

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE-ANN FLYNN PRESIDING
MARCH 20, 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
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
Adam Feldman, Senior Code Enforcement Officer
Ingrid Gottlieb, Senior Code Enforcement Officer
Jorge Maura, Detective
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

Respondents and Witnesses

CE13060939; CE13060938; CE13060937; CE13060936: Nectaria Chakas, attorney
CE14020013; CE14020014: Michael Eiland, owner
CE14010844: Henrique Pagani, owner's representative; Linda Lau, owner; Janis Tierney, court reporter; Sharon Bourassa, Legal Aide
CE13100751: Albert Shutts, owner's father
CE13111441: Dror Gerges, property manager
CE13091541: Fred Johnson, owner; Patricia Johnson, owner
CE13070749: Tanya Tsveyer, owner
CE14010610: Dennys Diaz, property representative
CE13111085: Gil Betzalel, management representative; Tal Hen, manager
CE13120211: Remilor-Francois Remy, owner
CE13061020: Edele Joseph, owner; Oriol Emmanuel interpreter
CE13100507: Daniel Sieloff, representative
CE13071785: Andrew Pietila, owner's representative; William Beggs, attorney; Phillip Booth, representative

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: CE13100507

3221 Davie Blvd
FRAM DAVIE ONE INC

This case was first heard on 12/19/13 to comply by 1/9/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,300 and the City was requesting a \$520 fine be imposed.

Leonard Champagne, Code Enforcement Officer, recommended reducing the fine to \$520.

Daniel Sieloff, representative, agreed to the fine reduction.

Ms. Flynn imposed a \$520 fine.

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

Case: CE13060936

Request for extension

425 Northeast 4 Avenue
PUTNAM REALTY LTD

This case was first heard on 10/17/13 to comply by 3/6/14. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$650

Andre Cross, Code Enforcement Officer, stated the owner's attorney had been in contact with him regarding delays.

Nectaria Chakas, attorney, said the owner was going through the process to make this a legal parking lot. She requested 90 days.

Ms. Flynn granted a 119-day extension during which time no fines would accrue and made the extension retroactive to 3/6/14, removing the accrued fines.

Case: CE13060937

Request for extension

421 Northeast 4 Avenue
PUTNAM REALTY LTD

This case was first heard on 10/17/13 to comply by 3/6/14. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$650

Ms. Flynn granted a 119-day extension during which time no fines would accrue and made the extension retroactive to 3/6/14, removing the accrued fines.

Case: CE13060938 Request for extension
417 Northeast 4 Avenue
PUTNAM REALTY LTD

This case was first heard on 10/17/13 to comply by 3/6/14. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$650

Ms. Flynn granted a 119-day extension during which time no fines would accrue and made the extension retroactive to 3/6/14, removing the accrued fines.

Case: CE13060939 Request for extension
415 Northeast 4 Avenue
PUTNAM REALTY LTD

This case was first heard on 10/17/13 to comply by 3/6/14. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$650

Ms. Flynn granted a 119-day extension during which time no fines would accrue and made the extension retroactive to 3/6/14, removing the accrued fines.

Case: CE14010844
605 E Evanston Cir
LAU, LINDA MARIE

Service was via posting on the property on 3/6/14 and at City Hall on 3/6/14.

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

THERE IS AN ACCUMULATION OF RUBBISH AND DEBRIS ON THE FRONT EXTERIOR GROUNDS OF THIS OCCUPIED PROPERTY. MAINTAINING THE PROPERTY IN THIS CONDITION MAY CAUSE THE PROPERTY TO BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS. THE CONDITION OF PROPERTY ENDANGER THE HEALTH, SAFETY AND WELFARE AS WELL AS IMPAIRS THE ECONOMIC WELFARE OF THE ADJACENT PROPERTIES. THIS IS A RECURRING VIOLATION, PREVIOUSLY CITED ON 1/10/13 CASE CE13010632. THIS CASE WILL GO FORWARD TO A SPECIAL MAGISTRATE HEARING FOR A FINDING OF FACTS FOR A RECURRING VIOLATION, REGARDLESS OF COMPLIANCE AND FOR NEXT VIOLATION TO CITED AS A REPEAT VIOLATION FOR IMMEDIATE IMPOSITION OF FINES.

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

Henrique Pagani, the owner's representative, said the owner was in ill health and was a senior citizen. He requested there be no finding of fact and said the owner would not be able to cover the repeat violation fines. Mr. Pagani described Ms. Lau's physical problems to Ms. Flynn and said these prevented her from keeping the property in compliance in the past. He said the owner's family and friends were now helping her maintain the property.

Ms. Wald clarified that the owner was not being cited with a repeat violation in this case; the City was requesting a finding of fact only.

Mr. Pagani said he understood, but was afraid the owner would be cited in the future and the daily fines would be exorbitant.

Sharon Bourassa, Legal Aid attorney, said she was familiar with the owner and her friends and they had assured her that the violation would not recur. She feared that a finding of fact would worsen the owner's physical problems.

Ms. Flynn made no finding.

Case: CE13111085

1607 Northwest 13 Court
RH INVESTMENTS PROPERTIES LLC

Certified mail sent to the owner was accepted on 2/15/14.

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

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED
AND NOT MAINTAINED, INCLUDING BUT NOT LIMITED TO,
SOFFIT VENT OPENINGS, FASCIA.

9-304(b)

THE GRAVEL DRIVEWAY ON THIS OCCUPIED PROPERTY IS
NOT BEING MAINTAINED. THERE ARE AREAS OF THE
GRAVEL DRIVEWAY THAT ARE MISSING OR WORN THROUGH
AND THERE IS GRASS GROWING THROUGH IT.

Officer Quintero stated the case was begun pursuant to a complaint. He presented photos of the property and the case file into evidence, and said the owner had agreed to his recommendation of ordering compliance within 35 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE13071785

6250 North Andrews Avenue
CYPRESS CREEK OFFICE CONDO ASSN INC

This case was first heard on 1/16/14 to comply by 2/6/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$6,300 and the City was requesting the full fine be imposed.

William Beggs, attorney, said the notices had been sent to the 79-year old owner in Naples, Florida. Once the condominium association was aware of the violations, they had taken action to comply. He requested a reduction of the fine.

Mary Rich, Code Enforcement Officer, recommended the fine be reduced to \$948 to cover administrative costs.

Ms. Flynn imposed a \$1,500 fine.

Case: CE13120211

1625 Northwest 11 Court
REMY, REMILOR F H/E JEAN, LERISTINE

Certified mail sent to the owner was accepted on 2/15/14.

Wilson Quintero, Code Enforcement Officer, testified to the following violation:
9-304(b)

PARKING FACILITIES SHALL BE KEPT IN GOOD OPERATING
CONDITION. THE DRIVEWAY ON THIS DWELLING IS IN
DISREPAIR ALLOWING VEGETATION TO GROW THROUGHOUT
THE MISSING ASPHALT AREAS. ALSO, THE DRIVEWAY IS
NOT IN A HARD DUST-FREE CONDITION.

Officer Quintero said the case was begun pursuant to a complaint. He presented photos of the property and the case file into evidence.

Remilor-Francois Remy, owner, said he had found a contractor and work should be completed later in the day.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$25 per day would begin to accrue.

Case: CE13100751

724 Northwest 17 Street
SHUTTS, JASON ALBERT

This case was first heard on 12/19/13 to comply by 12/29/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,800 and the City was requesting imposition of the full fine.

Albert Shutts, the owner's father, said his son was in jail and the violation was complied. He said his son could not pay the fine.

Ingrid Gottlieb, Senior Code Enforcement Officer, confirmed the violation was now complied and the property was being maintained.

Ms. Flynn imposed a \$520 fine.

Case: CE13061020

1720 Northwest 7 Avenue
LOUIS, MICHELLE

Service was via posting on the property on 2/19/14 and at City Hall on 3/6/14.

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

THERE IS FURNITURE AND OTHER ITEMS BEING STORED IN
THE CARPORT AND IN THE YARD.

Complied:
9-313(a)

Officer Gottlieb 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.

Oriol Emmanuel interpreted for Edele Joseph, owner. Mr. Emmanuel said the owner had moved some items and would have someone help her with the remaining items. He clarified for the owner what must be done to comply.

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.

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

Case: CE14020014

545 Northwest 8 Avenue
EILAND, MICHAEL ALBERT

Certified mail sent to the owner was accepted on 2/26/14.

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

18-12(a)

THERE IS RUBBISH, TRASH AND DEBRIS SCATTERED ABOUT THE PROPERTY INCLUDING BUT NOT LIMITED TO TREE DEBRIS, A/C FRAMES AND MISCELLANEOUS ITEMS. ALSO THERE ARE AREAS OF OVERGROWN GRASS AND WEEDS NOT MAINTAINED.

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

Michael Eiland, owner, showed his own photos of the property to Officer Cross and described work he had already done.

Officer Cross 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: CE14020013

545 Northwest 8 Avenue
EILAND, MICHAEL ALBERT

Certified mail sent to the owner was accepted on 2/26/14.

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

18-4(c)

THERE IS AN UNLICENSED/INOPERABLE VEHICLE BEING STORED ON THE PROPERTY INCLUDING BUT NOT LIMITED TO A FORD VAN. THE VEHICLE DESCRIBED HAS NO TAG.

Michael Eiland, owner, said he had covered the car. Ms. Flynn said the cover did not comply the violation.

Officer Cross 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: CE14010610

1428 Northwest 3 Avenue
FETLAR LLC

Certified mail sent to the registered agent was accepted on 2/21/14.

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

9-280(b)

THERE ARE BROKEN WINDOWS, AND WALLS IN
DISREPAIR ON THIS HOUSE.

9-305(b)

THE GRASS IS EITHER DEAD, OR COMPLETELY
MISSING IN AREAS.

9-313(a)

THE ADDRESS NUMBERS ARE NOT VISIBLE FROM THE
ROAD.

Complied:

47-34.1.A.1.

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$50 per day, per violation.

Dennys Diaz, property representative, agreed to comply within 42 days.

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

Case: CE13091541

1127 Northwest 7 Avenue
PALM REAL ESTATE LLC

This case was first heard on 1/16/14 to comply by 2/13/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$3,100 and the City was requesting the full fine be imposed.

Fred Johnson, owner, said a tenant had broken everything in the house and then called Code Enforcement. Mr. Johnson had then hired an unlicensed contractor, who had not done the repairs properly. He explained it had taken six months to evict the tenant.

Ms. Flynn imposed a \$1,800 fine.

Case: CE13081985

1323 Northwest 15 Avenue
1323 Northwest 15 AVENUE INC

This case was first heard on 12/19/13 to comply by 2/20/14. 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: CE13111441

1122 Northwest 4 Avenue
CROSS COUNTRY HOLDINGS

Service was via posting on the property on 2/19/14 and at City Hall on 3/6/14.

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

THERE ARE WINDOWS IN DISREPAIR.

9-304(b)

THERE ARE VEHICLES PARKING ON A GRASS OR DIRT SURFACE.

9-305(b)

THERE ARE AREAS OF MISSING GROUND COVER ON THE PROPERTY.

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.

Dror Gerges, property manager, 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, per violation would begin to accrue.

Case: CE13070749

1328 Northeast 1 Avenue
TAMADA LLC

This case was first heard on 12/5/13 to comply by 2/6/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,550 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said she had met with the owner to discuss what must be done to comply.

Tanya Tsveyer, owner, said she had bought the property at an auction in 2013 and done a lot of work on it. She had thought the property was complied by 2/6/14 but Officer Gottlieb had informed her that all violations were not yet complied. Officer Gottlieb said the roof looked repaired but it must be inspected. Ms. Tsveyer requested one month.

Ms. Flynn granted a 42-day extension during which time no fines would accrue and made the extension retroactive to 2/6/14, removing the accrued fines.

Case: CE13120818

1520 Southwest 27 Court
LEVON INTERNATIONAL LLC

Certified mail sent to the owner was accepted on 2/20/14.

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

9-278(g)

THERE ARE WINDOWS SCREENS THROUGHOUT THIS PROPERTY THAT ARE EITHER MISSING OR DAMAGED PREVENTING PROPER VENTILATION AND PROTECTION AGAINST INSECTS.

9-280(b)

THERE ARE SEVERAL WINDOWS AND DOORS, BOTH INTERIOR AND EXTERIOR, IN DISREPAIR. DOORS EITHER DO NOT CLOSE PROPERLY OR HAVE GAPS ALLOWING INSECTS IN AND AIR TO ESCAPE OUT. FRONT DOOR AND FRAME NOT SECURE. KITCHEN COUNTERTOP IN DISREPAIR. THERE IS A CRACK BETWEEN THE COUNTERTOP AND WALL. THERE ARE ALSO SIGNS OF WATER DAMAGE.

9-280(f)

PLUMBING NOT MAINTAINED IN A GOOD, SANITARY WORKING CONDITION. SINKS AND TUB DO NOT DRAIN. SEVERAL PIPES LEAK OR ARE CLOGGED. SEWAGE BACKING UP INTO HOUSE AND IS SPILLING OUT INTO YARD. SEPTIC TANK COVER NOT PROPERLY SECURED. THIS PRESENTS A THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

9-280(g)

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

9-308(a)

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

Officer Campbell presented photos of the property and the case file into evidence, and recommended ordering compliance within 42 days or a fine of \$75 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$75 per day, per violation would begin to accrue.

Case: CE13111615

3580 Southwest 16 Street
FEDERAL NATIONAL MORTGAGE ASSN

Certified mail sent to the owner was accepted on 2/18/14.

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

THE FOLLOWING PERMITS WERE LEFT TO EXPIRED
PERMIT 06062973 TO REROOF
PERMIT 09061041 INTERIOR REMODELING
PERMIT 09061042 MECHANICAL
PERMIT 09061045 ELECTRICAL
PERMIT 09061046 PLUMBING
FOLIO# 0218160100

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

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

Case: CE14011868

719 Northeast 5 Terrace
FORT LAUDERDALE US 1 LLC

Certified mail sent to the owner was accepted on 2/28/14.

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

EXCESSIVE OVERGROWTH HAS ACCUMULATED ON THIS VACANT LOT AGAIN. THE CITY LAST ABATED THIS VIOLATION ON THE PROPERTY ON AUGUST 21, 2013 VIA CASE CE13071962. THEREFORE THIS CASE IS A REPEAT NUISANCE VIOLATION SUBJECT TO IMMEDIATE ABATEMENT AT THE PROPERTY OWNER'S EXPENSE IN ADDITION TO THE PROPERTY BEING PRESENTED BEFORE A SPECIAL MAGISTRATE.

Officer Wimberly presented photos of the property and the case file into evidence, stated the property 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: CE14011869

721 Northeast 5 Terrace
FORT LAUDERDALE US 1 LLC

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

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

EXCESSIVE OVERGROWTH HAS ACCUMULATED ON THIS VACANT LOT AGAIN. THE CITY LAST ABATED THIS VIOLATION ON THE PROPERTY ON AUGUST 21, 2013 VIA CASE CE13071961. THEREFORE THIS CASE IS A REPEAT NUISANCE VIOLATION SUBJECT TO IMMEDIATE ABATEMENT AT THE PROPERTY OWNER'S EXPENSE (SEPARATE CASE) IN ADDITION TO THE PROPERTY BEING PRESENTED BEFORE A SPECIAL MAGISTRATE.

Officer Wimberly presented photos of the property and the case file into evidence, stated the property 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: CE14020966

2216 Northwest 6 Street
HOWARD, JERRYLIA

Service was via posting on the property on 2/27/14 and at City Hall on 3/6/14.

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

OVERGROWTH, RUBBISH, TRASH, AND DEBRIS HAS ACCUMULATED ON THIS VACANT LOT AGAIN. THE CITATION OF THIS CURRENT VIOLATION IS ANOTHER REPEAT NUISANCE VIOLATION. THIS PROPERTY WAS PREVIOUSLY CITED RESULTING IN THE CITY ABATING THE VIOLATION ON MULTIPLE CASES INCLUDING BUT NOT LIMITED TO THE FOLLOWING: CE13101187, CE13070754, CE13050587, CE12110646, AND CE12061755. THIS CASE WILL BE PRESENTED BEFORE A SPECIAL MAGISTRATE WHETHER COMPLIANCE IS ACHIEVED PRIOR TO THE SCHEDULED HEARING DATE OR NOT IN ADDITION TO A SEPARATE CASE FOR THE IMMEDIATE ABATEMENT OF THE VIOLATION AT THE PROPERTY OWNER'S EXPENSE.

Officer Wimberly presented photos of the property and the case file into evidence, stated the property 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: CE14021054

810 Northeast 14 Place
SAX HOLDINGS LLC

Certified mail sent to the owner was accepted on 2/28/14.

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

THE VACANT LOT HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED AGAIN AND DUE TO THE RECURRING NATURE OF THIS VIOLATION THIS CASE IS BEING PRESENTED TO THE SPECIAL MAGISTRATE WHETHER THE VIOLATION IS IN COMPLIANCE OR NOT AS THE VIOLATION HAS NOT BEEN IN COMPLIANCE. THE VACANT LOT WAS FIRST CITED FOR OVERGROWTH ON APRIL 06, 2011 UNDER CASE NUMBER CE11040457 WITH 10 DAYS TO COME IN COMPLIANCE, I THEN REINSPECTED THE PROPERTY ON APRIL 20, 2011 AND THE VACANT LOT WAS IN COMPLIANCE CUT AND CLEANED BY AN UNKNOWN PARTY. I THEN CITED THE VACANT LOT AGAIN FOR OVERGROWTH ON OCTOBER 08, 2012 UNDER CASE NUMBER CE12091570 GIVEN 10 DAYS TO COME IN COMPLIANCE, I THEN REINSPECTED THE VACANT LOT ON OCTOBER 23, 2012 AND THE VACANT LOT WAS STILL OVERGROWN, I THEN SUBMITTED A WORK ORDER TO ADMINISTRATIVE STAFF TO HAVE THE VACANT LOT CUT AND CLEANED BY PARKS AND REC. I THEN REINSPECTED

THE VACANT LOT ON NOVEMBER 06, 2012 AND THE VACANT LOT WAS IN COMPLIANCE CUT AND CLEANED BY PARKS AND REC. I CITED THE VACANT LOT AGAIN FOR OVERGROWTH ON FEBRUARY 22, 2013 UNDER CASE NUMBER CE13021271 GIVEN 10 DAYS TO COME IN COMPLIANCE, I THEN REINSPECTED THE VACANT LOT ON MARCH 08, 2013 AND THE VACANT LOT WAS STILL OVERGROWN, I THEN SUBMITTED A WORK ORDER TO ADMINISTRATION STAFF TO HAVE THE VACANT LOT CUT AND CLEANED BY PARKS AND REC. I THEN REINSPECTED THE VACANT LOT ON MARCH 22, 2013 AND THE VACANT LOT WAS IN COMPLIANCE CUT AND CLEANED BY PARKS AND REC. I CITED THE VACANT LOT AGAIN ON OCTOBER 03, 2013 FOR OVERGROWTH UNDER CASE NUMBER CE13100202 GIVEN 10 DAYS TO COMPLY I REINSPECTED THE VACANT LOT ON OCTOBER 17, 2013 AND THE VACANT LOT WAS STILL OVERGROWN, I THEN SUBMITTED A WORK ORDER TO ADMINISTRATIVE STAFF TO HAVE THE VACANT LOT CUT AND CLEANED BY PARKS AND REC. I THEN REINSPECTED THE VACANT LOT ON OCTOBER 31, 2013, THE VACANT LOT WAS IN COMPLIANCE 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 EXISTS. 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 property 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: CE14010722

2790 Southwest 2 Court
SRP SUB LLC

Certified mail sent to the owner was accepted on 2/26/14.

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

9-276(c)(3)

THERE IS EVIDENCE OF ROACH INFESTATION.

9-280(b)

THE BEDROOM WINDOWS ARE IN DISREPAIR AND DOES NOT CLOSE PROPERLY. WINDOWS ARE NOT WEATHER, RODENT AND WATER PROOF.

9-280(f)

BATHROOM SINK FIXTURE IN GUEST BATHROOM HAS A CONSTANT DRIP AND BATHROOM SINK IS CLOGGED AND DOES NOT DRAIN PROPERLY.

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, per violation.

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

Case: CE13100184

2400 Northwest 21 Street
TUCHOW, TYLER

Certified mail sent to the owner was accepted on 3/4/14.

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

9-306

THERE IS STAINED, DIRTY AND MISSING AND PEELING PAINT ON THE WALLS AND FASCIA BOARDS.

9-278(g)

THERE ARE TORN AND MISSING SCREENS ON OCCUPIED UNIT WINDOWS.

9-280(b)

THERE ARE BROKEN WINDOWS ON THIS OCCUPIED APARTMENT BUILDING.

Complied:

9-280(h)(1)

BCZ 39-275.(4)(c)

6-34

Officer Quintero 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, per violation.

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

Case: CE13110076

1100 Northwest 5 Avenue
WELLS FARGO BANK NA

Certified mail sent to the owner was accepted on 2/26/14 and certified mail sent to the registered agent was accepted on 2/26/14.

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 RENTAL DUPLEX.

47-20.20.H.

THE DRIVEWAY IS IN DISREPAIR, AND HAS POTHOLES.

9-278(g)

THERE ARE WINDOWS MISSING THE REQUIRED SCREENS.

9-280(b)

THERE ARE BROKEN WINDOWS ON THE STRUCTURE.

9-280(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR.

9-305(b)

THERE IS DEAD OR MISSING GRASS AND AREAS OF BARE DIRT.

Complied:

24-27.(f)

Officer Gottlieb 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, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, per violation would begin to accrue.

Case: CE14020197

1444 Northwest 4 Avenue
TARPON IV LLC

Certified mail sent to the owner was accepted on 2/21/14.

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

18-12(a)

THIS VACANT PROPERTY IS OVERGROWN AND HAS DEBRIS.
THIS IS A RECURRING VIOLATION WITH THE SAME OWNER
PER THE FOLLOWING CASES; CE12061535 ABATED BY THE

CITY ON 7/9/12, CE12041678 ABATED BY THE CITY ON 4/24/12 AND CE12021794 ABATED BY THE CITY ON 3/20/12. THIS CASE WILL GO BEFORE THE SPECIAL MAGISTRATE WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Gottlieb presented photos of the property and the case file into evidence, stated the property 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: CE13120949

1141 Northwest 3 Avenue
DEMELO ROY PROPERTIES LLC

Certified mail sent to the owner was accepted on 2/21/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:
6-7(b)(4)

THERE ARE PILES OF DOG FECES ALL OVER THE YARD, CAUSING UNSANITARY CONDITIONS AND A FOUL ODOR.

9-280(b)

THERE IS A DOOR FRAME THAT HAS BEEN REPLACED AND REMAINS UNPAINTED AND NOT WEATHERPROOF.

Complied:

18-4(c)

Officer Gottlieb 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, per violation.

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

Case: CE14010533

2336 Northwest 14 Court
ADAMS, ROBERT T & JUSTICE, ROSTELL

Service was via posting on the property on 2/19/14 and at City Hall on 3/6/14.

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

THERE IS OVERGROWTH, LITTER AND DEBRIS ON THE PROPERTY AND SWALE OF THIS VACANT HOUSE. THIS IS A REPEAT VIOLATION OF CASE # CE13070978, WHERE THE SPECIAL

MAGISTRATE FOUND IN FAVOR OF THE CITY. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE, EVEN IF THE VIOLATION IS BROUGHT INTO COMPLIANCE PRIOR TO THE HEARING.

Officer Gottlieb presented photos of the property and the case file into evidence, and stated the violation had existed from 1/15/14 until 2/8/14. She recommended imposing a fine of \$250 per day for the 24 days the property had been in violation.

Ms. Flynn found in favor of the City and imposed a fine of \$250 per day for the 24 days the property had been in violation.

Case: CE13120641

2319 Desota Drive
ROVTI, CARLOS & ROVTI, ROSANA

This case was first heard on 2/6/14 to comply by 2/16/14. 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.

Ms. Flynn imposed the \$2,200 fine.

Case: CE13090368

4011 Bayview Drive
DELROSAL, ERIC

This case was first heard on 1/16/14 to comply by 2/20/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,375 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,375 fine, which would continue to accrue until the property complied.

Case: CE13050087

416 Southeast 15 Street
SAXTON, JANET K

This case was first heard on 10/3/13 to comply by 11/14/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$975 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE13101487

951 Alabama Avenue
BOUQUET, WILSON EST

This case was first heard on 1/16/14 to comply by 2/6/14. 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: CE13101488

1061 Iroquois Avenue
THOMPSON, NEVILLE A

This case was first heard on 1/16/14 to comply by 2/20/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,050 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,050 fine, which would continue to accrue until the property complied.

Case: CE13120451

708 Southwest 14 Avenue
RUZO, GONZALO

This case was first heard on 2/6/14 to comply by 2/20/14. 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: CE13081984

833 Northwest 19 Avenue
BROWN, J M & SILLIE MAE EST

This case was first heard on 1/16/14 to comply by 2/13/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,700 fine, which would continue to accrue until the property complied.

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

Case: CE13120289

1143 Chateau Park Drive
WHITE, KENNETH E

This case was first heard on 2/6/14 to comply by 2/16/14. 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: CE13011650

2500 Northwest 16 Street
JACKSON, FREDDIE &
BARBER-JACKSON, TIFFANI

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 \$3,250 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$3,250 fine, which would continue to accrue until the property complied.

Case: CE13082166

1142 Northwest 7 Avenue
EMILE, BRUNEL & GERTRUDE

This case was first heard on 1/16/14 to comply by 2/13/14. 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.

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

Case: CE13100520

1337 Northwest 2 Avenue
ALLSTAR REH LLC
% BANK OF AMERICA NA

This case was first heard on 2/6/14 to comply by 2/20/14. 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.

Case: CE13090012

1238 Northeast 3 Avenue
AVNAIM, TOMER

This case was first heard on 1/16/14 to comply by 2/20/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,050 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$4,050 fine, which would continue to accrue until the property complied.

Case: CE13110131

1604 Northwest 6 Avenue
TUCHOW, TYLER

This case was first heard on 2/6/14 to comply by 2/20/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,700 fine, which would continue to accrue until the property complied.

Ms. Flynn imposed the \$2,700 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:

CE14021368	CE13110655	CE14010346	CE14011805
CE14020015	CE14020020	CE14010599	CE14011125
CE14011843	CE14011919	CE14020470	CE14020802
CE14021393	CE14021615	CE14021616	CE14021625
CE14021627			

Cases Rescheduled

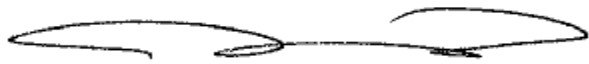
The below listed cases were rescheduled. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE14011880	CE14010075	CE13110773	CE14011581
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There being no further business, the hearing was adjourned at 10:11 A.M.


Special Magistrate

ATTEST:


Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services