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# City of Daytona Beach Special Magistrate

City Commission Chambers, 301 S Ridgewood Ave, Daytona Beach, FL 32115

David A. Vukelja, Special Magistrate

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## October 8, 2019 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney

Ms. Aimee Hampton, Senior Paralegal

Captain Scott Lee, Daytona Beach Police Department

Officer Steve Jessmer, Daytona Beach Police Department

Mr. Denzil Sykes, Neighborhood Services Manager

Mr. John Stenson, Lead Code Inspector

Mr. Steve Alderman, Code Inspector

Mr. Michael Fitzgerald, Code Inspector

Mr. Daniel Garcia, Code Inspector

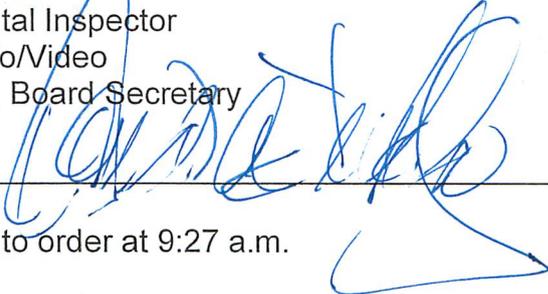
Mr. Mark A. Jones, Rental Inspector

Ms. Sara Kirk, Code Inspector

Mr. Jerome McCoy, Rental Inspector

Mr. Charles Smarr, Audio/Video

Ms. Vivian June Barnes, Board Secretary

Approval of Minutes by:  \_\_\_\_\_ Special Magistrate

The meeting was called to order at 9:27 a.m.

Mr. Vukelja approved and signed the Minutes of the August 13, 2019 meeting.

Mr. Vukelja asked if there were any announcements.

Ms. Barnes announced the following cases.

**CASE # 9 - SMG 09-19-210 - Marc 2 LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.3), at **1065 Hampton Rd.** Violation(s) – Outside storage, paint fading and peeling, missing address numbers. First Notified – 5/8/2019.

***Compliance 10/7/2019***

**CASE # 11 - SMG 09-19-185 - RDW Property Management Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.8.G; Ch. 78 Sec 78-112; Art. 9. Sec.

9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 304.2, 304.13, 304.13.2, 304.14, 304.15), at **344 Ellsworth St.** Violation(s) – Outside storage, trash and debris, paint fading and peeling, rotten wood, dilapidated doors, broken windows, broken screens, unmaintained yard - overgrown weeds, grass growing over the sidewalk and damaged fencing. First Notified – 5/2/2019.

**Compliance 10/7/2019**

**CASE # 28 - SMG 08-19-170 - Valerie A White** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art. 6 Sec. 6.19.A.3.a, at **906 Lewis Dr.** Violation(s) – No permit, outside storage. First Notified – 7/1/2019.

**Compliance 10/7/2019**

**CASE # 42 - SMG 10-19-239 - Eula Mae Flounnoy** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 605.1), at **1325 Imperial Dr.** Violation(s) – No permit for roof repair-replacement, damaged roof, damaged electrical fixtures. First Notified – 6/18/2019.

**Compliance 02/19/2019**

Mr. Vukelja polled the Chamber for any respondents with new cases that would agree to the violations as stated in the Notice and agree to bring the property into compliance by November 6, 2019. The following respondents were sworn in and agreed to the stipulation.

**CASE # 39 - SMG 09-19-212 - Inversiones Prieto Mendez LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.7, 304.13, 605.1), at **640 Orange Ave.** Violation(s) – Broken windows, crumbling exterior walls, dilapidated roof and garage, electrical fixtures broken. First Notified – 5/10/2019.

Mr. Atilio Prieto, Respondent

**CASE # 41 - SMG 10-19-243 - Ernest Omar & Annette Kashif** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A; Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **881 Derbyshire Rd.** Violation(s) – Parking in the yard, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL) and inspection. First Notified – 7/29/2019.

Omar Kashif, Respondent

**CASE # 45 - SMG 10-19-242 - Mazie & John Anthony** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.13), at **1417 Forest Ave.** Violation(s) – Outside storage, off-street parking, junk vehicles, boarded windows. First Notified – 7/22/2019.

John Anthony, Respondent

**CASE # 46 - SMG 10-19-218 - Nates Holding LLC Etal** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.2, 304.13); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **220 Reva St.** Violation(s) – Landscaping, outside storage, damaged roof, peeling paint, broken windows, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/22/2019.

Jody Pritts, Respondent

**CASE # 48 - SMG 10-19-221 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1102 Lewis.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/23/2019.

Mark Oslizlo, Respondent for cases 48-63

**CASE # 49 - SMG 10-19-222 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **836 White Ct.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 3/11/2019.

**CASE # 50 - SMG 10-19-223 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **743 Derbyshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 3/7/2019.

**CASE # 51 - SMG 10-19-224 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1009 Continental.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/17/2019.

**CASE # 52 - SMG 10-19-225 - Loland LLC** is cited for failure to correct violations of Code Ch. 26 Sec. 26-294, at **1041 Continental.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/16/2019.

**CASE # 53 - SMG 10-19-226 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **740 Fairmount.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 3/28/2019.

**CASE # 54 - SMG 10-19-227 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1018 Cadillac.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/6/2019.

**CASE # 55 - SMG 10-19-228 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1200 Cadillac.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/8/2019.

**CASE # 56 - SMG 10-19-229 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **719 Berkshire Rd.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/23/2019.

**CASE # 57 - SMG 10-19-230 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **924 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/8/2019.

**CASE # 58 - SMG 10-19-231 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **928 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/15/2019.

**CASE # 59 - SMG 10-19-232 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **952 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/15/2019.

**CASE # 60 - SMG 10-19-233 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **960 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/17/2019.

**CASE # 61 - SMG 10-19-234 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1010 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/8/2019.

**CASE # 62 - SMG 10-19-235 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1021 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/16/2019.

**CASE # 63 - SMG 10-19-236 - Loland LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1138 Berkshire.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/23/2019.

Mr. Vukelja called Lien Review #1

**LR -1 - SMG 09-17-72 - 326 Jefferson Street - Terry Tejeram Sitaram & Bibi N. Sitaram** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, and 304.7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294. Violation(s) – Outside storage, Junk vehicles, dilapidated roof, failure to obtain Business Tax Receipt (BTR); failure to obtain required residential Rental License (RTL). First Notified – 6/24/2017. **Order Imposing Fine-Lien of \$200.00 per day effective April 5, 2018. Compliance – September 9, 2019. \$15,000.00 plus \$24.00 recording costs = \$15,024.00.**

Ms. Nanda Ally and Mr. Edwin Vasquez came forward and were sworn in. Ms. Ally stated she was before the Magistrate years ago and was having an ugly divorce with her husband and he

wouldn't sign the deed over to her. She stated she had limited access to the property. She stated she had to go through court in order to get the deed. She stated the house is now in foreclosure and she needs to sell the property. She stated Mr. Vasquez was going to purchase the property but could only get what the property is worth through his VA loan. She provided documents of the foreclosure to the Special Magistrate.

Mr. Anthony Jackson, Assistant City Attorney stated since the property was under a short sale and had been brought into compliance, staff would agree to a reduction to \$2,500.

Mr. Vukelja asked how much Mr. Vasquez is paying for the property.

Mr. Vasquez stated \$204,000.

Ms. Ally stated she has a loan on the property for \$190,000 and the court is awarding the difference to her.

Mr. Vukelja asked when the closing would be.

Ms. Ally stated they plan to close on the 14<sup>th</sup>.

Mrs. Barnes swore in members of the staff who will be testifying.

**DISPOSITION:** Mr. Vukelja reduced the amount of the lien to \$500, subject to being paid within 30 days. He stated he is not releasing the lien for Mr. Sitaram but partially releasing the parcel to Ms. Ally only.

**LR-2 - SMG 04-19-76 - 640 Tanglewood Court - Bat Development, LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/4/2019. **Order Imposing Fine-Lien of \$100.00 per day effective June 11, 2019. Compliance – September 9, 2019. \$9,000.00 plus \$24.00 recording costs = \$9,024.00.**

Mr. Timothy Hudson came forward and was sworn in.

Mr. Hudson stated he chose the wrong family to rent to. He stated it took a while to get them out and they damaged the property. He stated there was only supposed to be 3 tenants and it ended up being 12.

Mark Jones, Rental Inspector stated the case started in January for failure to obtain a Business License. He stated he had contact with the respondent in April and the tenants were evicted in May. He stated August 22 was the next inspection and there were tenants in both units. He stated they were missing smoke detectors which was corrected on September 9<sup>th</sup>.

Mr. Vukelja asked the respondent when he came into possession of the property.

Mr. Hudson stated in June or July. He stated he had spoken to Mr. Jones several times prior to compliance.

Mr. Vukelja asked if the problems were caused by the tenant.

Mr. Jones read aloud the violations on the property.

Mr. Vukelja stated the respondent had not appeared at any of the hearings.

Mr. Hudson stated they had not received the notices and his address had been corrected since then.

Mr. Jackson stated the Inspector is willing to reduce the lien by 50% to \$4,500.

Mr. Vukelja asked how many tenants were supposed to be in the units.

Mr. Hudson stated there was supposed to be 4 and it ended up with 6 in the front and 4 in the back.

Mr. Vukelja asked if the tenants were formally evicted.

Mr. Hudson stated he gave them notice and asked for 60 days and they eventually got out.

**DISPOSITION:** Mr. Vukelja reduced the amount of the lien to \$1,000 subject to being paid within 30 days.

**LR – 3 - SMG 12-18-161 - 200 N Ridgewood Ave. - Daytona 54 LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 308.1). Violation(s) – Pot hole, trash and debris. First Notified – 10/25/2018. **Order Imposing Fine-Lien of \$500.00 per day effective January 3, 2019. Compliance – September 11, 2019. \$25,000.00 plus \$24.00 recording costs = \$25,024.00.**

Respondent was not present.

Danny Garcia, Code Officer, was sworn in.

Mr. Vukelja asked if the property was in compliance.

Mr. Garcia stated that it is now. He stated they painted the exterior, picked up all the trash and debris. He stated there was also going to be a new owner.

Mr. Jackson stated there have been issues with this property in the past and he thought the new owners would realize how serious the City from the way the past violations were handled. He stated this is a major thoroughfare in the city and the property looked horrible and it stayed horrible. He stated the inspector has had communication with the respondent and the City is proposing a reduction to \$5,000 for each lien.

Mr. Vukelja asked if the property had changed hands.

Mr. Garcia stated it is in the process of changing hands.

Mr. Vukelja asked if the prospective buyer was aware of 2 \$25,000 liens.

Mr. Garcia stated that he was and he spoke to him yesterday.

Mr. Jackson stated the Inspector would like \$7,500 on each lien for a total of \$15,000.

Mr. Vukelja stated he was weighing whether to foreclose the possibility of a future owner coming in here now that the community is done dealing with this eyesore.

**DISPOSITION:** Mr. Vukelja denied the request for lien reduction for LR-3 and LR-4 without prejudice allowing the new owner to return to the Magistrate at a future hearing to request relief.

Mr. Jackson stated Mr. Bryant reminds him this is in a redevelopment area so is an area of great concern.

**LR-4 - SMG 01-19-18 – 200 N Ridgewood Ave. - Daytona 54 LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp. IPMC 304.2). Violation(s) – Dirt & grime, peeling paint on exterior wall. First Notified – 10/20/2018. **Order Imposing Fine-Lien of \$500 per day effective February 7, 2019. Compliance – August 30, 2019. \$25,000.00 plus \$24.00 recording costs = \$25,024.00.**

**LR-5 - SMG 05-17-41 – 311 & 313 N Hollywood Avenue - GEA Seaside Investments, Inc.** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain required residential rental license (RTL). First Notified – 1/30/2017. **Order Imposing Fine-Lien of \$250 per day effective December 7, 2017. Compliance – February 1, 2018. \$14,000.00 plus \$1,177.21 interest on first lien plus \$24.00 recording costs = \$15,201.21.**

Ms. Angela Hendry, Counsel for GEA Seaside Investments came forward.

Mr. Jackson stated the property is currently in non-compliance and based on the history, a \$250 fine was requested and ordered. He stated it still took until February of 2018 to come into compliance.

Ms. Hendry stated they came into compliance in less than 2 months of the order being entered. She stated she has receipts where they made the repairs. She stated it was after Hurricane Irma. She stated she has an Affidavit of Compliance from the Code Enforcement Officer.

Mr. Jackson stated the City is requesting no reduction since the property is currently in non-compliance and has the same violations today and they are recurring. He stated there is an active case on the same violations on the same property. He stated the case did have an initial order of compliance but at the time of the lien review, the property is not in compliance for the same violations.

Mr. Vukelja reviewed the Affidavit of Non-Compliance dated February 2018 and previous Order Imposing Fine/Lien from December 2017 and read it aloud.

Mr. Jackson stated the same address and violations are the subject of the first Miscellaneous Business case on today's agenda. He stated he believes they should hear both cases concurrently. He stated this is a previously ordered fine and a current violation and the respondent is asking the Magistrate to review it only based on the past. He stated they would be looking at the effort and compliance of the current case.

Ms. Hendry stated they had done substantial work including replacing the roof. She stated she has receipts. She stated the current case has nothing to do with the past case and it is about windows.

Mr. Jackson stated the Magistrate has the discretion to look at past history and how the property is currently being kept. He stated the City is requesting no reduction.

There was discussion as to short time-frame from the date the case was opened in January 2017 and when the property came into compliance and how much time had elapsed.

Ms. Hendry stated she was referring to the short time frame between November's hearing and compliance in February. She stated they were under pressure from the hurricanes and trying to resolve insurance issues. She stated they own other properties and they had to be brought into compliance as well.

Mr. Vukelja asked why the fine was \$250 per day.

Mr. Jackson stated they looked at the history and timeline and they weren't done. He stated they were granted more time and it still took until February.

Mr. Vukelja asked when Hurricane Irma was.

Ms. Hendry stated September 1, 2017.

Mr. Vukelja stated Irma was in the mix but did not excuse it all.

Ms. Hendry agreed.

Mr. Jackson stated the city is proposing no reduction because of the nature of violations that still exist today. He stated they took a long time in the effort to comply, history of numerous violations and some fines on the books and off the books. He stated they are not opposed to people coming in for lien reviews but that should be because they have taken care of the property and complied and done what is appropriate for the citizens of the City.

Ms. Hendry stated the previous case had to do with a Rental License. She stated the current case has nothing to do with Rental License and is maintenance issues. She stated the previous case should have nothing to do with the current case.

Mr. Vukelja asked the respondent what they did to come into compliance.

Ms. Hendry stated they obtained a Rental License.

Mr. Vukelja stated it wasn't a matter of just going and getting a license, there are things that need to be done to obtain the license.

Ms. Hendry stated they replaced screens, GFCI's, installed doors and installed new roof.

Mr. Vukelja stated he did not usually hear cases that were not in compliance and the City is asking him to consider the respondent's history with the City.

Ms. Hendry stated they object and that it proves there is a bias.

Mr. Vukelja stated the City Attorney is referring to the volume of violations that have accrued over time for this respondent and the fact that the citizen's deserve to have a good environment. He stated he does not agree that the respondent should be put off because of the current case. He stated he believes the matter before us should be in compliance.

Ms. Hendry stated they did the repairs and because there is now a dispute over windows shouldn't prevent them from seeking the lien to be reduced. She stated they are in Chapter 11 and funds are limited.

Mr. Vukelja asked the respondent what she proposed.

Ms. Hendry stated they are requesting a significant reduction to between 2-3 thousand dollars because of the amount they have paid to come into compliance. She stated the roof was about 10-12 thousand.

Mr. Jackson reiterated his request to consider the property is still in non-compliance and stated there is no roof permit in their system.

Mr. Vukelja asked if GEA was going to pay.

Ms. Hendry stated they would like to work something out where they would pay a reduced fine within 30 days or set up a monthly payment situation. She stated it was part of the bankruptcy plan.

Mr. Jackson stated a second check did verify there was a roof final.

Mr. Vukelja restated the testimony he heard today, the current situation of GEA and stated GEA was entitled to the benefit of the doubt for mitigating circumstances. He stated a future violation should not disqualify a respondent from requesting relief since they did come into compliance and made a substantial effort to do so.

**DISPOSITION:** Mr. Vukelja reduced the amount of the fine to \$3,000 subject to being paid within 30 days or the fine reverts back to the original amount.

**CASE # 1 - SMG 01-19-16 - Harbourside Sunsets COA Inc.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.1, 304.2, 304.3, 304.4, 304.6, 304.7, 304.8, 304.9, 304.10, 304.12, 304.13.1, 304.13.2, 604.3.1 and 605.3), at **900 S. Peninsula Dr.** Violation(s) – Missing and peeling paint, mold and mildew, exterior walls, concrete spalling and cracking, rotting wood, missing paint, damaged roofing, damaged fascia and soffit, electrical boxes (open wire), exterior electrical fixtures broken, exterior address numbers dilapidated, damaged exterior walls, fence missing paint, dilapidated auxiliary structure, rotten wood, missing paint, missing guardrails and handrails many locations throughout building. First Notified – 9/26/2018.

Ms. Karen Wonsetler, Esq. came forward.

Ms. Wonsetler stated the work on the roof is completed, inspected and closed. She stated Inspector Fitzgerald expressed concern regarding the railings at the previous hearing and temporary wood railings have been installed. She stated they have contracted for aluminum railings and have received a bid to put in the permanent metal railings. She stated it would be 8 weeks to order and 7-10 days for the installation and then they will address the structural issues and exterior painting.

Mr. Jackson agreed and suggested compliance in 6 months and a progress report in January and the determination of a compliance date.

Ms. Wonsetler agreed to the January progress report.

**DISPOSITION:** Mr. Vukelja ordered the respondent to appear at the January 14, 2019 meeting for a progress report and the determination of a compliance date.

**CASE # 2 - SMG 09-19-189 - GEA Seaside Investments, Inc.** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1928 Marilyn St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 3/13/2019.

Mr. Jackson stated Inspector McCoy has not been called for re-inspection and the property remains in non-compliance. He stated the inspector had been to the property one time and did not know what had been done since. He stated staff is requesting a fine in the amount of \$100 per day to a maximum of \$15,000.

Ms. Hendry stated they have not called because there is still a lot to be done. She stated there is electrical work in the kitchen because the light is in the breaker box. She stated they will need a permit for the electrical and the light switch in the living room does not work.

Mr. Vukelja asked the respondent when the work will be done.

Ms. Hendry stated she did not know the time frame and would submit a progress report at the next hearing.

Mr. Jackson stated the property is occupied and is a rental.

Mr. Vukelja stated the minutes of the September meeting reflect the respondent said the property was in compliance.

Ms. Hendry stated the property is not in compliance and still has electrical issues.

Mr. Jackson stated the inspector has heard nothing from the respondent.

Mr. Vukelja asked how long it will take to bring the property into compliance.

Ms. Hendry stated about 2 months.

Jerome McCoy, Rental Inspector, stated that he ordered the light fixed in the kitchen. He stated there were also structural issues on the outside that needed to be sealed so critters could not get in. He stated the light switch in the living room did not work and asked them to get it repaired. He stated he told the respondent she needed to replace the dishwasher because if it was provided in working condition when the tenants moved in it needs to be fixed.

Ms. Hendry stated they do not need to install screens as they have other ventilation.

Mr. McCoy stated this is a rental property and screens are required. He stated the exceptions are when they have wind curtains such as used in restaurants and required on commercial properties.

Ms. Hendry referred to IPMC 304.14 for window screens.

Mr. Vukelja stated in the minutes of the September meeting indicate Ms. Hendry stated the property was in compliance and now she needs 60 days.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance to allow the respondent until December 4, 2019 to come into compliance or a fine in the amount of \$100 per day will automatically be imposed and continue each day thereafter until compliance is achieved or the fine reaches a maximum amount of \$15,000.

**CASE # 3 - SMG 08-19-171 - GEA Investments Inc.** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **330 N Peninsula**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/8/2019.

Mr. Jackson stated the property remains in non-compliance, the respondent failed inspection and the units are occupied. He stated the inspector is asking for a fine in the amount of \$200 per day to a maximum of \$15,000 be imposed.

Ms. Hendry gave the Magistrate a 3 page list that she received from Inspector Jones. She stated the railings will require drawings, and must be in compliance, which is why she hasn't scheduled re-inspection. She stated she has a check that was sent out to show they are making an effort. She submitted the copy of the check with the number redacted to the Board Secretary.

Rental Inspector, Mark Jones stated at the August inspection, he presented the respondent with the list of things that needed to be corrected. He stated the property has 3 units and there are some safety issues. He stated all of the units are occupied and he has had no contact with the respondent.

Mr. Vukelja asked the inspector if he believes they should be in compliance.

Mr. Jones stated it was agreed at last month's hearing and the Order reflects they should come into compliance by this month. He stated it is only allowed to be 2 unit rentals on the property and they have increased it to 3 and all 3 are occupied. He again stated there were numerous safety issues on the property.

Mr. Vukelja asked the respondent how long it would take them to come into compliance.

Ms. Hendry stated it was hard to say but they would be willing to do a progress report at the next hearing to show they are making progress.

Mr. Vukelja asked what the life safety issues are.

Mr. Jones stated the windows will not open for emergency egress, missing smoke detectors in all the units and missing GFCI's in the bathroom, and a lot of other minor issues. He stated the concern is it was never approved for 3 units which are all occupied.

Mr. Vukelja stated the list he saw was all about windows and asked if it was every window.

Mr. Jones stated that it was not every window and told the Magistrate which windows were in violation.

Mr. Hendry stated she has Ms. Navarro here to testify regarding the windows and progress.

Mr. Vukelja stated he did not need to hear additional testimony.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance to allow the respondent 10 days to come into compliance on the life-safety issues of the windows opening, smoke detectors and GFCI's and failing that be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day thereafter. He stated the respondent must return to the November 12 meeting for a progress report on all other items, including the railings and the determination of a compliance date.

**CASE # 4 - SMG 11-18-147 - GEA Seaside Investments, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.8, 305.3, 504.1 and 604.3.1), at **507 Phoenix Ave.** Violation(s) – Non-working hot side of bathroom sink, damaged interior surfaces, exterior damage, electrical hazard or missing parts. First Notified – 7/23/2018.

Mr. Jackson stated the property remains in non-compliance and the inspector is asking for a fine in the amount of \$250 to a maximum of \$15,000.

Mike Fitzgerald, Code Officer, was sworn in and stated the only thing left is a boarded garage door. He stated there used to be a door behind the wood.

Ms. Hendry stated this is the property with the balcony issue and they had called the Permits Department for a permit inspection on Friday but no one showed up. She stated she has an Affidavit from the contractor that no one showed up.

Carol Navarro, Property Manager, was sworn in. She stated they just have to put up the door and the garage parts are in the garage. She stated they waited until the ceiling was finished before the door was re-installed. She stated it would be done this week.

Captain Scott Lee, Daytona Beach Police Department, stated the respondent needs to contact Permits & Licensing because they had shown up today and could not gain access.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance to allow the respondent until November 6, 2019 to come into compliance or a fine in the amount of \$500 per day will automatically be imposed until compliance is achieved or the fine reaches a maximum amount of \$15,000.

Mr. Vukelja called for a 10 minute break at 11:10 a.m.

The meeting resumed at 11:30 a.m.

**CASE # 5 - SMG 01-19-11 - GEA Seaside Investments, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **507 Phoenix Ave.** Violation(s) – Construction without permits. First Notified – 9/11/2018.

Mr. Jackson stated Inspector Alderman reports the property remains in non-compliance, the respondent was notified in September 2018, and the inspector is asking for a fine of \$250 per day to a maximum of \$15,000.

Mr. Vukelja asked if this was the same property as the previous case.

Ms. Hendry stated this case has to do with construction without permits and the previous case was maintenance issues. She stated they obtained the balcony permit with a contractor and he scheduled an inspection on Friday but no one showed up but apparently they had rescheduled an inspection for today.

Mr. Jackson stated they would agree to amend to the next cutoff since there is a scheduled inspection.

**DISPOSITION:** Mr. Vukelja amended the previous order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 7 - SMG 09-19-216 - David D. Schaefer** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 702.4, 704.2, 304.2, 304.6, 304.7, 304.13, 305.3, 604.3.1), at **& 444-440 Walnut St.** Violation(s) – NATURE OF SAFETY VIOLATIONS: Missing smoke detectors, bars over bedroom windows. VIOLATIONS: Damaged fascia board and soffit including rotten wood, missing window screens, paint fading and peeling, dirt and grime, leaking roof over kitchen area, damaged interior surfaces, exterior porch lights missing cover, electrical hazard. First Notified – 6/20/2019.

Mr. David D. Schaefer came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald is asking to amend to the next cutoff and is working with the respondent.

Mr. Vukelja asked the respondent if he has a problem with compliance by November 6.

Mr. Schaefer stated he did not.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 12 - SMG 03-19-52 - Rebuild the Block, LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A; Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3. Sec. 3.4.S.3, at **735 Mercedes Dr.** Violation(s) – Property renovations without permits. First Notified – 1/14/2019.

Mr. Johann Lyn-Cook came forward and was sworn in.

Mr. Jackson stated they are waiting for a final on the permits and Inspector Fitzgerald is requesting to amend to the next cutoff.

Mr. Fitzgerald stated everything is under control, this is one of the best houses in the neighborhood and referred to before and after pictures on the screen.

Mr. Cook agreed to the next cutoff.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 15 - SMG 06-19-126 - Surfside Villas Condominium Association, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.2, 302.3), at **101 S Peninsula Dr.** Violation(s) – Sidewalks - hazardous conditions, rotting wood and foundation wall on the north side of the property dilapidated. First Notified – 2/26/2019.

Mr. Hernandez came forward and was sworn in. He stated they had submitted to the City for a permit application but it did not go through. He stated, according to the survey, the fence is on City property and Public Works is responsible for its maintenance. He stated he had a meeting with a Development Review Engineer and they said they cannot approve anything and that it's Public Works responsibility.

Mr. Jackson stated Inspector Fitzgerald is asking for progress report in December while they work with the City.

Mr. Vukelja stated the area they have been complaining about may turn out to be the City's?

Mr. Fitzgerald stated the wood is pushed over to the sidewalk and the respondents have to push everything back onto their property.

Mr. Hernandez stated they met with everybody and the sidewalk was a hazard for pedestrians. He stated the official setback is 8 ft. inside of the wall. He gave Mr. Vukelja a copy of the survey. He stated everything was submitted to the City and a survey done. He stated they told him they cannot approve it. He stated Mr. Frank Van Pelt with the City was not allowed to say if they can or cannot do the wall.

Captain Lee stated he believed they needed additional time to work with the other City departments and would like to amend.

**DISPOSITION:** Mr. Vukelja continued case and ordered the respondent to return to the December 10, 2019 meeting for a progress report and the determination of a compliance date.

**CASE # 21 - SMG 05-19-104 - ACL Realty LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **319 San Juan Ave.** Violation(s) – Working without permits. First Notified – 1/24/2019.

Michelle Poore came forward and was sworn in.

Mr. Jackson stated Inspector Garcia reports they are working with the City and need more time and are asking to amend to the next cutoff for compliance.

Ms. Poore agreed.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 22 - SMG 09-19-200 - ACL Realty LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S, at **137 Congress Ave.** Violation(s) – Lack of required permits (demo). First Notified – 7/3/2019.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance and is asking for a fine in the amount of \$300 per day to a maximum of \$15,000.

Mr. Stenson stated the respondents have begun the demolition without a permit and the power is still on.

Ms. Poore stated they have called Florida Power & Light several times to turn off the power. She stated they submitted for the permits in June and they are still under review. She stated their contractor said he had pulled the permits and he did not and then a stop work order was put on the property. She stated they had to get a new contractor who submitted the request for permits and they are now waiting.

Mr. Stenson stated the renovation permit was applied for on June 14<sup>th</sup> and as of 10/7 it is still under review.

Captain Lee stated the last revision for the permit request was on October 4 for Zoning and plans examined are needed.

Ms. Poore stated they also needed flood elevation on plan.

Captain Lee stated if they were demolishing it, they need a demo permit.

She stated they were not demolishing it but they had some walls that were coming down to rebuild it.

Captain Lee asked the respondent if FPL has given them a reason why they haven't turned the power off.

Ms. Poore stated they told them they were on the list. She stated she told them the City told them it was a life safety issue.

Mr. Vukelja stated there should be no work on the property until FPL has turned off the power.

Mr. Jackson stated they would be willing to amend to December.

Mr. Vukelja asked how much time the respondent needs.

Captain Lee stated they did not and would need to amend to figure out how long she needs.

Mr. Jackson stated he believes December for a progress report.

Mr. Vukelja asked that the record reflect the respondent has already been found in non-compliance and is giving them additional time to resolve administrative issues with the City.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by December 4, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 23 - SMG 08-19-177 - Earl C McCrary III** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i., Art. 9 Sec. 9.2.A; City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **1107 Lakewood Park Dr.** Violation(s) – Parking in front yard, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/25/2019.

Mr. Earl McCrary came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance. He stated he acknowledges that yesterday the vehicle was not in the yard however they still don't have a Rental License or BTR. He stated staff is requesting a fine in the amount of \$150 per day to a maximum of \$15,000 plus a one-time administrative fee of \$250.

Mr. McCrary stated he is not sure of the communication. He stated he went downstairs and they had rescheduled the date of inspection to October 14, 2019.

Mr. Stenson asked the respondent if that was a re-inspection of his rental inspection.

Mr. McCrary stated he did not know.

Mr. Stenson asked the respondent if he had a rental inspection and if he passed.

Mr. McCrary stated the inspection was September 13 and he probably did not pass it.

Captain Lee asked to see the piece of paper and then asked for the respondent if he had not scheduled a re-inspection for the 14<sup>th</sup>.

Mr. McCrary stated there was an inspection scheduled for the 14<sup>th</sup>.

Captain Lee asked the respondent if he was asking for additional time for the inspection.

Mr. McCrary stated yes.

Mr. Stenson stated he did not have a problem with giving the respondent until the next cutoff to come into compliance.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 24 - SMG 05-19-106 - JKM/ECM Properties, LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art 3 Sec. 3.4.S; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. Chapter 78 Sec. 78-7(a) of the Code or Ordinances), at **951 Dr Mary M Bethune Blvd.** Violation(s) – Outside storage, lack of building permit, landscaping and refuse from construction work. First Notified – 2/25/2019 & 4/4/2019.

Mr. Thomas Huger, contractor, came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance and is asking to amend to the next cutoff to bring the property into compliance.

Mr. Huger stated they can definitely have a permit if it is issued by then. He stated they applied on July 19 and received comments requesting additional information. He stated they are requesting a FEMA flood elevation certificate among other things. He stated that will be taken care of as he is in the process of completing that now. He stated they are probably 3 months out from compliance.

Mr. Vukelja read the violations.

Mr. Stenson stated the only thing holding them up now is the issuance of the permit and the work being done.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 25 - SMG 09-19-208 - Home Consultants Group Limited** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 302.8); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **745 Iowa St.** Violation(s) – Outside storage, parking in front yard, dilapidated roof, junk vehicles, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/8/2019.

Zachary Jones came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance and is asking for a fine in the amount of \$250 per day to a maximum of \$15,000 plus a one-time administrative fee of \$250 for failure to obtain a Business Tax License.

Mr. Stenson stated there has been no effort to correct the violations which came as a portal complaint. He stated the only change is that a junk vehicle had been removed. He stated they started to clean up in the back yard, plus 2 vehicles and the roof is in disrepair.

Mr. Jones stated there was only 1 vehicle left to be moved and he is using the other vehicle but it wasn't registered at the time. He stated he is having the motor rebuilt in the other car. He stated they have been cleaning up. He stated they were told they need a rental license and tax receipt. He stated his grandfather built the house and his mom lives there. He stated she was scammed by the lender for the deed and it is not a rental property. He stated it is hard to do the work and pull permits when you are not on the deed. He stated they could not afford contractor prices. He asked the Magistrate to take away the part about the rental. He stated he would like his mom's property to look as nice as the property around there.

Mr. Stenson stated the property owner does not live there per the county.

Mr. Vukelja asked if the owners were notified of the violations.

Mr. Stenson stated yes.

Mr. Vukelja asked if the inspector had any idea why they are not here.

Mr. Stenson stated no.

Mr. Jones stated they went out of business and do not exist and it has been over 20 years since this has been going on with the deed. He stated the deed is in the lenders name, Home Consultant Group, and it was a scam. He stated the deed was given for a loan and the loan was paid back over 15 years ago.

Mr. Vukelja asked once the loan was repaid why he didn't get a satisfaction.

Mr. Jones stated he did not know.

Mr. Vukelja asked where they stand on notice to the owner.

Mr. Stenson stated he had to post the property.

Ms. Barnes stated all of the notices have been returned and we used the property appraiser's address. She gave Mr. Vukelja a copy of the deed and property appraiser's report.

Mr. Vukelja asked the inspector how it came to be that Mr. Jones was cited.

Mr. Stenson said today is the first time he had met Mr. Jones and that he cited the owners according to the deed.

Mr. Jones stated he called and spoke to Mr. Stenson.

Mr. Stenson stated he did not receive a call and that did not change the status.

Mr. Vukelja stated the property owner is not before him and he guessed Mr. Jones qualifies as the tenant. He stated the respondent may want to consult with Central Florida Legal Services regarding if the loan was paid and where the title stands.

Mr. Jackson stated if they accept the respondent's testimony, ultimately he will be the one impacted with a lien on his property and they are willing to allow time to get the deed straightened out.

Mr. Vukelja asked the respondent if they plan to stay in this place.

Mr. Jones stated it was his mom's home and that is the only place she has. He stated the place will be fixed up. He stated the part about the rental and business tax receipt will still be sticking out there.

Mr. Vukelja stated he would worry about those but expects the respondent to get the property into shape with what he can do without permits.

**DISPOSITION:** Mr. Vukelja continued the disposition of a fine until the November 12, 2019 meeting.

**CASE # 27 - SMG 05-18-52 - Margaret Ellen Eberwein** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.4, 302.8, 304.7); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.8.G, at **348 Jackson Ave.** Violation(s) – Damaged roof, outside storage, boarded windows, inoperable vehicle and scooters, overgrown shrubs and dilapidated fence. First Notified – 2/13/2018.

Ms. Margaret Ellen Eberwein came forward and was sworn in.

Mr. Jackson stated the respondent has gotten the green light from VIND and Inspector Stenson is asking for the December cutoff for compliance.

**DISPOSITION:** Mr. Vukelja continued the determination of a compliance date to the December 10, 2019 meeting.

**CASE # 35 - SMG 09-19-213 - Titan Development Partners LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art 6 Sec. 6.12.D; Art 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.6, 304.6, 304.2, 301.3, 302.7); City Code Ch. 26 Sec. 26-294, at **201 Seabreeze Blvd.** Violation(s) – Graffiti, broken windows, window frames, paint accessory structure, main structure, east structure, property maintenance, plywood over windows, A/C hole east structure, trash and debris in easement, plastic windows, failure to obtain Rental License (RTL). First Notified – 5/13/2019.

Mr. Gabriel Perez came forward and was sworn in.

Mr. Perez stated he finished up the store fronts and has an inspection today. He stated they ordered new arches and awnings and are going to replace the glass on the Halifax side. He stated the Pizza place is open but can't have anyone in it yet and will be inspected today. He stated the edges were re-stuccoed.

Mr. Jackson stated they are asking to amend to the next cutoff.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 34 - SMG 06-19-136 - Joseph Dirs** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.13, 304.12, 304.10, 304.8, 304.7, 304.6, 304.4 and 304.2), at **1209 S Peninsula Dr.** Violation(s) – Garage paint, trash and

debris, window frames, rotted wood on porch, ADA access and upper deck, rotted railings, roof damage, support columns rotted and main structure paint. First Notified – 2/12/2019.

Mr. Joseph Dirs, Mrs. Joan Dirs and Mr. Douglas Kirk came forward and were sworn in.

Mrs. Dirs stated they had called the National Historic Registry, Department of the Interior in DC, and after several calls got through to the Parks Department. She stated they referred her to Julie Orstein who told her house on historic property not required but asked to go up to standards that they have. She stated since they are not funding it they could not require them to but if they replaced something, they couldn't replace something round with something square.

Mr. Jackson stated at the last meeting the zoning officer stated they are probably not on the national registry and they referred them to the City Department. He stated it was determined they did not meet the criteria for history preservation and just need to come into compliance. He stated they are still in limbo with no compliance date and no progress.

Mr. Dirs stated their maintenance person's fiancé passed away and he is not doing any work right now. He stated Mr. Kirk is taking over.

Mr. Kirk stated it was a substantial project.

**DISPOSITION:** Mr. Vukelja continued the case to the November 12, 2019 meeting.

**MB-1 - SMG 04-19-91 - 311 N Hollywood Av. - GEA Seaside Investments, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 604.3, 304.15, 605.4, 605.2, 504.1, 309.1, 304.16, 304.13.2, 305.2, 304.13, 304.6, 304.4, 304.13.1); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294. Violation(s) – Broken windows, all window frames need paint, windows fastened shut, rotted window sills/frames, windows do not close, bathroom GFCI, doors need weather strip, water heating wiring, termite infestation, basement hatchway rotted, lower wall falling away from window, hole through concrete wall, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/19/2018.

*ACTION TO BE TAKEN:* Respondent's Motion for Reconsideration

Mr. Vukelja stated Ms. Hendry says the property is in compliance. He stated Mr. Riggio continued the Order of Non-Compliance and ordered the respondent to return October 10, 2019.

Mr. Jackson stated they continued the reconsideration because of the Magistrate's position at the last meeting so it is in the same status. He stated they stipulated to continue the case for that reason.

Ms. Hendry stated they are requesting reconsideration because the property is in compliance and they have photos and videos of the windows opening properly. She stated they spent a few thousand to replace the windows and she believes the City's request to replace all of the windows is excessive.

Mr. Vukelja stated this was all about the windows did not open and she had a witness to testify that they did. He asked if all of the windows work.

Mr. Jackson stated they did not and at the last meeting she brought photos and video and it did take effort and did not meet the requirements of the International Property Maintenance Code. He stated the respondent was instructed to go and make the repairs they needed to make and then have the property inspected and if there was a dispute, the Magistrate would hear and resolve that. He stated the inspector was never invited back and they believe the windows are in the same state.

Ms. Hendry stated she was under the impression they just had to bring in photographs and videos of the repairs that were made after the last meeting. She stated if the Magistrate had ordered her to invite an inspector out, she would have honored that request.

Mr. Vukelja asked if the windows were operational.

Ms. Hendry stated yes.

Mr. Vukelja stated the respondent is so confident about her windows that if he orders the Inspector to inspect the windows in 10 days then she is not concerned about that.

Ms. Hendry stated she is not concerned about the windows being openable but she is concerned that the City is requiring a higher bar as to the latching mechanism. She stated the windows were 80 years old and they would not be able to update the windows without replacing them entirely.

Mr. Vukelja stated there was an order in June by Mr. Riggio that should not have been made.

Mr. Jackson stated that is correct.

**DISPOSITION:** Mr. Vukelja continued the case to the November 12, 2019 meeting. He stated the property is to be made available to the inspector so he can test the windows.

**MB-2 - SMG 12-18-163 - 21 S Peninsula Dr. - GEA Seaside Investments Inc.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.12, 304.6, 304.2, 304.14, 304.10, 304.4, 304.15, 304.13, 304.7, 305.3, 603.1, 604.3.2.1, 605.2, 704.2, 602.3 and 304.10). **Violation(s) – Damaged sidewalk, damaged steps and handrails, damaged exterior surfaces, exterior paint, missing screens, damaged porch and railings, structural supports, damaged exterior doors, broken/inoperable windows, damaged roof, damaged interior surfaces (flooring), inoperable appliances (stove), damaged electrical fixtures, inoperable outlets, lack of required smoke detectors, lack of operable heat source, and damaged balcony.**  
First Notified – 10/12/2018.

***ACTION TO BE TAKEN:*** Respondent's request for Motion for Reconsideration or fine-Lien.

Ms. Hendry stated there is an extensive list of corrections for this house. She stated they have been making repairs and attempting to achieve compliance. She stated there was an order entered where they are facing a fine of \$400 per day and she doesn't think it accurately reflect the repairs that have been made. She stated no all of the violations are corrected and they still need to paint the house. She stated they addressed the life safety issues, fixed the balcony with a licensed contractor, fixed the railings and the floor but they haven't completed the paint. She stated they are hiring someone to paint all of the homes.

Mr. Vukelja asked the respondent if painting was the only thing left to be done.

Ms. Hendry stated they need to address wood rot and pressure wash before painting.

Mr. Jackson stated both this and the next case were heard by Mr. Riggio, and looked at totally at the last meeting, and imposed fines.

Ms. Hendry stated they disagreed with Mr. Riggio's ruling because Mr. Stenson testified nothing had been repaired.

Mr. Vukelja stated she is actually asking for a motion for reconsideration before the property is in compliance.

**DISPOSITION:** No ruling was made in this case. Mr. Vukelja stated it was a premature request for reconsideration of the Order Imposing Fine-Lien until the property is in compliance.

**MB-3 - SMG 05-19-101 - 231 N. Hollywood Ave. - GEA Seaside Investments, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.7.A; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.2, 302.3, 304.6, 304.7, 302.1, 304.14, 304.2, 304.9). **Violation(s) – Trash and debris, landscape, exterior siding, window frames & doors, paint, roof, screens, parking and overhangs.**  
First Notified – 1/22/2019.

*ACTION TO BE TAKEN:* Respondent's request for reconsideration of Fine-Lien.

Ms. Hendry stated they retained a painter but the tenant became hostile and stopped the painter. She has a statement, which is not notarized.

**DISPOSITION:** No ruling was made in this case. Mr. Vukelja stated it was premature to reconsider the Order Imposing Fine-Lien until the property is in compliance.

Mr. Vukelja called for a break at 12:39 p.m.

The meeting was resumed at 1:02 p.m.

**CASE # 6 - SMG 09-19-211 - BRCB Corp LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 308.1); Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.A, at **612 George W Engram Blvd.** Violation(s)

– Overgrown lot, debris and garbage, lawn maintenance, potholes, damaged asphalt to parking surfaces, parking on the grass. First Notified – 6/10/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports he has had no contact with the respondent and nothing has been done. He stated staff is requesting a fine in the amount of \$250 to a maximum of \$15,000.

Mr. Fitzgerald stated they mowed the grass and nothing else was done. He stated he has had no contact with the respondent.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector, Mr. Vukelja imposed a fine in the amount of \$250 per day, commencing October 3, 2019, and continuing to accrue each day thereafter until compliance is achieved or the fine reaches a maximum amount of \$15,000.

**CASE # 8 - SMG 09-19-192 - Emmett Fountain** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.3), at **606 Washington St.** Violation(s) – Protective treatment, sanitation, premises identification, site appearance standards, structural appearance standards. First Notified – 5/6/2019.

Respondent was not present.

Mr. Fitzgerald stated he had no contact with the respondent and the property remains in the same state except the City has cut the grass. He stated he is requesting a fine in the amount of \$300 per day to a maximum of \$15,000 be imposed.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector, Mr. Vukelja imposed a fine in the amount of \$300 per day, commencing October 3, 2019, and continuing to accrue each day thereafter until compliance is achieved or the fine reaches a maximum amount of \$15,000.

**CASE # 10 - SMG 06-19-129 - Olivia Vanessa Lloyd** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7, 304.8), at **521 Tomoka Rd.** Violation(s) – Damaged soffit and fascia, rotten wood, peeling and faded paint. First Notified – 1/24/2019.

Respondent was not present.

Mr. Fitzgerald stated he spoke with the respondent last week and she said the property has been sold. He stated he expected her to be at the hearing with a copy of the documentation. He stated he is asking for a fine in the amount of \$100 to a maximum of \$10,000 be imposed.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector, Mr. Vukelja imposed a fine in the amount of \$100 per day, commencing October 3, 2019, and continuing to accrue each day thereafter until compliance is achieved or the fine reaches a maximum amount of \$10,000.

**CASE # 13 - SMG 06-19-135 - Remco LLC/Wilgens Mesalien** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.13 and 304.15), at **397 Jefferson St.** Violation(s) – Dilapidated, unoccupied structure, outside storage, trash and debris, landscaping, damaged shed, paint fading and peeling, exterior surfaces, broken windows and broken doors. First Notified – 10/26/2018.

Respondent was not present.

Mr. Fitzgerald stated the property is currently in non-compliance, He stated the property remains the same and is requesting a fine in the amount of \$350 per day to a maximum of \$15,000.

Mr. Jackson asked if this is the case is being heard by the Board of Building Codes for demolition.

Captain Lee stated yes.

Mr. Fitzgerald stated the property is on the corner of Jefferson and George Ingram and is on a major thoroughfare of the city and that's why he is asking that amount.

Captain Lee stated they went before the Board of Building Codes and the request to renovate was denied. He stated they would like to amend the request and allow the respondent an additional 30 days for the appeal process and is requesting to amend to the next cutoff.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 14 - SMG 09-19-186 - Shafaat & Carol M. Ahmed** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.3, 304.13, 308.1, 604.3.2), at **1121 Mason Ave.** Violation(s) – Outside storage, trash and debris, dead trees, overgrowth, lawn maintenance, broken window in door (boarded up), electrical wires exposed, missing address numbers. First Notified – 5/29/2019.

Respondent was not present.

Mr. Fitzgerald stated he had no contact with the respondent and it is in very bad shape. He stated it is occupied, with a lot of garbage and it is on a corner lot at Mason Ave. He stated there are people living on the property and they are leaving garbage. He stated he is requesting a fine in the amount of \$450 per day to a maximum of \$15,000.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector, Mr. Vukelja imposed a fine in the amount of \$450 per day, commencing October 3,

2019, and continuing to accrue each day thereafter until compliance is achieved or the fine reaches a maximum amount of \$15,000.

**CASE # 16 - SMG 07-19-158 - Wal-Mart Stores East LP** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7), at **949 Mason Ave.** Violation(s) – Damaged chain-link fence, vacant lot maintenance. First Notified – 4/16/2019.

Respondent was not present.

Mr. Fitzgerald stated the property is still in non-compliance but they have done a tremendous amount of work. He stated they were 99% done with only some fencing left which will require a permit. He stated he is asking to amend to the next cutoff.

**DISPOSITION:** There was no action taken as the current Amended Order of Non-Compliance set the compliance date for November 6, 2019.

**CASE # 17 - SMG 09-19-190 - Edethia L. Wright Revocable Trust, Trustee** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 304.7, at **602 Cassin Ave.** Violation(s) – Peeling paint, rusted roof, junk vehicle, no permits for shed, outside storage. First Notified – 5/28/2019.

Respondent was not present.

Mr. Garcia stated the property remains in non-compliance. He stated the demo permit was issued on September 26 and he is asking to amend to the next cutoff.

**DISPOSITION:** Based on the inspector's testimony, Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 18 - SMG 09-19-195 - Elnora S Jackson Estate** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.8), at **532 N Keech St.** Violation(s) – Peeling paint, dirt and mildew, damaged shutters. First Notified – 4/23/2019.

Respondent was not present.

Mr. Garcia stated the property remains in non-compliance and he is asking for a fine in the amount of \$250 per day to a maximum of \$10,000. He stated the property is getting worse.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector, Mr. Vukelja imposed a fine in the amount of \$250 per day, effective October 3, 2019, and continuing to accrue each day thereafter until the property is in compliance or the fine reaches a maximum amount of \$10,000.

**CASE # 19 - SMG 05-19-113 - Gold Label Holdings, LLC** is cited for failure to correct violations of The Land Development Code, Art 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 704.1, 704.2, 302.7, 302.8, 304.2, 304.6, 304.7, 304.13, 304.14, 304.15, 305.3, 305.6, 603.1, 605.1 and 607.1), at **550 N Ridgewood Ave.** Violation(s) – Damaged interior and exterior surfaces, windows, doors, missing screens, roof, soffit and fascia, exposed wires, damaged fence, no smoke detectors, missing knobs for stove and exhaust vent covers. First Notified – 4/2/2019.

Respondent was not present.

Mr. Garcia stated renovation permits have been issued and Permit's & Licensing is asking to amend to the December cutoff.

Mr. Vukelja stated the record should reflect that the permits were obtained.

**DISPOSITION:** Based on the inspector's testimony, Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by December 4, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 20 - SMG 08-19-172 - H & H Hospitality Consulting Inc** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.1.1, 304.2, 304.6, 304.14, 304.15, 305.3, 305.6, 308.1; NFPA 1, 13.7.4.9; Sec 22-27, at **632 S Segrave St.** Violation(s) – Exterior & interior walls, windows, doors, soffit, fascia, insect screens, smoke detectors. First Notified – 5/28/2019.

Respondent was not present.

Mr. Garcia asked to amend to the next cutoff and stated the respondents found out they cannot repair the property and it is being demolished. He stated the respondents need time to obtain permits and demo the property.

Mr. Vukelja asked how much time they will need.

Mr. Garcia stated the next cutoff.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 26 - SMG 09-19-207 - Kelly Mia Davari & Jill Lynn Gilleland** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 304.1, 304.6, 304.7, 304.10), at **919 Tomoka Rd.** Violation(s) – Landscaping, unsafe structure, exterior of structure, exterior walls, damaged roof and damaged decks. First Notified – 7/15/2019.

Respondent was not present.

Mr. Stenson stated the property owner had decided to demolish the property and pulled a permit and they are waiting for it to be demolished.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 29 - SMG 02-19-25 - 504 Main St LLC/ 504 Main Street D. B. Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 301.1, 304.1.1, 304.6, 304.7, 304.9, 304.10, 304.12, 304.13.1, 306.1.1, 308.1, 604.3), at **504 Main St.** Violation(s) – Structural Appearance Standards, dangerous stairs, roof leaks, unsafe masonry, exterior walls, roof and drainage, dangerous fire escape, broken windows, unsafe stairs and brick walls cracking, rubbish accumulation and electrical hazard. First Notified – 10/10/2018.

Respondent was not present.

Mr. Alderman stated the respondent, Sheriff Guindi was present but had to leave to attend a meeting. He stated they were making progress, the stairs were removed within 10 days, the property to the west had been cleaned up, and the roof is done. He stated they are ready to address the parapet metal wall caps because the requested a custom color and is asking to amend to the next cutoff for the entire structure to be in compliance.

**DISPOSITION:** Based on the stipulation of the parties, Mr. Vukelja ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 30 - SMG 09-19-184 - Brooke Cleaners LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 6. Sec. 6.12.D; Art. 4 Sec 4.S.1, at **133 E Main St.** Violation(s) – No permit for concrete wall breach, no permit for high pressure gas boiler repair, no permit for required fire doors, soffits falling off, cutting large doorway in wall, plywood doors. Stop Work order posted. First Notified – 6/3/2019.

Respondent was not present.

Mr. Alderman stated the boiler was removed. The contractor is waiting for a response from Permits & Licensing regarding the holes in the walls. He stated he is waiting for permits for the violations that are left which are fire-rated doors and the holes in walls.

**DISPOSITION:** There was no action taken as the respondents were previously ordered to return to the November 12, 2019 meeting for the determination of a compliance date.

**CASE # 31 - SMG 06-19-121 - Calvary Global Ministries, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7 and

304.13), at **301 Earl St. (210 N Peninsula Dr - 5305-08-12-0051)**. Violation(s) – Damaged concrete deck entrance, guard/hand rail, obtain permit, unsafe pillar, debris/obstruction of sidewalk and structural members. First Notified – 1/24/2019.

Respondent was not present.

Mr. Alderman stated he is asking to amend to the next cutoff. He stated he has had no contact for about a month. He stated they removed everything in front of the building and everything is secure. He stated the permit is in place for the demolition and repair to the stairways.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 32 - SMG 06-19-142 - Elephant Group Hotel 7 Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art 6 Sec 6.8.F; Art. 6 Sec. 6.8.C; Art. 6 Sec. 6.8.D; Art. 3 Sec. 3.4.S.1, at **2401 N Atlantic Ave.** Violation(s) – Rotted illegal sign, sign maintenance, no permit for sign, no permit for fences, outside storage and property landscape. First Notified – 4/10/2019.

Respondent was not present.

Mr. Alderman stated he spoke to the sign contractor and the sign is ready to be installed in about 3 weeks. He stated he is asking to amend to the next cutoff.

**DISPOSITION:** Based on the Inspector's presentation, Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 33 - SMG 09-19-206 - Emma Robinson** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2,304.3, 304.6, 304.7, 304.10), at **312 Earl St.** Violation(s) – Electricity off, water off, stairway, exterior walls, premises identification, protective treatment, property sanitation. First Notified – 2/21/2019.

Respondent was not present.

Mr. Alderman stated the property and structure is a police issue and a code issue and the electricity has been taken off the meter, they jumped it and was taken off the power line by the City. He stated he has had no contact with the respondent and is requesting a fine in the amount of \$200 per day to a maximum of \$10,000. He stated the owner is living in it.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector, Mr. Vukelja imposed a fine in the amount of \$200 per day, commencing October 3,

2019, and continuing to accrue each day thereafter until the property is compliance or the fine reaches a maximum amount of \$10,000.

**CASE # 36 - SMG 08-19-178 - Constantine Christoforakis** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **908 Derbyshire**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/6/2019.

Respondent was not present.

Mr. Jones stated he conducted a rental inspection on September 23 and the property failed due to some minor items. He stated they have 30 days to make the corrections and he is requesting to amend to the next cutoff for compliance.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 37 - SMG 08-19-174 - Investment Of Ankh LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **817 Lewis Dr**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 4/29/2019.

Respondent was not present.

Mr. Jones stated he conducted a re-inspection on October 3 and it failed. He stated the owner's sister lives there and parks her car in the front yard. He stated all of the repairs are done except the car in the front yard. He stated he is asking to amend to the next cutoff for compliance.

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 38 - SMG 09-19-188 - TSM Investments LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **187 Mendoza Cir**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/10/2019.

Respondent was not present.

Mr. Jones stated the LLC was not active but the got that corrected and the respondent got his Business Tax application paperwork submitted. He stated the BTR is under review and is asking to amend to the next cutoff

**DISPOSITION:** Mr. Vukelja amended the current order of non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

**CASE # 40 - SMG 10-19-220 - DME Sports LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **448 S Beach St.** Violation(s) – No permit for the existing parking overlay with asphalt. First Notified – 3/25/2019.

Mr. Joseph Hopkins came forward and was sworn in.

Ms. Colleen Miles who wanted to testify left before the case was heard.

Mr. Hopkins stipulated that he agreed the Violations existed at the time of the Notice and that he would bring the property into compliance by November 6, 2019.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day thereafter.

**CASE # 43 - SMG 10-19-241 - Janie Jones, Anna Marie Jones, Ellis Lee Wilson, Tracy Nichole Wilson** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.6, 304.7), at **1007 Cedar Highlands Blvd.** Violation(s) – Unmaintained landscaping, outside storage, damaged fencing, exterior walls and damaged roof. First Notified – 8/6/2019.

Respondent was not present.

Mr. Stenson stated he has had no contact with the respondent and is asking for a finding on non-compliance and next cutoff to bring the property into compliance.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day thereafter.

**CASE # 44 - SMG 10-19-244 - Lisa Goberdan** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7); Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **1053 Audrey Dr.** Violation(s) – Dilapidated fencing, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL) and inspection. First Notified – 7/29/2019.

Respondent was not present.

Mr. Stenson stated the violations still exist on the property, he has had no contact and is asking for a finding on non-compliance and next cutoff to bring the property into compliance.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day thereafter.

**CASE # 47 - SMG 10-19-237 - Alan G. Batlle** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **729 Lotus Lane**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 6/26/2019.

Respondent was not present.

Mr. Jones stated the case was opened for Business Tax or Rental License. He stated he had to post the property in June and has had no contact at all with the respondent and the property is occupied. He stated he is asking for a finding on non-compliance and next cutoff to bring the property into compliance.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by November 6, 2019 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day thereafter.

Mr. Vukelja asked if there was any further business to be brought before the Special Magistrate and there was none.

The meeting was adjourned at 1:29 p.m.