

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
MARCH 6, 2014
9:00 A.M.**

Staff Present:

Peggy Burks, Clerk III
Mary Allman, Secretary, Special Magistrate
Lori Grossfeld, Clerk III
Jeri Pryor, Clerk of special Magistrate Supervisor
Skip Margerum, Code Enforcement Supervisor
Ginger Wald, Assistant City Attorney
Wanda Acquavella, Code Enforcement Officer
Stephanie Bass, Code Enforcement Officer
Thomas Clements, Fire Inspector
Andre Cross, Code Enforcement Officer
Dick Eaton, Senior Code Enforcement Officer
Adam Feldman, Senior code enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
George Oliva, Building Inspector
Wilson Quintero, Code Enforcement Officer
Maria Roque, Code Enforcement Officer
Ursula Thime, Senior Code Enforcement Officer
Shelly Wright, Code Enforcement Officer

Respondents and Witnesses

CE14011508; CE14011547: Richard Bachan, owner's son
CE13081974: Clint Lee Gordon, owner
CE13120172: Jacquelyn Beik, bank attorney
CE13061495: Christinia Taylor, property manager's attorney; April Smith, property manager
CE13051877: Robert Villa, owner
CE14020593: Camille Katherine Spence, employee
CE13070451: Robert Lee Jr. owner
CE12081691: Pierre Petit Frere, pastor
CE14011801: Ed-Marie Croasdale, owner; Damon Croasdale, owner's husband
CE13081364: Norman Crowther, property manager; Gary Alexander, neighbor
CE13061293: Werner Herrman, tenant
CE11040082: 11040082: Keith Skinner, owner
CE13101494: Veronica Brown, owner; Loranzer Brown, owner
CE13051639: Ronnie Sammy, owner
CE12041363: Karen Toledano, manager; Nicola Zagarolo, attorney
CE12081552: Corey Greene, minister
CE12110147: Reginald Whittington III, general manager

CE13110758: Zulfiqar Lakha, 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: CE14020287

1010 Southwest 2 Court
JEANNETTE MOUSTAKIS REV TR MOUSTAKIS, ALBERT TRSTEE

Service was via posting on the property on 2/12/14 and at City Hall on 2/20/14.

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

THIS VACANT PROPERTY IS OVERGROWN. THIS IS A
RECURRING VIOLATION WITH THE SAME OWNER
PER THE FOLLOWING CASES;
CE13042187, CE13101917, CE13071917. THIS CASE WILL
GO BEFORE THE SPECIAL MAGISTRATE WHETHER IT COMES
INTO COMPLIANCE OR NOT.

Officer Eaton presented photos of the property and the case file into evidence, stated the property was complied via cutting by City crews and requested a finding of fact that the violation had existed as cited.

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE13081779

2424 Aquavista Blvd
LESOUSKY, JOHN

This case was first heard on 1/16/14 to comply by 1/30/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of an \$850 fine, which would continue to accrue until the property complied.

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

Case: CE13111026

2415 Castilla Isle
WHEELER, PHILIP GREGORY

This case was first heard on 1/16/14 to comply by 1/30/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$850 fine, which would continue to accrue until the property complied.

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

Case: CE13070451

1300 Northwest 3 Avenue
LEE, ROBERT MARTIN JR

Service was via posting on the property on 2/8/14 and at City Hall on 2/20/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
9-280(h)(1)

THE WOOD FENCE IS IN DISREPAIR. IT IS LEANING AND UNEVEN.

9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THE PROPERTY AND SWALE ARE COVERED WITH WEEDS AND AREAS OF BARE DIRT. THERE ARE WEEDS GROWING OVER THE SIDEWALK AND CURB.

Robert Lee Jr. owner, said the property had a lot of character and he felt Inspector Gottlieb was being "a little too aggressive." He was trying to replace the fence slats with matching components. Mr. Lee requested a couple of months to complete repairs.

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

Ms. Flynn found in favor of the City and ordered compliance with 9-28(h)(1) within 56 days or a fine of \$50 per day and with 9-305(b) within 14 days or a fine of \$50 per day begin to accrue.

Case: CE13101494

1608 Northwest 15 Street
BROWN, VERONICA

This case was first heard on 1/16/14 to comply by 1/30/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$2,500 and the City was requesting the full fine be imposed.

Wilson Quintero, Code Enforcement Officer, said he had reinspected the property 10 times and recommended imposition of the fines. He stated administrative fees were \$626.

Loranz Brown, owner, said the property was complied and they would maintain it in the future.

Ms. Flynn imposed a \$1,200 fine.

Case: CE13051639

1708 Northwest 6 Avenue
SAMMY, DIANE & SAMMY, RONNIE R

This case was first heard on 1/16/14 to comply by 1/30/14. 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.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the owners' father lived in the house and had not informed the owners of the violations.

Ronnie Sammy, owner, stated he had found out about the violations from a neighbor and his father had denied it. He requested 28 days to clean up the property.

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

Case: CE14011801

1319 Northwest 10 Place
CAMMOCK, EDMARIE

Service was via posting on the property on 2/11/14 and at City Hall on 2/20/14.

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

THERE ARE COMMERCIAL 10 WHEELS RED AND WHITE CAB TRUCKS PARK, STORED AT THE EAST SIDE AND IN THE FRONT, ON THE SWALE, OF THIS RS-8 ZONED RESIDENTIAL PROPERTY. PER TABLE 47-5.11, THIS IS NOT A PERMITTED USE IN THIS ZONING. THIS IS A REPEAT VIOLATION PREVIOUSLY CITED UNDER CASE CE13060476 FOUND IN VIOLATION BY SM PURDY ON 8/15/2013.

Officer Quintero presented photos of the property and the case file into evidence, and requested a fine of \$75 per day, starting on 1/29/14 when the violation was cited and continuing until the violation was complied.

Damon Croasdale, the owner's husband, said the white truck was in compliance; he only used it to stop by the house occasionally for supplies. The other truck had been purchased at an auction and had been delivered while Mr. Croasdale was away. It was not drivable, so Mr. Croasdale requested time to have the vehicle stored.

Officer Quintero said there had been complaints about the truck since 2005 and the swale was in disrepair because of parking the truck there.

Ms. Flynn found in favor of the City and imposed a fine of \$25 per day, retroactive to 1/29/14, which would continue to accrue until the property complied.

Case: CE13081364

1327 Southwest 1 Avenue
C & C 123 LLC

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 \$7,000 and the City was requesting a \$520 fine be imposed.

Thomas Clements, Fire Inspector, recommended no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE14011508

131 Southwest 29 Avenue
BACHAN, BHAGWANTIA GOSINE

Service was via posting on the property on 2/18/14 and at City Hall on 2/20/14.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:
18-4(c)

THERE IS A RED CHEVY CAVALIER PARKED AT THIS OCCUPIED PROPERTY WITH AN EXPIRED DECAL. FL TAG 235 VGB 05/13. THIS IS A RECURRING VIOLATION. PROPERTY WAS PREVIOUSLY CITED ON 10/16/09 CASE CE09101327, 5/18/11 CASE CE11051700 AND CURRENT CASE 1/25/14 CASE CE14011508. THIS CASE WILL GO FORWARD TO A SPECIAL MAGISTRATE HEARING FOR A FINDING OF FACTS AS A RECURRING VIOLATION, REGARDLESS OF COMPLIANCE. THE CITY WILL ALSO BE REQUESTING THE RIGHT TO TOW IMMEDIATELY AND IF UNABLE TO TOW THAT ANY FURTHER VIOLATIONS OF THIS CITY ORDINANCE WILL BE IMMEDIATELY SCHEDULED FOR A SPECIAL MAGISTRATE HEARING AS A REPEAT VIOLATIONS ASKING FOR IMPOSITION OF FINES OF UP TO FIVE HUNDRED DOLLARS A DAY FROM THE DATE OF VIOLATION.

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

Richard Bachan, the owner's son, agreed to keep the property in compliance.

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE14011547

131 Southwest 29 Avenue
BACHAN, BHAGWANTIA GOSINE

Service was via posting on the property on 2/18/14 and at City Hall on 2/20/14.

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

THERE IS AN ACCUMULATION OF TRASH,
RUBBISH, DEBRIS AND AUTO PARTS IN THE
CARPORT AREA OF THIS OCCUPIED PROPERTY,
THIS PROPERTY HAS ALREADY BEEN PRESENTED
AS A REPEAT VIOLATION AT THE 1/17/13
SPECIAL MAGISTRATE HEARING, CASE
CE12121174. CASE WILL BE SCHEDULED FOR
NEXT AVAILABLE SM HEARING FOR IMPOSITION
OF FINES OF 100.00 A DAY FOR EACH DAY THE PROPERTY
IS FOUND NOT TO BE IN COMPLIANCE. STARTING WITH
TODAYS DATE 1/25/14 THE DATE IN WHICH THE PROPERTY
WAS CITED FOR THIS REPEAT VIOLATION. FINES WILL
CONTINUE UNTIL PROPERTY COMES INTO COMPLIANCE.

Officer Bass presented photos of the property and the case file into evidence, stated the property was now complied and requested a fine of \$100 for the one day, 1/25/14, that the property was out of compliance.

Richard Bachan, the owner's son, agreed to the fine.

Ms. Flynn found in favor of the City and imposed a \$100 fine for the one day the property was out of compliance.

Case: CE13061495

731 Northwest 19 Street
VENICE PARTNERS LTD
% BOSTON FINANCIAL

This case was first heard on 1/16/14 to comply by 1/30/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,800 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the property manager was trying to comply but the violation had persisted since June 2013.

Christinia Taylor, the property manager's attorney, reported the residents were the problem. The management company had taken steps to ensure compliance, including checking the dumpsters three times per day and taking photos twice daily. They were taking bids for a larger dumpster. Ms. Taylor said the parking requirements were interfering with their desire to install a larger dumpster area, so a parking reduction would need to be approved. She provided copies of the trash log the manager maintained.

Officer Gottlieb reiterated that the manager was trying to address the problem but the violation had existed every time she visited the property and some alternative should have been put in place a long time ago.

Ms. Flynn imposed the \$6,800 fine, which would continue to accrue until the property complied.

Case: CE12041363

1801 Davie Blvd
ENDEAVOR 2013 LLC

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 complied, fines had accrued to \$21,800 and the City was requesting the full fine be imposed.

Nicola Zagarolo, attorney, stated a school located on the property had been struggling financially. The property had been in foreclosure and gone through a short sale in June 2013. After the sale, the school had pulled the permits and had the work done.

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

Case: CE13120172

481 Northwest 17 Place
CITIMORTGAGE INC

Certified mail sent to the owner was accepted on 2/10/14; certified mail sent to the registered agent was accepted on 2/10/14.

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

9-280(b)

THERE ARE BROKEN WINDOWS AND DAMAGE TO THE CEILING
FROM

- A ROOF LEAK.
- 9-280(f) THE POOL WATER IS GREEN AND STAGNANT. THE DISHWASHER IS NOT OPERATING PROPERLY, AND IS BACKING UP.
- 9-280(g) THERE ARE OUTLETS AND SWITCHES MISSING COVERS. THERE IS EXPOSED WIRING ON THE EXTERIOR AS WELL, AND A SWITCH THAT CAUGHT ON FIRE.
- 9-306 THERE IS MISSING, PEELING AND DIRTY PAINT ON THE EXTERIOR OF THE STRUCTURE. THERE IS AN AREA OF THE SOFFIT IN DISREPAIR.
- 9-308(a) THE ROOF IS IN DISREPAIR, AND THERE IS A LEAK.

Officer Gottlieb presented photos of the property and the case file into evidence, and explained this was a foreclosure property.

Jacquelyn Beik, bank attorney, said in December 2013, they had sent a demand for the people occupying the property to vacate within 90 days. On February 6, 2014, they had filed a motion for writ of possession but an order had not been entered yet. She requested additional time to secure the property.

Officer Gottlieb 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: CE13081974

416 Northwest 15 Wy
ARNOLD, JAMES & GORDON, CLINT

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

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

- 9-278(g) SOME OF THE WINDOWS HAVE MISSING WINDOW SCREENS.

9-306

THE FASCIA HAS NOT BEEN MAINTAINED. THE FASCIA
BOARDS WERE REPLACED WITHOUT BEING PAINTED.

9-307(a)

A PORTION OF THE REAR WINDOW HAS BEEN REMOVED AND
REPLACED WITH PLYWOOD THAT SITS AN A/C UNIT. THE
WINDOWS ARE NOT WEATHERPROOF.

Complied:

9-279(g)

9-280(b)

9-280(g)

Clint Lee Gordon, owner, stated the tenants had removed the screens to install window air conditioning units. He had paid to get windows screens for all windows. He said the contractor would paint the fascia within the next two weeks.

Officer Cross said the case had begun in August. He presented the case file and photos of the property showing that the screens were still missing and stated it was the owner's responsibility to ensure the property was not vandalized. He recommended ordering compliance within 21 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE12081552

2158 Northwest 6 Court
CHURCH OF NEW LIFE CHRISTIAN FELLOW

This case was first heard on 9/20/12 to comply by 10/18/12. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$7,200 and the City was requesting a \$520 fine be imposed.

Thomas Clements, Fire Inspector, recommended no fine be imposed.

Corey Greene, minister, agreed.

Ms. Flynn imposed no fine.

Case: CE13110758

3521 Riverland Road
LAKHA, ZULFIQAR

Certified mail sent to the owner was accepted on 2/5/14.

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

FBC(2010) 105.11.2.1

THE FOLLOWING PERMIT WAS LEFT TO EXPIRE:
BUILDING# 09051746

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

Zulfiqar Lakha, owner, requested more than 28 days because he needed to hire an engineer.

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: CE12110147

2900 Northwest 59 Street
WORLD JET INC

This case was first heard on 12/20/12 to comply by 3/21/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$104,700 and the City was requesting no fine be imposed.

Thomas Clements, Fire Inspector, confirmed the violations were all complied as of earlier in the day. He recommended no fine be imposed due to extenuating circumstances.

Reginald Whittington III, general manager, agreed.

Ms. Flynn imposed no fine.

Case: CE12081691

1317 Northeast 4 Avenue
AGAPE CHURCH OF GOD INC

This case was first heard on 10/4/12 to comply by 11/1/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$420,900 fine, which would continue to accrue until the property complied.

Thomas Clements, Fire Inspector, confirmed that only one of the three original violations remained and recommended a 63-day extension.

Pierre Petit Frere, pastor, agreed to the extension.

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

Case: CE11040082

1536 Northwest 6 Street
SKINNER, KEITH K & SKINNER, VERDELL H

This case was first heard on 5/19/11 to comply by 11/17/11. Violations were as noted in the agenda. The property was complied, fines had accrued to \$94,500 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE13051877

1140 Northwest 4 Avenue
VILLA, ROBERT

This case was first heard on 11/7/13 to comply by 12/5/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$13,950 and the City was requesting the full fine be imposed.

Ingrid Gottlieb, Senior Code Enforcement Officer, stated she had visited the property at least 18 times. She said the owner had received written notice of the violations and what must be done to comply several times, despite his stating that she had told him something different every time she visited the property.

Robert Villa, owner, said he had missed a hearing and fines had accrued to over \$12,000 in three months. He stated he still felt that every time Officer Gottlieb visited the property she found something else that prevented her from closing the case. Officer Gottlieb stated it was not the City's intent to fine people; their intent was to hold owners responsible for maintaining their properties. She remarked that Mr. Villa owned several properties in the City that were not maintained.

Ms. Allman confirmed that the \$4,600 fine for 18-12(a), the repeat violation, had been imposed on 11/7/13. Ms. Wald confirmed that the fine had been imposed and the Order recorded on 1/13/14. Fines for the other violations totaled \$9,350.

Ms. Flynn imposed a \$2,500 fine for the violations other than 18-12(a).

Case: CE13061293

1500 Northwest 62 Street # 510
CYPRESS COMMONS LLC
% BRENNER REAL

This case was first heard on 8/1/13 to comply by 11/7/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$15,750 and the City was requesting a \$520 fine be imposed.

Thomas Clements, Fire Inspector, recommended a \$520 fine be imposed to cover administrative costs.

Werner Herrman, tenant, said financial difficulties had delayed the permit process and the work.

Ms. Flynn imposed a \$520 fine.

Case: CE14020593

1209 Northeast 5 Avenue
K M & BUSCHBAUM INC

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

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

THE VACANT LOT HAS BECOME OVERGROWN AGAIN AND DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER VIOLATION IS COMPLIED OR NOT. AS THIS VIOLATION HAS NOT BEEN IN COMPLIANCE THE OWNER WAS FIRST CITED FOR OVERGROWTH ON 04-20-13 UNDER CASE NUMBER CE13041609 WITH 10 DAYS TO COME IN COMPLIANCE, I THEN REINSPECTED THE LOT ON 05-04-13 AND THE LOT WAS STILL OVERGROWN, I THEN REINSPECTED THE LOT ON 05-14-13 AND THE OVERGROWTH WAS CUT BY AN UNKNOWN PARTY. I THEN CITED THE LOT FOR OVERGROWTH ON 06-13-13 UNDER CASE NUMBER CE13060075 WITH 10 DAYS TO COMPLY, I REINSPECTED THE LOT ON 06-27-13 AND THE LOT WAS STILL OVERGROWN, I REINSPECTED THE LOT ON 07-11-13 AND THE LOT WAS CUT BY AN UNKNOWN PARTY. I CITED THE LOT AGAIN FOR OVERGROWTH ON 08-13-13 UNDER CASE NUMBER CE13080822 WITH 10 DAYS TO COMPLY, I REINSPECTED THE LOT ON 08-27-13 AND IT WAS STILL OVERGROWN, I REINSPECTED THE LOT ON 09-11-13 AND THE LOT WAS CUT BY PARKS AND REC. I CITED THE LOT AGAIN ON 10-24-13 UNDER CASE NUMBER CE13101390 WITH 10 DAYS TO COMPLY, I REINSPECTED THE LOT ON 11-07-13 AND THE LOT WAS STILL OVERGROWN, I REINSPECTED THE LOT ON 11-22-13 AND THE LOT WAS CUT BY PARKS AND REC. 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, stated the violation was now complied and requested a finding of fact that the violation had existed as cited.

Camille Katherine Spence, employee, said they had found a new contractor because the prior contractor had not kept the violation in check.

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE14011057

2180 Northeast 62 Street
KOSH

Certified mail sent to the owner was accepted on 2/10/14.

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

THERE IS OVERGROWTH OF GRASS/PLANTS/WEED, TRASH AND
DEBRIS ON THIS PROPERTY.

Officer Roque 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: CE14010132

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

Service was via posting on the property on 2/12/14 and at City Hall on 2/20/14.

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

THERE IS OVERGROWTH OF GRASS/PLANTS/WEED, TRASH
AND DEBRIS ON THIS PROPERTY.

Officer Wright presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE14010384

1136 Northeast 10 Avenue
PENONE, MARK

Service was via posting on the property on 2/9/14 and at City Hall on 2/20/14.

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

THIS PROPERTY IS OVERGROWN WITH GRASS & WEEDS, AND
LITTERED WITH YARD DEBRIS.

Officer Wright presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$25 per day would begin to accrue.

Case: CE14010617

1204 Northeast 11 Avenue
DELOS SANTOS, BENITO B

Service was via posting on the property on 2/12/14 and at City Hall on 2/20/14.

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

THIS VACANT PROPERTY IS OVERGROWN WITH
GRASS/PLANTS/WEEDS AND LITTERED WITH TRASH AND

DEBRIS. THERE IS A LARGE TREE IN THE FRONT YARD
WITH A LOW HANGING BRANCH.

Officer Wright presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE13120572

1024 Northwest 11 Avenue
ALECUS, MARIE ELDINE

Stipulated agreement

Violation:

9-304(b)

THERE ARE VEHICLES/TRAILERS PARKED ON THE LAWN.
THERE IS A DRIVEWAY WITH A CARPET ON IT, NOT
MAINTAINED IN A SMOOTH, WELL GRADED CONDITION.

Complied:
47-34.1.A.1.

The City had a stipulated agreement with the owner to comply within 63 days or a fine of \$25 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Ms. Flynn found in favor of the City, approved the stipulated agreement and ordered compliance within 63 days or a fine of \$25 per day would begin to accrue.

Case: CE13121481

Stipulated agreement

1530 Northwest 15 Terrace
GUILLIOMETRE, ELIOZER

Violations:
47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THIS PROPERTY THAT
DOES NOT MEET CODE REQUIREMENTS, INCLUDING BUT NOT
LIMITED TO, COMMERCIAL VEHICLE, PICK UP TRUCK FULL
OF CARPET REMNANTS, TIRES, METAL PARTS, APPLIANCES,
BUCKETS, TRASH AND DEBRIS, WHICH IS A
NON-PERMITTED LAND USE IN RS-8 ZONING PER ULDR
TABLE 47-5.11.

9-304(b)

THERE ARE VEHICLES PARKED ON THE LAWN AT THE REAR
OF THE DWELLING.

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

Case: CE13101877

4404 Northeast 23 Avenue
FITZGERALD, BRADFORD W & FITZGERALD, ROSLYN J

Service was via posting on the property on 2/19/14 and at City Hall on 2/20/14.

Ursula Thime, Senior Code Enforcement Officer, testified to the following violation:

18-11(b)

THE POOL AT THIS VACANT PROPERTY HAS STAGNANT,
DARK WATER.
THE POOL HAS BECOME A BREEDING GROUND TO
MOSQUITOES AND ENDANGERS THE HEALTH AND WELFARE OF
NEIGHBORING PROPERTIES.

Officer Thime 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: CE14010041

2625 Northeast 37 Street
ACKERMAN, ERIC B

Service was via posting on the property on 2/8/14 and at City Hall on 2/20/14.

Ursula Thime, Senior Code Enforcement Officer, testified to the following violation:

18-12(a)

THE YARD AND ADJACENT SWALE ARE OVERGROWN. THERE
ARE PALM FRONDS ON THE GROUND. THERE IS A DEAD
PALM TREE ON THE FRONT YARD.

Officer Thime presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day would begin to accrue.

Case: CE13111415

3020 Northwest 17 Court
CROSS COUNTRY HOLDINGS PARTNERSHIP

Service was via posting on the property on 2/8/14 and at City Hall on 2/20/14.

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

9-280(h)(1)

THE CHAIN LINK AND WOOD FENCES AT THIS PROPERTY
ARE IN DISREPAIR.

9-304(b)

THE DRIVEWAY IS IN DISREPAIR AND HAS POTHOLES.

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: CE14020594

1110 Northeast 5 Avenue
REAL TIME MARKETING LLC

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

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

THE VACANT LOT HAS BECOME OVERGROWN AGAIN AND DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER VIOLATION IS COMPLIED OR NOT, AS THE VIOLATION HAS NOT BEEN IN COMPLIANCE. THE PROPERTY OWNER WAS FIRST CITED ON 05-07-13 FOR OVERGROWTH UNDER CASE NUMBER CE13050307 WITH 10 DAYS TO COME IN COMPLIANCE, I THEN REINSPECTED THE LOT ON 05-21-13 AND THE LOT WAS CUT BY AN UNKNOWN PARTY. I CITED THE LOT AGAIN ON 06-04-13 ON A COMPLAINT BASIS FOR OVERGROWTH UNDER CASE NUMBER CE13060074 WITH 10 DAYS TO COME IN COMPLIANCE, I THEN REINSPECTED THE LOT ON 06-14-13 AND THE LOT WAS CUT BY AN UNKNOWN PARTY. I CITED THE LOT AGAIN ON 11-05-13 FOR TRASH AND OVERGROWTH UNDER CASE NUMBER CE13110185 WITH 10 DAYS TO COME IN COMPLIANCE, I REINSPECTED THE LOT ON 11-19-13 AND THE LOT WAS STILL OVERGROWN WITH TRASH SCATTERED, I THEN REINSPECTED THE LOT ON 12-03-13 AND THE LOT WAS CUT AND CLEANED BY PARKS AND REC. 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 A REPEAT VIOLATOR.

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

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE14020204

1218 Northeast 5 Avenue
JSJT CONSTRUCTION INC

Service was via posting on the property on 2/14/14 and at City Hall on 2/20/14.

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

THERE AREAS OF OVERGROWN GRASS AND WEEDS NOT MAINTAINED.
ALSO THERE IS TRASH AND DEBRIS STORED ON THE VACANT LOT NOT MAINTAINED. DUE TO THE RECURRING NATURE OF THIS VIOLATION, THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER VIOLATION IS COMPLIED OR NOT. THE VACANT LOT WAS FIRST CITED ON 08-08-12 VIA CASE #CE12080421 FOR OVERGROWTH AND I REINSPECTED THE VACANT LOT ON 08-22-12 AND FOUND THE VACANT LOT TO BE IN COMPLIANCE. I THEN RECITED THE VACANT LOT ON 04-12-13 VIA CASE #CE13040992 FOR TRASH AND DEBRIS SCATTERED ABOUT THE VACANT LOT AND AREAS OF OVERGROWN GRASS AND WEEDS NOT MAINTAINED. I REINSPECTED THE VACANT LOT ON 05-21-13 AND FOUND THE VACANT LOT TO BE IN COMPLIANCE CUT AND CLEANED BY PUBLIC WORKS. I THEN RECITED THE VACANT LOT ON 11-26-13 FOR OVERGROWTH NOT BEING MAINTAINED. I REINSPECTED THE VACANT LOT ON 12-31-13 AND FOUND THE VACANT LOT TO BE IN COMPLIANCE CUT AND CLEANED BY PUBLIC WORKS. HOWEVER DUE TO THE RECURRING NATURE OF THIS VIOLATION THE CITY IS REQUESTING THAT THE MAGISTRATE FINDS THAT THE VIOLATION DID EXIST, IF THE 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, stated the violation was now complied and requested a finding of fact that the violation had existed as cited.

Ms. Flynn found in favor of the City that the violation had existed as cited.

Case: CE14020166

955 S Federal Highway
SAPPHIRE INVESTMENT FUND LLC

Certified mail sent to the owner was accepted on 2/11/14.

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

F-103.2.5

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

NFPA 1:13.3.1.1 (SERVICE)

THE FIRE SPRINKLER SYSTEM IS IN NEED OF SERVICE.

NFPA 25:13.6.2.1

THE REQUIRED INSPECTIONS AND OPERATIONAL TESTS HAVE NOT BEEN MADE ON THE BACKFLOW PREVENTION DEVICE WITHIN THE PAST 12 MONTHS.

NFPA 1:13.2.3.1

THE STANDPIPE IS NOT BEING MAINTAINED IN AT LEAST THE SAME LEVEL OF PERFORMANCE AND PROTECTION AS DESIGNED.

Inspector Clements said a date had been set for fire inspection. He recommended ordering compliance within 42 days or a fine of \$150 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$150 per day, per violation would begin to accrue.

Case: CE14020196

643 Northwest 14 Wy

UNITED GLORIOUS CHURCH OF CHRIST INC

Certified mail sent to the owner was accepted on 2/11/14; certified mail sent to the registered agent was accepted on 2/15/14.

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

F-103.2.5

UNABLE TO GAIN ENTRY TO PERFORM A FIRE SAFETY INSPECTION.

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: CE14020198

635 Northwest 14 Wy

HOUSE OF GOD MIRACLE TEMPLE

OF FORT LAUDERDALE INC ETAL

Certified mail sent to the owner was accepted.

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

F-103.2.5

Unable to gain entry to perform a fire safety inspection.

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: CE13120342

1637 Northeast 9 Street
ALEXANDER PROPERTIES OF FORT LAUDERDALE

Ms. Pryor stated the owner had requested the hearing but had not appeared.

Case: CE13111207

1244 Northeast 11 Avenue
BAMGD LAND TR EQUITYMAX INC TRSTEE

This case was first heard on 1/16/14 to comply by 1/30/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$625 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$625 fine.

Case: CE13120674

626 Northwest 21 Terrace
BARON, JEFFREY A

This case was first heard on 1/16/14 to comply by 1/30/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$600 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$600 fine.

Case: CE12081473

1600 Northeast 56 Street
PROMISE FOUNDATION

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 \$150,900 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$150,900 fine, which would continue to accrue until the property complied.

Case: CE12101340

3220 Bayview Drive # 211

CAPPONI, ANDREA & ROSSI, ROSSANA

This case was first heard on 11/15/12 to comply by 5/16/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$43,900 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$43,900 fine, which would continue to accrue until the property complied.

Case: CE13010331

735 Northwest 10 Terrace
FORT LAUDERDALE COMMUNITY
DEVELOPMENT CORPORATION

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 not complied and the City was requesting imposition of a \$108,900 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$108,900 fine, which would continue to accrue until the property complied.

Case: CE13010328

6245 Northwest 9 Avenue # 202
BLUE MOON ACQUISITIONS LLC

This case was first heard on 2/7/13 to comply by 4/18/13. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$144,450 fine, which would continue to accrue until the property complied.

Thomas Clements, Fire Inspector, recommended a 63-day extension, and making the extension retroactive to 4/18/13 to remove the accrued fines.

Ms. Flynn granted a 63-day extension during which time no fines would accrue, and made the extension retroactive to 4/18/13, removing the accrued fines.

Case: CE13020049

1015 Northwest 24 Avenue
NOEL, JASON

Vacate order of 5/16/13

This was a request to vacate the Order dated 5/16/13.

Ms. Flynn vacated the Order dated 5/16/13.

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:

CE14010102	CE13090940	CE13101169	CE13121433
CE13121742	CE14010040	CE13111656	CE14012042
CE14020183	CE14020162	CE14020185	CE14020187
CE14020192	CE14020200	CE14020203	CE14020205
CE14020271	CE14020442	CE14020443	CE12032331

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:

CE13120818 CE14020197

Cases Withdrawn

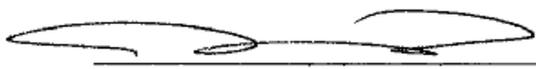
The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE14020606 CE13120833

There being no further business, the hearing was adjourned at 10:21 A.M.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services