



CITY OF FORT LAUDERDALE

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

Staff Present:

Mary Allman, Administrative Assistant
Christina Chaney, Administrative Assistant
Monique Drake, Administrative Assistant
Loen Garrick, Administrative Assistant
Katrina Jordan, Administrative Supervisor
Porshia Williams, Assistant Director, Department of Sustainable Development
Rhonda Hasan, Assistant City Attorney

Respondents and witnesses

CE21060215: Chadi Bleibel
CE21020829: Steven Zimmerman
CE08101048: CE08101049: Joseph Castiglione; Robert Mignacca
CE02110082: Maria Vaca
CE08021407: Robert Brown; Karmen Roberto; Marcang Kamelof

CE21080284: Nalene Baker; Tamara Davis
CE21050519; CE21050522: Shlomo Nahmias; Avi Nahmias
CE19091003: Kevin Corrigan
CE21050360: Margarita Garcia; Andrew Schein
BE20080077: Ira Epstein; Louis Zaretsky
CE21071008: Monica Valencia

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

Lien Reduction Hearings

Case: CE20110082

1905 MIAMI RD
VACA, MARIA ELENA

Katrina Jordan, Presenter, testified that the lien amount was \$19,950 and City administrative costs totaled \$1,041.95. The City was requesting \$14,962.50.

Maria Vaca stated the violations were complied prior to the July 29 hearing and she had submitted evidence to that effect.

Porshia Williams said both Reginald White, Code Compliance Supervisor and Stephanie Bass, Code Compliance Supervisor had inspected the property and Ms. Vaca disagreed with their assessments. Ms. Williams had also visited the property with Supervisor Bass and the property was not in compliance then.

Ms. Flynn reduced the lien amount to \$9,800 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: CE21020829
646 NW 10 TER
LEE, SUK HAN DOROTHY

Katrina Jordan, Presenter, testified that the lien amount was \$9,175 and City administrative costs totaled \$791.22. The City was requesting \$4,587.50.

Steve Zimmerman, property manager, said a tenant had refused access to the property to make the repairs. After eviction, they had been able to address the violations. He noted that the initial inspector had left the City and Mr. Zimmerman thought the violations were complied but later found out they were not and fines had been accruing.

Ms. Flynn reduced the lien amount to \$1,500 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: BE20080077
5421 BAYVIEW DR
EPSTEIN, IRA

Katrina Jordan, Presenter, testified that the lien amount was \$7,150 and City administrative costs totaled \$869.68. The City was requesting \$2,145.

Louis Zaretsky, attorney, said the owner lived in New York and had not received notification of the violations at home. The owner had also been hospitalized with Covid and a heart issue. He had been unaware that a permit had been opened for the property.

Ms. Hasan said the Massey notice, Final Order and Notice of Violation were all sent to the New York address.

Ms. Flynn reduced the lien amount to \$1,400 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: CE21060215
591 SW 27 AVE
27TH AVENUE PROPERTIES LLC

Katrina Jordan, Presenter, testified that the lien amount was \$14,250 and City administrative costs totaled \$453.48. The City was requesting \$4,275. No appeal had been received for the citation.

Chadi Bleibel, owner, said he had begun addressing the violation immediately, but the first contractor had not done the work so they had hired a second contractor. He had shown the inspector the documents, but been told that he could do nothing about the fines until the violation was in compliance.

Ms. Flynn reduced the lien amount to \$1,700 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: CE21080284

2642 FLAMINGO LN
BAKER, MORGAN & NALENE R

Katrina Jordan, Presenter, testified that the lien amount was \$12,400 and City administrative costs totaled \$270.01. The City was requesting \$3,720. No appeal had been received for the citation.

Tamara Davis, property manager, said she had a couple of deaths in the family and had needed to reschedule inspections, causing the delay. She said Covid had seriously affected her business and the fine would present a significant financial hardship.

Nalene Baker, owner, thanked the City.

Ms. Flynn reduced the lien amount to \$1,200 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: CE19091003

3051 NE 41 ST
CORRIGAN, KEVIN

Katrina Jordan, Presenter, testified that the lien amount was \$9,400 and City administrative costs totaled \$1,613.40. The City was requesting \$7,050.

Kevin Corrigan, owner, said a contractor had informed him that the work did not require a permit and then walked off the job. It had taken time to find a second contractor. The property had been sold for \$1.8 million and there was money in escrow for the lien.

Ms. Flynn reduced the lien amount to \$7,050 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: CE21050360

4040 GALT OCEAN DR 333
JARAMILLO ENTERPRISES OF SF INC

Katrina Jordan, Presenter, testified that the lien amount was \$12,800 and City administrative costs totaled \$406.95. The City was requesting \$6,400. No appeal had been received for the citation.

Andrew Schein, attorney, referred to the City's instructions for complying a vacation rental case, which allowed an owner an initial 10 days to apply for the registration. Ms. Jordan stated the City had changed this process and now used only citations to address vacation rental violations. The owner must remove the listing or complete the process within 15 days. She said the portion of the website to which Mr. Schein was referring was for inspection reports, not specifically vacation rentals.

Mr. Schein said the owner had immediately applied and gone through the processes after receiving the citation. They had also stopped renting to new tenants. He noted that Airbnb subjected owners to fines for cancelling existing reservations. Mr. Schein explained the owners had experienced delays during the process.

Ms. Hasan pointed out that the lien reduction hearing was not for relitigating cases. She supported the City's requested amount.

Ms. Flynn reduced the lien amount to \$4,200 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.

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

Case: CE08101048

1431 SW 24 CT
PIRITA APARTMENTS INC

Katrina Jordan, Presenter, testified that the lien amount was \$292,000 and City administrative costs totaled \$646.87. The City was requesting \$58,400.

Case: CE08101049

1433 SW 24 CT
PIRITA APARTMENTS INC

Katrina Jordan, Presenter, testified that the lien amount was \$292,000 and City administrative costs totaled \$232.34. The City was requesting \$58,400.

Joseph Castiglione said the requirement to connect to the sewer system came during a time of financial hardship for the owner. At the time, he did not have the means to make the upgrades to the sewer system. He had made the connection as soon as he could afford it. Mr. Castiglione added that this owner had no other violations at this property since he owned it.

Ms. Flynn reduced the lien amount to \$28,000 for both cases 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: CE08021407

2000 NW 13 AVE
BROWN, ROBERT

Katrina Jordan, Presenter, testified that the lien amount was \$214,900 and City administrative costs totaled \$1,042.14. The City was requesting \$42,980.

Robert Brown stated he had not owned the property since 2010 and was unaware of the fines. He had vacated the property in 2008 under threat of foreclosure. Mr. Brown said the electrician had been paid but had walked off the job before it was complete. He said it had taken the bank two years to foreclose on the property. He said this lien had not shown up in a search of his debts in 2015, while he was going through the bankruptcy process. Mr. Brown noted there had been several owners of this property since it was foreclosed upon.

Ms. Hasan stated the property had been in foreclosure and a certificate of title issued, which would have wiped out the lien. In recognition of that, the City had issued an administrative partial release of lien, but the foreclosure did not release the fines. New titles were clear due to the foreclosure, but the fines remained against Mr. Brown.

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

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

Case: CE21050519

2801 SW 9 AVE
NSA REALTY OF FLORIDA LLC

Katrina Jordan, Presenter, testified that the lien amount was \$2,000 and City administrative costs totaled \$380.40. The City was requesting \$1,000. No appeal had been received for the citation.

Case: CE21050522

2811 SW 9 AVE
NSA REALTY OF FLORIDA LLC

Katrina Jordan, Presenter, testified that the lien amount was \$3,200 and City administrative costs totaled \$380.40. The City was requesting \$1,600. No appeal had been received for the citation.

Shlomo Nahmias said they had complied the violation, but during the process their electrician had been hospitalized. He said they had spent over \$5,000 to comply. Mr. Nahmias stated he and his son had also contracted Covid.

Ms. Flynn reduced the lien amount to \$1,200 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: CE21071008

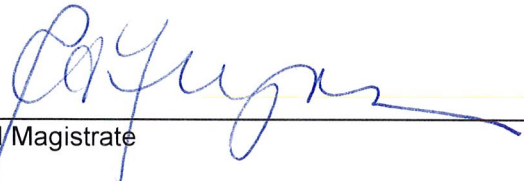
6750 NE 21 RD 109
LOPEZ, HELMAN JESUS VALENCIA
PENA, MARIA EUGENIA PATRICIA B

Katrina Jordan, Presenter, testified that the lien amount was \$14,000 and City administrative costs totaled \$362.01. The City was requesting \$7,000. No appeal had been received for the citation.

Monica Valencia, daughter of the owners, said the tenant had rented the condo out as a vacation rental without her parents' knowledge or permission. When she contacted Airbnb, they refused to remove the ad. She had subsequently needed to evict the tenant. They had also had to pay for a locksmith to enter the property and to make repairs to the damage the tenants had done. Ms. Valencia said she supported her parents as well as her children. She could not afford to pay more than administrative costs.

Ms. Flynn reduced the lien amount to \$362.01 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.

There being no further business, the hearing was adjourned at 2:05 P.M.



Special Magistrate

ATTEST:


Clerk, Special Magistrate