



CITY OF FORT LAUDERDALE

**SPECIAL MAGISTRATE HEARING  
1<sup>st</sup> FLOOR COMMISSION CHAMBERS  
FORT LAUDERDALE CITY HALL  
ROSE ANN FLYNN PRESIDING  
NOVEMBER 1, 2018  
9:00 A.M.**

**Staff Present:**

Loen Garrick, Clerk III  
Porshia Williams, Code Compliance Manager  
Crystal Green-Griffith, Clerk III  
Tasha Williams, Administrative Aide  
Keyandre Haynes, Clerk III  
Stacey Ramsey, Clerk III  
Rhonda Hasan, Assistant City Attorney  
Gustavo Caracas, Code Compliance Officer  
Leonard Champagne, Senior Code Compliance Officer  
James Fetter, Code Compliance Officer  
Deanglis Gibson, Code Compliance Officer  
Linda Holloway, Code Compliance Officer  
Shelly Hullett, Code Compliance Officer  
Patrice Jolly, Code Compliance Officer  
Roberta Jones, Code Compliance Officer  
Captain Robert Kisarewich, Fire Inspector  
Dorian Koloian, Code Compliance Officer  
Ron Kovacs, Code Compliance Officer  
Robert Masula, Building Inspector  
Mike Sanguinetti, Code Compliance Officer  
John Suarez, Senior Code Compliance Officer  
Irma Westbrook, Code Compliance Supervisor

**Respondents and witnesses**

CE17081691: Andrea Andrada, property manager  
CE18062398: Andrew Schein, attorney  
CE18030148: Geoffrey Orr, owner  
CE18090205: Othaniel Colon, tenant; Esperanza Martinez, tenant  
CE18080588; CE18091262: Flora James, owner  
CE18062519; CE18051406 CE18061256; CE18080860: Gerry Scanlon, owner  
CE17121889: Johnnie Moffet, tenant  
CE18022092: Marshall Nance, owner  
CE18041944; CE18041946: Shawnta Moss, property manager  
CE17111806: Purvis Jackson, owner; Eunice Polloway, owner  
CE18050916: Scott Stringham, owner  
CE18021942: Lee Feldman, owner

CE18030077: Dennis Peters, owner  
CE18041147: Jared Pond, owner  
CE18080798: Conway Bennet, property manager  
CE18081976: Ndabanengi Busuman, property manager  
CE18010500: Jaime Herrera, property manager  
CE17051063: Melissa Benhayon, attorney  
CE18090740: John Boston, neighbor; Kenn Young, neighbor; Jennifer Wetstein, tenant;  
Lewis Freeman, neighbor; Randall Fischer, neighbor; Diane Zelmer, neighbor  
CE17121289: Kenneth Gibson, owner; Kevin Gibson, owner  
CE18070867: John Vargas, owner  
CE17120569: Dayaldas Lalwani, owner; Jason Crush, attorney  
CE18080184: Andres Barcenas, owner  
CE18091942: Sammy Dawes, property manager  
CE18090190: Elizabeth Leite, neighbor  
CE16080542: Jeissa Martinez, representative  
CE17120884: Hector Hidalgo, owner  
9306495; 9306496; CE17021824; CE15100214; CE17071515: Celine Adrian,  
representative  
CE18012257: Jerry Slubowski, previous owner  
CE14081492: Eran Margalit, owner  
CE18020268: Larry Shenbaum, owner's friend; Keith Jensen, owner  
CE17032771: Juan Perez, representative; Carlos Linares, owner  
CE15090714: Courtney Crush, attorney, Michael Weymouth, president

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: CE18090740**

2216 SE 20 ST  
LENG, CHIH CHUN

Service was via posting at the property on 9/19/18 and at City Hall on 10/18/18.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

15-282.(d)(2)b.

PROPERTY ADVERTISING DURING SUSPENSION PERIOD  
(ADVERTISING TRIP ADVISOR 15047640), THE CITY WILL REQUEST  
THE MAGISTRATE ASSESS A DAILY FINE UP TO \$1000 FOR EACH DAY  
OF NON-COMPLIANCE.

Officer Champagne presented the case file into evidence and recommended imposing a fine of \$1,000 per day for each day the property was out of compliance, starting on September 11, 2018 and continuing to accrue.

Jennifer Wetstein, tenant, said she had been renting the property on an annual basis with an option to buy. She should be able to close on the property in the next couple of weeks. She stated she had email confirmations that the ad had been taken down, but apparently other sites had picked it up.

Ms. Hasan noted that no one was present with power of attorney to represent the owner.

John Boston, neighbor, said the house had been a problem for four and a half years. He said the neighborhood had been terrorized last month by a gang that had stayed at the property for four nights, selling drugs from the property and fighting with a rival gang. Mr. Boston said the gang had also vandalized the interior of the house. He said the neighbors wanted the owner's license revoked indefinitely. Officer Champagne said another violation could result in a 365-day suspension, as well as the fine.

Diane Zelmer, neighbor, said the owner had never honored the existing suspension and Ms. Zelmer requested a yearlong suspension. She asked what would happen at the end of this suspension and Ms. Hasan explained that if there was one more violation, the City could ask for a year-long suspension.

Ms. Flynn imposed a fine of \$1,000 per day, to begin retroactively on 9/11/18 and to continue until the property was in compliance.

**Case: CE18080184**

3261 JACKSON BLVD

BARCENAS, RAY LE BARCENAS, ANDRES

Service was via posting at the property on 10/11/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

Complied:

9-308(b)

18-12(a)

Officer Koloian presented the case file into evidence and recommended ordering compliance within 21 days or a fine of \$25 per day.

Andres Barcenas, owner, said he was trying to grow the lawn sustainably, so 21 days was not sufficient. He said the property had already improved dramatically and requested 180 days.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$25 per day.

**Case: CE18041147**

1309 NW 7 TER  
POND, GERARD P

Service was via posting at the property on 10/3/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
9-305(b)

LANDSCAPING, INCLUDING THE SWALE AREA, IS NOT PROPERLY MAINTAINED IN A HEALTHY, GROWING CONDITION AND PROTECTED. THERE ARE AREAS WHICH ARE BARE AND NEED TURF, SOD OR OTHER LIVING GROUND COVER.

Complied:

18-1.

24-27.(f)

Officer Hullett said the case was begun pursuant to a complaint. She presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day.

Jared Pond, owner, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day.

**Case: CE18010500**

1800 NW 14 AVE  
CRISMAR HOLDINGS LLC

This case was first heard on 4/12/18 to comply by 4/22/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$17,200 and the City was requesting the full fine be imposed.

Patrice Jolly, Code Compliance Officer, recommended reducing the fines to \$1,040 to cover administrative costs.

Jaime Herrera, property manager, agreed.

Ms. Flynn imposed a fine of \$1,040 for the time the property was out of compliance.

**Case: CE18062398**  
200 HENDRICKS ISLE  
FLL VENTURES LLC

Service was via posting at the property on 9/28/18 and at City Hall on 10/18/18.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

47-19.3.(f)(5)

THERE ARE TIDAL WATERS ENTERING THE PROPERTY THAT ARE IMPACTING ADJACENT PROPERTIES AND/OR PUBLIC RIGHT-OF-WAY. PROPERTY OWNERS FAILING TO PREVENT TIDAL WATERS FROM FLOWING OVERLAND AND LEAVING THEIR PROPERTY ARE IN VIOLATION. THE OWNER OF THE PROPERTY IS REQUIRED TO INITIATE A PROCESS, INCLUDING BUT NOT LIMITED TO HIRING A CONTRACTOR OR SUBMITTING A BUILDING PERMIT AND BE ABLE TO DEMONSTRATE PROGRESS TOWARD REPAIRING THE CITED DEFECT WITHIN 60 DAYS OF RECEIVING THIS NOTICE. FAILURE TO INITIATE THE PROCESS WITHIN THE 60 DAYS COULD RESULT IN THE CASE BEING SCHEDULED FOR A HEARING BEFORE THE SPECIAL MAGISTRATE.

9-313(c)

THE ASSIGNED STREET NUMBER OF ALL STRUCTURES AND BUILDINGS LOCATED ON NAVIGABLE WATERWAYS AND WITHIN THE CITY SHALL BE DISPLAYED ON THE PROPERTY SO AS TO BE PLAINLY VISIBLE FROM THE ADJACENT NAVIGABLE WATERWAY.

Officer Champagne presented the case file into evidence and recommended ordering compliance with 9-313( C) within 7 days or a fine of \$25 per day and with 47-19.3.(f)(5) within 63 days or a fine of \$100 per day.

Andrew Schein, attorney, agreed. Officer Champagne explained that if a property owner was making progress, he/she could be granted up to 365 days to complete compliance. In 63 days, the owner must show progress.

Ms. Flynn found in favor of the City and ordered compliance with 9-313( C) within 7 days or a fine of \$25 per day and with 47-19.3.(f)(5) within 63 days or a fine of \$100 per day.

**Case: CE17051063**

1811 NW 26 AV  
FEDERAL HOME LOAN MORTGAGE CORP

This case was first heard on 3/1/18 to comply by 3/15/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$18,600 and the City was requesting the full fine be imposed.

Patrice Jolly, Code Compliance Officer, recommended reducing the fines to \$1,362 to cover administrative costs.

Melissa Benhayon, attorney, agreed to the reduction.

Ms. Flynn imposed a fine of \$1,362 for the time the property was out of compliance.

**Case: CE18091262**

401 SW 25 AV  
JAMES, AVILL & SYLVIA

Service was via posting at the property on 10/15/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER. THIS IS A REPEAT VIOLATION BASED ON CASE CE17051625 WHICH CAME BEFORE THE SPECIAL MAGISTRATE ON 08/17/17, AND BASED ON THE EVIDENCE PRESENTED, THE SPECIAL MAGISTRATE ENTERED A FINDING OF FACT FOR 9-305(B). THIS CASE WILL BE PRESENTED AS A REPEAT VIOLATION WHETHER IT COMES INTO COMPLIANCE OR NOT.

Complied:  
9-304(b)

Officer Koloian presented the case file into evidence and recommended ordering compliance with 9-305(b) within 14 days or a fine of \$100 per day.

Flora James, owner, agreed to comply.

Ms. Flynn found in favor of the City and ordered compliance with 9-305(b) within 14 days or a fine of \$100 per day.

**Case: CE18080588**

401 SW 25 AV  
JAMES, AVILL & SYLVIA

Service was via posting at the property on 10/15/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS AND/OR WEEDS AS WELL AS TRASH, RUBBISH, LITTER AND/OR DEBRIS ON THIS PROPERTY AND SWALE AREA.

47-34.1.A.1.

THERE IS OUTDOOR STORAGE PROHIBITED IN THIS RS-8 RESIDENTIAL ZONED DISTRICT.

Complied:

18-4(c)

6-8

Officer Koloian presented the case file into evidence and recommended ordering compliance within 21 days or a fine of \$25 per day, per violation.

Flora James, owner, agreed to comply now that the tenants had been removed.

Ms. Flynn found in favor of the City and ordered compliance within 21 days or a fine of \$25 per day, per violation.

**Case: CE18021942**

1212 NW 5 AV  
FELDMAN, LEE

This case was first heard on 6/21/18 to comply by 7/1/18, 7/19/18 and 8/23/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$14,750 fine, which would continue to accrue until the property was in compliance.

Shelly Hullett, Code Compliance Officer, confirmed the violations remained.

Lee Feldman, owner, said he had been waiting for insurance money to repair the property, which he anticipated soon. He also needed to evict the tenants first. He stated he already had someone to make the repairs as soon as he received the funds.

Ms. Flynn granted a 28-day extension for 9-304(b) and 9-305(b) and a 63-day extension for 9-280(b), during which time no fines would accrue.

**Case: CE18090190**

6884 NW 30 AV

INSPIRON LLC

Service was via posting at the property on 10/12/18 and at City Hall on 10/18/18.

Robert Masula, Building Inspector, testified to the following violation(s):  
FBC(2017) 3307.1

THE NEIGHBORING PROPERTIES HAVE SUSTAINED DAMAGE AS A RESULT OF THIS CONSTRUCTION PROJECT/ SITE WITHOUT THE PROPER SAFEGUARDS AND PROTECTION TO THE NEIGHBORING PROPERTIES BEING IN PLACE.

FBC(2017) 116.2.1.1.2

AT THE TIME OF MY SITE INSPECTION ON 09-11-2018 AT 12:30PM THIS JOBSITE APPEARS TO BE ABANDONED. THERE IS A PERMIT 17031725 WHICH HAD THE LAST BUILDING INSPECTION PERFORMED ON 10-23-2017. BY DEFINITION OF FBC 105.3.2.1 AND FBC 105.3.2.4 THIS PERMIT WOULD BE CONSIDERED EXPIRED AND THIS JOBSITE WOULD BE CONSIDERED ABANDONED. THERE IS ALSO AN UNWARRANTED ACCUMULATION OF DEBRIS AND OTHER COMBUSTIBLE MATERIAL THAT POSE A FIRE HAZARD TO THE NEIGHBORING PROPERTIES AND THE COMMUNITY.

24-11(c)

THIS JOBSITE IS NOT SAFE AND SECURED. THE CONDITIONS OF THIS JOBSITE HAVE CREATED NUISANCE AND HAZARD TO THE NEIGHBORING PROPERTIES.

Inspector Masula recommended presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$500 per day, per violation.

Elizabeth Leite, neighbor, said she had started experiencing problems with a water leak in October 2017 and notified the homeowners association, who had pursued the Code Enforcement case. The owner had promised her to repair the leak but nothing had been done and now she had water and mildew in her unit. She presented an inspection report of her unit into evidence.

Ms. Flynn noted that no one was present to represent the property owner.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$500 per day, per violation.

**Case: CE18050916**

967 NW 16 TER

STRINGHAM, SCOTT

This case was first heard on 7/19/18 to comply by 8/2/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,000 and the City was requesting the full fine be imposed.

Roberta Jones, Code Compliance Officer, recommended reducing the fines to \$396 to cover administrative costs.

Scott Stringham, owner, agreed to the fine reduction.

Ms. Flynn imposed a fine of \$396 for the time the property was out of compliance.

**Case: CE18041944**

645 NW 15 TER

FEDERAL APARTMENTS LTD PRTNR

Service was via posting at the property on 10/16/18 and at City Hall on 10/18/18.

Roberta Jones, Code Compliance Officer, testified to the following violation(s):  
9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA, SOFFITS AND BALCONIES ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

24-27.(c)

THERE ARE TRASH CONTAINERS ON THE PROPERTY IN DISREPAIR.

47-20.20.H.

THE PARKING LOT HAS MULTIPLE OIL STAINS AND NEEDS TO BE PRESSURE WASHED OR RESURFACED.

9-280(b)

THERE ARE WINDOWS ON THIS PROPERTY THAT ARE BOARDED. THERE ARE INTERIOR WALLS THAT HAVE STAINS AND DOORS THAT ARE COMING OFF THE HINGES.

9-280(g)

THERE ARE ELECTRICAL/POWER BOXES ON THE REAR OF THE PROPERTY WITHOUT A COVER, AND THERE ARE VARIOUS OUTSIDE LIGHT FIXTURES IN DISREPAIR AND THAT HAVE NO COVERS.

Complied:

18-12(a)

Officer Jones presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Shawnta Moss, property manager, agreed to comply.

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

**Case: CE18041946**

816 NW 12 AVE # 1

FEDERAL APARTMENTS LTD PRTNR

% GREYSTONE SERVICING CORP

Service was via posting at the property on 10/18/18 and at City Hall on 10/1/18.

Roberta Jones, Code Compliance Officer, testified to the following violation(s):  
9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA, SOFFITS AND BALCONIES ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED. INTERIOR WALLS AND BASE BOARDS HAVE STAINING. THERE ARE INTERIOR DOORS OF UNIT 1 IN DISREPAIR AND THE TUB NEEDS TO BE RESURFACED.

9-280(g)

THERE ARE EXTERIOR LIGHTING FIXTURES THAT ARE MISSING OR IN DISREPAIR. THERE ARE WIRES HANGING THROUGH OUT THE COMPLEX AND NOT SECURED AND MAY CAUSE A HAZARD TO NEIGHBORS.

Officer Jones presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day, per violation.

Shawnta Moss, property manager, agreed to comply.

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

**Case: CE17121289**

2311 NW 12 CT  
WILLIAMS, LOUISE EST

This case was first heard on 3/15/18 to comply by 6/21/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$16,500 fine, which would continue to accrue until the property was in compliance.

Patrice Jolly, Code Compliance Officer, confirmed that five of the original seven violations were not yet in compliance.

Kenneth Gibson, owner, said some items were already in compliance and they were in the process of complying the others.

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

**Case: CE17121889**

529 NW 19 AV  
TWIGGS, ELSIE MAE H/E NW 19 AVE TR 529

This case was first heard on 4/19/18 to comply by 5/3/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$9,050 fine, which would continue to accrue until the property was in compliance.

Roberta Jones, Code Compliance Officer, said the violations remained.

Johnnie Moffet, tenant, said he had started working on compliance but had been short of funds. He requested additional time.

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

**Case: CE17081691**

90 ISLE OF VENICE DR # 02  
AQUA DI VENICE LLC

This case was first heard on 2/1/18 to comply by 3/15/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$19,000 and the City was requesting the full fine be imposed.

This was a request to vacate the order dated 8/30/18 and to rehear the case.

Ms. Flynn vacated the order dated 8/30/18.

Ron Kovacs, Code Compliance Officer, recommended reducing the fines to \$350 to cover administrative costs.

Andrea Andrada, property manager, agreed to the reduction.

Ms. Flynn imposed a fine of \$350 for the time the property was out of compliance.

**Case: CE18081976**

1737 NE 17 TER

GEORGE & E KOSKI REV LIV TR KOSKI, GEORGE & ELIZABETH TRSTEE

Service was via posting at the property on 9/18/18 and at City Hall on 10/18/18.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

15-272.(a)

THIS PROPERTY IS BEING UTILIZED AS A VACATION RENTAL,  
WITHOUT THE REQUIRED CERTIFICATE OF COMPLIANCE FROM THE  
CITY.

Officer Champagne presented the case file into evidence and recommended ordering compliance within 42 days or a fine of \$250 per day.

Ndabanengi Busuman, property manager, agreed.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

**Case: CE17120569**

3132 NE 9 ST

LALWANI, NARAIN S

This case was first heard on 5/17/18 to comply by 7/19/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$104,000 fine, which would continue to accrue until the property was in compliance.

Gustavo Caracas, Code Compliance Officer, confirmed the property was not in compliance.

Jason Crush, attorney, said the building was slated for demolition and wanted Officer Caracas to visit the property and inform them what minor repairs they could make to comply the case to allow the demolition. He requested a 60-day extension and Officer Caracas agreed.

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

**Case: CE18061256**

1505 NW 8 AVE

AMERICAN REAL ESTATE STRATEGIES FUND LP

This case was first heard on 7/19/18 to comply by 6/29/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$7,200 and the City was requesting the full fine be imposed.

Gustavo Caracas, Code Compliance Officer, recommended imposition of the fines and said administrative costs totaled \$350.

Gerry Scanlon, owner, said he had called Officer Caracas several times but he had never returned his calls. He stated his company was the largest owner on NW 8 Avenue in response to requests from the former Mayor, Jack Seiler, current Mayor Dean Trantalis and the civic association. He had purchased this property with a hundred violations, cleared the violations and settled the lien. Mr. Scanlon described actions they had taken to comply the violations and communication they had with City inspectors.

Ms. Flynn wondered how the case could have been heard on 7/19 and ordered to comply by 6/29 and Ms. Williams said the fines had been retroactive because Mr. Scanlon was a repeat offender. She confirmed she had met with Mr. Scanlon on 8/8 regarding how to bring this and other properties he owned into compliance. She stated Mr. Scanlon had owned the property when the prior violations occurred. Mr. Scanlon refuted this. Ms. Williams said the prior case cited was from 2016 but Ms. Flynn said the agenda indicated it was a 2013 case.

Ms. Williams said the previous owner had been a repeat offender and when Mr. Scanlon purchased the property, there was an open case on the property. The City considered any repeat of the violation by the same owner in a five year period - even at another property - to be a repeat violation.

Ms. Flynn noted that Mr. Scanlon had not attended the hearing when this case was first heard. Mr. Scanlon said this was because he had never heard back from Officer Caracas.

Ms. Flynn asked the City to state if this repeat violation was based on a repeat violation on another of Mr. Scanlon's properties or based on the 2013 violation from a prior

owner on this property. Ms. Hasan said the repeat violation for this case was based on the 2013 inherited violation for the previous owner on this property.

Ms. Flynn imposed a fine of \$350 for the time the property was out of compliance.

**Case: CE18062519**

501 NW 17 ST  
DEVELOPMENT4LIFE PARTNERS LP

Service was via posting at the property on 9/25/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
47-34.1.A.1.

OPERATING A PROPERTY MANAGEMENT OFFICE FROM THIS RD-15  
ZONED PARCEL WHICH IS A NON-PERMITTED LAND USE PER ULDR  
TABLE 47-5.13.

Complied:  
47-22.9.

Officer Hullett said the case was begun pursuant to a complaint. She presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$100 per day.

Gerry Scanlon, owner, said the property was in the process of rezoning and requested until 11/21, when the results of the request would be known.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$100 per day.

**Case: CE18080860**

1508 NW 2 AV  
AMERICAN REAL ESTATE STRATEGY FUND

Service was via posting at the property on 10/5/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
9-280(b)

THERE ARE BUILDING PARTS INCLUDING CEILINGS & WALLS WHICH  
ARE DETERIORATED AND NOT STRUCTURALLY SOUND OR  
MAINTAINED IN REASONABLY GOOD REPAIR OR REASONABLY  
WEATHER AND WATER TIGHT AND RODENT PROOF.

Complied:  
9-280(f)

Officer Hullett said the case was begun pursuant to a complaint. She presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day.

Gerry Scanlon, owner, agreed to comply.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day.

**Case: CE18051406**

1505 NW 8 AVE  
AMERICAN REAL ESTATE STRATEGIES FUND LP

This case was first heard on 7/19/18 to comply by 7/26/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$900 and the City was requesting the full fine be imposed.

Gustavo Caracas, Code Compliance Officer, confirmed the property was in compliance and said administrative costs totaled \$672.

Gerry Scanlon, owner, agreed to pay the administrative costs.

Ms. Flynn Imposed the \$900 fine.

**Case: CE18022092**

608 SW 9 ST  
NANCE, JULIA EST

Request for extension

This case was first heard on 5/17/18 to comply by 6/21/18. Violations and extensions were as noted in the agenda. The property was not in compliance and fines had accrued to \$6,800.

Marshall Nance, owner, said the estate had finally been settled and the property would be demolished. He said the demolition permit application had already been submitted.

John Suarez, Senior Code Compliance Officer, suggested 63 days.

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

**Case: CE17111806**

872 NW 16 TER  
PURVIS DEAN JACKSON JR TR JACKSON, PURDIS

This case was first heard on 3/15/18 to comply by 6/14/18. Violations and extensions

were as noted in the agenda. The property was in compliance, fines had accrued to \$875 and the City was requesting the full fine be imposed.

Deanglis Gibson, Code Compliance Officer, said the owner had experienced extenuating circumstances with permitting and had worked hard to comply. Administrative costs totaled \$764.

Purvis Jackson, owner, described his efforts to comply.

Ms. Flynn imposed no fine.

**Case: CE18080798**

1334 NW 8 AVE # B

BENNETT, SONIA

Service was via posting at the property on 9/24/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS AND/OR WEEDS AS WELL AS TRASH, RUBBISH, LITTER AND/OR DEBRIS ON THIS PROPERTY AND SWALE AREA.

47-20.20.H.

THE PARKING FACILITIES ARE NOT MAINTAINED IN A GOOD, OPERATING CONDITION. THE ASPHALT IS DETERIORATED AND/OR NEEDS RESURFACING AND RESTRIPING.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

Officer Hullett said the case was begun pursuant to a complaint. She presented the case file into evidence and recommended ordering compliance with 18-12(a) within 10 days and with the remaining violations within 28 days or a fine of \$50 per day, per violation.

Conway Bennet, property manager, said he was evicting the tenants and the judge in the eviction case had advised him to stay away from the property until the tenants were gone because they had been threatening. He requested at least 60 days.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$50 per day, per violation.

**Case: CE18030077**

1216 NW 6 AV  
PETERS, DENNIS G

This case was first heard on 6/21/18 to comply by 8/23/18 and 7/1/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$6,100 fine, which would continue to accrue until the property was in compliance.

Shelly Hullett, Code Compliance Officer, reported one violation remained.

Dennis Peters, owner, said the work had been done as of 8/1. Officer Hullett said as of her inspection on 10/31, the roof was not in compliance. Mr. Peters insisted he had cleaned the roof.

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

**Case: CE18090205**

355 GEORGIA AVE  
SRP SUB LLC

Service was via posting at the property on 10/10/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):

Complied:

18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS AND/OR WEEDS ON THIS PROPERTY AND SWALE AREA. THIS IS A REPEAT VIOLATION BASED ON CASE CE18050478 WHICH CAME BEFORE THE SPECIAL MAGISTRATE ON JULY 19, 2018 AND BASED ON THE EVIDENCE PRESENTED, THE SPECIAL MAGISTRATE ENTERED A FINDING OF FACT FOR 18-12(a). THIS CASE WILL BE PRESENTED BEFORE THE SPECIAL MAGISTRATE AS A REPEAT VIOLATION WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Koloian presented the case file into evidence, said the violation was now in compliance and requested a finding of fact that the violation had existed as cited and imposition of a fine of \$50 per day for the 10 days the property had been out of compliance, September 7 through September 17, 2018.

Othaniel Colon, tenant, said the landlord used to be responsible to cut the grass while his mother was recovering from transplant surgery but he was now taking responsibility.

Ms. Flynn found in favor of the City that the violation had existed as cited and imposed no fine.

**Case: CE18091942**

5300 NW 9 AVE # PKG  
DEZER POWERLINE LLC

Personal service was made on 10/22/18. Service was also via posting at City Hall on 10/18/18.

Captain Robert Kisarewich, Fire Inspector, testified to the following violation(s):  
NFPA 1:13.3.1.1 (service)

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 1:13.4.8

THE FIRE PUMP DOES NOT FUNCTION AS DESIGNED AND INSTALLED.

NFPA 1:1.7.6.2 FIX F/A

THE FIRE ALARM IS NOT FUNCTIONING AS DESIGNED AND  
INSTALLED.

NFPA 25:13.7.4

THERE ARE OBSTRUCTIONS/STORAGE BLOCKING ACCESS TO THE  
FDC.

Captain Kisarewich recommended ordering compliance within 14 days or a fine of \$500 per day, per violation.

Sammy Dawes, property manager, agreed to comply. He said one issue was remaining.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$500 per day, per violation.

**Case: CE18030148**

320 SW 21 ST  
AOTEAROA FORTRESS LLC

This case was first heard on 6/21/18 to comply by 7/26/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$450 and the City was requesting the full fine be imposed.

Mike Sanguinetti, Code Compliance Officer, recommended reducing the fines to \$442 to cover administrative costs.

Geoffrey Orr, owner, said the container was removed a day after the ordered date. Officer Sanguinetti said the property owner had been very cooperative.

Ms. Flynn imposed a fine of \$250 for the time the property was out of compliance.

**Case: CE18080163**

716 NW 17 AV  
CBA RENTALS III LLC

Service was via posting at the property on 9//26/18 and at City Hall on 10/18/18.

Patrice Jolly, Code Compliance Officer, testified to the following violation(s):  
47-34.1.A.1

THERE ARE UNPERMITTED ITEMS BEING STORED ON THE EXTERIOR  
OF THIS OCCUPIED SINGLE FAMILY RESIDENT.

18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS AND/OR  
WEEDS AS WELL AS TRASH, RUBBISH, LITTER AND/OR DEBRIS ON  
THIS PROPERTY AND SWALE AREA.

Complied:

9-306

Officer Jolly presented the case file into evidence and recommended ordering compliance with 18-12(a) within 10 days or a fine of \$50 per day and with 47-34.1.A.1 within 30 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-12(a) within 10 days or a fine of \$50 per day and with 47-34.1.A.1 within 35 days or a fine of \$50 per day.

**Case: CE18081860**

2101 SW 18 AVE  
ROWLETTE, MELODY

Service was via posting at the property on 10/1/18 and at City Hall on 10/18/18.

Mike Sanguinetti, Code Compliance Officer, testified to the following violation(s):  
9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS  
NOT BEING MAINTAINED AS REQUIRED.

18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS  
AND/OR WEEDS AS WELL AS TRASH, RUBBISH, LITTER  
AND/OR DEBRIS ON THIS PROPERTY AND SWALE AREA.

Withdrawn:

24-27.(b)

Complied:

9-304(b)

18-1.

Officer Sanguinetti presented the case file into evidence and recommended ordering compliance with 18-12(a) within 10 days or a fine of \$50 per day and with 9-280(h)(1) within 28 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance with 18-12(a) within 10 days or a fine of \$50 per day and with 9-280(h)(1) within 28 days or a fine of \$50 per day.

**Case: CE18080619**

730 NW 9 ST

TIMOTHY K WALTERS REV TR WALTERS, T & WALTERS, SHERRY

Service was via posting at the property on 10/2/18 and at City Hall on 10/18/18.

Gustavo Caracas, Code Compliance Officer, testified to the following violation(s): 15-28.

ENGAGING IN BUSINESS W/O FIRST OBTAINING A BUSINESS TAX RECEIPT.

47-18.4 E.

AUTO REPAIRS/SERVICES ARE BEING PERFORMED OUTSIDE NOT WITHIN AN ENCLOSED BUILDING AT MULTIPLE BAYS AT THIS COMMERCIAL PROPERTY LEASED BY MULTIPLE AUTO REPAIR BUSINESSES AND/OR BUSINESSES SERVICING VEHICLES.

Complied:

47-19.4.B.1.

47-34.1.A.1.

18-12(a)

47-20.20.H.

18-4(c)

Officer Caracas presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day, per violation.

**Case: CE18072346**

1444 NW 5 AV

BROWN, YVONNE & SYDNEY

Service was via posting at the property on 10/2/18 and at City Hall on 10/18/18.

Gustavo Caracas, Code Compliance Officer, testified to the following violation(s): 18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS AND/OR

WEEDS AS WELL AS TRASH, RUBBISH, LITTER AND/OR DEBRIS ON THIS PROPERTY AND SWALE AREA.

47-34.1.A.1.

THERE ARE ITEMS BEING STORED OUTSIDE ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO: BARRELS, APPLIANCES, TIRES, FURNITURE, AND OTHER ITEMS.

6-5

ANIMALS PROHIBITED IN RESIDENTIAL DISTRICT (CHICKENS, ROOSTERS).

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED.

9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED.

9-304(b)

GRAVEL OR PAVED DRIVEWAY IS NOT WELL GRADED AND/OR DUST FREE.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

9-314

THERE ARE CLOTHES AND FLOOR RUGS HANGING ON THE CHAIN LINK FENCE SURROUNDING THE ABOVE PROPERTY AT ALL TIMES.

Complied:

18-4(c)

24-27.(b)

9-306

9-313.(a)

Officer Caracas presented 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.

**Case: CE18080193**

1628 LAUDERDALE MANOR DR

CBA RENTALS IV LLC

Service was via posting at the property on 9/28/18 and at City Hall on 10/18/18.

Patrice Jolly, Code Compliance Officer, testified to the following violation(s):  
47-34.1.A.1.

THERE ARE ITEMS BEING STORED OUTSIDE ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO: APPLIANCES, AUTO PARTS, DEBRIS AND OTHER ITEMS. THIS IS NOT A PERMITTED USE IN AN RS-8 ZONED PROPERTY.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

Complied:

18-12(a)

47-34.4 B.1.

9-304(b)

9-313.(a)

18-4(c)

Officer Jolly presented 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.

**Case: CE18081273**

1530 NW 18 AVE

GINOSSAR PROPERTIES

Service was via posting at the property on 9/28/18 and at City Hall on 10/18/18.

Patrice Jolly, Code Compliance Officer, testified to the following violation(s):  
47-34.1.A.1.

THERE ARE ITEMS BEING STORED OUTSIDE ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO: BARRELS, APPLIANCES, TIRES, FURNITURE AND OTHER ITEMS. THIS IS NOT A PERMITTED USE ON AN RS4.4 ZONED PROPERTY.

47-34.4 B.1.

NO PERSON SHALL PARK, STORE OR KNOWINGLY PERMIT ANOTHER PERSON TO PARK OR STORE ANY OF THE VEHICLES DESCRIBED IN SUBSECTION B.3 UPON ANY RESIDENTIALLY ZONED PROPERTY AT ANY TIME BETWEEN THE HOURS OF 9:00 P.M. AND 6:00 A.M. UNLESS IT IS: PARKED OR STORED WITHIN A GARAGE OR CARPORT WHICH IS ENCLOSED ON ANY SIDE OF A PROPERTY ABUTTING RESIDENTIAL PROPERTY AND IS CONCEALED OR SCREENED FROM VIEW FROM ANY STREET ABUTTING THE PARCEL WHERE THE VEHICLE IS LOCATED; OR CONCEALED OR SCREENED FROM VIEW FROM ANY

STREET ABUTTING THE PARCEL WHERE THE VEHICLE IS LOCATED AND FROM ANY CONTIGUOUS RESIDENTIAL PROPERTY BY LANDSCAPING OR FENCING. SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SUBSECTION B.5.

9-304(b)

THE PARKING FACILITIES OF THIS PROPERTY ARE NOT MAINTAINED IN A GOOD CONDITION; THE ASPHALT DRIVEWAY IS CRACKED AND/OR MISSING AREAS OF ASPHALT.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER.

18-4(c)

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY.

Complied:

18-12(a)

9-280(h)(1)

Withdrawn:

24-27.(b)

Officer Jolly presented the case file into evidence and recommended ordering compliance with 47-34.1.A.1., 47-34.4 B.1. and 18-4( C) within 10 day or a fine of \$50 per day, per violation and with the remaining violations within 35 days or a fine of \$50 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 47-34.1.A.1., 47-34.4 B.1. and 18-4( C) within 10 day or a fine of \$50 per day, per violation and with the remaining violations within 35 days or a fine of \$50 per day, per violation.

**Case: CE18081959**

1632 LAUDERDALE MANOR DR  
SIMMONDS, LENDON

Service was via posting at the property on 9/28/18 and at City Hall on 10/18/18.

Patrice Jolly, Code Compliance Officer, testified to the following violation(s):  
47-34.1.A.1.

THERE ARE ITEMS BEING STORED OUTSIDE ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO: CAR PARTS, TILES, AND OTHER ITEMS. THIS IS NOT A PERMITTED USE IN A RS-8 ZONED PROPERTY.

9-304(b)

THE PARKING FACILITIES OF THIS PROPERTY ARE NOT MAINTAINED IN A GOOD CONDITION; THE CONCRETE DRIVEWAY IS CRACKED AND THE GRAVEL DRIVEWAY APPROACH IS WORN.

Complied:

18-12(a)

18-4(c)

Officer Jolly presented the case file into evidence and recommended ordering compliance with 47-34.1.A.1. within 14 days or a fine of \$25 per day and with 9-304(b) within 63 days or a fine of \$25 per day.

Ms. Flynn found in favor of the City and ordered compliance with 47-34.1.A.1. within 14 days or a fine of \$25 per day and with 9-304(b) within 63 days or a fine of \$25 per day.

**Case: CE18080368**

2610 RIVERLAND DR

LYNE LLC

Certified mail was accepted on 9/22/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THIS IS A RECURRING VIOLATION. SEE PREVIOUS CASE NUMBER CE17090098. THIS CASE WILL BE PRESENTED TO SPECIAL MAGISTRATE TO SEEK A FINDING OF FACT WHETHER OR NOT THE VIOLATION IS COMPLIED PRIOR TO THE HEARING.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day.

**Case: CE18070867**

2716 SW 9 ST

VARGAS, JOHN

Service was via posting at the property on 10/11/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
24-27.(b)

THERE IS (ARE) CONTAINERS LEFT ROADSIDE OVERNIGHT AFTER COLLECTION DAY AND NOT PULLED BACK TO AN APPROVED LOCATION. THIS IS A RECURRING VIOLATION. SEE CASE NUMBERS CE17050146 AND CE17021882. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE TO OBTAIN A FINDING OF FACT WHETHER

OR NOT THE VIOLATION IS COMPLIED PRIOR TO THE HEARING.

9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED.

9-304(b)

THE PARKING LOT IS IN DISREPAIR.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA, SOFFITS AND BALCONIES ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

Complied:

24-27.(f)

47-34.1.A.1.

Officer Koloian presented 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.

**Case: CE18081311**

211 SW 31 AVE

SWAY 2014-1 BORROWER LLC

Service was via posting at the property on 10/10/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
18-4(c)

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$50 per day.

**Case: CE18081219**

211 SW 31 AVE

SWAY 2014-1 BORROWER LLC

Service was via posting at the property on 10/10/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED. THE FRONT PORCH IS PARTIALLY COLLAPSED AND THERE ARE PIECES OF WOOD HANGING DOWN. THERE IS A BROKEN WINDOW IN FRONT OF THE PROPERTY.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL KEPT APPEARANCE. THERE ARE AREAS OF DEAD AND MISSING GROUND COVER. THIS IS A RECURRING VIOLATION. SEE CASE NUMBER CE17010537. THIS CASE WILL BE PRESENTED TO SPECIAL MAGISTRATE TO OBTAIN A FINDING OF FACT WHETHER OR NOT THE VIOLATION IS COMPLIED PRIOR TO THE HEARING.

Complied:

9-304(b)

THERE ARE VEHICLES/TRAILERS PARKED ON THE GRASS/LAWN AREA. THIS IS A RECURRING VIOLATION. SEE CASE NUMBER CE17010537. THIS CASE WILL BE PRESENTED TO SPECIAL MAGISTRATE TO OBTAIN A FINDING OF FACT WHETHER OR NOT THE VIOLATION IS COMPLIED PRIOR TO THE HEARING.

Officer Koloian presented 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.

**Case: CE18090362**

2760 SW 3 CT

THOMAS, DERRICK

Service was via posting at the property on 10/10/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
9-279(f)

NO CITY WATER SERVICE TO OCCUPIED PROPERTY

Complied:

18-12(a)

9-306

9-313.(a)

Officer Koloian presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

**Case: CE18091087**

211 SW 31 AVE  
SWAY 2014-1 BORROWER LLC

Service was via posting at the property on 10/10/18 and at City Hall on 10/18/18.

Dorian Koloian, Code Compliance Officer, testified to the following violation(s):  
18-12(a)

THERE IS OVERGROWTH CONSISTING OF GRASS, PLANTS AND/OR WEEDS AS WELL AS TRASH, RUBBISH, LITTER AND/OR DEBRIS ON THIS PROPERTY AND SWALE AREA. THIS IS A REPEAT VIOLATION BASED ON CASE CE16101359 WHICH CAME BEFORE THE SPECIAL MAGISTRATE ON JANUARY 19, 2017 AND BASED ON THE EVIDENCE PRESENTED, THE SPECIAL MAGISTRATE ENTERED A FINDING OF FACT FOR 18-12(a). THIS CASE WILL BE PRESENTED AS A REPEAT VIOLATION WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$100 per day.

**Case: CE18091944**

900 NE 26 AVE  
SUNRISE INTRACOASTAL DENTAL CTR

Service was via posting at the property on 10/23/18 and at City Hall on 10/18/18.

Captain Robert Kisarewich, Fire Inspector, testified to the following violation(s):  
NFPA 1:10.4.4

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

NFPA 1:13.3.1.1 (SERVICE)

THE FIRE SPRINKLER SYSTEMS IS IN NEED OF SERVICE.

NFPA 25:5.3.3.1

THE WATER GONG IS INOPERABLE.

Withdrawn:

NFPA 25:13.6.2.1

NFPA 101:7.9.2.1

NFPA 1:13.6.4.3.2.1

Captain Kisarewich recommended ordering compliance within 49 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 49 days or a fine of \$100 per day, per violation.

**Case: CE18071045**

209 NW 17 ST

PETLYAR, BRIAN

Service was via posting at the property on 9/27/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
9-305(b)

LANDSCAPING, INCLUDING THE SWALE AREA, IS NOT PROPERLY MAINTAINED IN A HEALTHY, GROWING CONDITION AND PROTECTED. THERE ARE AREAS OF THE YARD WHICH ARE BARE AND NEED TURF, SOD OR OTHER LIVING GROUND COVER.

Complied:

47-34.4 B.1.

9-304(b)

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

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day.

**Case: CE18072101**

1328 NW 8 AVE

DAVID ZACHARY E

Service was via posting at the property on 9/25/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
24-27.(b)

TRASH CONTAINERS ARE NOT STORED IN AN APPROVED LOCATION OR SCREENED.

Officer Hullett presented the case file into evidence and recommended ordering compliance within 7 days or a fine of \$150 per day.

Ms. Flynn found in favor of the City and ordered compliance within 7 days or a fine of \$150 per day.

**Case: CE18090459**

1521 NE 5 TER

STISKIN, JAY

Service was via posting at the property on 10/11/18 and at City Hall on 10/18/18.

Shelly Hullett, Code Compliance Officer, testified to the following violation(s):  
18-11(a)

THE SWIMMING POOL AT THIS OCCUPIED PROPERTY IS NOT BEING MAINTAINED IN A PROPER CONDITION. IT HAS DIRTY, STAGNANT WATER AND AN ACCUMULATION OF TRASH OR DEBRIS. THE POOL IN THIS CONDITION IS A PUBLIC NUISANCE.

Officer Hullett presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$75 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$75 per day.

**Case: CE18081977**

2554 KEY LARGO LN

CLIFFORD, BENJAMIN

Service was via posting at the property on 9/20/18 and at City Hall on 10/18/18.

James Fetter, Code Compliance Officer, testified to the following violation(s):  
15-272.(a)

THIS PROPERTY IS BEING UTILIZED AS A VACATION RENTAL, WITHOUT THE REQUIRED CERTIFICATE OF COMPLIANCE FROM THE CITY. THIS IS A RECURRING VIOLATION AT THIS PROPERTY PER CASE CE18080292 AND WILL BE HEARD BEFORE THE SPECIAL MAGISTRATE WHETHER IT COMES INTO COMPLIANCE OR NOT.

Officer Fetter presented the case file into evidence and recommended ordering compliance within 42 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 42 days or a fine of \$250 per day.

**Case: CE18080519**

1448 SE 13 ST  
1549 SE 14TH ST LLC

Service was via posting at the property on 10/6/18 and at City Hall on 10/18/18.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

15-272.(a)

THIS PROPERTY IS BEING UTILIZED AS A VACATION RENTAL,  
WITHOUT THE REQUIRED CERTIFICATE OF COMPLIANCE FROM THE  
CITY.

Officer Champagne presented the case file into evidence and recommended ordering compliance within 28 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 28 days or a fine of \$250 per day.

**Case: CE18080871**

2150 TANBARK LA  
DEME, ANDREW

Service was via posting at the property on 10/3/18 and at City Hall on 10/18/18.

Leonard Champagne, Senior Code Compliance Officer, testified to the following violation(s):

15-272.(a)

THIS PROPERTY IS BEING UTILIZED AS A VACATION RENTAL,  
WITHOUT THE REQUIRED CERTIFICATE OF COMPLIANCE FROM THE  
CITY.

Officer Champagne presented the case file into evidence and recommended ordering compliance within 14 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 14 days or a fine of \$250 per day.

**Case: CE17021679**

1331 MANGO ISLE  
MOLESKY, JONATHAN S

This case was first heard on 4/20/17 to comply by 6/1/17. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$6,500 and the City was requesting the full fine be imposed.

Ron Kovacs, Code Compliance Officer, requested the 8/30/18 Order be vacated and the fines be waived.

Ms. Flynn vacated the 8/30/18 Order and imposed no fine.

**Case: CE18060394**

843 SW 14 CT

ACKERMAN, JAMES J

This case was first heard on 8/2/18 to comply by 8/12/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$4,000 fine, which would continue to accrue until the property was in compliance.

Mike Sanguinetti, Code Compliance Officer, confirmed that the overgrowth violation remained and recommended imposition of the fine.

Ms. Flynn imposed the \$4,000 fine, which would continue to accrue until the violations were corrected.

**Case: CE18060935**

907 SW 17 ST

BUMBACA, ANTHONY R EST

This case was first heard on 8/2/18 to comply by 8/12/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$4,000 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$4,000 fine, which would continue to accrue until the violations were corrected.

**Case: CE18010578**

1517 NW 4 AV

EXPRESS RPM INC.

This case was first heard on 5/17/18 to comply by 6/21/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$26,400 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$26,400 fine, which would continue to accrue until the violations were corrected.

**Case: CE17101366**

1517 NW 4 AV  
EXPRESS RPM INC.

This case was first heard on 7/19/18 to comply by 7/26/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$1,000 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

**Case: CE18062199**

1717 NW 7 TER  
JENKINS, MARY D

This case was first heard on 8/16/18 to comply by 8/30/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$3,100 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$3,100 fine, which would continue to accrue until the violations were corrected.

**Case: CE18040149**

1304 NW 3 AV  
ELIZABETH ANN WEYMOUTH TR WEYMOUTH

This case was first heard on 7/19/18 to comply by 8/16/18. Violations and extensions were as noted in the agenda. The property was not in compliance and the City was requesting imposition of a \$3,800 fine, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$3,800 fine, which would continue to accrue until the violations were corrected.

**Case: CE18011828**

444 NW 21 TER  
SELLARS, ERNEST & MARION W

This case was first heard on 6/7/18 to comply by 7/12/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$300 and the City was requesting the full fine be imposed.

Ms. Flynn Imposed the \$300 fine.

**Case: CE15060909**

1484 SW 32 ST  
TREMBLAY, MARGOT D EST  
Mike Sanguinetti, Code Compliance Officer,

This was a request to vacate the Order dated 12/3/15.

Ms. Flynn vacated the order dated 12/3/15.

**Case: CE17011376**

Ordered to reappear

1700 SW 30 PL  
NAST, TIMOTHY W & DEBORAH B

This case was first heard on 7/19/18 to comply by 10/18/18. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$500 and the City was recommending no fine be imposed.

Ms. Flynn imposed no fine.

**Lien Reduction Hearings**

**Case: CE15090714**

620 E LAS OLAS BLVD  
THE LAS OLAS COMPANY INC.

Notice was mailed to the owner via first class mail on 10/25/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$12,800 and City hard costs totaled \$258. The applicant had offered \$250.

Courtney Crush, attorney, said the violations related to 2004 and 2005 permits for the Riverside Hotel. It appeared that sub-permits had never been closed out, but the master permit had been. When this case was opened in 2015, the Las Olas Company had submitted applications to void some of the open permits and reopened two sub-permits for reinspection. As of the 3/18/16 comply-by date, seven of eight permits were in compliance. One sub-permit application to void was refused and the Las Olas Company was unaware of it. Ms. Crush pointed out that the permit was for a fire sprinkler, and all of that work had been inspected and closed under the master permit. It was six months later, in September 2016, that the denial of the void application was discovered by the company and they had immediately reopened and closed the permit. Ms. Crush said per the permit history, the company was very responsible regarding permitting. She requested the fines be reduced to \$250.

Ms. Flynn reduced the lien amount to \$258 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE17032771**

2625 NE 13 CT

LINARES PROPERTY MANAGEMENT LLC

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$101,000 and City hard costs totaled \$212. The applicant had offered \$560.

Juan Perez, attorney, said the notices had been sent to an old address and the owner had not been contacted until August 21, 2017, after the first order was issued. As soon as the owner was aware of the violations, he had acted to comply the property by obtaining the proper licenses for a vacation rental. It had taken until February 2018 to complete the licensing process, but the inspections had been delayed because the City had not been clear about who should conduct the fire sprinkler system inspection.

Ms. Flynn pointed out that the owner had continued to advertise the property for vacation rental after receiving the violation and Mr. Perez said they were first-time owners of this type of business who may not have "understood the weight and the burden of that." Mr. Perez asked Ms. Flynn to lower the fines to cover the City's costs.

Ms. Hasan stated the property's mailing address was listed as the contact address and it was the owner's responsibility to change this with the Broward County Property Appraiser.

Carlos Linares, owner, said there had been confusion about the sprinklers and fire alarm because the property had previously been an assisted living facility.

Ms. Flynn reduced the lien amount to \$4,500 payable within 120 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE16080542**

717 NW 22 RD

MAGNUM PROPERTY LLC

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$25,675 and City hard costs totaled \$1,399.

Jeissa Martinez said her client had purchased the property unaware of the violations. There had been delays in notice and compliance because her client lived in Viet Nam. Once he was aware of the violation, he had hired a management company. Ms. Martinez added that the property was only appraised at \$23,000. She stated the owner had also paid the delinquent property taxes of \$20,000. She requested the fine be reduced to cover hard costs.

Ms. Flynn reduced the lien amount to \$2,500 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: 9306495**

1400 SW 33 ST

EDGEWOOD PROPERTY OWNER LLC

Prior Owner: David Jackson

Notice was mailed to the owner via first class mail on 10/22/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$3,800 and City hard costs totaled \$138. The applicant had offered \$138.

Celine Adrian said the violations related to a prior owner and David Jackson had addressed the violations after purchasing the property. She confirmed that at the closing with the new owner, it had been agreed that Mr. Jackson would be responsible for the liens.

Ms. Flynn reduced the lien amount to \$3,800 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE17021824**

1401 SW 33 ST

DAVID S JACKSON REV TR

JACKSON, DAVIS S TRUSTEE

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$63,750 and City hard costs totaled \$295. The applicant had offered \$295.

Celine Adrian stated the owner had purchased the property and hired a property manager to handle the vacation rental. She stated last year's hurricane, a change of inspectors and personal issues for the property manager had delayed the application process. She admitted that the owner had not begun the application process until after the fines had begun.

Ms. Flynn reduced the lien amount to \$3,000 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

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

**Case: 9306496**

1428 SW 33 ST

DAVID S JACKSON REV TR

JACKSON, DAVIS S TRUSTEE

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$3,800 and City hard costs totaled \$92. The applicant had offered \$92. Total liens for both cases: \$20,850; total hard costs: \$1,086.

Celine Adrian apologized on behalf of the owner.

Ms. Flynn reduced the lien amount for both cases to \$3,500 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE15100214**

1428 SW 33 ST

DAVID S JACKSON REV TR

JACKSON, DAVIS S TRUSTEE

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$17,050 and City hard costs totaled \$994. The applicant had offered \$994.

**Case: CE17071515**

1437 SW 33 ST

DAVID S JACKSON REV TR

JACKSON, DAVIS S TRUSTEE

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$34,250 and City hard costs totaled \$258. The applicant had offered \$258.

Ms. Flynn noted a scheduling problem with the inspection.

Ms. Flynn reduced the lien amount to \$258 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE18012257**

1708 NE 16 TER  
S & T INTERNATIONAL  
INVESTMENT GROUP

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$2,950 and City hard costs totaled \$534.

Jerry Slubowski, previous owner, said the person in charge of the properties had not done his job. Mr. Slubowski thought he had addressed the violations but later learned there had been a fine.

Ms. Flynn reduced the lien amount to \$800 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE17120884**

901 SE 2 CT  
905 SE 2 LLC

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$30,500 and City hard costs totaled \$258.

Hector Hidalgo, owner, said he was not the person who had listed the property as a vacation rental; a tenant in another apartment had done it without his consent or knowledge. Mr. Hidalgo had told the tenant to remove the listing and forwarded the email confirmation to the City inspector. On February 22, he had sent the inspector the affidavit via regular mail. Mr. Hidalgo confirmed that he only rented the unit on an annual basis.

Ms. Flynn reduced the lien amount to \$258 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE14081492**

1801 NW 25 AV  
FORT HOMES 1 LLC

Notice was mailed to the owner via first class mail on 10/22/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$89,700 and City hard costs totaled \$1,408.

Eran Margalit, owner, said the City had demolished the house two weeks after he purchased it. He had visited the City twice and no one had informed him that the property was about to be demolished. He had also conducted a lien search and this had not disclosed that the property was set to be demolished.

Ms. Flynn reduced the lien amount to \$1,408 payable within 60 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

**Case: CE18020268**  
2530 ANDROS LN  
JENSEN, KEITH

Notice was mailed to the owner via first class mail on 10/18/18. Stacey Ramsey, Clerk III, testified that the lien amount was \$20,000 and City hard costs totaled \$350. The applicant had offered \$5,000.

Keith Jensen, owner, said he had addressed the violations once he was aware of them. When there had been a delay, he had informed the City. Ms. Flynn said once the property was cited, the advertisement had been taken down but it was put back up one month later. Mr. Jensen stated this was supposed to be the management company's responsibility and they had put the ad back up before obtaining the license. He assumed they had taken care of the licensing.

Diana Steeger, neighbor, said a renter had held a party on prom weekend, which included 43 cars and drag racing in the street. This had caused concern with the neighbors. Ms. Steeger said the neighbors had not been able to contact the management company.

Penny Shea, neighbor, said this property had been rented every month, per reviews on the site. She said Mr. Jensen's realtor, who recommended he rent the property, should have been aware of the need for licensing the property as a vacation rental.

Audrey Edwards, neighbors, said the Lauderdale Isles Civic Association had sent a letter stated they opposed reducing the lien.

Ms. Hasan said the property was listed as homesteaded and she had referred this to the Broward County Property Appraiser's fraud division. Mr. Jensen said he was already talking to the property appraiser about the property tax situation.

Mr. Jensen requested that no fine be imposed. He said he did not know why the ad for the rental was put back up.

Ms. Flynn noted that the management company had hired a contractor who had run away with a deposit and two other contractors had been hired but not completed the job.

Ms. Flynn indicated she would reduce the fine to \$7,000. Mr. Jensen mentioned appealing this decision and Ms. Hasan said applying for lien reduction included waiving the right to an appeal.

Ms. Flynn reduced the lien amount to \$7,000 payable within 120 days. If payment was not made by that date, the lien would revert to the original amount and the case would not be eligible for a future lien reduction hearing.

### **Complied, Withdrawn and Rescheduled Cases**

Ms. Flynn accepted Special Magistrate agenda pages 45 and 46 as exhibits showing the list complied, withdrawn and rescheduled cases.

#### **Cases Complied**

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

CE18071732	CE18070902	CE18081805	CE18060402
CE18060456	CE18081964	CE18101063	CE18080748
CE18090001	CE18070898	CE18070913	CE18080679
CE18080746	CE18081379	CE18081832	CE18071269
CE18071850	CE18081957	CE18081439	CE18081377
CE18091876	CE18091877	CE18091878	CE18091941
CE18091948	CE18092051	CE18092053	CE18092057
CE18092058	CE18092059	CE18100353	CE18100355
CE18100361	CE18100367	CE18100417	CE17052195
CE18082074	CE18090589		

#### **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:

CE18071144

#### **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:

None

#### **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:

CE18082385      CE18061633

**Cases with No Service**

The below listed cases had no service. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

None

**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 1:15 P.M.

  
Special Magistrate

ATTEST:

  
Clerk, Special Magistrate