

CITY OF DAYTONA BEACH MINUTES

SPECIAL MAGISTRATE HEARING

February 14, 2012 at 9:00 AM
City Commission Chambers
301 South Ridgewood Avenue,
Daytona Beach, Florida

ATTENDEES:

Mr. David Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney
Mr. Hector Garcia, Code Compliance Manager
Ofc. Sherri Siracusa
Ms. Barbara Collins, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Mr. Daniel Garcia, Code Inspector
Ms. Vicki Lankford, Code Inspector
Mr. John Stenson, Code Inspector
Mr. Denzil Sykes, Code Inspector
Ms. Colleen Miles, Zoning Officer
Ms. Aimee Hampton, Board Secretary

Approval of Minutes by: _____

Special Magistrate

Mr. Vukelja called the Hearing to order at 9:12 a.m.

Mr. Vukelja approved the January 10, 2012 Meeting Minutes.

Ms. Hampton swore in members of staff.

Mr. Vukelja asked if there were any announcements.

Mr. Jackson announced the following cases were in compliance:

CASE NO 14 SMG 01-12-12 – William D. Carson, Sr. is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 7.3, at **209 Pierce Avenue** - Violation(s) – Outside storage – First Notified – 10/31/2011.

Compliance 2/9/2012

CASE NO 5 SMG 12-11-126 – Robert James Spano Life Estate is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.2, 304.6, 304.7), at **117 S. Halifax Avenue** - Violation(s) – Failure to replace all rotten wood; Failure to paint the exterior walls, fascia, soffits, window frames, steps and bare wood; Failure to repair roof; Failure to replace missing fence slates and make upright - First Notified – 6/16/2011.

Compliance 2/13/2012

Mr. Jackson asked if we could post-pone the lien review as the Respondent was not present and possibly they were running late.

CASE 1 NO SMG 12-09-86 – 400 Beach Street Acquisitions, LLC is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (ref. FBC Supp IMPC 301.2, 302.4, 304.2, 304.6, 304.7, 304.9, 304.13, 305.3, and 605.1), at **300 N. Beach Street** - Violation(s) – Owner responsible to maintain structures and exterior of property in compliance with IPMC requirements; weeds; protective treatment; exterior walls; roofs and drainage; overhang extensions; window, light and door frames; interior surfaces; electrical equipment and wiring shall be properly installed and maintained - First Notified – 9/14/2009.

Mr. Fitzgerald testified on behalf of the City and deferred to Mr. Stowers to present progress.

Attorney James Stowers from Cobb & Cole came forward and provided a progress report to date.

Mr. Rick Hagberg came forward and was sworn. Mr. Hagberg explained the asbestos abatement process.

Mr. Stowers stated they believed they were not going to meet the current compliance date in March however they believed they could begin demolition but did not think that may be in the best interest of the City since it would be during Bike Week and might be a disruption and eyesore in that area during Bike Week.

Ruling

Mr. Vukelja amended the previous order of non-compliance to allow the Respondents until May 2, 2012 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and further ordered the property be secured to City Standards.

CASE NO 2 SMG 07-11-80 – Walter W. White, III; Robert H. White and Frederic C. White is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (ref. FBC Supp IPMC 304.2, 304.7 and 304.14), at **37 S. Wild Olive Avenue** - Violation(s) – Presence of mold, mildew and peeling paint; deteriorated and rotted exterior wood; damaged, rusted, deteriorated gutters and downspouts - First Notified – 4/27/2011.

COMPLIANCE 2/7/2012

CASE NO 3 SMG 12-11-122 – GEA Seaside Investments, Inc. is cited for failure to correct violations of the Land Development Code, Art. 8 Sec. 2.7(a); Art. 1 Sec. 4.3 (c); City Ordinance 90-297, at **508 Eastwood Lane** - Violation(s) – Parking in yard; Dorm living; No occupational license for rental First Notified – 6/15/2011.

Attorney James Stowers appeared on behalf of the Respondents. Mr. Stowers stated his understanding of the violations were parking in the yard, dorm living and occupational license. Mr. Stowers further advised he believed the only outstanding violation remained the parking in the yard. Mr. Stowers stated it was discussed that the owners would be contacting the City in attempting to extend the driveway or paving over the entire front yard is not an option. Mr. Stowers stated if the Respondent was fined on a daily basis there may be a time when they are parking in the yard and when they leave they are not parking in the yard. Mr. Stowers stated he would recommend \$100 fine per incident with the understanding of the will fine order for any future violations.

Mr. Sykes testified on behalf of the City and advised the parking in the grass was on-going and recommended imposing a fine of \$250.00 per day and said there is a two car garage and a double wide parking space available.

Mr. Vukelja stated he was concerned about a daily fine for the parking in yard without having pictures that show there is parking occurring there every day.

Mr. Jackson advised it was the City's opinion that these violations are not intermittent as they occur each time someone is home and unless it is a disabled vehicle then vehicles would come and go and the City is stating that it is the individuals who are residing there are utilizing the yard for parking as a daily practice.

Ruling

Mr. Vukelja imposed a fine of \$500.00 based on two confirmed violations and for any future repeat violations be returned to a subsequent meeting for consideration of a fine up to \$5,000.00 per occurrence. The Special Magistrate added that should there be a finding of any future violations the fines would start at \$250.00 per violations and get progressively worse.

CASE NO 4 SMG 12-11-125 – Roy & Janet P. Lesage is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (ref. FBC Supp IPMC 304.2), at **116 S. Grandview Avenue** - Violation(s) – Failure to scrape, prime and repaint all areas where paint is peeling or flaking in color to match existing. Failure to paint all bare wood in color to match - First Notified – 5/12/2011.

Ms. Collins testified on behalf of the City and presented the case history, violations and exhibits. Ms. Collins stated that good progress has been made and requested to amend the compliance date until the next cut-off.

Respondent was not present.

Ruling

Mr. Vukelja amended the previous order of non-compliance to allow the Respondent until March 7, 2012 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 6 SMG 01-12-01 – Julius Horvath is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 7.3, 7.3.1 & City Ordinance 90-297, at **1014 Berkshire Road** - Violation(s) – Outside material storage; no occupational license for rental property - First Notified – 10/26/2011.

Ms. Lankford testified on behalf of the City and presented the case history, violations and exhibits. Ms. Lankford stated the property was in non-compliance and recommended a fine of \$500 per day plus the one-time administrative \$250.00 for failure to obtain an occupational license for rental.

Ruling

Mr. Vukelja imposed a fine of \$250.00 per day effective February 8, 2012 to continue until compliance is achieved or reached the maximum amount of \$15,000.00 plus a one-time administrative fine of \$250.00 for failure to obtain an occupational license for the rental property. Mr. Vukelja further ordered that once the property is brought into compliance, for any future repeat violation the Respondent be returned to a subsequent meeting for consideration of a fine up to \$5,000 per occurrence.

CASE NO 7 SMG 01-12-03 – Gilbert Myara is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 7.3; Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 302.7, 304.13, 304.14, 304.2, 305.4), at **127 N. Hollywood Avenue** - Violation(s) – Site appearance standards: Accessory structures (i.e. fences, walls, garages) not maintained structurally sound or in good repair; Windows, doors, and frames not in good repair or sound condition; Missing or torn insect screens; Exterior surfaces not maintained in good condition, peeling paint, dirt/grime - First Notified – 8/5/2011.

COMPLIANCE 2/7/2012

CASE NO 8 SMG 01-12-06 – George T. Caffery & Joseph Weiberth is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.2), at **312 N. Hollywood Avenue** - Violation(s) – Rotted/deteriorated wood, peeling paint - First Notified – 9/12/2011.

COMPLIANCE 2/2/2012

CASE NO 9 SMG 10-11-110 – Daniel W. Chambers is cited for failure to correct violations of City Ordinance 90-297(a), at **536 Ruth Street** - Violation(s) – No occupational license for rental - First Notified – 7/19/2011.

COMPLIANCE 2/1/2012

CASE NO 10 SMG 01-12-07 – Edmonson Asgil is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 7; Art. 19 Sec.1.1 (Ref. FBC 105.1 Supp IPMC 504.3, 304.14, 704.2, 304.13), at **527 Fulton Street** - Violation(s) – Appearance standards; plumbing system hazard; screens; smoke detectors; exterior doors; working without permits - First Notified – 10/7/2011.

COMPLIANCE 2/1/2012

CASE NO 11 SMG 01-12-08 – George Stafford, II & Marjorie Stafford is cited for failure to correct violations of the Land Development Code, Art. 8 Sec. 2.7; Art. 19 Sec.1.1 (Ref. FBC Supp. IPMC 302.8), at **537 Heineman Street** - Violation(s) – Junk vehicle; parking in the yard - First Notified – 11/9/2011.

Respondent was not present.

Mr. Stenson testified on behalf of the City and presented the case history, violations and exhibits. Mr. Stenson advised the property was still in non-compliance and recommended imposing a fine of \$50.00 per day with a maximum of \$10,000.

Ruling

Mr. Vukelja imposed a fine of \$50.00 per day effective February 8, 2012 to continue until compliance is achieved or reached the maximum amount of \$10,000.00.

CASE NO 12 SMG 01-12-09 – David Walker is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (Ref. FBC 105.1), Supplemented Violations Art. 8 Sec. 7.3; Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 302.7, 304.7, 304.13, 304.15, 504.3, 504.1, 604.3, 605.1, 304.2, 304.4, 304.6, and 305.3), at **147 Kingston Avenue** - Violation(s) – Expired permits; outside storage; accessory structure (fencing), roof, windows, exterior doors, plumbing system hazards, plumbing fixture, electrical system hazard, electrical wiring, exterior paint (protective treatment), structural members, exterior walls, interior surfaces. First Notified – 5/2/2011.

Mr. David Walker came forward and was sworn. Mr. Walker contested the violations.

Mr. Stenson testified on behalf of the City and presented the case history, violations and exhibits. Mr. Stenson further advised this case has been on-going for three years and Mr. Walker was provided with a supplemental list of outstanding violations.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent to come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved. It was further ordered the Respondent have pulled the permits by March 13, 2012 or be returned for consideration of a fine up to \$1,000 per day and a Progress Report be heard at the March 13, 2012 meeting.

CASE NO 13 SMG 01-12-11 – Theresa M. Arias is cited for failure to correct violations of the Land Development Code, Art. 17 Sec. 7.3; Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 302.7 and 304.7), at **427 McGee Street** - Violation(s) – Outside storage; dilapidated fencing; dilapidated roof - First Notified – 10/20/2011.

Mr. Stenson testified on behalf of the City and presented the case history, violations and exhibits. Mr. Stenson stated the property was still in non-compliance and recommended imposing a fine of \$100 per day with a maximum of \$10,000.

Respondent was not present.

Ruling

Mr. Vukelja imposed a fine of \$100.00 per day effective February 8, 2012 to continue until compliance is achieved or reached the maximum amount of \$10,000.00.

CASE NO 15 SMG 01-12-14 – James S. Singleton, III is cited for failure to correct violations of City Ordinance 90-297, at **547 N. Ridgewood Avenue** - Violation(s) – No rental license - First Notified – Posted 10/24/2011.

Mr. Stenson testified on behalf of the City and presented the case history, violations and exhibits. Mr. Stenson stated the Respondent has scheduled an inspection but it was cancelled for non-appearance. Mr. Stenson stated he has not had any further contact from the owner. Mr. Stenson recommended imposing the one-time administrative fine of \$250.00.

Respondent was not present.

Ruling

Mr. Vukelja imposed a one-time fine of \$250.00 effective February 8, 2012 for failure to obtain an occupational license.

CASE NO 17 SMG 02-12-15 – Paul & Daniela Gavril is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 4; Art. 18 Sec. 7; Art. 19 Sec. 1.1. (ref. FBC Supp IPMC 302.7, 304.2, 304.14, 304.8); Violations listed per Building Inspector's Report Attached to the Notice of Violation as Exhibit "A", at **110 Botefuhr Avenue (Northern Blue Buildings)** - Violation(s) – Commercial appearance standards; outside storage; fencing/walls; protective treatment (exterior paint); screens; decorative features (shutters) - First Notified – 10/7/2011.

Ms. Daniela Gavril came forward and was sworn. Ms. Gavril stated she was unaware of the violations and she had purchased the building in that condition. Ms. Gavril stipulated to the violations.

Mr. Stenson testified on behalf of the City and provided the case history, violations and exhibits. Mr. Stenson stated the violations consisted of outside storage, peeling paint and screens. Mr. Stenson recommended the April cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by April 4, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved.

CASE NO 18 SMG 02-12-16 – Judith Antrum is cited for failure to correct violations of the Land Development Code, Art. 8 Sec. 4; Art. 19 Sec.1.1 (ref. FBC Supp IPMC 304.2, 304.14 and 304.8), at **110 Botefuhr Avenue (Southern Tan Buildings)** - Violation(s) – Commercial appearance standards; paint; screens; decorative features (shutters) - First Notified – 10/7/2011.

Ms. Judith Antrum came forward and was sworn. Ms. Antrum stipulated to the violations.

Mr. Raymond Benevento came forward and was sworn.

Mr. Stenson testified on behalf of the City and provided the case history, violations and exhibits. Mr. Stenson stated the violations consisted of peeling paint and screens and shutters. Mr. Stenson recommended the April cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by April 4, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved.

Lien Review 1

SMG 01-08-12 – 817 Lewis Drive – Bryant & Geraldine Bumanlag – (Requestor – Bank of America): was cited for failure to correct violations of the Land Development Code Art. 8 Sec. 2.7 and Ch. 90-297 Code of Ordinances: Parking in the yard; Failure to obtain a rental occupational license. Order Imposing Fine/Lien of \$50.00 per day plus one-time \$250.00 imposed 2/6/2008. Compliance date April 28, 2010 = 812 days @ \$50.00 per day = \$40,600.00 plus one-time \$250.00 = \$40,850.00. Lien maximized at \$15,250.00 per Resolution 10-204.

Mr. Sean Post from Remax Realty came forward and was sworn. Mr. Post stated the lien was encumbering a property in Orange City that they were trying to obtain a partial release of lien. Mr. Post suggested a partial release for \$500.00.

Mr. Hector Garcia appeared on behalf of staff and recommended \$2500 for a partial release of lien.

Ruling

Mr. Vukelja ordered the partial release be issued for the amount of \$500.00 payable within thirty (30) days or the lien reverts back to the original amount.

Mr. Vukelja called a ten minute recess at 10:55 a.m.

The meeting resumed at 11:05 a.m.

CASE NO 16 SMG 10-11-108 – ADJ & SRJ Investments, Inc. is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (ref. FBC Supp IPMC 303.2, 304.13, 304.6.), at **215 Kingston Avenue** - Violation(s) – Windows/doors; Peeling Paint; Exterior surfaces - First Notified – 7/26/2011 (posted 2nd time)

Mr. Ali Darren Jafroodi, Mr. Jerry Gurley and Mr. Brian Bowers came forward and were sworn.

Mr. Stenson testified on behalf of the City and presented the case information, exhibits and violations. Mr. Stenson recommended the case be continued until next month as there were more cases for the same address that would be coming forward.

Mr. Jafroodi stated he had submitted plans to reduce the units and was making good progress until vandalism occurred.

Mr. Jafroodi did not object to a continuance.

Ruling

Mr. Vukelja continued the case until the March 13, 2012 Meeting.

CASE NO 19 SMG 02-12-17 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC 105.1), at **10 Alison Lane (Trailer # 117 Madison Avenue Side)** - Violation(s) – No demolition permit - First Notified – 1/4/2012.

Mr. Jafroodi who was previously sworn for the case prior stipulate the violations but was claiming he believed there was a due process issue because he wasn't sure about the new notices of violation he was given.

Mr. Stenson testified on behalf of the City and stated the violations were for failure to obtain a demolition permit. Mr. Stenson also advised the new notices of violation were not different than the first notices Mr. Jafroodi received they just had the Notice of Hearing attached. Mr. Stenson recommended the next cut-off date to obtain the permit.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by March 7, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 20 SMG 02-12-18 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1) further reference Ch. 22-28 Code of Ordinances; See Attached Fire Inspector's Violations as Exhibit "1"; See Atta, at **10 Alison Lane (Trailer # 137)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms; Unsafe Structure - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn for the case prior stipulated the violations and agreed to not rent that trailer because it was unfit. Mr. Jafroodi requested 90 days to bring the property into compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance. Mr. Stenson stated the unit should not be occupied.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by March 7, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. It was further ordered the property not be rented, utilized or otherwise occupied until compliance is achieved.

CASE NO 21 SMG 02-12-19 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 4; Art. 18 Sec. 7.3; Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 604.3 and 302.7 IPMC); Art. 19. Sec. 1.1 (ref. FBC 105.1); Art. 19 Sec. 1.1 (ref. FBC Supp NFPA 1, 13.6.6.8.3); City Ordinance 90-297, at **10 Alison Lane - Common Areas** - Violation(s) – Commercial appearance standards; outside storage; property landscaping and maintenance; electrical system hazards; accessory structure (all fencing); working without permits; fire extinguishers; no occupational license - First Notified – 12/16/2011.

Mr. Jafroodi was previously sworn and stated the fence was not owned by him and that he requested 90 days to come into compliance.

Mr. Brian Bowers who was previously sworn stated.

Mr. Stenson testified on behalf of the City and stated the violations were for the commons areas of the trailer park and recommended the next cut-off for compliance.

Mr. David Newell, Fire EMS Specialist stated that in his experience FPL will immediately come and cover the open power boxes.

Mr. Jerry Gurley who was previously sworn stated the power was clipped from that power box.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 22 SMG 02-12-20 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **105 Alison Lane** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn for the case prior stipulated the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and stated the smoke alarms needed to be corrected immediately because they were life safety.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved. It was further ordered that the Respondent be in compliance with the smoke detectors by March 7, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 23 SMG 02-12-21 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **110 Peyton Lane** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and agreed with the March cut-off for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by March 7, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 24 SMG 02-12-22 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 111)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 25 SMG 02-12-23 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 113)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and agreed with the March cut-off for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by March 7, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 26 SMG 02-12-24 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 111 - Madison Avenue Side)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and agreed with the March cut-off for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by March 7, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 27 SMG 02-12-25 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 121 - Madison Avenue Side)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 28 SMG 02-12-26 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 123 - Madison Avenue Side)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 29 SMG 02-12-27 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 125)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 30 SMG 02-12-28 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 102)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces;

interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 31 SMG 02-12-29 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 129)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 32 SMG 02-12-30 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 103)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 33 SMG 02-12-31 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 125 - rear)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

David Newell, Fire EMS Specialist stated that smoke alarms needed to be installed into the Trailer.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. It was further ordered the Respondent have smoke detectors installed by February 21, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved.

CASE NO 34 SMG 02-12-32 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 127 - rear)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 35 SMG 02-12-33 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 129 - rear)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 36 SMG 02-12-34 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 131 - rear)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 37 SMG 02-12-35 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 133 - rear)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 38 SMG 02-12-36 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 135 - west end of park)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. It was further ordered this property not be rented, occupied or otherwise utilized until compliance is achieved.

CASE NO 39 SMG 02-12-37 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 115 - rear south)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 40 SMG 02-12-38 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 117-rear south side of property)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 41 SMG 02-12-39 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **10 Alison Lane (Trailer # 101-south east corner of property)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE NO 42 SMG 02-12-40 – Ali Darren Jafroodi is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.6, 304.9, 304.10, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 504.1, 504.3, 604.3, 605.1 and 704.1); See Attached Fire Inspector's Violations as Exhibit "1"; See Attached Building Inspector's Violations as Exhibit, at **127 Madison Avenue (Trailer # 127)** - Violation(s) – Exterior walls; metal awnings; stairs; windows; screens; exterior doors; interior surfaces; interior doors; infestation; plumbing fixtures; plumbing system hazard; electrical system hazard; electrical equipment; wiring; smoke alarms. - First Notified – 12/16/2011.

Mr. Jafroodi who was previously sworn stipulated to the violations and requested 90 days for compliance.

Mr. Stenson testified on behalf of the City and recommended the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by May 2, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

Mr. Jackson requested the Magistrate to Order that the Respondent shall not rent to any other individuals or re-rent trailers that have code violations to individuals once tenants have vacated until compliance.

Ms. Hallisky from Community Legal Services, testified that currently there were tenants who were withholding rent because of the conditions of the trailers.

Mr. Vukelja denied the City's request.

Miscellaneous Business

There was no miscellaneous business.

ADJOURNMENT

The meeting was adjourned at 12:50 p.m.