

CITY OF DAYTONA BEACH MINUTES

SPECIAL MAGISTRATE HEARING

May 8, 2012 at 9:00 AM
City Commission Chambers
301 South Ridgewood Avenue,
Daytona Beach, Florida

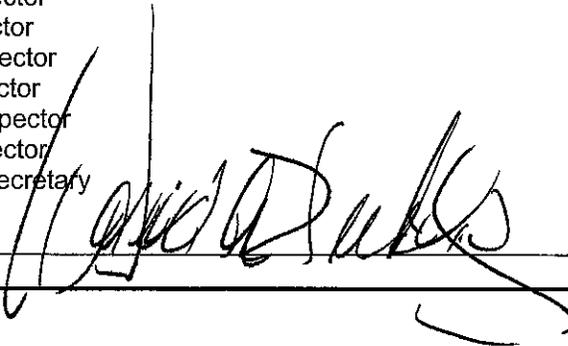
ATTENDEES:

Mr. David Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney
Mr. Hector Garcia, Code Compliance Manager
Ofc. Sherri Siracusa
Mr. Tom Clig, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Eddie Lopez, Code Inspector
Ms. Vicki Lankford, Code Inspector
Mr. David Newell, Code Inspector
Ms. Barbara Collins, Code Inspector
Mr. John Stenson, Code Inspector
Ms. Aimee Hampton, Board Secretary

Approval of Minutes by: _____

 Special Magistrate

Mr. Vukelja called the Hearing to order at 9:05 a.m.

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

Ms. Hampton swore in members of staff.

Mr. Vukelja asked if there were any announcements.

Ms. Hampton announced the following case in compliance:

CASE NO 2 SMG 01-12-13 – Stamenko & Dusanka Angelov is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp. IPMC 302.4, 302.7, 304.2, 304.6, 304.10, 304.13, and 304.15), at **503 N. Ridgewood Avenue** - Violation(s) – Weeds; fencing; paint; exterior surfaces; stairs; windows; exterior doors - First Notified – 9/10/2011.

Respondent was in compliance May 7, 2012.

CASE NO 1 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.

Attorney James Stowers appeared on behalf of the Respondent and advised the buildings were demolished.

Mr. Fitzgerald announced the case was in compliance as of May 8, 2012.

CASE NO 26 SMG 05-12-46 – MG Beach Street Investments, Co, Blackwell Group, LLC, d/b/a Sick Boys Lounge, a/k/a Bad Habitz Lounge; St. George of Beach Street, LLC. is cited for failure to correct violations of the Land Development Code, Art. 18 Sec. 6.6 and 6.6 (a), at **200 S. Beach Street** - Violation(s) – **illegal signs** - First Notified – Will Fine entered 3-8-2012.

Mr. Darren Neely appeared on behalf of the owner, MG Beach Street Investments, Co. and was sworn. Mr. Neely stated he was not stipulating to non-compliance.

Mr. Garcia testified on behalf of the City and presented the case history, exhibits and violations. Mr. Garcia stated he was asking for \$250.00 per sign for a total of \$9,250 for the repeat violations.

Mr. Vukelja asked Mr. Garcia about pictures of the signs.

Mr. Neely contested the pictures and stated those were the same signs for when they were cited in the Will Fine Order case and they had not put up any signs since. Mr. Neely also stated the owner was in the process of evicting the tenants.

Mr. Garcia stated those were not the same signs as the previous signs were posted on poles and these were posted in the windows. Mr. Garcia stated the code says no more than 25% of the window may be covered.

Mr. Jackson stated the will fine was a violation of the same LDC Article 18 Section 6.6.

Mr. Vukelja reviewed the LDC Article 18 Section 6.6.

Ruling

Mr. Vukelja advised that since the will find order previously entered was too specific, he denied imposing a fine but further ordered that any future repeat violation of LDC Art. 18 Sec. 6.6. the Respondent be returned to a subsequent meeting for consideration of a fine up to \$5,000 per occurrence.

CASE NO 27 SMG 05-12-47 – Piotr Gorodetsky is cited for failure to correct violations of the Land Development Code, Art 19. Sec. 1.1. (ref. FBC Supp IPMC 302.7, 304.13.1, 304.14, 304.15, 304.2, 304.5, 304.6, 304.7, 305.1, 305.3, 307.1, 308.4, 505.3, 505.4, 601.2, 603.1, 704.2); City Ordinance 90-297, at **215 S. Oleander Avenue** - Violation(s) – Accessory structures; glazing; insect screens; exterior doors; protective treatment; foundation walls; exterior walls; roof and drainage; interior of the structure; interior surfaces; accumulation of rubbish or garbage; multiple occupancy; water supply system; water heating facilities; mechanical appliances; smoke alarms; No occupational license for rental - First Notified – 3/6/2012.

Respondent was not present.

Mr. Lopez testified on behalf of the City and presented the case history, violations and exhibits. Mr. Lopez stated he received a letter this morning advising the property has been transferred in lieu of foreclosure.

Mr. Lopez stated the building was still occupied but he could not find a Lis Pendens recorded. Mr. Lopez recommended non-compliance and the next cut-off date for compliance.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance by June 6, 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 28 SMG 05-12-48 – Piotr Gorodetsky is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1. (ref. FBC Supp NFPA 1; 13.7.1.4.8; 11.1.5; 101; 7.2.1.5.2; 10.12.1.1; 69A-60.0081); City Ordinance 90-297, at **215 S. Oleander Avenue** - Violation(s) – Smoke detectors in apartment 1, 2 and 3 are required to be maintained and operational at all times; Remove all bars on the windows that are for the bedroom or are the primary means of egress for that room; Remove extension cord in unit 3 that is being used for permanent wiring; Install unit number for unit # 1; Remove lock on exit door that requires a key, tool or special knowledge to open/key lock on exit of Unit 2; Building appears to have structural instability in the floors of Unit 1 and 2 and ceilings of all units; mold; Any commercial, industrial or multiunit residential structure of three units or more, which uses horizontal or vertical light-frame truss-type construction in any portion shall be marked with approved symbol; Every business shall post and maintain their license upon the licensed premises in a place where it may be seen at all times. - First Notified – 3/10/2012.

Respondent was not present.

Mr. Newell appeared on behalf of the City and stated his case consisted of electrical violations, smoke detectors, and bars on windows with exits being blocked. Mr. Newell recommended 10 days to correct the life safety issues as the building was occupied.

Ruling

Mr. Vukelja found the Respondent in non-compliance and ordered the Respondent come into compliance with Life safety issues such as installation of smoke detectors, removal of bars on windows and remove of lock on exit door by May 18, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. All remaining items shall be in compliance by June 6, 2012 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved.

The remaining cases were heard simultaneously.

CASE NO 3 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 Attached Building Inspector's Violations as Exhibit "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 4 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.

CASE NO 5 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 6 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 7 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 8 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 9 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 10 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 11 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 12 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 13 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 14 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 15 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 16 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 17 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 18 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 19 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 20 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 21 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 22 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 "2"; See Attached Health Department Violations as Exhibit "3", 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.

CASE NO 23 SMG 03-12-43 – ADJ & SRJ Investments, LLC is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.13, 304.14, 304.15, 605.1, 605.2, 305.2, 308.1, 704.2, 504.1, 504.3, 304.3) & Ch. 90-297 City Code, at **215 Kingston Avenue (Green Building, Units 1-5)** - Violation(s) – Broken/inoperative windows; missing inoperative screens; dilapidated exterior doors; electrical wiring; receptacles; interior surfaces; infestation; smoke detectors; plumbing fixtures; plumbing hazard system; permises identification numbers; no occupational license - First Notified – 6/25/2010 & 7/26/2011.

CASE NO 24 SMG 03-12-44 – ADJ & SRJ Investments, LLC is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.13, 304.14, 304.15, 605.1, 605.2, 305.2, 308.1, 704.2, 504.1, 504.3, 304.3) & Ch. 90-297 City Code, at **215 Kingston Avenue (Beige Building, Units 6-10)** - Violation(s) – Broken/inoperative windows; missing inoperative screens; dilapidated exterior doors; electrical wiring; receptacles; interior surfaces; infestation; smoke detectors; plumbing fixtures; plumbing hazard system; permises identification numbers; no occupational license - First Notified – 6/25/2010.

CASE NO 25 SMG 03-12-45 – ADJ & SRJ Investments, LLC is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.13, 304.14, 304.15, 605.1, 605.2, 305.2, 308.1, 704.2, 504.1, 504.3, 304.3) & Ch. 90-297 City Code, at **215 Kingston Avenue (Burgandy Buildings, Units 11-15)** - Violation(s) – Broken/inoperative windows; missing inoperative screens; dilapidated exterior doors; electrical wiring; receptacles; interior surfaces; infestation; smoke detectors; plumbing fixtures; plumbing hazard system; permises identification numbers; no occupational license - First Notified – 6/25/2010.

Respondent, Darren Jafroodi, came forward and was sworn.

Mr. Jerry Gurley came forward and was sworn.

Mr. Brian Bowers came forward and was sworn.

Mr. Mike Broukner from Riverside Construction came forward and was sworn.

Mr. Stenson testified on behalf of the City and stated that all cases were in non-compliance and no permits have been pulled except for the one demolition permit for a trailer that has been demolished.

Mr. Jafroodi stated he was confused about the CE Case Numbers he was provided with and the SMG Numbers on the orders.

Mr. Jackson explained the difference between the CE Case Numbers and the SMG Case Numbers.

Mr. Stenson provided the Health Department Inspection Report as Exhibit 1.

Mr. Vukelja asked for pictures of Trailer # 137.

Mr. Jafroodi stated he was going through a divorce and his wife had a marital interest in the property. Mr. Jafroodi stated all his assets had been previous frozen per the divorce case.

Mr. Broukner stated he had been retained to do the repair work. Mr. Broukner stated he believed all the properties could be in compliance within 90 days.

Mr. Vukelja reviewed Mr. Jafroodi's Dissolution Papers.

Mr. Vukelja asked the City for a compliance date recommendation.

Mr. Stenson stated the next cut off for compliance with all cases.

Mr. Garcia stated that Mr. Jafroodi has had ample opportunity to resolve the cases since they have been going on since November 2011 and the City was not willing to allow any more time past the next cut-off date.

Mr. Vukelja noted there were witnesses in the audience who wished to testify and permitted them to come forward to be heard.

The following witnesses came forward and were sworn.

Mr. Steven Wilson, 111 Alison Lane
Ms. Melinda Barrett, 125 Madison
Mr. John Noel, 105 Alison
Ms. Jamie Hayhurst, 127 Madison

Mr. Wilson stated there was mold in his bathroom, roaches, rats, termites and fleas and he has been there since September of 2011.

Mr. Barrett stated her living conditions were terrible. There were rats, roaches and a hole in the floor of the kitchen, the sink leaked and she pays \$550 a month rent.

Mr. Noel stated work has been done little by little but the house was falling apart. Mr. Noel stated he had to wash dishes in the bathtub as he has water spraying under the sink and there are open electrical outlets.

Ms. Hayhurst stated she moved in on May 1, 2012 and has seen them try to fix things but the door doesn't fit, the floors need work, and she needs a suitable house for her husband and disabled children.

This concluded the witness testimony.

Mr. Broukner recommended completing the project in stages.

Mr. Jackson stated the city was concerned about occupied trailers and Mr. Jafroodi's continued advertisement on Craig's list for units that contain life safety issues. Mr. Jackson recommended prioritizing an order of compliance as the ultimate goal is compliance.

Ruling

Mr. Vukelja ordered both parties to meet at the property and develop a compliance plan for all the cases. He stated he wanted it broken down into 30, 60 and 90 day time periods. Mr. Vukelja continued the cases until May 15, 2012 where a compliance plan will be submitted for the Magistrate's consideration.

Miscellaneous Business

There was no miscellaneous business.

ADJOURNMENT

The meeting was adjourned at 11:09 a.m.