He stated the trash actually belonged to a neighbor and the photo was terrible. Mr. Vordermeier asked if certified mail had been sent to the owners, and noted that the owners lived in other municipalities. He added that 48 hours' notice was not sufficient time to respond to a citation.

Officer Viscusi advised Mr. Vordermeier to contact him if someone placed trash on the property to file a case for illegal dumping. The City would then remove the pile free of charge.

Ms. Flynn denied the request.

Case: CE13080905

2349 Northwest 19 Street
COBB, DENISE

This case was first heard on 11/7/13 to comply by 1/16/14. 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.

Denise Cobb, owner, said Officer Saey had informed her that if she boarded up the property that she would drop the case. Ms. Cobb had boarded the property, and she had a board-up certificate. Regarding the roof, she said she was working with the Community Redevelopment Department and they intended to demolish the property and rebuild, so she did not want to repair the roof.

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

Case: CE13121170

1429 Northwest 6 Street
MIZELL, T & MIZELL, Z & MIZELL, I & MIZELL, D

Service was via posting on the property on 1/30/14 and at City Hall on 2/6/14.

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

18-12(a)

EXCESSIVE AMOUNTS OF OVERGROWTH, RUBBISH, TRASH,
AND DEBRIS HAS ACCUMULATED ON THIS OCCUPIED
MULTI-FAMILY PROPERTY.

9-279(f)

1429 NW 6 STREET SHARES A SEWER LINE CONNECTION
WITH 605 NW 14 TER.

9-280(b)

MULTIPLE EXTERIOR DOORS, DOOR FRAMES, AND WINDOWS ARE IN A STATE OF DISREPAIR AND ARE NOT WATER OR WEATHER TIGHT.

9-280(f)

PLUMBING FIXTURES, WATER PIPES, DRAIN PIPES, AND/OR WASTE PIPES ARE IN DISREPAIR AND ARE NOT MAINTAINED IN GOOD SANITARY WORKING CONDITION INCLUDING BUT NOT LIMITED TO: BROKEN DRAIN PIPE ON EAST WALL, DRAIN PIPE DOES NOT PROPERLY EXTEND TO THE REQUIRED HEIGHT FROM THE ROOF, ANOTHER DRAIN PIPE ON THE EAST WALL IS WITHOUT PROPER CONNECTIONS AND DRAINING DOWN THE SIDE OF THE WALL, SEWER LINE CONNECTION ON THE NORTH WALL IS LEAKING AND HAS AN UNSTABLE WALL INSTALLATION THEREBY IS IN AN UNSANITARY CONDITION.

9-306

EXTERIOR WALLS / SURFACES ARE STAINED IN AREAS WHERE PIPES ARE IMPROPERLY CONNECTED OR OTHERWISE IN DISREPAIR.

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, with 9-279(f) within 84 days or a fine of \$25 per day and with 9-280(b), 9-280(f) and 9-306 within 14 days or a fine of \$25 per day, per violation.

Andre Andrews, the owner's brother-in-law, said they were having money problems. He requested time to comply.

Officer Wimberly stated the owner had a permit for a sewer line but the line had been illegally connected to the rear property and the City must determine where the City's sewer lateral should be located. The owner must also decide whether he would install the line on an adjacent lot, which he also owned.

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, with 9-279(f) within 84 days or a fine of \$25 per day and with 9-280(b), 9-280(f) and 9-306 within 21 days or a fine of \$25 per day, per violation would begin to accrue.

Case: CE13100302

Administrative Hearing-Nuisance Abatement

1509 Northwest 3 Avenue
MCDONALD, DAVID & RODRIGUEZ, ROBERT

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

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

Officer Gottlieb stated the City had cleared the lot of debris on 11/15/13 but there was still trash and yard debris on the property on 11/19/13. On a subsequent visit, there was a No Trespassing sign on the property, preventing the City from entering the property. On a later visit, the violation was complied.

David McDonald, owner, said he had mowed the yard after the first notice in October but he had not cleared the rear of the property. When the City cleaned the property, Mr. McDonald stated they had not cleared everything. He had cleared most of the trash at the end of November and completed cleanup the previous week.

Ms. Wald referred to the City work request and the photos of the property and Ms. Flynn determined that the City had not completed the work for which the homeowner had been charged.

Ms. Flynn found in favor of the owner.

Case: CE13061972

227 Southwest 22 Avenue
OPPORTUNITIES ONE LLC

This case was first heard on 8/1/13 to comply by 9/5/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$1,900 and the City was requesting a \$520 fine be imposed.

George Oliva, Building Inspector, reported the owner had renewed the permits and complied the violation. He recommended a fine of \$520.

Norman Braslow, prior owner, said there had been confusion regarding the permits.

Ms. Wald informed Ariel Malchuk, the current owner, that the fines would be against the prior owner and the property. Mr. Braslow agreed to pay the fine.

Ms. Flynn imposed a \$520 fine.

Case: CE13090477

2158 Northwest 6 Court
CHURCH OF NEW LIFE CHRISTIAN FELLOW

This case was first heard on 12/19/13 to comply by 1/2/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,575 fine, which would continue to accrue until the property complied.

Corey Greene, church board member, said the truck belonging to a neighbor had been removed. Regarding the trailer, the owner intended to move it to a warehouse as soon as the space became available. The other violations were in compliance.

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

Case: CE12051026

600 Northwest 18 Street
SORKIN, ALEXANDER

Service was via posting on the property on 1/30/14 and at City Hall on 2/6/14.

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

REROOF PERMIT 04010665 IS EXPIRED

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

Rosy Baron, property manager, said she had contacted the roofing contractor, who agreed to renew the permit.

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: CE12121225

842 Southwest 2 Street
AYDIN, HATICE & AYDIN, ERCAN

This case was first heard on 2/7/13 to comply by 3/7/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$9,600 and the City was requesting the full fine be imposed.

Ron Tetreault, Fire Inspector, confirmed the violation was complied and recommended a \$520 fine.

Ercan Aydin, owner, requested a further reduction of the fine.

Ms. Flynn imposed a \$520 fine.

Case: CE13110748

2323 Northwest 13 Street
WILLARD & KATRINA BELL FAM TR
BELL, KATRINE BELL TRSTEE

Service was via posting on the property on 1/23/14 and at City Hall on 2/6/14.

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

THE FOLLOWING PERMITS WERE LEFT TO EXPIRE:
BUILDING# 1210028
ELECTRICAL# 12100631
PLUMBING# 12100632

Inspector Oliva 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.

Katrice Jefferson, trust representative, said the work was complete but she could not locate the contractor. She stated she could not afford to spend any more money to pull another permit. Inspector Oliva informed Ms. Jefferson that she could transfer the permits to her own name to renew the permits, then the inspections could take place. He estimated the permits would cost approximately \$50 each.

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: CE13101295

1436 Northwest 3 Avenue
TUCHOW, TYLER

Certified mail sent to the owner was accepted on 2/7/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
47-34.1.A.1.

THIS SINGLE FAMILY HOME HAS BEEN CONVERTED INTO A
TRIPLEX. THIS IS NOT A PERMITTED LAND USE IN
RDS-15 ZONING.

9-280(b)

THERE ARE WINDOWS IN DISREPAIR.

9-304(b)

THE GRAVEL DRIVEWAY IS IN DISREPAIR AND IN NEED OF RESURFACING. THERE ARE VEHICLES PARKING ON A MULCH SURFACE.

9-305(b)

THERE ARE AREAS OF DEAD OR MISSING GROUND COVER.

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.

Rosa Katia, the owner's representative, said the owner was trying to resolve the problem, but a renter had taken it upon herself to close off a bedroom and rent it out. She said they must evict the illegal renter. She described her and the owner's efforts to comply the other violations.

Officer Gottlieb said this owner had a history of not maintaining his properties. She advised that water must be turned on for the illegal tenant until he was evicted.

Ms. Flynn found in favor of the City and ordered compliance with 47-34.1.A.1. within 56 days or a fine of \$50 per day and for the remaining violations within 28 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE13111092

1045 Northwest 5 Avenue
DARGENSON, YVENOLINE

Service was via posting on the property on 1/22/14 and at City Hall on 2/6/14.

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

THERE IS TRASH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE. THIS IS A REPEAT VIOLATION OF CASE # CE12032603, WHERE THE SPECIAL MAGISTRATE FOUND IN FAVOR OF THE CITY. THIS CASE WILL BE PRESENTED TO THE MAGISTRATE, EVEN IF THE VIOLATION IS BROUGHT INTO COMPLIANCE PRIOR TO THE HEARING.

9-278(g)

THERE ARE WINDOWS MISSING THE REQUIRED SCREENS.

Complied:
9-306

Officer Gottlieb presented photos of the property and the case file into evidence, and requested a fine be imposed for the 107 days that 18-12(a) had been out of compliance and ordering compliance with 9-278(g) within 28 days or a fine of \$50 per day.

Jean-Marie Frannix, owner, said people in the neighborhood littered on the property. He stated he had taken care of the trash soon after he was cited. Mr. Frannix stated he had video of the property after he had cleaned it on Tuesday. He requested time to repair the screens.

Ms. Flynn found in favor of the City and ordered a fine of \$107 for the days 18-12(a) had existed and ordered compliance with 9-278(g) within 28 days or a fine of \$50 per day would begin to accrue.

Case: CE13040935

1408 Northwest 3 Avenue
PHD DEVELOPMENT LLC

This case was first heard on 10/17/13 to comply by 11/14/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,500 and the City was requesting the full fine be imposed.

Darrin D. Brown, representative, said they had been working with Officer Gottlieb. He said the violations had been complied prior to the last hearing and requested a reduction of the fine.

Ingrid Gottlieb, Senior Code Enforcement Officer, recommended imposition of the full fine.

Ms. Flynn imposed a \$2,500 fine.

Case: CE13121200

3001 Bayview Drive
SHERMAN, STEVEN T

Service was via posting on the property on 1/30/14 and at City Hall on 2/6/14.

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

THERE IS OVERGROWTH OF PLANTS; THERE IS TRASH AND
DEBRIS ON THIS PROPERTY.

Officer Wright 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: CE13081991

1201 Northwest 11 Court
MERCURIUS, VAUDINE A & WAISOME, BERNADETTE M

Violations:

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE NOT MAINTAINED, THEY INCLUDE, BUT ARE NOT LIMITED TO, WINDOWS, DOORS.

9-308(a)

THE ROOF ON THIS SINGLE FAMILY RESIDENCE DWELLING IS IN DISREPAIR, THERE ARE AREAS THAT LEAKS INSIDE WHEN IS RAINING.

The City had a stipulated agreement with the owner to comply within 91 days or a fine of \$25 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 91 days or a fine of \$25 per day would begin to accrue.

Case: CE14010583

951 Alabama Avenue
BOUQUET, WILSON EST

Service was via posting on the property on 2/4/14 and at City Hall on 2/6/14.

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

9-279(f)

PROPERTY IS BEING OCCUPIED WITHOUT PROPERLY BEING CONNECTED TO THE CITY WATER/SEWER SYSTEM, WHICH IS UNSANITARY CONDITIONS.

Officer Bass 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: CE14010663

1049 Wyoming Avenue
BARNES, BERNICE

Certified mail sent to the owner was accepted on 2/1/14.

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

THE POOL AT THIS OCCUPIED PROPERTY IS FILLED WITH GREEN STAGNANT WATER. THE POOL IN THIS CONDITION CREATES A BREEDING GROUND FOR MOSQUITOES AND ENDANGERS THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY. THIS CASE HAS BEEN CITED FOR THE SAME VIOLATION WITHIN THE LAST FIVE YEARS WHICH CONSTITUTES A RECURRING VIOLATION. THE PROPERTY WAS PREVIOUSLY CITED ON 1/27/12 CASE CE12011951, 6/14/13 CASE CE13060804 AND CURRENT CASE 1/13/14 CASE NUMBER CE14010663. THIS CASE WILL GO FORWARD TO A SPECIAL MAGISTRATE HEARING FOR A FINDING OF FACTS AS A RECURRING VIOLATION AND FOR FURTHER VIOLATIONS OF THIS SAME NATURE TO BE CITED AS A REPEAT VIOLATION FOR IMMEDIATE IMPOSITION OF FINES.

Officer Bass reported the violation was complied and requested a finding of fact.

Ms. Flynn found for the City that the violation had existed as cited.

Case: CE13121015

799 Northwest 13 Street
ULCENA, JIMLY

Service was via posting on the property on 1/30/14 and at City Hall on 2/6/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:
18-7(b)

THE WINDOWS ON THIS HOME ARE BOARDED WITHOUT A BOARD UP CERTIFICATE, AND ARE NOT BOARDED ACCORDING TO CITY REQUIREMENTS.

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.

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

Case: CE13121695

1011 Northwest 2 Avenue
ALEXANDER, JAMES K & ALEXANDER, THERESA HALABURDA

Service was via posting on the property on 1/29/14 and at City Hall on 2/6/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:

18-12(a)

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

24-27.(b)

THERE ARE TRASH CONTAINERS BEING LEFT ROADSIDE AFTER COLLECTION DAY.

24-27.(f)

THERE ARE WASTE BINS WITH TRASH OVERFLOWING AND THE LIDS OPEN.

9-305(b)

THERE ARE LARGE AREAS OF MISSING GROUND COVER, WHERE THERE IS BARE DIRT.

9-306

THERE IS DIRTY AND STAINED PAINT ON THE EXTERIOR OF THE STRUCTURE.

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 the remaining violations within 28 days or a fine of \$100 per day, per violation.

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 the remaining violations within 28 days or a fine of \$100 per day, per violation would begin to accrue.

Case: CE14010061

1111 Northwest 2 Avenue
RAYNOR, JAMES HOID

Service was via posting on the property on 2/6/14 and at City Hall on 2/6/14.

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 OCCUPIED HOUSE.

Officer Gottlieb 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: CE13121389

608 Northeast 15 Street
REED, STEPHEN & DEBORAH

Service was via posting on the property on 1/30/14 and at City Hall on 2/6/14.

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

9-280(h)(1)

THE WOODEN PICKET FENCE AT THE ABOVE PROPERTY IS IN DISREPAIR. THE ENTRANCE GATE IS UNASSEMBLED AND THERE ARE AREAS OF BROKEN AND MISSING WOODEN SLATS THAT ARE IN NEED OF REPLACING OR REPAIR.

Officer Cross 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 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.

Case: CE14010462

1239 Northeast 8 Avenue
1239 PROPERTIES LLC

Certified mail sent to the owner was accepted on 1/22/14.

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

18-12(a)

THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT THE REAR ALLEY OF THE ABOVE PROPERTY. DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER IT COMES INTO COMPLIANCE OR NOT, AS THE VIOLATIONS HAS NOT BEEN IN COMPLIANCE. THE PROPERTY WAS FIRST CITED ON A COMPLAINT BASIS ON 06-11-13 FOR TRASH SCATTERED ABOUT THE REAR ALLEY-WAY OF THE ABOVE PROPERTY, I REINSPECTED THE PROPERTY ON 06-25-13 AND FOUND THE PROPERTY TO BE IN COMPLIANCE. I THEN CITED THE ABOVE PROPERTY ON ANOTHER COMPLAINT BASIS ON 07-12-13 FOR TRASH SCATTERED ABOUT THE REAR ALLEY-WAY OF THE ABOVE PROPERTY, I THEN REINSPECTED THE PROPERTY AGAIN ON 08-07-13 AND THE PROPERTY WAS NOT IN COMPLIANCE, I THEN SCHEDULED THE PROPERTY FOR A SPECIAL MAGISTRATE

HEARING AND THEN REINSPECTED THE PROPERTY ON 08-22-13 AND FOUND THE ABOVE PROPERTY TO BE IN COMPLIANCE. I CITED THE PROPERTY AGAIN ON A COMPLAINT BASIS ON 11-22-13 FOR TRASH AND OVERGROWTH, I THEN REINSPECTED THE PROPERTY ON 12-06-13 AND FOUND THE PROPERTY TO BE IN COMPLIANCE. HOWEVER DUE TO THE RECURRING NATURE OF THIS VIOLATION, THE CITY IS REQUESTING THAT THE MAGISTRATE FINDS THAT THE VIOLATION DID EXIST, IF THIS VIOLATION OCCURS AGAIN THE PROPERTY OWNER IS SUBJECT TO BE CITED AS A REPEAT VIOLATOR.

Officer Cross presented photos of the property and the case file into evidence. He reported the property was now in compliance and requested a finding of fact that the violation had existed as cited.

Ms. Flynn found for the City that the violation had existed as cited.

Case: CE14010608

2218 Northwest 5 Street
GOLDBERG, SONIA ROSE EST
% GOLDBERG, ALAN

Certified mail sent to the owner was accepted on 1/22/14.

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

THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED. DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER IT COMES INTO COMPLIANCE OR NOT. THE PROPERTY WAS FIRST CITED ON 03-27-12 FOR OVERGROWTH, I REINSPECTED THE PROPERTY ON 04-10-12 AND THE PROPERTY WAS NOT IN COMPLIANCE, I THEN SUBMITTED A WORK ORDER AND REINSPECTED THE PROPERTY ON 04-24-12 AND THE PROPERTY WAS CUT AND CLEANED BY PUBLIC SERVICES. I CITED THE PROPERTY AGAIN ON A COMPLAINT BASIS ON 06-12-12 FOR OVERGROWTH, I REINSPECTED THE PROPERTY ON 06-27-12 AND THE PROPERTY WAS STILL OVERGROWN, I THEN SUBMITTED A WORK ORDER AND REINSPECTED THE PROPERTY ON 07-06-12 AND THE PROPERTY WAS CUT AND CLEANED BY PUBLIC SERVICES. I CITED THE PROPERTY AGAIN ON 09-28-12 FOR OVERGROWTH, I THEN REINSPECTED THE PROPERTY ON 10-12-12 AND THE PROPERTY WAS STILL OVERGROWN, I THEN SUBMITTED A WORK ORDER AND REINSPECTED THE PROPERTY ON 10-26-12 AND THE PROPERTY WAS CUT AND CLEANED BY PUBLIC SERVICES. I CITED THE PROPERTY AGAIN ON 04-24-13 FOR OVERGROWTH, I THEN REINSPECTED THE

PROPERTY ON 05-08-13 THE PROPERTY WAS STILL OVERGROWN, I THEN SUBMITTED A WORK ORDER AND REINSPECTED THE PROPERTY ON 05-22-13 AND THE PROPERTY WAS CUT AND CLEANED BY PUBLIC SERVICES. I CITED THE PROPERTY AGAIN ON 09-12-13 FOR OVERGROWTH, I THEN REINSPECTED THE PROPERTY ON 09-27-13 AND THE PROPERTY WAS STILL OVERGROWN, I THEN SUBMITTED THE WORK ORDER AND REINSPECTED THE PROPERTY ON 10-11-13 AND THE PROPERTY WAS CUT AND CLEANED BY PUBLIC SERVICES. HOWEVER DUE TO THE RECURRING NATURE OF THIS VIOLATION THE CITY IS REQUESTING THAT THE MAGISTRATE FINDS THAT THE VIOLATION DID EXIST. IF THE VIOLATION OCCURS AGAIN THE PROPERTY OWNER IS SUBJECT TO BE CITED AS A REPEAT VIOLATOR.

Officer Cross presented photos of the property and the case file into evidence. He reported the property was now in compliance and requested a finding of fact that the violation had existed as cited.

Ms. Flynn found for the City that the violation had existed as cited.

Case: CT13110465

1901 Northwest 2 Street
SALVATION ARMY

Certified mail sent to the owner was accepted on 1/22/14.

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

9-306-

THERE IS GRAFFITI ON THE EXTERIOR WALLS OF THIS
BUILDING

Officer Cross presented photos of the property and the case file into evidence, and reported the violation was complied but the citation fee had not been paid.

Ms. Flynn read a letter from the Salvation Army disputing the charge.

Ms. Flynn found in favor of the City.

Case: CE13121585

5101 Northeast 18 Avenue
D'ADDARIO, THOMAS A

Service was via posting on the property on 1/30/14 and at City Hall on 2/6/14.

Thomas Clements, Fire Inspector, testified to the following violation:

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.

Inspector Clements 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: CE14011328

1000 State Road 84
84 HOLDINGS INC

Certified mail sent to the owner was accepted on 1/31/14.

Thomas Clements, Fire Inspector, testified to the following violation:
NFPA 1:10.4.4

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

Complied:

NFPA 1:11.1.10
NFPA 1:13.3.1.1 (SERVICE)
NFPA 101:7.9.2.1

Inspector Clements 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: CE14011404

918 Northeast 17 Terrace
RUEDA-GONZALEZ, SUSANA

Service was via posting on the property on 1/31/14 and at City Hall on 2/6/14.

Thomas Clements, Fire Inspector, testified to the following violations:
F-103.2.5

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

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 1:18.2.2.1

ACCESS TO OR WITHIN THE STRUCTURE OR AREA IS DIFFICULT
BECAUSE OF SECURITY.

Inspector Clements 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: CE13121166

1310 Northwest 46 Street
FEDERAL NATIONAL MORTGAGE ASSN
% ONEWEST BANK

Personal service was made to the owner on 1/30/14.

Wilson Quintero Jr., Code Enforcement Officer, testified to the following violation:
18-11(a)

THE POOL AT THIS LOCATION IS FILLED WITH
GREEN/STAGNANT WATER. THE POOL AT THIS LOCATION IS
A PUBLIC NUISANCE.

Officer Quintero 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: CE13050245

3101 Northeast 43 Street
CRAMER, DANIEL

This case was first heard on 8/15/13 to comply by 8/29/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$8,050 and the City was requesting the full fine be imposed.

Ms. Flynn imposed an \$8,050 fine.

Case: CE13091068

600 Southwest 28 Wy
CARTER, AMELIA EQLE CARTER, WILLIAM J

This case was first heard on 11/7/13 to comply by 11/17/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,400 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$9,400 fine, which would continue to accrue until the property complied.

Case: CE12120706

210 Southwest 29 Avenue
PAUL, OMINIGUE

This case was first heard on 2/21/13 to comply by 5/23/13. Violations and extensions 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: CE13081334

121 Hendricks Isle
MUNOZ, PABLO G

This case was first heard on 9/19/13 to comply by 10/17/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$30,750 and the City was requesting the full fine be imposed.

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

Ms. Flynn imposed no fine.

Case: CE12050764

1132 Northwest 2 Street
SWEET, LILIAN

This case was first heard on 6/21/12 to comply by 7/19/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$144,250 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$144,250 fine, which would continue to accrue until the property complied.

Case: CE13041274

100 S Birch Rd # 1704
LANDSMAN, DAVID & JENNIFER

This case was first heard on 6/6/13 to comply by 12/5/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$10,500 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE13041278

100 S Birch Rd # 1705
1705 INVESTMENTS LLC

This case was first heard on 6/6/13 to comply by 12/5/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$10,500 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE13070156

22 Northeast 16 Place
MORRIS, SCOTT

This case was first heard on 11/7/13 to comply by 1/9/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,050 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,050 fine, which would continue to accrue until the property complied.

Case: CE13090749

529 Northwest 16 Avenue
GLASS, OLIVER C JR

This case was first heard on 12/19/13 to comply by 1/23/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,250 and the City was requesting imposition of the full fine

Ms. Flynn imposed a \$1,250 fine.

Case: CE13091535

711 Northwest 4 Avenue
REAL ESTATE SERVICES & MGMT INC % B

This case was first heard on 12/5/13 to comply by 1/23/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,250 and the City was requesting imposition of the full fine

Ms. Flynn imposed a \$1,250 fine.

Case: CE13081748

517 Northwest 16 Avenue
MATHIS, PHYLLIS & TIMMONS, DAVID

This case was first heard on 10/17/13 to comply by 1/6/14. 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.

David Timmons, owner, said the house had been broken into and his identification had been stolen. He requested an extension.

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

Case: CE13100830

1208 Northwest 3 Street
FADI INVESTMENT CORP

This case was first heard on 12/19/13 to comply by 1/23/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,100 and the City was requesting the full fine be imposed.

Ms. Flynn imposed a \$1,100 fine.

Case: CE13090670

1531 Northwest 12 Avenue
VICTORES, NORMA

This case was first heard on 12/5/13 to comply by 1/9/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,025 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,025 fine, which would continue to accrue until the property complied.

Case: CE13091318

1301 Northwest 12 Street
SMITH, LORETTA L & WILLIAM L
% PRUDENTIAL CALIFORNIA REALTY

This case was first heard on 12/19/13 to comply by 1/23/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$675 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$675 fine, which would continue to accrue until the property complied.

Case: CE13091616

1217 Northwest 13 LA
CLEMENT, AUDRA & CLEMENT, MARION JACQULINE

This case was first heard on 12/5/13 to comply by 1/9/14. 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: CE13100163

2012 Northwest 12 Avenue
JACKSON, DWAN L

This case was first heard on 12/19/13 to comply by 1/23/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,350 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$1,350 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:

CE13091221	CE13111443	CE13120640	CE13121098
CE13091548	CE13100622	CE13101914	CE13120805
CE14010127	CE14010328	CE14010335	CE14010338
CE14010339	CE14010613	CE13121392	CE13121700
CE14010300	CE14010431	CE14010466	CE14010472
CE13121580	CE13121581	CE13121582	CE13121583
CE13121584	CE13121643	CE13121644	CE13121645
CE13121701	CE13121703	CE13121704	CE13121705
CE13121710	CE14011335	CE14011343	CE14011346
CE14011348	CE14011354	CE14011361	CE14011403
CE13041270			

Cases Rescheduled

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

CE13101877 CE13100184

Cases Closed

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

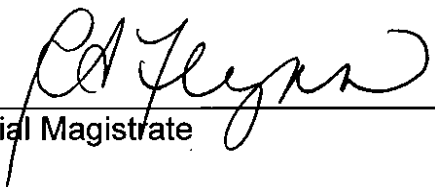
CE14010450 CE14011330

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:

CE13111402 CE13121642

There being no further business, the hearing was adjourned at 10:55 A.M.



Special Magistrate

ATTEST:



Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services