



CITY OF FORT LAUDERDALE

**SPECIAL MAGISTRATE
VIRTUAL HEARING
ROSE-ANN FLYNN PRESIDING
MAY 25, 2023
9:00 A.M.**

Staff Present:

Nadine Blue, Code Compliance Supervisor
Christine Chaney, Administrative Assistant
Loen Garrick, Administrative Assistant
Crystal Green-Griffith, Administrative Assistant
Katrina Jordan, Code Compliance Manager
Rhonda Hasan, Assistant City Attorney
Wanda Acquavella, Code Compliance Officer
Marco Aguilera, Code Compliance Officer
Stephanie Bass, Code Compliance Supervisor
Gustavo Caracas, Code Compliance Officer
Leonard Champagne, Sr. Code Compliance Officer
Julio Davila, Code Compliance Supervisor
Bovary Exantus, Code Compliance Officer
Manual Garcia, Sr. Code Compliance Officer
Patrice Jolly, Sr. Code Compliance Officer
Robert Kisarewich, Fire Safety Captain
Dorian Koloian, Senior Code Compliance Officer
Amy Kwiatkowski, Code Compliance Supervisor
Rachel Moore, Code Compliance Officer
Jean Claude Noel, Code Compliance Officer
Evan Oaks, Code Compliance Officer
Wilson Quintero Jr., Code Compliance Officer
Bernstein Saimbert, Code Compliance Officer
Edward Schuler, Stormwater Operations Chief

Respondents and witnesses

CE22100241: Michel Martinez-Manso	CE22080457: Esteban Rosa Santos
CE23030654: Scott Fistel Esq.; Deena Folic	CE22080280: Douglas Fennema
CE22120129: Stephanie Toothaker Esq.; Estefania Mayorga	CE22100624: Kuumba Adesunloye
CE22110559: Ian Kravitz Esq.; Frederick Furh Esq.; Sammy Virani	CE22120799: Alizondro Moran Peralta
CE22110251: Fiona Nash; Emmanuel Nash	CE23020791: Christopher McShane Esq.; Richard Schueler
CE23020221: Ran Shoua	CE22030756: Nissim Amir
CE23020369: Jorge Martin	CE22070565: Laura Parkman; Joseph Parkman
CE23021052: Kevin Eutsey	CE22040523: Dale Clappison
CE22090334: Raffi Anac	CE22110488: Christine and Eddie Vasilou Ortiz
CE22110512: Andrew Chiwara	CE23020138: Angelika Zymelka
CE23010848: Sandra Carter; Kristen Bell	CE23031007: Larry Shinbaum; Liat Eliav
CE22120153: Leroy Tunnage	CE23020651: Michael Acosta
CE21050457: Sandra Strong	CE23010157; CE22120442: Danielle McMahan
CE23010739: Emmanuel Aldabe; Eric Wheeler	CE22100965: Alejandro Carlos Azzala
CE22080655: Conrad Deslandes	CE22120044: Andre Mercado; Lourdes Godomar
CE22120587: Nakitta Bryant	CE23010786: Andrew Schein Esq.
CE21110148: Causley Coutain	CE22080124: Kevin Kane; Carmela Disorbo
CE22110339: Abbie Schwal	CE22080543: Soannya Cuervas

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

Special Magistrate Hearing

May 25, 2023

Page 2

The meeting was called to order at 9:00 A.M.

Case: CE23030654

CITATION APPEAL

100 S VICTORIA PARK RD
FOLIC, DEENA; JACOV FOLIC REV TR

The property was cited on 3/21/23 to be complied by 5/21/23. The property was in compliance, fines had accrued to \$450 and the City was requesting the full fine be imposed.

Gustavo Caracas, Code Compliance Officer, said the owner had removed two palm trees and had raked another tree.

Scott Fistel Esq. said he was at a disadvantage because he was hearing impaired and there were no captions. Ms. Hasan successfully communicated with Mr. Fistel. Mr. Fistel said the palm trees had exceeded the capacity of the yard and the roots were too close to the water main [he displayed his own photos and said they had been uploaded in advance as well, but City staff did not have them]. He also provided a report from Paradise Horticultural Advisors confirming that the palms had outgrown their location and presented a danger. Ms. Flynn asked why the owner had not applied for a permit and Mr. Fistel said the contractor had informed her she did not need one. He noted his client had always applied for permits in the past. Officer Caracas said the licensed landscape contractor had not pulled a permit and became angry when Officer Caracas asked him to cease and desist. He stated the owner had pulled permits within 60 days. He recommended imposition of the fines for this irreversible violation.

Mr. Fistel read from the State code, which indicated a municipality may not require a permit for trimming or removal from residential property when an owner provided documentation from a certified arborist or licensed landscape architect indicating a tree presented a danger to persons or property. Deena Folic, owner, confirmed she had done so. Supervisor Bass said the State code indicated the City had the right to review the report from the arborist/landscape architect to determine whether or not it met the guidelines for not needing a permit. The City's landscape inspector testified that the report must include an 18-point inspection and if it met all 18 points, the tree could be removed without a permit. He said the report submitted did not meet all 18 requirements.

Ms. Flynn denied the appeal and imposed the \$450 fine.

Case: CE22120129

316 NE 4 ST
DEPENDABLE EQUITIES LLC

This case was first heard on 3/14/23 to comply by 3/24/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$6,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

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

Stephanie Toothaker Esq., the owner's attorney, said the City had just approved a new site plan for the property to be demolished and redeveloped. She said they had already applied for the demolition permits and requested three months. Officer Caracas said the City had received a complaint about the condition of the building and he requested it be painted. Stephanie Bass, Code Compliance Supervisor, did not object to the request for a 91-day extension, since the demolition permit had been submitted. She recommended ordering the respondent to attend the 8/24/23 hearing.

Ms. Flynn granted a 91-day extension, during which time no fines would accrue and ordered the respondent to attend the 8/24/23 hearing.

Case: CE22080457

1151 PARK DR
SANTOS, ESTEBAN ROSA H/E; AMBROCIA, NIDIA ELIZABETH

Service was via posting at the property on 5/5/23 and at City Hall on 5/11/23.

Special Magistrate Hearing

May 25, 2023

Page 3

Rachel Moore, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-280(h)(1) **Complied 5/24/23**

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THERE ARE SECTIONS WITH BROKEN, WARPED AND DISCOLORED SLATS, TO INCLUDE THE FRONT ENTRANCE WHICH IS WARPED INWARDLY. THE NORTH SIDE OF THE GATE IS STAINED WITH A BLACK MILDEW LIKE SUBSTANCE. ALSO, THERE ARE AREAS ON THE GATE THAT HAVE BEEN DISCOLORED YELLOW FROM THE IRRIGATION SPRINKLERS. THIS IS A REPEAT VIOLATION FROM CASE NUMBER CE19091229 AND THE CASE WILL BE HEARD WHETHER OR NOT IT COMES INTO COMPLIANCE.

47-39.A.1.b.(7)(a)1. **Complied 5/24/23**

THERE ARE MULTIPLE COMMERCIAL VEHICLES PARKED WITHIN THE FENCE AND ON THE SWALE OF THIS RS-6.7 IRREGULAR ZONED RESIDENTIAL PROPERTY. A WHITE BOX TRUCK WEIGHING OVER 5,000 POUNDS AND A RED "FOOD TRUCK" CAN BE SEEN FROM THE PUBLIC RIGHT OF WAY. THERE IS ALSO A VAN WRAPPED IN BUSINESS SIGNAGE PARKED ON THE SWALE. THIS IS AN UNPERMITTED USE AS PER ULDR REGULATIONS. THIS IS A REPEAT VIOLATION FROM CASE NUMBER CE19091229 AND THE CASE WILL BE HEARD WHETHER OR NOT IT COMES INTO COMPLIANCE.

9-305(b) **Complied 10/25/22**

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 ON THE SWALE. THIS IS A REPEAT VIOLATION FROM CASE NUMBER CE19091229 AND THE CASE WILL BE HEARD WHETHER OR NOT IT COMES INTO COMPLIANCE.

9-304(b) **Complied 5/24/23**

THERE ARE VEHICLES/TRAILERS PARKED ON THE GRASS/LAWN AREA. THIS IS A REPEAT VIOLATION FROM CASE NUMBER CE19091229 AND THE CASE WILL BE HEARD WHETHER OR NOT IT COMES INTO COMPLIANCE.

18-12.(a) **Complied 10/25/22**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

Officer Moore presented the case file into evidence and said all violations were in compliance. She requested imposition of fines totaling \$23,650 for the time from when the repeat violations were found until they were in compliance.

Esteban Rosa Santos stated he could not hear the testimony clearly and Ms. Hasan explained. Mr. Santos described his efforts to comply, including that he thought one fence belonged to his neighbor. He requested an interpreter and Wilson Quintero Jr., Code Compliance Officer, explained the case to him in Spanish. Officer Quintero explained to Mr. Santos that he had been repeatedly cited because the violations recurred. Mr. Santos indicated he understood, promised not to allow the violations to recur and requested a fine reduction.

Ms. Flynn found in favor of the City, imposed a fine of \$2,800 and warned Mr. Santos that if the violations recurred she would impose the full fine.

Case: CE22120044

2233 SW 34 AVE
MERCADO, RICARDO A

ORDERED TO REAPPEAR
CITATION - APPEAL

This case was cited on 12/1/22 to comply by 1/30/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$250 and the City was requesting the full fine be imposed.

Marco Aguilera, Code Compliance Officer, recommended imposing administrative costs of \$534.

Special Magistrate Hearing

May 25, 2023

Page 4

Andre Mercado and Lourdes Godomar agreed to the fine reduction.

Ms. Flynn imposed administrative costs of \$534.

Case: CE23020138

1536 NW 4 AVE

ZYMELKA, ANGELIKA; ZYMELKA, IRENEUSZ

Service was via posting at the property on 5/6/23 and at City Hall on 5/11/23.

Jean Claude Noel, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-280(h)(1)

THE WOOD FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THERE ARE SECTIONS WHICH HAVE DAMAGED OR MISSING SLATS, LEANING AND NOT SECURED.

9-304(b)

THE GRAVEL/ASPHALT DRIVEWAY AT THIS PROPERTY NEEDS TO BE MAINTAINED. THERE IS GRASS GROWING THROUGH THE GRAVEL.

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.

18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

Officer Noel presented the case file into evidence and recommended ordering compliance within 63 days or a fine of \$25 per day, per violation.

Angelika Zymelka agreed to comply.

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

Case: CE23020369

711 NW 18 ST

UNGER, LEONARD

Service was via posting at the property on 5/5/23 and at City Hall on 5/11/23.

Jean Claude Noel, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-1. **Complied**

THERE ARE ITEMS BEING STORED IN THE CARPORT AREA OF THIS RDS 15 RESIDENTIAL ZONED PROPERTY INCLUDING BUT NOT LIMITED TO A TARP. THE PROPERTY IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THIS IS A REPEAT VIOLATION FROM CASE NUMBER CE19040251 AND THE CASE WILL BE HEARD WHETHER OR NOT IT COMES INTO COMPLIANCE.

9-313.(a)

PROPERTY IS NOT IDENTIFIED BY APPROVED ADDRESS NUMBERS.

Special Magistrate Hearing

May 25, 2023

Page 5

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.

9-305(a)

THERE IS GROWTH OF LANDSCAPE MATERIAL ALONG WITH AN ACCUMULATION OF LEAVES ENCROACHING UPON THE PUBLIC RIGHT-OF-WAY. THIS IS A REPEAT VIOLATION FROM CASE NUMBER CE19040251 AND THE CASE WILL BE HEARD WHETHER OR NOT IT COMES INTO COMPLIANCE.

9-308(b) **Complied**

THERE IS DEBRIS, TRASH, OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON THE ROOF.

Officer Noel presented the case file into evidence and recommended ordering compliance with 9-313.(a) and 9-305(b) within 63 days or a fine of \$50 per day, per violation, and imposition of a \$50 per day fine for 9-305(a) , starting from 2/10/23 and continuing until the violation was complied.

Jorge Martin said he was not aware of the repeat violation. He asked if the Notice was mailed to the owner in New York and staff said it had been.

Ms. Flynn found in favor of the City and ordered compliance with 9-313.(a) and 9-305(b) within 63 days or a fine of \$50 per day, per violation, and imposed a \$50 per day fine for 9-305(a) , starting from 2/10/23 and continuing until the violation was complied.

Case: CE23010739

1018 NW 6 AVE 1-2
FRAMAVI LLC

Service was via posting at the property on 5/6/23 and at City Hall on 5/11/23.

Jean Claude Noel, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-306

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

47-34.1.A.1.

THERE IS AN ILLEGAL LAND USE OCCURRING AT THIS PROPERTY. THERE IS JUNK AND/OR MATERIAL IN THE BACKYARD AND ON THE SIDE OF THE HOUSE INCLUDING BUT NOT LIMITED TO BOXES, KITCHEN ITEMS AND OTHER MISCELLANEOUS ITEMS. THIS CONDITION IS NOT PERMITTED PER THE ULDR FOR THIS RS-15 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.

9-308(b)

THERE IS DEBRIS, TRASH OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON THE ROOF.

Special Magistrate Hearing

May 25, 2023

Page 6

18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE INCLUDING BUT NOT LIMITED TO BOTTLES, BICYCLE PARTS, BUCKETS AND OTHER TRASH ON THE PROPERTY.

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED. THERE ARE WINDOWS ON THIS PROPERTY THAT ARE DAMAGED AND IN DISREPAIR OR BOARDED. THERE ARE SEVERAL CRACKS ALONG THE WALLS OF THIS PROPERTY.

9-304(b)

THE ASPHALT DRIVEWAY AT THIS PROPERTY IS NOT BEING MAINTAINED. THE SURFACE HAS CRACKS AND/OR DAMAGED AREAS AND IS STAINED WITH DIRT/OIL.

Officer Noel presented the case file into evidence and recommended ordering compliance with 18-12(a) within 10 days or a fine of \$100 per day and with the remaining violations within 63 days or a fine of \$100 per day, per violation.

Emmanuel Aldabe said the driveway had been cleaned and the sod replaced five months ago but the tenants were not taking care of the property. He said contractors were wary to work at the property in this rough neighborhood. He requested 90 days.

Ms. Flynn found in favor of the City and ordered compliance with 18-12(a) within 10 days or a fine of \$100 per day and with the remaining violations within 63 days or a fine of \$100 per day, per violation.

Case: CE22040523

REQUEST FOR EXTENSION

1470 N DIXIE HWY
WISTERIA COURT CONDO ASSN INC

This case was first heard on 3/30/23 to comply by 5/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Jean Claude Noel, Code Compliance Officer, said four of the original six violations were in compliance and he opposed an extension.

Dale Clappison said they were remodeling the building and were in the process of hiring a new contractor to move forward with the permitting. He requested 60 days.

Ms. Flynn granted a 63-day extension, during which time no fines would accrue and ordered the respondent to attend the 7/27/23 hearing.

Case: CE23031007

1617 SW 17 AVE
1617 SHADY BANKS VILLA LLC

Service was via posting at the property on 5/12/23 and at City Hall on 5/11/23.

Evan Oakes, Code Compliance Officer, testified that there were a qualifying number of violations at this vacation rental and requested a suspension of the vacation rental certificate for 180 days.

Larry Shinbaum said the long-term tenant had not properly brought in the trash carts and they had hired a company to handle it now, so the violation would not recur. He blamed a next-door neighbor for continually complaining to the City.

Stephanie Bass, Code Compliance Supervisor, said the ordinance indicated that after three violations within a calendar year, the certificate "shall" be suspended for 180 days.

Ms. Flynn found for the City and revoked the vacation rental certificate for 180 days.

Special Magistrate Hearing

May 25, 2023

Page 7

Case: CE22110512

729 NW 20 AVE

EL VIGNOLE LLC

This case was first heard on 3/30/23 to comply by 4/27/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$7,000 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Wilson Quintero Jr., Code Compliance Officer, recommended imposition of the fines.

Andrew Chiwara said the property had been rented but during the COVID lockdowns, they had been unable to collect rent and could not access the property to address violations. They had evicted the tenant, the house was vacant and Mr. Chiwara said they had begun addressing the aesthetic problems.

Ms. Flynn granted a 35-day extension, during which time no fines would accrue.

Case: CE23020221

626 NW 10 TER 1-5

OFPAZ INVESTMENT LLC

Service was via posting at the property on 5/8/23 and at City Hall on 5/11/23.

Wilson Quintero Jr., Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH, LITTER AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBERS CE19060574, CE20081191, CE20090058 AND CE21040570. THIS CASE WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY AND ITS SWALE 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 OF PREVIOUS CASE NUMBERS CE19060574 AND CE21040570. THIS CASE WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

9-306 **Complied**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBERS: CE19060574, CE20081191 AND CE20090058. THIS CASE WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

47-19.4.b.1. **Complied**

THERE IS A DUMPSTER WHICH IS BEING KEPT STREETSIDE ON THE PROPERTY AND NOT BEING STORED BEHIND THE EXISTING BUILDING LINE AS REQUIRED. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE21040570 AND WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

47-20.20.(H) Complied

THERE ARE PARKING FACILITIES THAT ARE NOT MAINTAINED AT THIS PROPERTY. THE SURFACE HAS CRACKS, POTHOLES AND THE STRIPING IS FADED OR STAINED WITH DIRT. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE19060574 AND WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

Officer Quintero presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation and a finding of fact that violations 9-306, 47-19.4.b.1. and 47-20.20.(H) had existed as cited.

Ran Shoua requested 60 days and described how he had worked to comply. Officer Quintero felt the remaining violations would not need 60 days to address.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation and a finding of fact that violations 9-306, 47-19.4.b.1. and 47-20.20.(H) had existed as cited.

Case: CE21050457

ORDERED TO REAPPEAR

981 NW 16 AVE
STRONG, SANDRA

This case was first heard on 10/27/22 to comply by 12/8/22. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$2,875 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Wilson Quintero Jr., Code Compliance Officer, said two of the three original violations were in compliance and recommended a 10-day extension for him to inspect the landscaping.

Sandra Strong agreed to the extension.

Ms. Flynn granted a 10-day extension, during which time no fines would accrue.

Case: CE23010786

3100 NE 32 AVE
3100 EOP LLC

Service was via posting at the property on 5/12/23 and at City Hall on 5/11/23.

Manuel Garcia, Senior Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

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.

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED. THE EXTERIOR FLOORS OF THE SUBJECT PROPERTY ARE IN DISREPAIR. THERE ARE UNEVEN SURFACES AND WITHOUT PROPER SUPPORT. THE EXTERIOR WALLS ON THE BUILDING NEAR THE ROOF AREA INCLUDING THE SOFFITS REQUIRE MAINTENANCE. THERE ARE AREAS THAT ARE BROKEN AND IN A DETERIORATED STATE. THE EXTERIOR CEILING IN THE COVERED PATIO AREA WAS FOUND TO BE DECAYING WITH STAINS FROM WATER DAMAGE. THERE ARE AREAS OF EXTERIOR ROOF THAT ARE COMPLETELY DECAYED, ROTTED AND NOT WATERTIGHT.

Special Magistrate Hearing

May 25, 2023

Page 9

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

9-280(C)

THERE ARE RAILS IN THE EXTERIOR STAIRS THAT ARE MISSING SUPPORT AND AREAS THAT ARE COMPLETELY MISSING RAILS.

9-280(g)

THERE ARE ELECTRICAL FIXTURES THAT ARE NOT MAINTAINED IN A GOOD, SAFE WORKING CONDITION, INCLUDING BUT NOT LIMITED TO LIGHT FIXTURES AND OTHER ELECTRICAL PARTS.

9-280(h)(1)

THE FENCE AT THE REAR OF THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THE FENCE WAS FOUND TO BE COMPLETELY ROTTED AND IN A COMPLETE STATE OF DECAY.

18-7.(a)

THE REAR OPENING OF THE PROPERTY IS OPEN AND UNSECURED, SO AS TO ALLOW ACCESS TO THE INTERIOR AT THIS VACANT PROPERTY.

47-22.6.G.2

THERE ARE SIGNS ON THE BUILDING THAT ARE CURRENTLY ADVERTISING THE PREVIOUS BUSINESS AND SERVICES AT THIS VACANT AND ABANDONED PROPERTY.

18-12.1.(a) **Withdrawn**

Officer Garcia presented the case file into evidence and recommended ordering compliance within 63 days or a fine of \$100 per day, per violation.

Andrew Schein Esq., the owner's attorney, said most of the landscaping violations had already been addressed. He stated the property was under contract for sale and would be demolished. Regarding the structural issues, he said the property was fenced off and vacant and they had an engineer's report stating the building posed no threat to the public. He agreed to return on 63 days to determine if the structural violations needed to be addressed.

Officer Garcia recommended ordering compliance with 18-7.(a), 18-12.(a) and 9-305(b) within 10 days, and ordering the respondent to attend the 7/27/23 hearing.

Ms. Flynn found in favor of the City and ordered compliance with 18-7.(a), 18-12.(a) and 9-305(b) within 10 days or a fine of \$100 per day, per violation and with the remaining violations within 63 days or a fine of \$100 per day, per violation and ordered the respondent to attend the 7/27/23 hearing.

Case: CE23010157

2454 BIMINI LN

2018-3 IH BORROWER LP; % INVITATION HOMES - TAX DEPT

Service was via posting at the property on 5/12/23 and at City Hall on 5/11/23.

Manuel Garcia, Senior Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: Sec. 8-91.(c)

THERE IS A MOORING STRUCTURE IN DISREPAIR AT THE REAR OF THIS PROPERTY. IN THIS CONDITION IT IS FOUND TO BE UNSAFE AND IN AN UNSATISFACTORY CONDITION DUE TO THE STRUCTURE LEANING AND WITHOUT SUPPORT.

Special Magistrate Hearing

May 25, 2023

Page 10

9-313.(a) **Complied**
PROPERTY IS NOT IDENTIFIED BY APPROVED ADDRESS NUMBERS.

Officer Garcia presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$150 per day.

Danielle McMahan, the owner's representative, requested more than 35 days because they were replacing the entire deck.

Ms. Flynn found in favor of the City and ordered compliance within 63 days or a fine of \$150 per day.

Case: CE22120442

2017 NE 29 CT
SWAY 2014-1 BORROWER LLC

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

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

VIOLATIONS: 18-4.(c) **Complied**

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 Koloian presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$100 per day.

Danielle McMahan, the owner's representative, agreed to comply within 10 days.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day.

Case: CE22080124

3501 W DAVIE BLVD
BAYSHORE AT DAVIE LTD;
% CVS #981-01/OCC EXP DEPT

This case was first heard on 1/26/23 to comply by 2/5/23 and 3/9/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$3,850 and the City was requesting the full fine be imposed.

Patrice Jolly, Sr. Code Compliance Officer, recommended imposition of the fines.

Kevin Kane said they had submitted invoices showing when the work was done, which coincided with the City's dates.

Ms. Flynn imposed the \$3,850 fine.

Case: CE22120587

1143 NW 18 ST
BRYANT, NAKITTA

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-4.(c)

Special Magistrate Hearing

May 25, 2023

Page 11

THERE ARE MULTIPLE DERELICT VEHICLES PARKED ON THIS PROPERTY. A SILVER BMW WITH NO TAG, A WHITE MERCEDES WITH NO TAG, AND A WHITE FORD VAN WITH EXPIRED TAG.

18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-306

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

Officer Exantus presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

Nakitta Bryant requested more than 35 days. She said she had removed two of the cars and was re-registering the third.

Ms. Flynn found in favor of the City and ordered compliance with 9-306 within 63 days and the remaining violations within 35 days or a fine of \$25 per day, per violation.

Case: CE22120799

1237 NW 17 ST

I LOVE FLORIDA REAL ESTATE LLC

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-304(b)

THERE ARE VEHICLES/TRAILERS PARKED ON THE GRASS/LAWN AREA.

47-34.1.A.1. **Complied**

THERE IS ILLEGAL LAND USE OCCURRING AT THIS PROPERTY. THERE IS OUTDOOR STORAGE INCLUDING BUT NOT LIMITED TO; METAL SCRAPS, REFRIGERATOR, BUCKETS, WOOD, MISCELLANEOUS METAL AND MISCELLANEOUS ITEMS. THIS IS NOT PERMITTED PER THE ULDR OF THIS RS-8 ZONED SINGLE FAMILY RESIDENCE.

9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. IT HAS POSTS THAT ARE LEANING AND AREAS WHERE THE MESH IS NOT ATTACHED TO THE POST.

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 INCLUDING SWALE AREA.

Officer Exantus presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

Special Magistrate Hearing

May 25, 2023

Page 12

Alizondro Moran Peralta said the tenants had stopped paying rent at the end of 2022 and had left in 2023. He said he had taken action as soon as he was aware of the violations and said the mailing had been sent to the wrong address. He requested 60 days.

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

Case: CE22030756

1413 NW 11 ST

AMIR, NISSIM & YAFFA

This case was first heard on 7/28/22 to comply by 9/1/22. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$9,150 and the City was requesting the full fine be imposed.

Bovary Exantus, Code Compliance Officer, recommended reducing fines to administrative costs of \$915.

Nissim Amir agreed to the fine reduction.

Ms. Flynn imposed administrative costs of \$915.

Case: CE22110559

323 MOLA AVE

ASHITA HOMESTEAD LLC

Service was via posting at the property on 5/9/23 and at City Hall on 5/11/23.

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

VIOLATION: Sec. 47-19.3.(f)(4)

THE SEAWALL AT THIS PROPERTY IS IN DISREPAIR. - ALL PROPERTY OWNERS MUST MAINTAIN THEIR SEAWALLS IN GOOD REPAIR. A SEAWALL IS PRESUMED TO BE IN DISREPAIR IF IT ALLOWS FOR UPLAND EROSION, TRANSFER OF MATERIAL THROUGH THE SEAWALL OR ALLOWS TIDAL WATERS TO FLOW UNIMPEDED THROUGH THE SEAWALL TO ADJACENT PROPERTIES OR THE PUBLIC RIGHT-OF-WAY.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 63 days to obtain a permit or a fine of \$100 per day. After the permit was obtained, 365 days would be allowed to complete the project. She requested the respondent be ordered to attend the 7/27/23 hearing.

Ian Kravitz Esq., the owner's attorney, described the owner's efforts to comply and discussed the City's inspections, finding leaks that Mr. Kravitz said could not be proven to be from his client's seawall. He said the City had not been specific regarding the problem with the seawall.

Edward Schuler, the City's Stormwater Operations Chief, said there had been flooding on the Isle of Capri and when they inspected the area later, at high tide, water was seeping through the seawall on this property and onto the Isle of Capri. He agreed to provide the record of this. Mr. Kravitz said he had made a public records request and been provided with the video provided at this hearing, plus three photos, but was not provided the photos in Mr. Schuler's inspection report.

Ms. Flynn found in favor of the City and ordered compliance by filing for a permit within 63 days and completing work within 365 days or a fine of \$100 per day and ordered the respondent to attend the 7/27/23 hearing.

Case: CE23020651

1801 NE 54 ST

SUNSHINE COMMUNITY SOLUTIONS LLC

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

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

VIOLATIONS: 9-305(a) **Complied**

THERE IS GROWTH OF LANDSCAPE MATERIAL ALONG WITH AN ACCUMULATION OF LEAVES ENCROACHING UPON THE PUBLIC RIGHT-OF-WAY ON THE SIDEWALK IN THE WESTSIDE OF THE PROPERTY. THERE ARE TREE LIMBS THAT ARE BLOCKING THE STREET SIGN AT THE INTERSECTION OF NE 54TH ST AND NE 18TH AVE.

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 IN THE SWALE AREA OF THIS PROPERTY.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day.

Michael Acosta aid the City had been working at the property for at least six months. He requested 63 days for “financial reasons.” Officer Koloian thought 35 days was sufficient.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day.

Ms. Flynn took a brief recess.

Case: CE22090334

721 SW 7 AVE

721 TARPON RIVER LLC

This case was first heard on 12/13/22 to comply by 12/23/22 and 2/14/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$6,950 and the City was requesting the full fine be imposed.

Dorian Koloian, Senior Code Compliance Officer, confirmed the property was in compliance. she recommended reducing the fine to \$1,390. He said they had postponed the last bit of cleanup because it would be part of the demolition.

Raffi Anac described their efforts to comply

Ms. Flynn imposed a fine of \$1,390 for the time the property was out of compliance.

Case: CE22100241

ORDERED TO REAPPEAR

30 COMPASS PT

MARTINEZ-MANSO, MICHEL

This case was first heard on 1/26/23 to comply by 2/23/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$1,750 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Dorian Koloian, Senior Code Compliance Officer, said one of the original six violations remained and recommended imposition of the fines.

Michel Martinez-Manso said some of the building had been demolished and the remaining walls were part of approved plans.

Special Magistrate Hearing

May 25, 2023

Page 14

Stephanie Bass, Code Enforcement Supervisor, said the demolition permit did not reflect what was happening at the property. Mr. Martinez-Manso said they had demolished the portions of the building on the permit application. Supervisor Bass said the remaining walls must be kept clean and asked Mr. Martinez-Manso to paint them. She suggested allowing 35 days for the walls to be painted and Mr. Martinez-Manso said the HOA must approve the paint color.

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

Case: CE22080655

ORDERED TO REAPPEAR

1060 NW 54 ST
EMILY RAY LLC

This case was first heard on 3/30/23 to comply by 5/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Dorian Koloian, Senior Code Compliance Officer, recommended no extension.

Conrad Deslandes, tenant, said the parking area permit was in process and his contractor was working with the City. He requested an extension. Officer Koloian recommended 63 days and an order to attend the 7/27/23 hearing.

Ms. Flynn granted a 63-day extension, during which time no fines would accrue and ordered the respondent to attend the 7/27/23 hearing [if the property was not in compliance.]

Case: CE22110488

1524 NW 15 ST
ORTIZ, EDDIE; VASILIOU-ORTIZ, CHRISTINE

This case was first heard on 3/30/23 to comply by 4/9/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$4,600 and the City was requesting imposition of the full fine.

Bovary Exantus, Code Compliance Officer, recommended imposition of the fines.

Christine Vasilou Ortiz said they had not received the first notice. When they were made aware of the Notice by the tenant a couple of weeks ago, they had acted to comply. Officer Exantus recommended reducing the fines to administrative costs of \$400.

Ms. Flynn imposed administrative costs of \$400.

Case: CE22070565

ORDERED TO REAPPEAR

1421 NW 1 ST
KP 1461 CITYVIEW LLC CITYVIEW TWIN LLC

This case was first heard on 1/26/23 to comply by 3/30/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Wilson Quintero Jr., Code Compliance Officer, said the owners were making progress and there was still some sod needed. He recommended an extension.

Joseph Parkman requested 30 days.

Ms. Flynn granted a 35-day extension, during which time no fines would accrue.

Case: CE22100624

1217 NW 4 ST
BLACK BRICK PROPERTIES LLC

This case was first heard on 2/14/23 to comply by 2/24/23. Violations and extensions were as noted in the agenda. The

Special Magistrate Hearing

May 25, 2023

Page 15

property was in compliance, fines had accrued to \$300 and the City was requesting the full fine be imposed.

Bernstein Saimbert, Code Compliance Officer, confirmed the property was in compliance and recommended imposition of the fines.

Kuumba Adesunloye said City Trucks had prevented him from completing the last section of the property. Officer Saimbert agreed there had been trucks with workers in the powerlines at the time.

Ms. Flynn imposed no fine.

Case: CE22100965

2216 NW 6 ST

AZTOR OF INDIA CORP

This case was first heard on 3/14/23 to comply by 3/28/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$5,800 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Bernstein Saimbert, Code Compliance Officer, said the property was not in compliance and recommended imposition of the fines. He said chickens and/or roosters were inhabiting this vacant lot.

Alejandro Carlos Azzala said he tried to scare away the chickens and roosters every week but they always returned because they were kept by three neighbors. He had wanted to fence the lot but the City had informed him this was not permitted. Mr. Azzala said they wanted to build a home on the property but could not afford to right now.

Julio Davila, Code Compliance Supervisor, asked Mr. Azzala to keep the property clean.

The City withdrew the case.

Case: CE22080280

1201 NW 1 ST

NORTH BROWARD HOSPITAL DISTRICT

ATTN: REAL ESTATE

This case was first heard on 1/11/23 to comply by 3/14/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$1,300 and the City was requesting no fine be imposed.

Douglas Fennema, Broward Health, thanked the City for the fine reduction.

Ms. Flynn imposed no fine.

Case: CE22120153

REQUEST FOR EXTENSION

840 NW 3 ST 1-4

TUNNAGE, LEROY L

This case was first heard on 3/30/23 to comply by 5/25/23. Violations and extensions were as noted in the agenda. The property was not in compliance.

Bernstein Saimbert, Code Compliance Officer, said two of the original four violations remained and said he opposed an extension.

Leroy Tunnage said some of the photos were not of his property. He said he had a contract to repair the asphalt but the contractor had informed him there was a delay. He requested 60 days.

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

Special Magistrate Hearing

May 25, 2023

Page 16

Case: CE21110148

943 NW 14 ST

COUTAIN, CAUSLEY M

This case was first heard on 7/28/22 to comply by 9/29/22. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$6,850 and the City was requesting the full fine be imposed.

Bovary Exantus, Code Compliance Officer, confirmed the property was in compliance and recommended no fines be imposed.

Causley Coutain agreed to the fine reduction.

Ms. Flynn imposed no fine.

Case: CE23020791

1300 SW 28 ST

SCHUELER, RICHARD

Service was via posting at the property on 5/12/23 and at City Hall on 5/11/23.

Manuel Garcia, Senior Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 47-20.13.B.1.b. **Complied**

THE SUBJECT RS-8 ZONED PROPERTY HAS MORE THAN 40% OF THE FRONT YARD COVERED IN GRAVEL WITHOUT COMPLYING WITH THE MINIMUM STANDARDS OF LANDSCAPE ON PROPERTY AS PER SECTION 47-20.13.

47-34.1.A.1. **Withdrawn**

THERE IS ILLEGAL LAND USE OCCURRING AT THIS RS-8 ZONED PROPERTY. THERE IS STORAGE OF VEHICLES TAKING PLACE AT THIS PROPERTY THAT ADVERTISE THE COMPANY "SEA BREEZE AIR CONDITIONING INC". VEHICLES CANNOT BE STORED ON THE SUBJECT PROPERTY AS THE LICENSE ISSUED UNDER BL-9600669 DOES NOT PERMIT THE STORAGE OF VEHICLES, ONLY THE USE OF AN OFFICE ON THE SUBJECT PROPERTY.

9-306

THE EXTERIOR SURFACES INCLUDING WALLS AND WINDOW SHADES HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND REQUIRE CLEANING AND PAINT.

9-304(b)

THERE ARE VEHICLES PARKED ON AN UNAPPROVED SURFACE ON THE SUBJECT RS-8 ZONED PROPERTY. VEHICLES WERE OBSERVED PARKED AND STORED ON AREAS OF THE FRONT OF THE PROPERTY THAT ARE NOT COVERED BY A HARD AND DUSTLESS SURFACE. IN ADDITION, THE PARKING FACILITY AT THIS RS-8 ZONED PROPERTY IS IN DISREPAIR. THE PARKING SURFACE IS NOT SMOOTH AND WELL GRADED. THERE ARE UNEVEN AREAS AND OVERGROWN WEEDS GROWING ON THE SURFACE.

18-12.(a) **Complied**

THERE IS OVERGROWTH ON THIS PROPERTY AND ON ITS SWALE.

Officer Garcia presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation.

Christopher McShane Esq., the owner's attorney, said the photos shown were not current. He said the property was flooded in April and the owner was awaiting a FEMA inspection for aid. He said the owner had been told that more

Special Magistrate Hearing

May 25, 2023

Page 17

impervious surfaces were not wanted in the neighborhood because they would contribute to future flooding problems. He requested at least 90 days.

Ms. Flynn found in favor of the City and ordered compliance with 9-304(b) within 35 days and with 9-306 within 91 days or a fine of \$100 per day, per violation and ordered the respondent to attend the 8/24/23 hearing.

Case: CE22080543

2305 NW 6 PL

MMR FLORIDA LLC

This case was first heard on 10/27/22 to comply by 12/8/22. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$3,500 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Bovary Exantus, Code Compliance Officer, recommended imposition of the fines.

Soannya Cuervas said a tenant had parked on the grass and there had been a delay removing the tenant. She said they had replaced the grass in the front but the inspector informed them they must also add grass in the rear yard. She stated the rear yard grass had been put down that morning.

Ms. Flynn granted a 10-day extension, during which time no fines would accrue.

Case: CE23010848

801 NW 2 ST

MOSLEY, BERNICE EST; %SAUNDRA M CARTER

Service was via posting at City Hall on 5/11/23.

Bernstein Saimbert, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 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 INCLUDING THE SWALE. THIS IS A RECURRING VIOLATION, REFER TO CASE NUMBER CE22030681. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE SEEKING A FINDING OF FACT WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

18-4.(c) Complied

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

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

Sandra Carter agreed to comply.

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

Case: CE23010117

3129 SW 13 ST 1-4

COLINA ARTIZ, CARLOS LEANDRO

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Marco Aguilera, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-306 **Complied**

Special Magistrate Hearing

May 25, 2023

Page 18

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING PAINT.

9-305(b)

THE LANDSCAPE AT THIS PROPERTY IS NOT BEING MAINTAINED IN A NEAT AND WELL-KEPT APPEARANCE. THE GRAVEL IS SCATTERED AND HAS WEEDS GROWING THROUGH THE GRAVEL AREAS.

47-19.4.D.1.

THIS PROPERTY DOES NOT HAVE THE REQUIRED DUMPSTER ENCLOSURE.

Officer Aguilera presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation.

Case: CE23010878

633 NW 11 AVE 1-3

BAR DAYAN REAL ESTATE LLC

Service was via posting at the property on 5/6/23 and at City Hall on 5/11/23.

Wilson Quintero Jr., Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH, LITTER AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

47-20.20.(H) **Complied**

THERE ARE PARKING FACILITIES THAT ARE NOT MAINTAINED AT THIS PROPERTY. THE ASPHALT SURFACE HAS CRACKS, DIRT STAINS AND DAMAGED SECTIONS. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE20101053 AND WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

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 **Complied**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

Officer Quintero presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$50 per day, per violation and a finding of fact that 47-20.20.(H) had existed as cited.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day, per violation and found that 47-20.20.(H) had existed as cited.

Case: CE23020079

844 NW 18 AVE 1-2

NELIMAR LLC

Service was via posting at the property on 5/8/23 and at City Hall on 5/11/23.

Wilson Quintero Jr., Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH, LITTER AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBERS CE19052398, CE21040982 AND CE21060278 AND WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

24-27.(b) **Withdrawn**

9-280(h)(1) **Complied**

THE CHAIN LINK FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THERE ARE SECTIONS/GATES WHICH ARE NOT SECURED TO THE POSTS AND ARE DAMAGED OR BENT. THIS IS A RECURRING VIOLATION OF PREVIOUS CASE NUMBER CE21060278 AND WILL BE PRESENTED TO THE MAGISTRATE FOR A FINDING OF FACT REGARDLESS OF COMPLIANCE.

9-280(d) **Complied**

THE BORDER OF THE ROOF/DRIP LINE IS STAINED WITH DIRT AND NOT BEING MAINTAINED AS REQUIRED.

9-305(a) **Complied**

THERE IS GROWTH OF LANDSCAPE MATERIAL ALONG WITH AN ACCUMULATION OF LEAVES ENCROACHING UPON THE PUBLIC RIGHT-OF-WAY.

47-34.1.A.1. **Complied**

THERE IS NON-PERMITTED OUTDOOR STORAGE OF GOODS AND MATERIALS ON THIS PROPERTY INCLUDING BUT NOT LIMITED TO; HOUSEHOLD FURNITURE. THIS IS AN ILLEGAL LAND USE PER THE ULDR FOR THIS RD-15 ZONED RESIDENTIAL PROPERTY.

Officer Quintero presented the case file into evidence and said all violations were now in compliance. He requested a finding of fact that the violations had existed as cited.

Ms. Flynn found in favor of the City that the violations had existed as cited.

Case: CE22110226

1144 NW 4 AVE

HIZUENGA 1144 LAND TR

Service was via posting at the property on 5/6/23 and at City Hall on 5/11/23.

Jean Claude Noel, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-304(b)

THE DRIVEWAY ON THE PROPERTY IS IN DISREPAIR. THERE ARE AREAS OF THE GRAVEL DRIVEWAY THAT HAVE WEEDS AND NOT MAINTAINED IN A SMOOTH AND WELL GRADED CONDITION.

18-4.(c) **Complied**

THERE IS A DERELICT VEHICLE AND A QUAD MOTORCYCLE ON THE PROPERTY. BOTH VEHICLES WERE OBSERVED WITH FLAT TIRES AND IN AN OVERALL STATE OF NEGLECT AND ABANDONMENT.

18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-305(a) **Complied**

Special Magistrate Hearing

May 25, 2023

Page 20

THERE IS GROWTH OF LANDSCAPE MATERIAL ALONG WITH AN ACCUMULATION OF LEAVES ENCROACHING UPON THE PUBLIC RIGHT-OF-WAY.

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.

9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THERE ARE AREAS OF THE FENCE THAT ARE BROKEN AND LEANING WITHOUT SUPPORT. THE GATES ON THE PROPERTY ARE BROKEN AND MISSING HINGES.

Officer Noel presented the case file into evidence and recommended ordering compliance with 18-12.(a) within 10 days and with the remaining violations within 35 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance with 18-12.(a) within 10 days and with the remaining violations within 35 days or a fine of \$100 per day, per violation.

Case: CE22110339

2810 RIVERLAND RD
2810 RIVERLAND LLC

This case was first heard on 1/26/23 to comply by 2/8/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$2,900 and the City was requesting the full fine be imposed.

Marco Aguilera, Code Compliance Officer, recommended imposition of the fines.

Abbie Schwal said they had been waiting for a company they hired to take the RV to Colorado.

Ms. Flynn imposed a fine of \$1,000 for the time the property was out of compliance.

Case: CE22080169

2308 NW 6 CT
SANTORSOLA, VITO MICHELE

Service was via posting at the property on 5/11/23 and at City Hall on 5/11/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-304(b)

THE DRIVEWAY WAS OBSERVED IN DISREPAIR. THE GRAVEL IS WORN, RESULTING IN THE DIRT AND GRASS UNDERNEATH TO SHOW THROUGH THE GRAVEL. MAINTENANCE IS REQUIRED IN THIS AREA.

18-4.(c) **Complied**

THERE IS A DERELICT VEHICLE ON THIS PROPERTY. A GOLD FORD EXPLORER WAS OBSERVED IN THE CARPORT WITH FLAT TIRES.

Officer Jolly presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day.

Special Magistrate Hearing

May 25, 2023

Page 21

Case: CE22120412

535 NW 23 AVE

WILLIAMS, CALVIN H/E; WILLIAMS, CAROLYN

Service was via posting at the property on 5/11/23 and at City Hall on 5/11/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-308(a) **Complied**

THERE ARE MULTIPLE BROKEN AND MISSING ROOF TILES. THE ROOF IS SAGGING, IT IS NOT IN GOOD REPAIR AND IS NOT WEATHER OR WATERTIGHT.

9-308(b)

THERE IS DEBRIS, TRASH, OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON THE ROOF. THE TARP AND WOOD PLACED ON THE ROOF IS NOT PROPERLY SECURED. THESE ITEMS MAY BE BECOME PROJECTILES IN THE EVENT OF A STORM.

Officer Jolly presented the case file into evidence and recommended ordering compliance within 63 days or a fine of \$25 per day.

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

Case: CE22100524

3081 NW 19 ST

PERSAUD USA PROPERTY HOLDINGS LLC

Personal service was accepted on 5/13/23. Service was also via posting at City Hall on 5/11/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

18-1. **Complied**

THERE IS STANDING WATER ACCUMULATING IN THE PARKING LOT AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES.

9-306 **Complied**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

47-20.20.(H) **Withdrawn**

BCZ-39-215(f)

THERE ARE PARKING FACILITIES AT THIS LOCATION NOT BEING MAINTAINED.

Officer Jolly presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day.

Special Magistrate Hearing

May 25, 2023

Page 22

Case: CE23020584

723 NW 19 AVE

HOUSE HUNTERS SERIES I LLC; %HARVARD BUSINESS SERVICES INC

Service was via posting at the property on 5/13/23 and at City Hall on 5/11/23.

Patrice Jolly, Sr. Code Compliance Officer, testified to the following violation(s):

VIOLATION: 18-1.

THERE IS TRASH, RUBBISH, AND DEBRIS SPREAD THROUGH OUT THIS UNOCCUPIED PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES. THIS IS A REPEAT VIOLATION, PLEASE SEE CASE CE22040172, WHERE THIS CASE WENT TO HEARING AND THE SPECIAL MAGISTRATE FOUND FOR THE CITY. THIS CURRENT VIOLATION WILL BE PRESENTED BEFORE THE SPECIAL MAGISTRATE WHETHER THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

Officer Jolly presented the case file into evidence and said the property was now in compliance. He requested imposition of a \$2,000 fine for the 10 days the property was out of compliance.

Ms. Flynn found in favor of the City and imposed a \$2,000 fine for the time the property was out of compliance..

Case: CE22090155

213 ROYAL PALM DR

MORI REV TR; CLAPS, LOUIS TRUSTEE ET AL

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bernstein Saimbert, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-306

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

18-4.(c) **Complied**

THERE IS A DERELICT FORD ESCAPE WITH NO TAG PARKED/STORED ON THIS PROPERTY.

9-280(b)

THERE ARE BUILDING PARTS WHICH ARE DETERIORATED AND NOT MAINTAINED INCLUDING BUT NOT LIMITED TO WINDOWS.

9-308(b)

THE ROOF IS STAINED AND DIRTY.

Special Magistrate Hearing

May 25, 2023

Page 23

Officer Saimbert presented the case file into evidence and recommended ordering compliance with 18-12.(a) within 10 days 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 18-12.(a) within 10 days and with the remaining violations within 35 days or a fine of \$50 per day, per violation.

Case: CE22120613

433 NW 18 AVE

WASHINGTON, J JR

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bernstein Saimbert, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-305(b)

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

9-304(b) **Complied**

THE CONCRETE DRIVEWAY IS STAINED.

9-306 **Complied**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT INCLUDING THE SOFFITS AND FASCIA BOARD.

Officer Saimbert presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day.

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

Case: CE23020955

427 NW 21 TER 1-4

ODOMES, DERRICK

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bernstein Saimbert, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-304(b)

THE DRIVEWAY AT THIS PROPERTY IS NOT BEING MAINTAINED. THE PARKING AREA HAS OIL STAINS, FADED STRIPING LINES AND WHEEL STOPS.

47-34.4.B.1.

THERE IS OVERNIGHT COMMERCIAL VEHICLE PARKING AT THIS PROPERTY. THERE IS A BOX TRUCK WITH SIX TIRES PARKING OVERNIGHT.

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 INCLUDING THE SWALE.

Officer Saimbert presented the case file into evidence and recommended ordering compliance with 47-34.4.B.1. within 10 days 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 47-34.4.B.1. within 10 days and with the remaining violations within 35 days or a fine of \$50 per day, per violation.

Special Magistrate Hearing

May 25, 2023

Page 24

Case: CE23021052

712 NW 2 ST

SATOR INVESTMENTS LLC

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bernstein Saimbert, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THIS IS A REPEAT VIOLATION. REFER TO CASE NUMBER CE18121192. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE SEEKING A FINDING OF FACT WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

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 INCLUDING THE SWALE.

18-4.(c)

THERE IS A DERELICT VEHICLE, TRAILER, VESSEL, INSIDE THE FENCE OF THIS VACANT PROPERTY. THE VEHICLES APPEAR INOPERABLE AND UNLICENSED.

9-280(h)(1) **Withdrawn**

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THE CHAIN LINK FENCE ON THE ALLEY IS NOT PERMITTED.

47-19.5.H.3 **Complied**

THE BARBED WIRE FENCE ON PROPERTY/ALLEY WAY SHALL NOT BE VISIBLE FROM ANY STREET.

Officer Saimbert 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: CE23020246

2208 NW 6 ST N

COMMUNITY HOME BUYERS LLC

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bernstein Saimbert, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-305(b) **Complied**

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 REFER TO CASE NUMBER CE22040062. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE SEEKING FINDING A FACT WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

9-280(h)(1) **Complied**

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THE WOOD FENCE IS MISSING SLATS AND THE CHAIN LINK FENCE FRAME IS OUT OF THE SUPPORT.

9-306 Complied

THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT. THIS IS A RECURRING VIOLATION REFER TO CASE NUMBER CE22040062. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE SEEKING A FINDING OF FACT WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

47-19.9 Complied

THERE IS NON-PERMITTED OUTDOOR STORAGE AT THIS PROPERTY PER THE ULDR FOR THIS NWRAC-MUw ZONED RESIDENTIAL PROPERTY. ITEMS INCLUDE BUT ARE NOT LIMITED TO TIRES. THIS IS A RECURRING VIOLATION REFER TO CASE NUMBER CE22040062. THIS CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE SEEKING FINDING A FACT WHETHER OR NOT THE VIOLATION COMPLIES PRIOR TO THE HEARING DATE.

Officer Saimbert presented the case file into evidence and reported all violations were in compliance. He requested a finding of fact that 9-305(b), 9-306, and 47-19.9 had existed as cited.

Ms. Flynn found in favor of the City that 9-305(b), 9-306, and 47-19.9 had existed as cited.

Case: CE22120582

1231 NW 18 ST

FERGUSON, ELIZABETH ANN; MOORE, MACK HENRY III

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-304(b)

THERE ARE VEHICLES/TRAILERS UNLAWFULLY PARKED ON THE GRASS/LAWN AREA.

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.

47-34.1.A.1.

THERE IS AN ILLEGAL LAND USE OCCURRING AT THIS PROPERTY. THERE IS OUTDOOR STORAGE CONSISTING OF BUT NOT LIMITED TO A FOLDING TABLE, SHOVELS, PIECES OF WOOD AND OTHER MISCELLANEOUS ITEMS. THIS IS A PROHIBITED LAND USED PER ULDR RS-8 ZONING DISTRICT.

18-1.

THERE IS OUTDOOR STORAGE UNDER THE PORCH INCLUDING BUT NOT LIMITED TO BOXES, STORAGE BINS, PLYWOOD, PIECES OF WOODS AND OTHER MISCELLANEOUS ITEMS STORED UNDER THE PORCH AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS, VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES.

Special Magistrate Hearing

May 25, 2023

Page 26

Officer Exantus presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

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

Case: CE22110106

1526 NW 12 ST

MYRICK, FREDDIE L & TRACY L

Service was via posting at the property on 5/11/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 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.

9-304(b)

THERE ARE VEHICLES/TRAILERS PARKED ON THE GRASS/LAWN AREA.

47-34.1.A.1.

THERE IS ILLEGAL LAND USE OCCURRING AT THIS RS-8 - RESIDENTIAL SINGLE FAMILY ZONED PROPERTY CONSISTING OF TIRES, AUTO REPAIR EQUIPMENT, GAS CONTAINERS, FURNITURE AND OTHER MISCELLANEOUS ITEMS.

9-306 **Complied**

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

18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

18-4.(c)

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY INCLUDING, BUT NOT LIMITED TO AN OLD MODEL COUPE WHICH IS INOPERABLE.

Officer Exantus presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

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

Case: CE23010364

1561 NW 15 TER

TECTUM ENGINEERING LLC

Service was via posting at the property on 5/11/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 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 INCLUDING THE SWALE AREA.

Special Magistrate Hearing

May 25, 2023

Page 27

9-304(b)

THE ASPHALT DRIVEWAY IS IN DISREPAIR. THERE ARE CRACKS, HOLES ON THE DRIVEWAY AND THE BLACKTOP IS FADED.

18-4.(c) **Complied**

THERE IS A DERELICT VEHICLE ON THE PROPERTY. A WRECKED GREEN PONTIAC WITH HOOD DAMAGE IS PARKED ON THIS PROPERTY.

Officer Exantus presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day, per violation.

Case: CE23010545

1200 NW 11 CT
SINGH, VICKRAM EST

Service was via posting at the property on 5/11/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

24-27.(b) **Withdrawn**

9-304(b)

THE GRAVEL DRIVEWAY IS WORN THROUGH, GRASS AND WEEDS ARE GROWING THROUGH IT.

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 INCLUDING THE SWALE AREA.

Officer Exantus presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$25 per day, per violation.

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

Case: CE23020058

1542 NW 17 ST
BEST QUAD INC; % WEICHOU CHEN

Service was via posting at the property on 5/11/23 and at City Hall on 5/11/23.

Bovary Exantus, Code Compliance Officer, testified to the following violation(s):

VIOLATIONS: 9-304(b) **Complied**

THERE ARE MULTIPLE VEHICLES PARKED ON THE GRASS/LAWN AREA. THE ASPHALT DRIVEWAY HAS CRACKS, HOLES AND THE BLACKTOP IS FADED.

18-1. **Complied**

THERE IS OUTDOOR STORAGE UNDER THE PORCH INCLUDING BUT NOT LIMITED TO TIRES AND OTHER MISCELLANEOUS ITEMS AT THIS PROPERTY THAT IS CREATING A PUBLIC NUISANCE. IT IS BEING MAINTAINED IN SUCH A MANNER THAT THE PROPERTY IS OR MAY REASONABLY BECOME INFESTED OR INHABITED BY RODENTS,

Special Magistrate Hearing

May 25, 2023

Page 28

VERMIN OR WILD ANIMALS, OR MAY FURNISH A BREEDING PLACE FOR MOSQUITOS, OR THREATENS OR ENDANGERS THE PUBLIC HEALTH, SAFETY OR WELFARE OR MAY ADVERSELY AFFECT AND IMPAIR THE ECONOMIC WELFARE OF ADJACENT PROPERTIES.

9-306 Complied

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA BOARDS NEEDS TO BE PAINTED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

9-308(b) Complied

THERE IS DEBRIS, TRASH, OR ANOTHER ELEMENT WHICH IS NOT PERMANENT ON THE ROOF INCLUDING BUT NOT LIMITED TO VEGETATION GROWING ON THE ROOF.

18-4.(c) Complied

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY. THERE ARE MULTIPLE VEHICLES PARKED ON PROPERTY WITH EXPIRED TAGS.

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 INCLUDING THE SWALE.

Officer Exantus 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: CE23010152

2000 W COMMERCIAL BLVD
COMMERCIAL BLVD REALTY LLC

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

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

VIOLATIONS: 18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

9-306

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 35 days or a fine of \$100 per day.

Ms. Flynn found in favor of the City and ordered compliance within 35 days or a fine of \$100 per day.

Case: CE23020760

5895 NE 22 AVE
CONNORS, ROBERT M

Service was via posting at the property on 5/15/23 and at City Hall on 5/11/23.

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

Special Magistrate Hearing

May 25, 2023

Page 29

VIOLATIONS: 18-12.(a) **Complied**

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE. THE FRONT LAWN HAS OVERGROWTH. THE FRONT LAWN HAS TREE BRANCHES THAT HAVE BROKEN AND FALLEN ONTO THE FRONT LAWN.

9-280(h)(1)

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THE FENCE IS BROKEN APART AND ENCROACHING/FALLING INTO NEIGHBORING PROPERTY AT 5901 NE 22ND AVE.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$50 per day.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$50 per day.

Case: CE23020936

3181 NW 63 ST

SCOGGINS, RACHEL A LE H/E; SMITH, TERRY E LE

Service was via posting at the property on 5/10/23 and at City Hall on 5/11/23.

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

VIOLATIONS: 47-39.A.1.b(9)(c) **Complied**

THERE IS A WATER HOSE THAT IS CONNECTED FROM THIS PROPERTY TO THE RECREATIONAL VEHICLE.

18-4.(c) **Complied**

THERE IS A DERELICT VEHICLE OR TRAILER ON THE SWALE (OR) ON THE PROPERTY. A BLUE COLOR TOYOTA FOUR DOOR SEDAN, WITH CHIPPING PAINT ON THE BUMPER AND HOOD(UNABLE TO READ VIN NUMBER) AND RED IN COLOR TOYOTA FOUR DOOR SEDAN(VIN #411BL32K23U140781, NEITHER VEHICLE HAS A VALID TAG.

9-304(b) **Complied**

THERE ARE VEHICLES/TRAILERS PARKED ON THE GRASS/LAWN AREA.

9-305(b) **Complied**

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 CE21040184 AND THE CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER THE VIOLATION COMPLIES PRIOR TO THE HEARING OR NOT.

9-280(h)(1) **Complied**

THE FENCE AT THIS PROPERTY IS IN DISREPAIR AND IS NOT BEING MAINTAINED AS REQUIRED. THE SLATES ARE CHIPPED AND BROKEN IN SOME AREAS. THIS VIOLATION IS RECURRING, SEE CASE CE21040184. THE CASE WILL BE PRESENTED TO THE SPECIAL MAGISTRATE WHETHER THE VIOLATION COMPLIES PRIOR TO THE HEARING OR NOT.

9-306 **Complied**

THE EXTERIOR BUILDING WALLS HAVE NOT BEEN MAINTAINED. STRUCTURAL PARTS INCLUDING FASCIA AND SOFFITS ON THE EAST SIDE OF THE PROPERTY THAT HAVE STAINS AND ARE IN DISREPAIR. THERE ARE AREAS OF THE EXTERIOR THAT HAVE STAINS AND MISSING, PEELING PAINT. THIS VIOLATION IS RECURRING, SEE CASE CE21040184. THE CASE WILL BE PRESENTED TO THE SPECIAL

MAGISTRATE WHETHER THE VIOLATION COMPLIES PRIOR TO THE HEARING OR NOT.

BCZ-39-275(6)(B) **Complied**

Officer Koloian presented the case file into evidence and stated all violations were in compliance. She requested a find of fact that the violations had existed as cited.

Ms. Flynn found in favor of the City that the violations had existed as cited.

Case: CE23030756

2515 E LAS OLAS BLVD 1-3
INNOVAX GROUP LLC

Service was via posting at the property on 5/9/23 and at City Hall on 5/11/23.

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

VIOLATIONS: 18-11.(b)

THE SWIMMING POOL LOCATED AT THIS UNOCCUPIED PROPERTY HAS STAGNANT WATER, TRASH AND DEBRIS. THE BUILDING DOES NOT HAVE THE REQUIRED UTILITY SERVICES AND/OR SAFEGUARDS HAVE NOT BEEN TAKEN TO PREVENT HUMAN BEINGS OR ANIMALS FROM FALLING INTO OR HAVING ACCESS TO THE POOL. THE POOL IN THIS CONDITION PRESENTS A HEALTH AND SAFETY ISSUE FOR THE COMMUNITY IN THAT IT MAY BECOME A BREEDING GROUND FOR MOSQUITOS AND IS A PUBLIC NUISANCE.

18-12.(a)

THERE IS OVERGROWTH, TRASH, RUBBISH AND DEBRIS ON THIS PROPERTY AND/OR ITS SWALE.

Officer Koloian presented the case file into evidence and recommended ordering compliance within 10 days or a fine of \$150 per day, per violation.

Ms. Flynn found in favor of the City and ordered compliance within 10 days or a fine of \$150 per day, per violation.

Case: CE22100781

VACATE FO 2/14/23 & OIF 4/11/23

401 SE 20 ST 1-4
401 SE 20 STREET LLC

This was a request to vacate the Final Order dated 2/14/23 and the Order Imposing the Fine dated 4/11/23.

Ms. Flynn vacated the Final Order dated 2/14/23 and the Order Imposing the Fine dated 4/11/23.

Case: CE23040295

CITATION

1627 SEABREEZE BLVD
OG GROUP LLC

This case was cited on 4/8/23 to comply by 4/8/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$600 and the City was requesting the full fine be imposed. No appeal had been received.

Ms. Flynn imposed the \$600 fine.

Special Magistrate Hearing

May 25, 2023

Page 31

Case: CE22080870

2508 DELMAR PL
DELMAR LAS OLAS LLC

This case was first heard on 1/26/23 to comply by 3/2/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$4,200 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$4,200 fine, which would continue to accrue until the property was in compliance.

Case: CE22060132

912 NW 13 ST
MC LAREN, HEADLEY

This case was first heard on 10/27/22 to comply by 11/17/22. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$8,800 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$8,800 fine, which would continue to accrue until the property was in compliance.

Case: CE22100070

2231 NW 9 CT
CASTANEDA, AMALIA JUDITH

This case was first heard on 1/26/23 to comply by 3/2/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$825 and the City was requesting the full fine be imposed.

Ms. Flynn imposed the \$825 fine.

Case: CE22120096

2525 MARATHON LN
2525 FORT LAUDERDALE LLC

CITATION

This case was cited on 12/3/22 to comply by 12/3/22. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$200 and the City was requesting the full fine be imposed. No appeal had been received.

Ms. Flynn imposed the \$200 fine.

Case: CE22090783

2624 TORTUGAS LN
KELLEHER, ZANE J & BARBARA L
KELLEHER REV FAM TR

This case was first heard on 1/26/23 to comply by 3/30/23. Violations and extensions were as noted in the agenda. The property was not in compliance, fines had accrued to \$8,400 and the City was requesting imposition of the fines, which would continue to accrue until the property was in compliance.

Ms. Flynn imposed the \$8,400 fine, which would continue to accrue until the property was in compliance.

Special Magistrate Hearing

May 25, 2023

Page 32

Case: FC21110017

712 NW 57 ST
JJ AUTO LLC

This case was first heard on 2/24/22 to comply by 4/28/22. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$13,600 and the City was requesting no fine be imposed.

Ms. Flynn imposed no fine.

Case: CE22080328

REQUEST FOR EXTENSION

1620 NW 7 ST
MORISSEAU, ROBERTO

This case was first heard on 3/14/23 to comply by 4/11/23. Violations and extensions were as noted in the agenda. The property was not in compliance, and fines had accrued to \$8,800.

Bernstein Saimbert, Code Compliance Officer, suggested a 21-day extension.

Ms. Flynn granted a 21-day extension, during which time no fines would accrue.

Case: CE22080906

ORDERED TO REAPPEAR

716 SE 16 ST 1-4
LAROCHE, RAYNALD & GLADYS

This case was first heard on 1/11/23 to comply by 3/14/23. Violations and extensions were as noted in the agenda. The property was in compliance, fines had accrued to \$800 and the City was requesting no fines be imposed.

Ms. Flynn imposed no fines.

Staff entered the complied, closed, withdrawn and rescheduled cases listed on page 54 into the record as an exhibit.

Cases Complied

The below listed cases were complied 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 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:
CE21100122

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-Appearence

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 2:10 P.M.



Special Magistrate

ATTEST:



CLERK, SPECIAL MAGISTRATE

ATTEST: