

**SPECIAL MAGISTRATE HEARING  
CITY COMMISSION MEETING ROOM  
MEAH TELL PRESIDING  
SEPTEMBER 16, 2010  
9:00 A.M. –11:10 A.M.**

**Staff Present:**

Mary Allman, Secretary, Special Magistrate  
Susanne Manning, Secretary, Special Magistrate  
Brian McKelligett, Clerk of Special Magistrate – Supervisor  
Ginger Wald, Assistant City Attorney  
Lori Grossfeld, Clerk III  
Peggy Burks, Code Enforcement Supervisor  
Cheryl Pingitore, Code Enforcement Supervisor  
John Gossman, Code Enforcement Supervisor  
Skip Margerum, Code Enforcement Supervisor  
Detective Jorge Maura  
Frank Arrigoni, Building Inspector  
Stephanie Bass, Code Enforcement Officer  
Leonard Champagne, Code Enforcement Officer  
Alejandro DelRio, Code Enforcement Officer  
Barry Fein, Building Inspector  
Adam Feldman, Sr. Code Enforcement Officer  
Todd Hull, Code Enforcement Officer  
Wilson Quintero, Code Enforcement Officer  
Mary Rich, Code Enforcement Officer  
Mario Sotolongo, Code Enforcement Officer  
Ron Tetreault, Fire Inspector  
Ursula Thime, Sr. Code Enforcement Officer  
Barbara Urow, Code Enforcement Officer  
Salvatore Viscusi, Code Enforcement Officer

**Respondents and Witnesses**

CE10050019, CE10041847: John Brown, owner  
CE10011890: Darryl Haile, owner's son  
CE09071831: Debra McLune, owner  
CE09060502: Vernon Pierce, owner  
CE10051614: Fritzbert Richardson, owner  
CE10070494: Armando Galban, real estate broker  
CE10040980: Ali Abbas, owner's representative  
CE10061994: Howard Pyle, foreclosure attorney, Charles Barnard, attorney  
CE10050822: Mack Grover Young, property manager  
CE10040963: Xavier Snell, owner  
CE10062562: Kevin Bloch, bank representative  
CE09100799: Joseph Dobos, architect

CE07120555: Barbara Cohen, owner  
CE10072011, CE10060398: Donald Dixon, owner

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

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

**Case: CE10040963**  
1810 Northwest 27 Terrace  
Snell, Jessie  
C/O Snell, Joe C

Ordered to reappear

This case was first heard on 6/17/10 to comply by 7/15/10. Violations and extensions were as noted in the agenda. The property was not complied and fines had accrued to \$1,000, which would continue to accrue until the property complied.

Mr. Xavier Snell, owner, stated the property was still in probate and they not yet been able to remove the family member from the residence. He presented paperwork showing they had tried to evict the family member.

Barbara Urow, Code Enforcement Officer, did not object to the request for an extension.

Ms. Tell granted a 91-day extension during which time no fines would accrue.

**Case: CE07120555**  
3316 Northeast 38 Street  
Cohen, Lawrence E & Barbara F

Ordered to reappear 8/5/10  
then rescheduled to 9/16/10

This case was first heard on 4/3/08 to comply by 7/3/08 and 8/28/08. Violations and extensions were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,900 fine, which would continue to accrue until the property complied.

Mario Sotolongo, Code Enforcement Officer, said there was nothing new to report. He said members of the homeowners association often asked him when this situation would be resolved.

Ms. Barbara Cohen, owner, reported they had gone through the appraisal phase and were picking an umpire to resolve the situation with Citizens Insurance. Ms. Cohen requested 90 days.

Mr. McKelligett suggested Ms. Tell grant a retroactive extension to August 5, 2010.

Ms. Tell granted a retroactive extension from 8/5/10 to 12/16/10 and ordered the respondent to reappear at that hearing.

**Case: CE10062562**

2843 Southwest 14 Street  
Federal Natl Mortgage Assn

This case was first heard on 8/19/10 to comply by 8/29/10. Violations were as noted in the agenda. The property was complied and fines had accrued to \$1,400. Mr. McKelligett explained since the representative present was not the owner, he could not waive the requirement for notice of a Massey hearing and the case must be rescheduled.

Ms. Tell rescheduled the case for a Massey hearing.

**Case: CE10040980**

1244 Northeast 1 Avenue  
Federal National Mortgage Assn

This case was first heard on 7/15/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$550 fine.

Mr. Ali Abbas, the owner's representative, reported the bank had bulldozed the shed on the property and the bank had approved a bid to clean the property and replace the sod. Mr. Abbas said a closing was scheduled for the property.

Barbara Urow, Code Enforcement Officer, confirmed the shed was down on August 31 when she inspected the property.

Mr. Abbas said the delay removing the shed was caused by the bureaucracy of getting the bids approved. Mr. McKelligett said the administrative costs were at least as much as the requested fines.

Ms. Tell imposed the \$550 fine.

**Case: CE10050822**

Request for extension

1522 Northwest 10 Avenue  
Sueiro, Anthony

This case was first heard on 7/15/10 to comply by 8/19/10. Violations were as noted in the agenda. Fines had accrued to \$2,700.

Sal Viscusi, Code Enforcement Officer, said there was a final judgment of foreclosure against the property but the owner was in bankruptcy. The owner was using the

property for income and was trying to address the problems. Officer Viscusi had discussed this with Code Enforcement Supervisor Peggy Burks, who advised him that no more than 30 days would be given.

Mr. Mack Grover Young, property manager, said the tenants were now out and the trash on the property would be put out for bulk trash the following Wednesday. Mr. Young said the owner had a contract on a short sale and was waiting for approval from the bank. In the meantime, the owner wanted to connect the sewer but could not afford to.

Officer Sotolongo informed Ms. Tell that there was also a WaterWorks 2011 case against the property for not being hooked up to the City's sewer system. Ms. Wald explained that the septic tank could be closed off and filled in to comply this violation; the WaterWorks 2011 violation was not before Ms. Tell.

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

**Case: CE09060502**

800 S Andrews Avenue  
800 Andrews Avenue Corp

Certified mail sent to the owner was accepted on 9/7/10. Service was also via posting at City Hall on 9/2/10.

Barry Fein, Building Inspector, testified to the following violation:  
FBC(2007) 105.10.3.1

3 EXPIRED PERMITS  
PERMIT 00102022 NEW 2 STORY BUILDING NEVER HAD A  
PASS FINAL INSPECTION AND OBTAIN THE CERTIFICATE  
OF OCCUPANCY  
PERMIT 06023064 OFFICE SPACE BUILD OUT #200 PERMIT  
08040583 INSTALL ILLUM WALL SIGN.

Inspector Fein said he had met with the owner and agreed to recommend ordering compliance within 70 days or a fine of \$25 per day.

Mr. Vernon Pierce, owner, agreed to Inspector Fein's terms.

Ms. Tell found in favor of the City and ordered compliance within 77 days or a fine of \$25 per day would begin to accrue.

**Case: CE09100799**

3108 Northeast 23 Court  
Lindsay Crossing LLC

Service was via posting on the property on 8/30/10 and at City Hall on 9/2/10.

Frank Arrigoni, Building Inspector, testified to the following violation:

FBC(2007) 105.10.3.1

THE FOLLOWING PERMITS HAVE EXPIRED W/O PASSING AL  
REQUIRED INSPECTIONS.

08011848 PAVING - DRIVEWAY

07111075 LANDSCAPING - ATF TREE REMOVAL

07011598 ELECTRICAL - ALARM

06111959 PLUMBING - GAS

05123126 PLUMBING - NEW RESIDENCE

05122198 ELECTRICAL - NEW RESIDENCE

05092239 BUILDING - NEW RESIDENCE

05081559 PLUMBING - NEW POOL

05081556 BUILDING - NEW POOL

Inspector Arrigoni and recommended ordering compliance within 28 days or a fine of \$25 per day.

Mr. Joseph Dobos, architect, said only one item remained and he thought he would have the permit the following week.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day, would begin to accrue.

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

**Case: CE10050019**

Request for extension

94 Hendricks Isle

94-96 Hendricks Isle LLC

This case was first heard on 6/3/10 to comply by 9/2/10. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$9,750, which would continue to accrue until the property complied.

Mr. John Brown, owner, said these units were considered duplexes, which had not require hardwired smoke detectors in the past. He stated the building had been empty but for one tenant for 18 months. They had installed the smoke detectors and had them inspected; the fire extinguishers had been tested and tagged; larger building numbers had been installed and they had installed a new backflow preventer and fire hose.

Ron Tetreault, Fire Inspector, said the smoke detectors were installed but they had failed a fire inspection on a technicality. He stated the backflow preventer and hose needed tags from the company. The fire extinguishers and building numbers were compliant. Inspector Tetreault recommended an extension. Mr. Brown requested one or two weeks.

Mr. McKelligett suggested a retroactive extension to remove the fine that had accrued so far.

Ms. Tell granted a retroactive extension from 9/2/10 to 10/21/10, during which time no fines would accrue.

**Case: CE10041847**

Request for extension

96 Hendricks Isle  
94-96 Hendricks Isle LLC

This case was first heard on 6/3/10 to comply by 9/2/10. Violations were as noted in the agenda. The property was not complied and fines had accrued to \$4,550, which would continue to accrue until the property complied.

Ms. Tell granted a retroactive extension from 9/2/10 to 10/21/10, during which time no fines would accrue.

**Case: CE10070494**

1125 Southwest 15 Terrace  
Deutsche Bank National Trustee

Certified mail sent to the owner was accepted on 9/2/10. Service was also via posting at City Hall on 9/2/10.

Todd Hull, Code Enforcement Officer, testified to the following violation:  
18-7(b)

THE PROPERTY IS BOARDED WITHOUT FIRST OBTAINING A  
BOARD-UP CERTIFICATE.

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

Mr. Armando Galban, real estate broker, said he represented the buyer of the property. They had learned of this situation and wanted to make sure everything was okay. He said the bank had not cooperated with the buyer regarding the violations; it wanted his client to purchase the property with the violations and he had refused. Mr. Galban said his client intended to replace the windows and fix the interior.

Ms. Wald explained that removing the boards would comply this violation, or Mr. Galban's client could obtain a board-up certificate. She advised Mr. Galban to perform a title search to determine if there were other fines and/or liens against the property.

Mr. Galban stated he had asked the bank to obtain the board-up certificate but no one had returned his calls.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$50 per day would begin to accrue.

**Case: CE09071831**

550 E Melrose Circle  
McLune, Debra J

Certified mail sent to the owner was accepted [no date]. Service was also via posting at City Hall on 9/2/10.

Barry Fein, Building Inspector, testified to the following violation:

FBC(2007) 105.10.3.1

THERE IS AN EXPIRED PERMIT #08062449 TO INSTALL  
78LF VINYL FENCE WITH 2 GATES.

Inspector Fein said he had spoken with the owner and recommended ordering compliance within 91 days or a fine of \$25 per day.

Ms. Debra McLune, owner, said the fence had been paid for by a City grant, and she believed was been covered by a permit she had applied for. Inspector Fein agreed to perform research to determine if there was another permit. Ms. McLune said the contractor had informed her that his permit had passed final inspection.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$25 per day would begin to accrue.

**Case: CE10011890**

207 Northwest 7 Avenue  
Taylor, Leatha

Ordered to reappear

This case was first heard on 4/29/10 to comply by 7/1/10. Violations and extensions were as noted in the agenda. The property was complied, fines had accrued to \$4,250 and the City was requesting imposition of a \$718 fine.

Wilson Quintero, Code Enforcement Officer, recommended imposing \$718 for administrative costs.

Mr. Darryl Haile, the owner's son, said they were experiencing financial difficulties and requested the fine be waived. He explained the delay had been due to the fact that the check from the insurance company was late.

Officer Quintero said the property had been re-inspected 12 times, and had been heard at two hearings. He said this had been a simple violation.

Ms. Tell imposed a \$300 fine.

**Case: CE10051614**

Request for extension

837 Northwest 10 Terrace  
Richardson, Judette

This case was first heard on 7/15/10 to comply by 9/16/10. Violations were as noted in the agenda.

Mr. Fritzbert Richardson, owner, requested a two-month extension. He explained the building was almost empty and he was having financial problems.

Ron Tetreault, Fire Inspector, did not object to the request for an extension, but said this should be the last extension.

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

**Case: CE10072011**

3780 Southwest 14 Street  
American One Rentals Inc

Certified mail sent to the owner was accepted on 9/10/10. Service was also via posting at City Hall on 9/2/10.

Alejandro DelRio, Code Enforcement Officer, testified to the following violation:  
9-279(e)

THERE IS NO HOT WATER SUPPLIED TO THIS OCCUPIED  
PROPERTY. EVERY SINK, BASIN, BATHTUB, AND SHOWER  
SHALL BE SUPPLIED WITH HOT AND COLD WATER.

Complied:  
9-279(f)

Officer DelRio stated there was no electricity to the property and the owner was in the process of evicting the last tenant. He presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$50 per day.

Mr. Donald Dixon, owner, said the tenants had been stealing power and FPL had cut off power at the pole. The owners had filed eviction proceedings, but the tenant had informed Mr. Dixon he would be out in two weeks.

Ms. Wald noted that new cases concerning cut off water service would likely be heard by the prosecutor's office, not by a Special Magistrate.

Ms. Tell found in favor of the City and ordered compliance within 21 days or a fine of \$75 per day would begin to accrue.

**Case: CE10060398**

3780 Southwest 14 Street  
American One Rentals Inc

This case was first heard on 8/5/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,050 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

**Case: CE10061994**

1496 Northeast 62 Street  
Bennington, David & Quinn, Timothy

This case was first heard on 8/5/10 to comply by 8/15/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$2,900 fine. Mr. McKelligett announced that the owner's attorney, who had promised to attend, was not present, but a representative of the bank was present.

Mr. Howard Pyle, foreclosure attorney, said the bank had brought the property into compliance. He promised that his firm would be more proactive regarding violations in the future.

Ms. Wald said Charles Barnard had filed a notice of appearance for David Bennington.

Mary Rich, Code Enforcement Officer, stated she had spoken with Mr. Barnard, and agreed to request administrative costs of \$488. Ms. Tell agreed to hear other cases while Ms. Wald phoned Mr. Barnard's office.

Upon returning to the case, Mr. Barnard was present and explained that the owner was involved in a short sale of the property. Mr. Barnard said the real estate broker had cleaned up the property. He requested the fine be reduced to administrative costs.

Mr. McKelligett stated since the property was being short sold, he would instruct staff not to record the fine for 60 days.

Ms. Tell imposed a \$488 fine.

**Case: CE10071762**

1445 Northeast 60 Street  
McGirr, James P

Service was via posting on the property on 8/30/10 and at City Hall on 9/2/10.

Mary Rich, Code Enforcement Officer, testified to the following violation:

18-11(a)

THE POOL AT THIS OCCUPIED PROPERTY IS GREEN WITH STAGNANT WATER, THE POOL IN THIS CONDITION ENDANGERS THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Officer Rich presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

**Case: CE10070314**

1032 Northwest 3 Avenue  
Bank Of New York

Certified mail sent to the owner was accepted on 8/30/10. Service was also via posting at City Hall on 9/2/10.

Barbara Urow, Code Enforcement Officer, testified to the following violation:

9-279(f)

THIS PROPERTY IS BEING OCCUPIED WITHOUT CONNECTION TO THE CITY'S WATER SERVICE.

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

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

**Case: CE10042585**

1801 Northwest 9 Place  
Roach, Howard & Sarah

Certified mail sent to the owner was accepted on 8/28/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violation:  
47-19.5.E.7.

THE CHAINLINK GATE AT THIS PROPERTY IS IN  
DISREPAIR.

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

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day would begin to accrue.

**Case: CE10050026**

1800 Northwest 9 Lane  
Roach, Howard & Sarah

Certified mail sent to the owner was accepted on 8/28/10.

Leonard Champagne, Code Enforcement Officer, testified to the following violation:  
47-19.5.E.7.

THE CHAINLINK GATE AT THIS PROPERTY IS IN  
DISREPAIR.

Complied:  
47-19.5.D.5.

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

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$25 per day would begin to accrue.

**Case: CE10071755**

4610 Northeast 18 Avenue  
Mahoney, Mary L Estate

Certified mail sent to the owner was accepted on 8/30/10.

Ursula Thime, Code Enforcement Officer, testified to the following violation:  
18-11(a)

THE POOL AT THIS OCCUPIED PROPERTY IS GREEN WITH

STAGNANT WATER. THE POOL IN THIS CONDITION  
ENDANGERS THE HEALTH, SAFETY AND WELFARE OF THE  
COMMUNITY.

Officer Thime presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

**Case: CE10080089**

2229 Southwest 5 Place  
Galindo, Denys &  
Galindo, Belinda

Service was via posting on the property on 8/16/10 and at City Hall on 9/2/10.

Stephanie Bass, Code Enforcement Officer, testified to the following violation:  
18-12(a)

NUISANCE - THERE IS OVERGROWN GRASS AND WEEDS ON  
THE PROPERTY AND SWALE. ADDITIONALLY, THERE IS  
MISCELLANEOUS RUBBISH, TRASH, AND DEBRIS STORED ON  
THE REAR/SIDE YARD.

Officer Bass presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day. Officer Bass said the owner had phoned Officer Davis the previous day to report the property was complied; she had reinspected the property and found it was not complied.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day, per violation would begin to accrue.

**Case: CE09100440**

2100 S Ocean Lane # 1703  
Bernard Family Limited Partnership

Certified mail sent to the owner was accepted on 8/31/10. Service was also via posting at City Hall on 9/2/10.

Frank Arrigoni, Building Inspector, testified to the following violation:  
FBC(2007) 105.10.3.1

PERMIT 07070104 WAS ISSUE FOR INTERIOR REMODEL.  
THE PERMIT HAS EXPIRED W/O PASSING ALL REQUIRED  
INSPECTIONS.

Inspector Arrigoni recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

**Case: CE09081571**

1026 Northwest 9 Avenue  
Marcelin, Harry

Service was via posting on the property on 8/30/10 and at City Hall on 9/2/10.

Frank Arrigoni, Building Inspector, testified to the following violation:  
FBC(2007) 105.10.3.1

PERMIT 08031290 WAS ISSUED FOR PATCHING &  
RESTRIPING PARKING LOT.  
PERMIT 99071874 WAS ISSUED FOR INTERIOR RENOVATIONS.  
THE PERMITS HAVE EXPIRED W/O PASSING ALL THE  
REQUIRED INSPECTIONS.

Inspector Arrigoni recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

**Case: CE09102110**

3015 North Ocean Boulevard # 8E  
Bosworth, Carolyn

Service was via posting on the property on 8/30/10 and at City Hall on 9/2/10.

Frank Arrigoni, Building Inspector, testified to the following violation:  
FBC(2007) 105.10.3.1

PERMIT 07022066 WAS ISSUED FOR WINDOW/DOOR  
INSTALATION.  
THE PERMIT HAS EXPIRED W/O PASSING ALL REQUIRED  
INSPECTIONS.

Inspector Arrigoni recommended ordering compliance within 28 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 28 days or a fine of \$25 per day would begin to accrue.

**Case: CE10072004**

1624 Southwest 28 Way  
MTG Finance LLC

Certified mail sent to the owner was accepted on 9/1/10. Service was also via posting at City Hall on 9/2/10.

Alejandro DelRio, Code Enforcement Officer, testified to the following violation:  
18-11(b)

THE POOL AT THIS LOCATION IS FILLED WITH GREEN, STAGNANT WATER. THE POOL IN THIS CONDITION IS A BREEDING PLACE FOR MOSQUITOES AND ENDANGERS THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY.

Officer DelRio presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

**Case: CE10071174**

3421 Southwest 14 Street  
Juarez, Isaias & Isabel

Service was via posting on the property on 8/30/10 and at City Hall on 9/2/10.

Alejandro DelRio, Code Enforcement Officer, testified to the following violation:  
18-11(b)

THE POOL ON THIS VACANT PROPERTY HAS GREEN STAGNANT WATER, WHICH IS, OR MAY REASONABLY BECOME INFESTED WITH MOSQUITOS AND IS ENDANGERING THE PUBLIC HEALTH, SAFETY AND WELFARE.

Officer DelRio presented photos of the property and the case file into evidence, and recommended ordering compliance within 10 days or a fine of \$100 per day.

Ms. Tell found in favor of the City and ordered compliance within 10 days or a fine of \$100 per day would begin to accrue.

**Case: CE10071214**

3421 Southwest 14 Street  
Juarez, Isaias & Isabel

Certified mail sent to the owner was accepted on 9/1/10. Service was also via posting at City Hall on 9/2/10.

Alejandro DelRio, Code Enforcement Officer, testified to the following violation:  
47-19.5.E.7.

THE WOOD FENCE ON THE WEST SIDE OF THE PROPERTY IS  
IN DISREPAIR.

Officer DelRio presented photos of the property and the case file into evidence, and recommended ordering compliance within 14 days or a fine of \$25 per day.

Ms. Tell found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day would begin to accrue.

The following six cases at the same address were heard together:

**Case: CE10080678**

1320 S Miami Rd # 01  
Cooper, Jeffrey T

Certified mail sent to the owner was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

**Case: CE10080724**

1320 S Miami Rd # 05  
Federal National Mrtg Assn

Certified mail sent to the owner was accepted on 9/2/10.

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

**Case: CE10080725**

1320 S Miami Rd # 06  
Buttrose, Kari Buttrose, Paul

Certified mail sent to the owner was accepted [no date].

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

NFPA 101:7.9.2.1

THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

**Case: CE10080729**

1320 S Miami Rd # 09  
Kinsella-Paul, Kathryn & Paul, Adam

Certified mail sent to the owner was accepted on 9/13/10.

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1  
HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.  
NFPA 101:7.9.2.1  
THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

**Case: CE10080733**

1320 S Miami Rd # 12  
Morr, Stephanie A

Certified mail sent to the owner was accepted [no date].

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1  
HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.  
NFPA 101:7.9.2.1  
THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

**Case: CE10080734**

1320 S Miami Rd # 14  
Verdad Property Management LLC

Certified mail sent to the owner was accepted on 8/31/10 and certified mail sent to the registered agent was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1  
HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.  
NFPA 101:7.9.2.1  
THE EMERGENCY LIGHT DOES NOT ILLUMINATE AS DESIGNED.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 63 days or a fine of \$250 per day and with NFPA 101:7.9.2.1 within 63 days or a fine of \$150 per day.

**Case: CE10080737**

2020 S Miami Rd  
Miami Road Partners LLC

Certified mail sent to the registered agent was accepted [no date].

Ron Tetreault, Fire Inspector, testified to the following violations:

NFPA 101:31.3.4.5.1  
HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN  
ACCORDANCE WITH NFPA 31.3.4.5.1.  
NFPA 1:13.6.1.2  
FIRE EXTINGUISHER(S) IS/ARE NOT PROVIDED IN ACCORDANCE WITH  
THE CODE.  
MO SEC. 9-313.  
ADDRESS IS NOT POSTED ACCORDING TO THE CODE.

Inspector Tetreault recommended ordering compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, with NFPA 1:13.6.1.2 within 35 days or a fine of \$150 per day and with MO SEC. 9-313. within 35 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance with NFPA 101:31.3.4.5.1 within 35 days or a fine of \$250 per day, with NFPA 1:13.6.1.2 within 35 days or a fine of \$150 per day and with MO SEC. 9-313. within 35 days or a fine of \$150 per day.

**Case: CE10080847**

701 Southeast 22 Street  
Zullo, Ciriaco John

Certified mail sent to the owner was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

COMPLIED:

NFPA 1:13.6.6.8.3.1

Inspector Tetreault recommended ordering compliance within 63 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 63 days or a fine of \$250 per day would begin to accrue.

**Case: CE10080855**

2989 W Commercial Blvd  
NP Shopping Center Property LLC

Certified mail sent to the owner was accepted on 8/31/10 and certified mail sent to the registered agent was accepted on 9/1/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:7.2.1.4.2

THE EXIT DOORS DO NOT SWING IN THE DIRECTION OF EGRESS.

Inspector Tetreault recommended ordering compliance within 91 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance within 91 days or a fine of \$150 per day would begin to accrue.

**Case: CE10080857**

908 Northeast 17 Terrace  
Barton, Daniel W  
% Homefinders/Pro Prop Mgmt

Certified mail sent to the owner was accepted on 9/2/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

**Case: CE10080859**

918 Northeast 17 Avenue  
2006 Development LLC

Certified mail sent to the owner was accepted on 8/31/10 and certified mail sent to the registered agent was accepted [no date].

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

**Case: CE10081389**

615 Southeast 16 Street  
Braccili, Rudolph R

Certified mail sent to the owner was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE

WITH NFPA 31.3.4.5.1.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

**Case: CE10081391**

617 Southeast 16 Street  
Braccili, Rudolph R Jr

Certified mail sent to the owner was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

**Case: CE10081394**

712 Southeast 16 Street  
Kauffman, Denise Lynn &  
Kauffman, Porter West II

Certified mail sent to the owner was accepted on 9/3/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 101:31.3.4.5.1

HARDWIRED SMOKE DETECTORS ARE NOT INSTALLED IN ACCORDANCE  
WITH NFPA 31.3.4.5.1.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$250 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$250 per day would begin to accrue.

**Case: CE10081398**

2320 Marina Bay Drive E  
Falls At Marina Bay LP

Certified mail sent to the owner was accepted on 8/31/10 and certified mail sent to the registered agent was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 1:10.11.7

A(AN) HIBACHI, GAS-FIRED GRILL, CHARCOAL GRILL, OR OTHER SIMILAR DEVICE(S) USED FOR COOKING, HEATING, OR ANY OTHER PURPOSE, IS(ARE) BEING USED OR KINDLED ON A BALCONY OR UNDER AN OVERHANGING PORTION OR WITHIN 10 FT(3M) OF A STRUCTURE.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$150 per day would begin to accrue.

**Case: CE10081399**

2321 Marina Bay Drive W  
Falls At Marina Bay LP

Certified mail sent to the owner was accepted on 8/31/10 and certified mail sent to the registered agent was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 1:10.11.7

A(AN) HIBACHI, GAS-FIRED GRILL, CHARCOAL GRILL, OR OTHER SIMILAR DEVICE(S) USED FOR COOKING, HEATING, OR ANY OTHER PURPOSE, IS(ARE) BEING USED OR KINDLED ON A BALCONY OR UNDER AN OVERHANGING PORTION OR WITHIN 10 FT(3M) OF A STRUCTURE.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$150 per day would begin to accrue.

**Case: CE10081403**

2410 Marina Bay Drive E  
Falls At Marina Bay LP

Certified mail sent to the owner was accepted on 8/31/10 and certified mail sent to the registered agent was accepted on 8/31/10.

Ron Tetreault, Fire Inspector, testified to the following violation:

NFPA 1:10.11.7

A(AN) HIBACHI, GAS-FIRED GRILL, CHARCOAL GRILL, OR OTHER  
SIMILAR DEVICE(S) USED FOR COOKING, HEATING, OR ANY OTHER  
PURPOSE, IS(ARE) BEING USED OR KINDLED ON A BALCONY OR UNDER  
AN OVERHANGING PORTION OR WITHIN 10 FT(3M) OF A STRUCTURE.

Inspector Tetreault recommended ordering compliance within 35 days or a fine of \$150 per day.

Ms. Tell found in favor of the City and ordered compliance within 35 days or a fine of \$150 per day would begin to accrue.

**Case: CT10070900**

1800 S Miami Rd  
C O Group Inc

Certified mail sent to the owner was accepted on 8/31/10. Service was also via posting at City Hall on 9/2/10.

Ursula Thime, Code Enforcement Officer, testified to the following violation:

9-306-

THERE IS GRAFFITI IN VARIOUS LOCATIONS THROUGHOUT  
THIS VACANT BOARDED PROPERTY.

Pursuant to Section 11-19, a Citation Violation Notice dated 7/26/10 had informed the owner that he must comply the violation(s), request an administrative hearing to appeal the citation and/or pay a civil penalty. The property was not complied and the owner had not requested an administrative hearing to appeal the citation or paid the civil penalty. Officer Thime presented a copy of the affidavit of non-compliance, photos of the property and the case file into evidence, requested a finding of fact and recommended ordering compliance within 14 days or a fine of \$25 per day would begin to accrue.

Ms. tell found in favor of the City and ordered compliance within 14 days or a fine of \$25 per day would begin to accrue.

**Case: CE08120594**

2161 Southwest 35 Avenue  
Campbell, Patrice

This was a requested to vacate the Orders dated 3/5/09 and 4/29/10.

Ms Tell vacated the Orders dated 3/5/09 and 4/29/10.

**Case: CE10060005**

2820 Northeast 52 Street  
Tsakanikas, George Kenny  
& Tsakanikas, Andrea N

This case was first heard on 7/15/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was complied and the City was requesting imposition of a \$2,500 fine.

Ms. Tell imposed the \$2,500 fine.

**Case: CE10011588**

2124 Northwest 4 Street  
Moorish Science Temple Divine  
& Natl Movement Of N Am

This case was first heard on 6/17/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,400 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$5,400 fine, which would continue to accrue until the property complied.

**Case: CE10050852**

203 Northwest 11 Avenue  
U S Bank NA Trstee

This case was first heard on 7/15/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$5,400 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$5,400 fine, which would continue to accrue until the property complied.

**Case: CE10061229**

203 Northwest 11 Avenue  
U S Bank NA Trstee

This case was first heard on 8/5/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$2,700 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$2,700 fine, which would continue to accrue until the property complied.

**Case: CE10060603**

1335 Seminole Drive  
Triple P Real Estate Inc

This case was first heard on 8/5/10 to comply by 8/15/10. Violations were as noted in the agenda. The property was not complied and the City was requesting imposition of a \$3,100 fine, which would continue to accrue until the property complied.

Ms. Tell imposed the \$3,100 fine, which would continue to accrue until the property complied.

**Case: CE10060857**

708 Southwest 14 Avenue  
Ruzo, Gonzalo

This case was first heard on 8/5/10 to comply by 8/19/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$675 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

**Case: CE10061991**

5741 Bayview Drive  
Passos, Isabela Cristina

This case was first heard on 8/5/10 to comply by 8/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,100 and the City was requesting no fine be imposed.

Ms. Tell imposed no fine.

**Case: CE10062203**

2319 Northeast 35 Drive  
Tylinski, Alba G

This case was first heard on 8/5/10 to comply by 8/15/10. Violations were as noted in the agenda. The property was complied, fines had accrued to \$1,000 and the City was requesting imposition of a \$488 fine.

Ms. Tell imposed a \$488 fine.

**Cases Complied**

Mr. McKelligett announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE10070629	CE10061870	CE10071969	CE10070753
CE10071899	CE10071551	CE10071215	CE10062169
CE10062386	CE10061488	CE10080045	CE10080179
CE09092323	CE09101689	CE09111100	CE09120384
CE10071080	CE10071212	CE10071548	CE10071550
CE10071638	CE10070327	CE10080675	CE10080853
CE10080843	CE10080846	CE10081390	CE10081392
CE10081397	CE10081401	CE10081404	CT10062552

**Cases Pending Service**

Mr. McKelligett announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE10071185	CE10062213	CE10080720	CE10080722
CE10080723	CE10080726	CE10080727	CE10080730
CE10080732	CE10080736	CE10080841	CE10080851
CE10080856			

**Cases Withdrawn**

Mr. McKelligett announced that the below listed cases had been withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE10071695	CE10051275	CE10071091	CE10080674
CE10080676	CE10081395	CT10040148	

There being no further business, the hearing was adjourned at **11:10 a.m.**

  
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SPECIAL MAGISTRATE

ATTEST:

  
Clerk, Special Magistrate

Minutes prepared by: J. Opperlee, Prototype Services