



CITY OF FORT LAUDERDALE

**SPECIAL MAGISTRATE HEARING
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE ANN FLYNN PRESIDING
AUGUST 26, 2021
9:00 A.M.**

APPROVED

Staff Present:

Mary Alman, Administrative Assistant
Christina Chaney, Administrative Assistant
Monique Drake, Administrative Assistant
Loen Garrick, Administrative Assistant
Crystal Green-Griffith, Administrative Assistant
Katrina Jordan, Administrative Supervisor
Porshia Williams, Code Compliance Manager
Antonio Wood, Administrative Assistant
Rhonda Hasan, Assistant City Attorney
Leonard Champagne, Sr. Code Compliance Officer

Respondents and witnesses

CE21060038; CE15060798: Andrei Sagdeev
CE18121335: Alon Ezra
CE-19111337: Pavel Urbina
CE17110759: Joey Klein; Harold Baker; Anthony
Padanaw
CE08021649: Jordan Wagner, attorney
CE20110371: Eric Benari

CE21050100: David Rodriguez
CE16121214; CE19070505: Petru Pusta
CE12040528; CE12101287; CE14071437: Priya Prasad
CE15031679: John Brandon Williford
CE12041380: John Hill
CE20100804: Michael Merino; Michael Nicoleau, attorney

NOTE: All individuals who presented information to the Special Magistrate during these proceedings were sworn in.

The meeting was called to order at 12:00 P.M.

Lien Reduction Hearings

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

Case: CE15060798

1951 NW 27 AVE
COMMUNITY HOME BUYERS LLC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$4,500 and City administrative costs totaled \$836.98. The applicant had offered \$250 and the City was requesting \$1,800.

Case: CE18110197

1951 NW 27 AVE
COMMUNITY HOME BUYERS LLC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$24,300 and City administrative costs totaled \$842.32. The applicant had offered \$500 and the City was requesting \$9,720.

Andrei Sagdeev, property manager, said the previous owner had neglected the property and his client purchased the property "as is" and brought the property into compliance. The property was now an improvement to the neighborhood.

Ms. Flynn reduced the lien amount to \$3,800 for both cases, 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: CE15031679

1501 NW 19 AVE
GRANT FLA LLC

Notice was mailed to the owner via first class mail on 8/13/2021. Monique Drake, Presenter, testified that the lien amount was \$76,150 and City administrative costs totaled \$1,914.76. The applicant had offered \$5,000 and the City was requesting \$30,460.

John Brandon Williford said there was a sale pending on the property and the seller was responsible for paying the lien. He stated they had spent a significant amount of money to rehabilitate the property. Mr. Williford did not know what the current owner would make on the sale.

Ms. Flynn reduced the lien amount to \$15,000 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.

Case: CE18121335

499 W MELROSE CIR
NALLASAMY, THANGAMUTHU

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$53,900 and City administrative costs totaled \$1,492.14. The applicant had offered \$5,000 and the City was requesting \$16,170.

Alon Ezra, representative, said the owner lived in California and during the pandemic, it was difficult for the owner to travel. All of the violations were in compliance now and the owner was requesting a reduction because he was in financial hardship. Mr. Ezra would continue to keep up the property.

Ms. Flynn reduced the lien amount to \$7,500 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.

The following three cases for the same owner at the same address were heard together:

Case: CE12040528

1200 N FTL BEACH BLVD
1200 CLUB CONDO ASSN INC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$853,500 and City administrative costs totaled \$898.04. The applicant had offered \$1,000 and the City was requesting \$85,350.

Case: CE12101287

1200 N FTL BEACH BLVD
1200 CLUB CONDO ASSN INC
ENTER

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$1,005,500 and City administrative costs totaled \$862.72. The applicant had offered \$1,000 and the City was requesting \$100,550.

Case: CE14071437

1200 N FTL BEACH BLVD
1200 CLUB CONDO ASSN INC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$79,950 and City administrative costs totaled \$490.82. The applicant had offered \$1,000 and the City was requesting \$7,995.

Priya Prasad, unit owner, said the condo owners had been facing "incredible financial challenges" for the past 10 years trying to rehabilitate the building. They had bad experiences with unscrupulous contractors but had eventually dealt with licensed contractors. She requested a reduction to hard costs so they could afford to keep the property up going forward.

Ms. Flynn noted the case was begun in 2014 and some violations involved building permits. Ms. Prasad thought previous boards had been inexperienced. She said they had never stopped working on the property and they had been tied up with paperwork at the end. Ms. Flynn noted the liens had accrued to almost \$2 million and that was inexcusable.

Ms. Hasan pointed out that the permit violations went back to 1996. The 40-year inspection dated to 2012. The 2014 violation related to serious fire issues. The association had shown a complete disregard for all safety issues for a long time. All of the violations had run for years.

Ms. Flynn reduced the lien amount to \$193,895 for all three cases, payable within 6 months. 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.

Ms. Flynn subsequently reconsidered her ruling on this case. She vacated her previous ruling and reduced the lien amount to \$75,000 for all three cases.

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

Case: CE16121214

1050 NE 9 AVE
1050 NE 9 AVE LLC

Notice was mailed to the owner via first class mail on 8/13/2021. Monique Drake, Presenter, testified that the lien amount was \$151,250 and City administrative costs totaled \$1,302.80. The applicant had offered \$1,302.80 and the City was requesting \$45,375.

Case: CE19070505

1050 NE 9 AVE
1050 NE 9 AVE LLC

Notice was mailed to the owner via first class mail on 8/13/2021. Monique Drake, Presenter, testified that the lien amount was \$4,875 and City administrative costs totaled \$721.12. The applicant had offered \$721.12 and the City was requesting \$1,462.

Petru Pusta, owner, said he had purchased the property with the violations and with squatters occupying it. He had spent over \$50,000 on the exterior. He said the first City lien was not valid. He had been trying to purchase the property for a couple of years and during that time, a fraudulent quit claim deed had been filed, taking control away from the bank to make any repairs.

Ms. Flynn reduced the lien amount to \$3,500 for both cases, 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: CE08021649

900 NE 18 AV # 706
FIERMONTÉ, MICHAEL &
MORTON, ELLETT D

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$15,300 and City administrative costs totaled \$1,392.28. The applicant had offered \$1,000 and the City was requesting \$4,590.

Jordan Wagner, attorney, said he represented the former owner. His client had lost title to the property in 2008 in a dispute with a former domestic partner and later, the property had been lost in a foreclosure. He requested a reduction.

Ms. Flynn reduced the lien amount to \$2,000 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.

Case: CE21050100

1000 SW 26 ST
ECOAR LLC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$7,500 and City administrative costs totaled \$310.96. The applicant had offered \$310.96 and the City was requesting \$6,000.

David Rodriguez said they had called the Building Department prior to removing the trees and been told there would be no violation in removing the trees. He said the owners had received the notice late as well.

Ms. Flynn reduced the lien amount to \$2,500 payable within 90 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: CE20110371

917 SE 2 CT
JUDY'S CREATIVE REAL ESTATE LLC

Notice was mailed to the owner via first class mail on 8/13/2021. Monique Drake, Presenter, testified that the lien amount was \$17,600 and City administrative costs totaled \$608.14. The applicant had offered \$500 and the City was requesting \$4,400.

Eric Benari, property manager, said they had stopped renting the property for vacations in December 2019. They had rented the property to healthcare personnel and usually at no charge. He admitted the advertisement had stayed up, but said they were unaware this was required to comply. He described their attempts to comply.

Ms. Flynn reduced the lien amount to \$1,500 payable within 90 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: CE-19111337

638 NW 22 RD
L & L SERVICES GROUP INC

Notice was mailed to the owner via first class mail on 8/13/2021. Monique Drake, Presenter, testified that the lien amount was \$14,400 and City administrative costs totaled \$933.32. The applicant had offered \$500 and the City was requesting \$2,880.

Pavel Urbina said he had been unaware of this lien when he purchased the property. He did not have title insurance on the sale.

Ms. Flynn reduced the lien amount to \$1,500 payable within 90 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: CE17110759

701 W SUNRISE BLVD
701 SUNRISE REALTY LLC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$74,400 and City administrative costs totaled \$1,029.96. The applicant had offered \$1,500 and the City was requesting \$22,320.

Harold Baker, business advisor, said the violations dated to Hurricane Irma in 2017. He said as soon as they were aware of the violations, they had acted to hire an electrician, but had gone through five contractors since then to get the work done. The tenant had not informed them of the violations until they visited the property. Mr. Baker stated Joey Klein, LLC officer, suffered from significant health issues.

Ms. Flynn reduced the lien amount to \$10,000 payable within 90 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: CE12041380

1905 SW 11 ST
HILL, JOHN

Notice was mailed to the owner via first class mail on 8/13/2021. Monique Drake, Presenter, testified that the lien amount was \$119,000 and City administrative costs totaled \$370.64. The applicant had offered \$2,800 and the City was requesting \$5,950.

John Hill said at the time the sewer system was installed, he had experienced a divorce and eventually bankruptcy. He had been unaware of the violation.

Ms. Flynn reduced the lien amount to \$3,500 payable within 90 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: CE20100804

4040 GALT OCEAN DR 808
HUINCUL LLC

Notice was mailed to the owner via first class mail on 8/12/2021. Monique Drake, Presenter, testified that the lien amount was \$28,000 and City administrative costs totaled \$656.64. The applicant had offered \$1,500 and the City was requesting \$8,400.

Michael Nicoleau, attorney, said the owner was a citizen of Argentina and had been unable to travel during the pandemic to address the violations. She had tried to address the issues remotely. Mr. Nicoleau noted there were no life safety issues and asked for the fines to be reduced to hard costs.

Ms. Flynn reduced the lien amount to \$6,000 payable within 90 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.

There being no further business, the hearing was adjourned at 12:55 P.M.



Special Magistrate

ATTEST:



Clerk, Special Magistrate