

**SPECIAL MAGISTRATE HEARING  
1<sup>st</sup> FLOOR COMMISSION CHAMBERS  
FORT LAUDERDALE CITY HALL  
MARK PURDY PRESIDING  
JUNE 5, 2014  
9:00 A.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Peggy Burks, Clerk III  
Porshia Goldwire, Administrative Aide  
Lori Grossfeld, Clerk III  
Jeri Pryor, Clerk of Special Magistrate, Supervisor  
Cole Copertino, Assistant City Attorney  
Rhonda Hassan, Assistant City Attorney  
Junia Robinson, Neighbor Support Coordinator [Creole interpreter]  
Stephanie Bass, Code Enforcement Officer  
Leonard Champagne, Code Enforcement Officer  
Thomas Clements, Fire Inspector  
Andre Cross, Code Enforcement Officer  
Dick Eaton, Senior Code Enforcement Officer  
Adam Feldman, Code Enforcement Officer  
Ingrid Gottlieb, Senior Code Enforcement Officer  
Jorge Maura, Detective  
George Oliva, Building Inspector  
Wilson Quintero Jr., Code Enforcement Officer  
Ursula Thime, Senior Code Enforcement Officer  
Shelly Wright, Code Enforcement Officer

**Respondents and Witnesses**

CE13051225: Leslie Stevens, attorney  
CE14042130: Patrick Brophy, general manager  
CE11120720: Michael Landry, boat owner  
CE14020142: Ilan Timianski, owner  
CE13081097: Joseph Florea, owner's representative; Skye John Molineux, tenant  
CE14040088: David Andexler, owner  
CE14042127: David Pearmain, owner  
CE14040945: David Danis, owner's son  
CE14011404: Sergio Astete, manager  
CE14011886: Justin Singer, owner  
CE13110877: Dieusul Saint Jean, pastor  
CE14050204: Perry Ecton, director  
CE13120949: Matthew Jellinek, power of attorney  
CE13070451: Robert Lee Jr., owner

CE14020144: Sharon Kubat, property manager; Timothy Gregory, contractor  
CE14010610: Lucaster Carr, manager  
CE13101295; CE13011499: Tyler Tuchow, owner; Rosa Katia, assistant  
CE13020011: Stevens Wherry, attorney  
CE14021807: Mark Hickman, owner  
CE14020700: Yaniv Cohen, owner  
CE14010001: Matthew Schneider, attorney  
CE13120212: Chaya Vanunu, owner  
CE13061020: Adele Joseph, the owner's mother  
CE14031161: Stephen Brasgalla, architect; Orlando Cicilia, attorney  
CE13090741: Joshua Theberge, property manager  
CE13060673: Bernard Goran, property manager; Walter Morgan III, attorney  
CE14041906: Richard Burd, general manager; James Wise, engineer

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: CE13051225**

307 Southwest 2 Street  
CITY CENTER PROPERTIES INC

This case was first heard on 10/17/13 to comply by 4/17/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$9,600 fine, which would continue to accrue until the property complied.

Leonard Champagne, Code Enforcement Officer, provided a brief history of the property and requested imposition of the fine.

Mr. Copertino informed Judge Purdy that there were multiple code cases against this property owner. At a previous hearing the Special Magistrate had ordered the fines to continue to accrue for the other cases. The City had agreed to combine the cases in order to hear them together from now on. Mr. Copertino recommended rescheduling the case for 8/21/14 so it could be heard with the others.

Leslie Stevens, attorney, stated the property was being redeveloped and they were conferring with the City. He had agreed to reschedule this case to 8/21/14 to consolidate the cases, while fines would continue to accrue.

Judge Purdy rescheduled the case to 8/21/14 during which time fines would continue to accrue and ordered the respondent to reappear at that hearing.

**Case: CE14010001**

1521 Northwest 8 Avenue  
EDRI, GUY

This case was first heard on 4/3/14 to comply by 4/17/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$24,000 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said she had spoken with the owner's attorney, who was present.

Matthew Schneider, the owner's attorney, said the owner lived in Israel and his property manager had not made him aware of the violations. The owner was now working to address the violations and Mr. Schneider requested a 42-day extension.

Ms. Hassan was concerned because this property was currently occupied; she did not want to grant a 42-day extension.

Judge Purdy granted a 28-day extension during which time no fines would accrue.

**Case: CE14031161**

2343 Northwest 12 Court  
MORTGAGE CAPITAL PARTNERS LLC

Certified mail sent to the owner was accepted on 4/25/14.

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

9-280(h)(1)

THE CHAIN LINK FENCE IS IN DISREPAIR.

9-305(b)

THERE ARE LARGE AREAS OF MISSING GRASS AND BARE DIRT.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THE PROPERTY.

9-280(b)

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

9-278(e)

THERE ARE BOARDS COVERING WINDOWS ON THE OCCUPIED HOUSE.

Complied:

9-279(f)

9-304(a)

Officer Gottlieb presented photos of the property and the case file into evidence, and said the new owners were working on the property. She recommended ordering compliance within 28 days or a fine of \$50 per day, per violation.

Orlando Cicilia, attorney, said they had retained possession of the property on April 30 and they were making progress. He requested 90 days. Mr. Cicilia stated the property was not occupied.

Judge Purdy 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: CE13020011**

1441 S Federal Highway  
HOLMAN AUTOMOTIVE INC

This case was first heard on 5/16/13 to comply by 8/15/13 and 7/18/13. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$43,200 and the City was requesting a \$1,951 fine be imposed.

Stevens Wherry, attorney, thanked the City for helping resolve the issue.

Judge Purdy imposed a \$1,951 fine.

**Case: CE13060673**

3353 Davie Blvd  
3333 DAVIE LLC

This case was first heard on 10/3/13 to comply by 10/25/13 and 11/7/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$41,400 fine, which would continue to accrue until the property complied.

Leonard Champagne, Code Enforcement Officer, said the attorney had informed him they had a contract for the drainage system. He recommended a 56-day extension to 7/31/14.

Walter Morgan III, attorney, presented a copy of the contract and said they would have a permit within 56 days.

Judge Purdy granted a 56-day extension during which time no fines would accrue.

**Case: CE11120720**

712 Southwest 4 Place  
WINER, RICHARD

This case was first heard on 4/19/12 to comply by 5/24/12. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$12,100 fine, which would continue to accrue until the property complied.

Dick Eaton, Senior Code Enforcement Officer, said the owner had called him the previous day and informed him that the sale of the boat had fallen through and he was making arrangements to remove the boat.

Michael Landry, boat owner, said he had purchased the boat and additional work must be done prior to having it towed.

Mr. Copertino recommended a 15-day extension and giving the City the right to tow the vessel.

Judge Purdy heard other cases while Mr. Copertino spoke with Mr. Landry.

Upon returning to the case, Mr. Copertino confirmed that Mr. Landry now owned the boat, and again recommended a 15-day extension and giving the City the right to tow the vessel.

Judge Purdy granted a 15-day extension during which time no fines would accrue and gave the City the right to tow the vessel.

**Case: CE14020142**

713 Northwest 4 Avenue  
ILAN PROFESSIONAL DESIGN INC

This case was first heard on 4/3/14 to comply by 4/05/14 and 4/13/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,200 fine, which would continue to accrue until the property complied.

Andre Cross, Code Enforcement Officer, stated the property was still not in compliance and the owner had informed him he was having difficulty evicting the tenants.

Ilan Timianski, owner, said the tenants' daughter had broken into the property after the family had left and he now needed to evict her. He anticipated she would be evicted in the next week. The family in the third apartment would be leaving voluntarily. Mr. Timianski said the exterminator had given him an estimate to tent the property. He presented Judge Purdy with paperwork from his attorney regarding the eviction.

Judge Purdy granted a 42-day extension, during which time no fines would accrue and ordered the respondent to reappear at that hearing.

**Case: CE13011499**

2410 Northwest 21 Street  
TUCHOW, TYLER

This case was first heard on 5/16/13 to comply by 6/20/13. Violations were as noted in the agenda. The property was complied, fines had accrued to \$800 and the City was requesting the full fine be imposed.

Wilson Quintero Jr., Code Enforcement Officer, recommended an \$800 fine be imposed.

Tyler Tuchow, owner, requested abatement of the fines.

Judge Purdy imposed a \$520 fine.

**Case: CE13101295**

1436 Northwest 3 Avenue  
TUCHOW, TYLER

This case was first heard on 2/20/14 to comply by 3/20/14 and 4/17/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$10,000 fine, which would continue to accrue until the property complied. The property was not complied and the City was requesting imposition of the fine, which would continue to accrue until the property complied.

Tyler Tuchow, owner, said the efficiency apartment was on the property when he purchased it and he needed to have the property rezoned or convert the property to a single-family home.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the owner would require permits to comply.

Rosa Katia, assistant, said the windows had been repaired and the parking area had been complied; only the efficiency issue needed to be addressed.

Ms. Hassan said this was a very serious violation and she had referred it to the Building Official for the safety of the residents. She requested fines continue to run regarding the first violation.

Ms. Katia explained that a former tenant had closed off a bedroom to rent it but the tenant was gone and the efficiency had been closed off from the single-family unit now.

Officer Gottlieb clarified that this case related to the illegal land use only; there was another case that addressed the structural alterations.

Judge Purdy granted a 42-day extension during which time no fines would accrue.

**Case: CE14011886**

Request for extension

1012 Northwest 2 Avenue  
JSJT CONSTRUCTION INC

This case was first heard on 4/17/14 to comply by 5/15/14. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$1,350.

Justin Singer, owner, stated the fence issue had been resolved by 5/15 aside from one or two fence posts but Officer Gottlieb had reinspected and fines had begun to run as of that date. Regarding the landscaping violation, Mr. Singer said he planned to build on the property within the next couple of months and it would cost thousands of dollars to sod the property. He presented plans he had for the property he would submit to the City soon. Mr. Singer requested the existing fines be abated.

Ingrid Gottlieb, Senior Code Enforcement Officer, said she was aware of Mr. Singer's plans to build on the property but said the landscaping was not being maintained and there were no plans in with the City yet.

Judge Purdy waived the fines that had accrued for 9-280(h)(1) and granted a 42-day extension for 9-305(b) during which time no fines would accrue.

**Case: CE14021807**

1444 Northwest 1 Avenue  
HICKMAN, MARK S

Certified mail sent to the owner was accepted on 5/10/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violations:  
9-304(b)

THERE IS A VEHICLE BEING PARKED ON AN UNAPPROVED  
PARKING SURFACE.

18-12(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THE  
PROPERTY AND SWALE.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THIS RESIDENTIALLY  
ZONED PROPERTY. THIS IS NOT A PERMITTED LAND USE.

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

Mark Hickman, owner, said Officer Gottlieb need to reinspect the parking area because he believed it was complied. He requested 21 days for the other violations.

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

**Case: CE14020144**

1404 Northwest 3 Avenue  
VILLA, ROBERT

Service was via posting on the property on 5/21/14 and at City Hall on 5/22/14.

Ingrid Gottlieb, Senior Code Enforcement Officer, testified to the following violation:  
9-308(a)

THERE IS A PIECE OF PLYWOOD COVERING WHAT APPEARS TO HAVE BEEN A SKYLIGHT. THE ROOF ON THE UTILITY ROOM IS LEAKING, IN DISREPAIR, AND DOES NOT MEET CODE REQUIREMENTS.

Complied:  
9-280(b)  
9-280(g)

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.

Sharon Kubat, property manager, said she was working on compliance.

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

**Case: CE13070451**

1300 Northwest 3 Avenue  
LEE, ROBERT MARTIN JR

This case was first heard on 3/6/14 to comply by 3/20/14 and 5/1/14. 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 owner was working on a solution.



Robert Lee Jr., owner, reported the grass was done but there was a setback issue with the fence that he must resolve.

Judge Purdy granted a 42-day extension during which time no fines would accrue.

**Case: CE14011404**

918 Northeast 17 Terrace  
RUEDA-GONZALEZ, SUSANA

This case was first heard on 2/20/14 to comply by 3/20/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$34,200 fine, which would continue to accrue until the property complied.

Sergio Astete, manager, said they had purchased the property in February unaware of the violations. The tenant was being ejected and was not allowing access to the property for inspection. Mr. Astete explained that this tenant had been in the property for four years without paying rent. The next ejection hearing date was not until September 24.

Thomas Clements, Fire Inspector, and Ms. Hassan said entry was limited by a locked fence around the entire four-plex property. Mr. Astete said according to the police, he could not change the lock.

Judge Purdy heard other cases while Mr. Astete spoke with Inspector Clements.

Upon returning to the case, Inspector Clements said the owner could not change the lock, but he could remove the entire gate, granting Inspector Clements access to the property.

Judge Purdy granted a 14-day extension during which time no fines would accrue.

**Case: CE13110877**

1112 Northwest 1 Avenue  
FIRST FORT LAUDERDALE HAITIAN MISSION

This case was first heard on 2/6/14 to comply by 4/10/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,750 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, explained there was still unpainted wood in the carport.

Dieusul Saint Jean, pastor, requested three months.

Judge Purdy granted a 91-day extension during which time no fines would accrue.

**Case: CE13090741**

2889 Southwest 16 Street  
BUY RENT SELL NOW LLC

This case was first heard on 2/20/14 to comply by 4/17/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,700 and the City was requesting the full fine be imposed.

Adam Feldman, Senior Code Enforcement Officer, said the new owners had immediately complied the violations and remodeled the property.

Joshua Theberge, property manager, described the work they had done and requested the fines be abated.

Judge Purdy imposed no fine.

**Case: CE14010610**

1428 Northwest 3 Avenue  
FETLAR LLC

This case was first heard on 3/20/14 to comply by 5/1/14. 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.

Ingrid Gottlieb, Senior Code Enforcement Officer, thought the manager needed more time to comply.

Lucaster Carr, manager, requested time to repair the fence and correct the grass problem.

Judge Purdy granted a 14-day extension during which time no fines would accrue.

**Case: CE14050204**

1133 Northwest 2 Street  
HABITAT FOR HUMANITY OF BROWARD INC

Certified mail sent to the owner was accepted on 5/9/14.

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

THERE IS RUBBISH, TRASH AND DEBRIS  
SCATTERED ABOUT THE VACANT LOT ON AN  
ONGOING BASIS AND DUE TO THE RECURRING  
NATURE OF THIS VIOLATION THIS CASE IS  
BEING PRESENTED TO THE SPECIAL

MAGISTRATE. THE VACANT LOT WAS FIRST CITED ON FEB. 18, 2012 UNDER CASE NUMBER CE12021483 FOR TRASH SCATTERED ABOUT THE LOT, THE VACANT LOT WAS CITED AGAIN ON JAN. 05, 2013 UNDER CE13010253 FOR TRASH SCATTERED ABOUT THE LOT, I CITED THE LOT AGAIN ON MARCH 01, 2013 UNDER CASE NUMBER CE13030031 FOR TRASH SCATTERED ABOUT THE LOT, AND I CITED THE LOT AGAIN ON MARCH 01, 2014 UNDER CASE NUMBER CE14030006 FOR TRASH SCATTERED ABOUT THE VACANT LOT AND OVERGROWTH. 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, and stated the violation was now complied. He requested a finding of fact that the violation had existed as cited.

Judge Purdy found in favor of the City that the violation had existed as cited.

**Case: CE14042130**  
400 Corporate Drive  
PFL VII LLC

Certified mail sent to the owner was accepted on 5/5/14 and certified mail sent to the registered agent was accepted on 5/5/14.

Thomas Clements, Fire Inspector, testified to the following violation:  
F-111.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

Inspector Clements said he had spoken with the owner and agreed to allow 63 days to comply or a fine of \$150 per day.

Patrick Brophy, general manager, said they expected everything to be done within 60 days.

Judge Purdy found in favor of the City and ordered compliance within 63 days or a fine of \$150 per day would begin to accrue.

**Case: CE14041906**

6650 North Andrews Avenue  
PFL VI LLC

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

Thomas Clements, Fire Inspector, testified to the following violation:  
F-111.1.3

THE SMOKE CONTROL SYSTEM HAS NOT BEEN CERTIFIED ANNUALLY  
BY A BROWARD COUNTY LICENSED TEST AND BALANCE COMPANY.

Inspector Clements said he had spoken with the owner and agreed to allow 91 days to comply or a fine of \$150 per day.

Richard Burd, general manager, agreed.

Judge Purdy found in favor of the City and ordered compliance within 91 days or a fine of \$150 per day would begin to accrue.

**Case: CE13120949**

1141 Northwest 3 Avenue  
DEMELO ROY PROPERTIES LLC

This case was first heard on 3/20/14 to comply by 4/3/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$6,200 fine, which would continue to accrue until the property complied.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the violations still existed as of her last inspection.

Matthew Jellinek, power of attorney, presented photos of the door. He said he had tried to schedule a reinspection but Officer Gottlieb had not responded. Mr. Jellinek said the tenant with the dog had been evicted. Officer Gottlieb stated she would not visit a property with a dog without a representative present. Mr. Jellinek said he would meet with Officer Gottlieb for reinspection.

Judge Purdy granted a 14-day extension during which time no fines would accrue.

**Case: CE13081097**

795 E Sunrise Blvd  
ANTHONY FAMILY LIMITED PARTNERSHIP

This case was first heard on 2/6/14 to comply by 4/10/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,750 fine, which would continue to accrue until the property complied.

Joseph Florea, owner's representative, said he was working to comply the outside storage issue.

Ursula Thime, Senior Code Enforcement Officer, said the owner was going to restripe the parking lot and use it again for parking. She recommended a 35-day extension. Mr. Florea thought it might take longer than 35 days and requested 60 days.

Judge Purdy granted a 42-day extension to 7/17/14 during which time no fines would accrue.

**Case: CE13120212**

1613 Northwest 11 Court  
C & V INVESTMENT PROPERTIES LLC

This case was first heard on 4/3/14 to comply by 4/17/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,900 and the City was requesting the full fine be imposed.

Wilson Quintero Jr., Code Enforcement Officer, said there had been several reinspections on the property and requested imposition of the fines.

Chaya Vanunu, owner, said the violations had been complied prior to the last hearing but she had waited for the property to be reinspected.

Judge Purdy imposed no fine.

**Case: CE14040945**

861 Arizona Avenue  
OLIBRUS, ALMONIE

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

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

47-39.A.1.b.(7)(a)

THERE IS A COMMERCIAL VEHICLE BEING STORED AT THIS OCCUPIED PROPERTY. IT IS UNLAWFUL TO STORE/PARK A COMMERCIAL VEHICLE AT THIS RESIDENTIAL PROPERTY UNLESS IT MEETS THE FOLLOWING REQUIREMENTS; ONE COMMERCIAL VEHICLE WEIGHING 5,000 LBS. OR LESS MUST BE PARKED IN GARAGE/CARPORT OR SIDE OR REAR YARD COMPLETELY SCREENED FROM VIEW OF ADJACENT PROPERTIES.

Officer Bass 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.

David Danis, the owner's son, said the vehicle had been moved but there was still a problem. Officer Bass stated she had explained that the vehicle must be completely screened from view; the owner could use fencing or a hedge. Mr. Danis requested more than 10 days.

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

**Case: CE13061020**

1720 Northwest 7 Avenue  
LOUIS, MICHELLE

This case was first heard on 3/20/14 to comply by 4/3/14. 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.

Ingrid Gottlieb, Senior Code Enforcement Officer, said the violation remained.

Adele Joseph, the owner's mother, said she did not speak English well. Mr. Copertino agreed to locate an interpreter and Judge Purdy heard other cases.

Ms. Robinson interpreted for Ms. Joseph and confirmed that all items must be removed from the carport.

Judge Purdy granted a 10-day extension during which time no fines would accrue.

**Case: CE14020700**

1516 Northwest 8 Avenue  
E A Y C INVESTMENTS LLC

Certified mail sent to the owner was accepted on 5/9/14.

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

9-280(h)(1)

THE CHAIN LINK FENCE AT THIS PROPERTY IS IN DISREPAIR.

9-305(b)

THERE ARE MISSING AREAS OF GRASS ON THE PROPERTY  
AND SWALE.

Complied:

9-280(b)

9-306

Officer Gottlieb presented photos of the property and the case file into evidence, and recommended ordering compliance within 21 days or a fine of \$50 per day, per violation.

Yaniv Cohen, owner, clarified with Officer Gottlieb the items that were not complied.

Judge Purdy 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: CE14042127**

845 N Fort Lauderdale Beach Blvd  
845 NORTH ATLANTIC BLVD LLC

Personal service was made to the owner on 5/2/14.

Thomas Clements, Fire Inspector, testified to the following violation:  
NFPA 1:50.2.1.1

HOOD SYSTEM IS REQUIRED.

Inspector Clements recommended ordering compliance within 63 days or a fine of \$250 per day.

David Pearmain, owner, said they had a contract to have the work done.

Judge Purdy found in favor of the City and ordered compliance within 63 days or a fine of \$250 per day would begin to accrue.

**Case: CE14040088**

800 Southwest 4 Court  
ANDEXLER, DAVID R & VELTRI, PAMELA JANE

Certified mail sent to the owner was accepted on 5/5/14. Service was also via posting at City Hall on 5/22/14.

Dick Eaton, Senior Code Enforcement Officer, testified to the following violation:  
9-306

THE EXTERIOR OF THIS BUILDING IS NOT BEING MAINTAINED IN A NEAT AND ATTRACTIVE MANNER. THERE ARE AREAS OF THE EXTERIOR THAT ARE DIRTY AND STAINED. THE FASCIA BOARDS AROUND THE PROPERTY HAVE MISSING, PEELING PAINT. ALL EXTERIOR BUILDING WALLS SHALL BE MAINTAINED IN A SECURE AND ATTRACTIVE MANNER.

Complied:  
9-308(b)

Officer Eaton 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.

David Andexler, owner, explained that the property was in the historic district and his contractor was meeting with City representatives the following day.

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

**Case: CE13121227**

1225 N Victoria Park Rd  
MOCARSKI, ERIC J

Certified mail sent to the owner was accepted on 5/8/14.

Shelly Wright, Code Enforcement Officer, testified to the following violation:  
9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN  
MAINTAINED. THE EXTERIOR WALLS NEED TO BE PATCHED  
AND OR RESURFACED, MATCHING EXISTING COLOR.

Officer Wright 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.

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

**Case: CE14011406**

3470 Berkeley Blvd  
DAVEANDSAM 3 LLC

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

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

THE FOLLOWING PERMITS WERE EXPIRED:  
P#05032503 FENCE

Inspector Oliva recommended ordering compliance within 42 days or a fine of \$25 per day.

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



**Case: CE14011392**

1520 Southwest 27 Court  
LEVON INTERNATIONAL LLC

Service was via posting on the property on 4/30/14.

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

WATER HEATER PERMIT 04081915 HAS EXPIRED.

Inspector Oliva recommended ordering compliance within 42 days or a fine of \$25 per day.

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

**Case: CE14010254**

609 Southwest 1 Avenue  
METRO FLAGLER EAST LLC

Violation:

9-306

THE PAINT ON THE EXTERIOR WALLS, DOORS, FASCIA AND DRIP EDGE, IS IN DISREPAIR, IN THAT THE PAINT IS CHIPPING/PEELING; THERE ARE AREAS THAT ARE ALSO STAINED OR BEGINNING TO MILDEW. THE AWNING THAT IS ON THE EXTERIOR OF THE PROPERTY IS IN DISREPAIR, IN THAT IT IS TORN/ SAGGING AND NOT PROPERLY AFFIXED TO THE METAL FRAMING.

The City had a stipulated agreement with the owner to comply within 63 days or a fine of \$100 per day. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance within 63 days or a fine of \$100 per day would begin to accrue.

**Case: CE14032096**

1461 Northwest 22 Street  
US BANK NA TRSTEE % OCWEN

Certified mail sent to the owner was accepted on 5/8/14.

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

THERE ARE ELECTRICAL WIRES BYPASS AND EXPOSED ON THE

OUTDOOR ELECTRICAL METER BOX ON THIS STRUCTURE, AND LACKS THE REQUIRED COVER, ALLOWING FOR EXPOSURE TO THE ELEMENTS, AND CREATING A FIRE, HEALTH AND SAFETY HAZARD TO THE COMMUNITY.

9-308(a)

THE ROOF ON THE STRUCTURE AT THIS MULTIFAMILY RESIDENCE DWELLING IS IN DISREPAIR, THERE ARE AREAS AT THE EAST SIDE IN FRONT OF THIS DWELLING THAT HAS MISSING TILES, TRASH AND DEBRIS.

Complied:

9-279(f)

Officer Quintero said the case was begun pursuant to a complaint. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 28 days or a fine of \$100 per day, per violation.

Ms. Hassan was concerned about life safety issues on this occupied property and recommended a 21-day compliance deadline or a \$250 per day, per violation fine.

Judge Purdy found in favor of the City and ordered compliance within 21 days or a fine of \$250 per day, per violation would begin to accrue.

**Case: CE14030599**

1543 Northwest 12 Avenue  
LOAR, RANDALL B

Service was via posting on the property on 5/12/14 and at City Hall on 5/22/14.

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

9-304(b)

THE DRIVEWAY ON THIS OCCUPIED PROPERTY IS NOT BEING MAINTAINED, THERE ARE AREAS OF THE DRIVEWAY THAT ARE MISSING, OR WORN THROUGH.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THE PAINT HAS BECOME STAINED. STRUCTURAL PARTS INCLUDING FASCIA, SOFFITS AND BALCONIES HAVE LOOSE MATERIALS AND NEED TO BE PATCHING AND OR RESURFACING, MATCHING EXISTING COLOR.

Complied:

18-12(a)

9-280(h)(1)

9-313(a)

Officer Quintero 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.

Judge Purdy 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: CE14030735**

1541 Northwest 15 Terrace  
SEDELL, ANNE LE & BYROM, FRANKLIN LE ET AL.

Violations:

9-304(b)

THE GRAVEL DRIVEWAY ON THIS VACANT, UNOCCUPIED 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. THERE ARE DIFFERENT VEHICLES BEING PARKED ON THE GRASS/DIRT SURFACE AT THIS PROPERTY.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THE PAINT HAS BECOME STAINED AND NEED TO BE PATCHING AND OR RESURFACING, MATCHING EXISTING COLOR.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE ON THIS PROPERTY INCLUDING BUT NOT LIMITED TO LUMBER, BUCKETS, BRICKS, WHICH IS A NON-PERMITTED LAND USE IN RS-8 ZONING PER ULDR TABLE 47-5.11,

Complied:

18-12(a)

18-4(c)

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

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

**Case: CE14022044**

1826 Southwest 29 Street  
PROVENZALE, ANTHONY & PROVENZALE, DOMINIC

Certified mail sent to the owner was accepted on 5/3/14.

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

18-11(a)

THE POOL ON THIS PROPERTY HAS GREEN STAGNANT WATER WHICH IS OR MAY REASONABLY BECOME INFESTED WITH MOSQUITOS AND IS ENDANGERING THE PUBLIC HEALTH, SAFETY AND WELFARE.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$200 per day.

Judge Purdy found in favor of the City and ordered compliance within 10 days or a fine of \$200 per day would begin to accrue.

**Case: CE14020096**

1344 Northeast 2 Avenue  
ACTUAL POSITIVE RESULTS INC

Violations:

18-12(a)

THERE IS OVERGROWTH, TRASH AND DEBRIS ON THIS PROPERTY.

9-280(h)(1)

THE CHAIN LINK FENCE AT THIS PROPERTY IS IN DISREPAIR.

9-305(b)

THE LANDSCAPING IS NOT BEING MAINTAINED. THERE IS DEAD AND DYING PLANT LIFE.

The City had a stipulated agreement with the owner to comply 18-12(a) within 14 days or a fine of \$50 per day, and to comply 9-280(h)(1) and 9-305(b) within 35 days or a fine of \$50 per day, per violation. The City was requesting a finding of fact and approval of the stipulated agreement.

Judge Purdy found in favor of the City, approved the stipulated agreement and ordered compliance with 18-12(a) within 14 days or a fine of \$50 per day, and with 9-280(h)(1) and 9-305(b) within 35 days or a fine of \$50 per day, per violation would begin to accrue.

**Case: CE14032058**

532 Northwest 8 Avenue  
SMITH, LORRAINE E

Service was via posting on the property on 5/17/14 and at City Hall on 5/22/14.

Andre Cross, Code Enforcement Officer, testified to the following violation:  
9-307(a)

THERE IS A BROKEN WINDOW IN FRONT OF THE ABOVE  
VACANT PROPERTY THAT IS IN NEED OF REPAIR OR  
REPLACING.

Officer Cross presented photos of the property and the case file into evidence, and recommended ordering compliance within 35 days or a fine of \$50 per day.

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

**Case: CE14040704**

1125 Northwest 5 Street  
GRIFFIN, MISTI & SPEARMAN, JOY

Service was via posting on the property on 5/8/14 and at City Hall on 5/22/14.

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 OLD  
FURNITURE, PAPERS, CUPS 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, and recommended ordering compliance within 10 days or a fine of \$50 per day.

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

**Case: CE14040836**

431 Northwest 1 Avenue  
SOUTHERN GROUTS & MORTARS INC

Certified mail sent to the owner was accepted on 5/1/14.

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

THE VACANT LOT HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

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.

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

**Case: CE14041083**

1125 Northeast 5 Avenue  
FERNANDER, KEVIN

Service was via posting on the property on 5/8/14 and at City Hall on 5/22/14.

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

THERE IS RUBBISH, TRASH AND DEBRIS STORED ON THE PROPERTY INCLUDING BUT, NOT LIMITED TO A PILE OF BROKEN PLYWOOD AND MISCELLANEOUS ITEMS. ALSO THE PROPERTY HAS BECOME OVERGROWN AND HAS NOT BEEN MAINTAINED.

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.

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

**Case: CE14041981**

3053 Northwest 19 Street  
TOP DOG REAL ESTATE HOLDINGS II LLC

Certified mail sent to the owner was accepted on 5/1/14.

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 14 days or a fine of \$150 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$150 per day would begin to accrue.

**Case: CE14041982**

3055 Northwest 19 Street  
TOP DOG REAL ESTATE HOLDINGS II LLC

Certified mail sent to the owner was accepted on 5/1/14.

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 14 days or a fine of \$150 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$150 per day would begin to accrue.

**Case: CE14041983**

3065 Northwest 19 Street  
RHETT, RICHARD

Personal service was made to the owner on 5/2/14.

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 14 days or a fine of \$150 per day.

Judge Purdy found in favor of the City and ordered compliance within 14 days or a fine of \$150 per day would begin to accrue.

**Case: CE13111615**

3580 Southwest 16 Street  
FEDERAL NATIONAL MORTGAGE ASSN

This case was first heard on 3/20/14 to comply by 4/17/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$975 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$975 fine, which would continue to accrue until the property complied.

**Case: CT11050653**

716 Southeast 18 Street  
POSCH, ANDREW L JR

This was a requested to vacate the Order dated 7/21/11.

Judge Purdy vacated the Order dated 7/21/11.

**Case: CE14020648**

418 Northeast 12 Avenue  
BELMAHI, FOUAD

This case was first heard on 4/3/14 to comply by 4/13/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$5,000 and the City was requesting the full fine be imposed.

Judge Purdy imposed the \$5,000 fine.

**Case: CE13110515**

3750 Galt Ocean Drive # 1508  
DIANE ABBATE TR ABBATE, DIANE TRSTEE

This case was first heard on 2/6/14 to comply by 4/10/14. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,550 and the City was requesting the full fine be imposed.

Judge Purdy reviewed an email the City had received from the owner and imposed a \$520 fine.

**Case: CE12100693**

1531 Northwest 15 Avenue  
TURNER, MARY EST

This case was first heard on 3/7/13 to comply by 6/20/13. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$1,620 fine, which would continue to accrue until the property complied.

Ms. Hassan was concerned about life safety issues on the property and was unsure if it was occupied. She suggested increasing the fines to \$150 per day for the first two of the three violations.

Judge Purdy granted the request to increase the fines to \$150 per day for the first two violations and imposed the \$1,620 fine, which would continue to accrue until the property complied.



**Case: CE14021327**

1707 Northwest 9 Street  
AMTRUST-NP SFR VENTURE LLC

This case was first heard on 4/3/14 to comply by 4/17/14. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$4,800 fine, which would continue to accrue until the property complied.

**Case: CE14030026**

830 Northwest 3 Street  
BYNES, JOHN & DOROTHY EST

This case was first heard on 4/3/14 to comply by 4/17/14. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$21,600 fine, which would continue to accrue until the property complied.

Ms. Hassan was concerned about life safety issues at this occupied property. She suggested increasing the fines to \$500 per day, per violation.

Judge Purdy increased the fines to \$250 per day, per violation and imposed the \$21,600 fine, which would continue to accrue until the property complied.

**Case: CE05100329**

225 Southwest 12 Avenue  
DERISSE, BOAZ

This was a requested to vacate the Orders dated 11/2/06 and 7/5/07.

Judge Purdy vacated the Orders dated 11/2/06 and 7/5/07.

**Case: CE12080525**

916 Northeast 17 Street  
BROWARD INVESTMENT PARTNERS LLC

This was a requested to vacate the Order dated 3/18/11.

Judge Purdy vacated the Order dated 3/18/11.

**Case: CE13111441**

1122 Northwest 4 Avenue  
CROSS COUNTRY HOLDINGS PARTNERSHIP

This case was first heard on 3/20/14 to comply by 4/17/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$4,800 fine, which would continue to accrue until the property complied.

Judge Purdy imposed the \$4,800 fine, which would continue to accrue until the property complied.

**Case: CE13120172**

481 Northwest 17 Place  
CITIMORTGAGE INC

This case was first heard on 3/6/14 to comply by 4/3/14. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$15,500 fine, which would continue to accrue until the property complied.

Ms. Hassan was concerned about life safety issues on the property and requested increasing the fines to \$150 per day for 9-280(g) and 9-308(a).

Judge Purdy increased the fines to \$150 per day for 9-280(g) and imposed the \$15,500 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:

|            |            |            |            |
|------------|------------|------------|------------|
| CE11052382 | CE14040272 | CE14041273 | CE14011079 |
| CE13121598 | CE14040324 | CE14041486 | CE14020312 |
| CE14020719 | CE14040834 | CE14040948 | CE14042223 |
| CE14040361 | CE14031164 | CE14040425 | CE14040426 |
| CE13121016 | CE14022023 | CE14031493 | CE14040835 |
| CE14041899 | CE14041951 | CE14041958 | CE14041966 |
| CE14041975 | CE14041977 | CE14041979 | CE14041980 |
| CE14041984 | CE14041992 | CE14041999 | CE14042061 |
| CE14042124 |            |            |            |

**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:

|            |            |            |
|------------|------------|------------|
| CE14032074 | CE14030021 | CE13121170 |
|------------|------------|------------|

**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:

CT14032008

**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:

CE14041616            CE14011813            CE13090665

**Respondent Non-Appearance**

Respondents for the below listed cases did not appear. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None.

There being no further business, the hearing was adjourned at 11:31 A.M.

  
\_\_\_\_\_  
SPECIAL MAGISTRATE

ATTEST:

  
\_\_\_\_\_  
Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services