



CITY OF FORT LAUDERDALE

**SPECIAL MAGISTRATE HEARING
LIEN REDUCTION
1st FLOOR COMMISSION CHAMBERS
FORT LAUDERDALE CITY HALL
ROSE ANN FLYNN PRESIDING
AUGUST 18, 2022
11:00 A.M.**

Staff Present:

Rhonda Hasan, Assistant City Attorney
Monique Drake, Administrative Assistant
Katrina Jordan, Administrative Supervisor
Gustavo Caracas, Code Enforcement Officer

Respondents and witnesses

CE22020330: Jennifer Small	CE22041051: Tom Sheilds
CE22010196: Estefania Mayorga, attorney	CE15080382: Cesar Gonzalez; Moche Mike Baruh
CE22020384: Denisse Iniguez	CE22030689: Erika Wagner; Robert Kubat
CE22050156; CE22030587: Fahd Essaffar	CE22030447: Kaydeen Byrd; Jonathan Jacobson, attorney
CE22020247: Christine Nemeth	CE-19110917; CE19090637: Amy McGrotty, attorney
CE22030478: Mark Ferdman; Mark Shore	CE22040383: Bruce Wardell; Hofit Lottenberg, attorney
CE07041847; CECE15081956: Nancy Levros	
BE20040237: Harvey Adelson; Donna Adelson	

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

The meeting was called to order at 11:50 A.M.

Case: CE22020384

401 N BIRCH RD #1014
ROSEMARY INVESTMENTS LLC

Katrina Jordan, Presenter, testified that the lien amount was \$4,800 and City administrative costs totaled \$473.46. The City was requesting \$2,400. This case related to citation for which no appeal had been received.

Gustavo Caracas, Code Enforcement Officer, acted as interpreter for Denisse Iniguez, owner. Ms. Iniguez said she had received no income from the property while the ad was blocked and requested a fine reduction. She was unaware she should have removed the listing, but said she was not renting the property at that time.

Ms. Flynn reduced the lien amount to \$1,000 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: CE22041051

1901 NE 56 ST
TTT RENTALS LLC

Katrina Jordan, Presenter, testified that the lien amount was \$5,200 and City administrative costs totaled \$499.48. The City had agreed to the applicant's offer of \$2,500. This case related to citation for which no appeal had been received.

Tom Sheilds thanked the City and said he could pay immediately.

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: CE15080382

2151 NW 29 TER

GONZALEZ, CESAR DANIEL

Katrina Jordan, Presenter, testified that the lien amount was \$48,950 and City administrative costs totaled \$1,160.03. The City was requesting \$7,342.50.

Mike Baruh said the house had taken a significant amount of time to repair. He said they had purchased the property with the fire damage in 2018, repaired it, and sold it at a loss. There was \$3,000 in escrow for the fines.

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.

Case: CE22030447

3170 NW 69 CT
BYRD, KAYDEEN

Katrina Jordan, Presenter, testified that the lien amount was \$8,000 and City administrative costs totaled \$407.48. The City was requesting \$4,000. This case related to citation for which no appeal had been received.

Jonathan Jacobson, attorney, said the owner had acted as soon as she received the citation to comply the violation. He did not know why Ms. Byrd had not filed an appeal or removed the ad before the violation was complied.

Ms. Flynn reduced the lien amount to \$1,800 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: BE20040237

1801 SW 11 CT
HARVEY J ADELSON FAM TR
ADELSON, HARVEY J TRUSTEE ET AL

Katrina Jordan, Presenter, testified that the lien amount was \$49,000 and City administrative costs totaled \$633.55. The City was requesting \$14,700.

Harvey Adelson said he had never received notice regarding the need for the 40-year inspection. As soon as he received notice of the hearing, he had hired an engineer and contractors to perform repairs.

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.

Case: CE19090637

3305 NE 16 CT
VICSTIR REV FAM TR ET AL

Katrina Jordan, Presenter, testified that the lien amount was \$36,000 and City administrative costs totaled \$735.08. The City was requesting \$18,000. This case related to citation for which no appeal had been received.

Amy McGrotty, attorney for the former owners, said the former owner had stated he had not turned the water off and he was unaware his grandmother was living in the home. As soon as he was aware the water was turned off, he had turned it back on. His grandmother had refused to leave the property until a new owner removed her. Ms. McGrotty said all proceeds from the sale of the property, \$75,000, was being held in escrow because there were legal issues with family members regarding inheritance. She said her client was also disabled.

Ms. Flynn reduced the lien amount to \$12,000 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: CE-19110917

3305 NE 16 CT

VICSTIR REV FAM TR ET AL

Katrina Jordan, Presenter, testified that the lien amount was \$28,250 and City administrative costs totaled \$1,278.08. The City was requesting \$8,475.

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: CE22010196

300-320 SW 2 ST
EAST LAUDERDALE PROPERTIES LLC

Katrina Jordan, Presenter, testified that the lien amount was \$19,950 and City administrative costs totaled \$854.78. The City was requesting \$7,980. This case related to citation for which no appeal had been received.

Estefania Mayorga, attorney, said the permit process had taken several months and her client, the tenant, had missed the deadline for an appeal. She said the tenant had also pulled the wrong type of permit at first, and she had advised him to cease the outdoor dining activity.

Ms. Flynn reduced the lien amount to \$6,000 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: CE22020330

100 SW 10 ST
GLENSHEE OMEGA CARLETON LLC;
% VIA DECIMUS LLC

Katrina Jordan, Presenter, testified that the lien amount was \$1,400 and City administrative costs totaled \$414.14. The City was requesting \$700. This case related to citation for which no appeal had been received.

Jennifer Small said the property was unstaffed and the notice had arrived after the compliance date.

Ms. Flynn reduced the lien amount to \$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: CE22040383

4040 GALT OCEAN DR #424
BELLA VISTA 424 LLC

Katrina Jordan, Presenter, testified that the lien amount was \$12,400 and City administrative costs totaled \$381.46. The City was requesting \$6,200. This case related to citation for which no appeal had been received.

Hofit Lottenberg, attorney, said the owner lived out of state and said he had complied the violation but then waited for the inspection until he could travel to Florida to be present. He had not realized that fines would accrue until the inspection.

Ms. Flynn reduced the lien amount to \$3,200 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: CE22030689

2424 NE 9 ST #303
KEY ONE PROPERTY - 303 LLC

Katrina Jordan, Presenter, testified that the lien amount was \$16,000 and City administrative costs totaled \$604.80. The City was requesting \$8,000. This case related to citation for which no appeal had been received.

Erika Wagner said she managed other rental properties as a group and had added this property to that rental license. She had been informed that the condominium was not part of the hotel condominium and she must get a different license.

Robert Kubat said they were not aware of the appeal process. Ms. Wagner said a neighbor had passed the posted notice to her, but it was already past the appeal deadline. She said she had taken the ad down and not rented the property while getting the new license.

Ms. Flynn reduced the lien amount to \$5,500 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: CE22030478

1515 SW 6 AVE 1-2
OLTOL2 LP

Katrina Jordan, Presenter, testified that the lien amount was \$13,200 and City administrative costs totaled \$498.95. The City was requesting \$2,000. This case related to citation for which no appeal had been received.

Mark Shore argued that the ordinance placed the onus on the City to "move the violating receptacle." Ms. Hasan said the lien reduction hearing was not the time to re-litigate the case. Mr. Shore said the tenants had never informed the property manager or the owner, who lived in Canada, of the Notice of Violation. He said the property manager had instructed the tenants what to do to avoid a citation. Mr. Shore said the fine would be passed on to the tenants and presented a financial hardship for them.

Ms. Flynn reduced the lien amount to \$1,800 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 address were heard together:

Case: CE22030587

900 W SUNRISE BLVD
JN & SONS REALTY LLC

Katrina Jordan, Presenter, testified that the lien amount was \$10,950 and City administrative costs totaled \$552.14. The City was requesting \$2,190. This case related to citation for which no appeal had been received.

Fahd Essaffar said he was not aware that the banner sign was illegal.

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.

Later in the hearing, Ms. Jordan requested the lien be reduced to administrative costs.

Ms. Flynn reduced the lien amount to \$552.14 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: CE22050156

900 W SUNRISE BLVD
JN & SONS REALTY LLC

Katrina Jordan, Presenter, testified that the lien amount was \$3,000 and City administrative costs totaled \$315.48. The City was requesting \$600. This case related to citation for which no appeal had been received.

Ms. Flynn reduced the lien amount to \$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.

Later in the hearing, Ms. Jordan requested the lien be reduced to administrative costs.

Ms. Flynn reduced the lien amount to \$315.48 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: CE22020247

1441 NW 6 AVE
NEMETH, CHRISTINE

Katrina Jordan, Presenter, testified that the lien amount was \$9,000 and City administrative costs totaled \$361.48. The City was requesting \$4,500. This case related to citation for which no appeal had been received.

Christine Nemeth said the original inspector had told her she had 30 days but she had not realized that the fines were still accruing at \$200 per day. She said the inspector had told her he would not have her stop her business by taking down the ad.

Ms. Flynn reduced the lien amount to \$1,200 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: CE07041847

1633 NW 8 AVE
VOLCY, JEAN CLAUDE

Katrina Jordan, Presenter, testified that the lien amount was \$4,250 and City administrative costs totaled \$723.74. The City was requesting \$1,275.

Nancy Levros, the former owner's attorney, said the former owner was not aware of the lien when he purchased the property. After he paid a contractor to repair the property, the contractor had not called for final inspections.

Ms. Flynn reduced the lien amount to \$1,275 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: CE15081956

1633 NW 8 AVE
VOLCY, JEAN CLAUDE

Katrina Jordan, Presenter, testified that the lien amount was \$48,800 and City administrative costs totaled \$1,547.95. The City was requesting \$14,640.

Ms. Flynn reduced the lien amount to \$12,000 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.

Cases Rescheduled

The below listed cases were rescheduled since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:
None

Cases Closed

The below listed cases were closed since the agenda was published. 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 since the agenda was published. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:
None

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 12:38 P.M.



Special Magistrate

ATTEST:



Clerk, Special Magistrate