
City of Daytona Beach Special Magistrate

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

Robert J. Riggio, Special Magistrate

March 26, 2024 Minutes

Attendees:

Robert J Riggio, Special Magistrate

Staff present:

Mr. Anthony Jackson, Deputy City Attorney

Mr. Denzil Sykes, Code Compliance Manager

Officer Richard Jung, Daytona Beach Police Officer

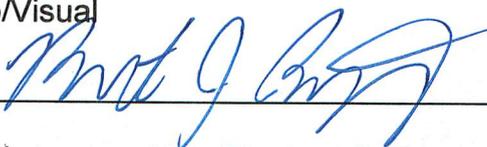
Mr. Kevin Yates, Rental Inspector

Ms. LaWanda Tomengo, Rental Inspector

Mr. Clifford Recanzone, Rental Inspector

Ms. June Barnes, Board Secretary

Mr. Xavier Campbell, Audio/Visual

Approval of Minutes by:  Special Magistrate

There were some technical issues and Mr. Riggio called the meeting to order at 9:07 a.m.

Mr. Riggio asked for announcements and the Board Secretary announced the following case:

CASE # 3 - RTL 01-24-12 - Bradford J Bowls is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 924 Vine St. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/24/2023.

COMPLIANCE 3/26/2024

Mr. Riggio approved the minutes of the February 27, 2024 meeting.

Mr. Riggio announced the procedure of the meeting.

The Board Secretary swore in members of staff who will be testifying.

Mr. Riggio called the first Lien Review.

LR-1 - CEB 12-19-295 - 1808 N Halifax Ave - Luigi & Andrea Cerasuoli 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 – 8/5/2019. Order Imposing Fine/Lien of One Hundred (\$100.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars effective January 9, 2020. Compliance = March 13, 2024. Amount due of \$15,000.00 plus \$3,678.12 interest plus \$24 recording fees = **\$18,702.12.**

Mr. Andrea Cerasuoli appeared via Zoom and was sworn in. He stated he was not aware of the rental regulations and his father, who passed away about five years ago, took care of things associated with the property.

Inspector Mark A. Jones stated the case was opened in July of 2019 for not having a Rental License. He stated he spoke to Mr. Cerasuoli and emailed the application and inspection checklist. He stated the case went to the Code Enforcement Board in December of 2019. He stated on January 8, 2020 the rental application had still not been received and a fine was ordered on January 9, 2020. He stated the Respondent did not attend the hearing. He stated on February 4, 2024 he spoke to Mr. Cerasouli and there was still no application for rental license. He stated he spoke to the Respondent on March 18th, 2024 and he requested a lien review. He stated the Respondent told him he stopped renting a year ago. He stated the City is asking for no reduction.

Mr. Jackson clarified the property is up for sale and repeated that the December, 2019 minutes show that there was no Respondent present. He stated at the time the property was owned by Mr. Cerasouli and his father.

Mr. Cerasouli stated he doesn't live in Daytona Beach, that he lives in Brooklyn NY and received no notices.

The Board Secretary stated the Notice was returned unclaimed and the Notice was Posted at the property on November 25th, 2019.

DISPOSITION: The Special Magistrate denied reduction of the lien.

LR-2 - RTL 04-19-80 - 344 Pierce Avenue - Leslie J. Tiffany 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 – 1/25/2019. Order Imposing Fine/Lien of One Hundred (\$100.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars imposed on August 2, 2019. Compliance = September 18, 2019. Amount due of \$4,700.00 plus \$24 recording fees = **\$4,724.00**.

Ms. Leslie Tiffany, owner, appeared via Zoom and Ms. Savannah Mohler, Property Manager, came forward and were sworn in.

Inspector Jones stated staff met with Ms. Tiffany and her property manager and agreed to reduce the amount of the lien to \$2,000.

Ms. Tiffany agreed.

DISPOSITION: The Special Magistrate reduced the amount of the lien to \$2,000, payable within 30 days or the fine reverts back to the original amount.

LR-3 - RTL 04-23-31 - 611 Winchester St - Kathleen Hannah is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/11/2022. Order Imposing Fine/Lien of One Hundred (\$150.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars effective May 23,

2023. Compliance = February 22, 2024. Amount due of \$15,000.00 plus \$1,350.00 plus \$24 recording fees = **\$16,374.00**.

Ms. Kathleen Hannah appeared via Zoom and was sworn in. She stated she purchased this property in 2008 as a second home. She stated due to her husband's health, she was not able to move her, and a neighbor begged her to rent the property. She stated she spoke with Enzo Bagazzoli and that he was sent to the house to inspect. She stated he asked for the phone number of the tenant and came to the house and found a few things that needed to be fixed. She stated he returned a couple of weeks later. She stated she couldn't reach Enzo and eventually someone told her Enzo was no longer there and that the case was being handled by Clifford Recanzone. She stated the City imposed a lien and she was never informed. She stated she found out when she went to sell the house. She stated she cannot blame her tenant and she is not responsible.

Inspector Clifford Recanzone stated he tried to contact her one month before the hearing and she directed him to call the tenant. He stated Enzo is not an inspector. He stated the first inspection was conducted by Inspector Steven Cole who failed the property because he was not allowed to go into the house. He stated he was not able to reach her but left messages on March 4th and March 20th with the hearing scheduled for April 3rd. He stated Code administrative staff met with Ms. Hannah and proposed a reduction to \$8000 but she did not accept. He stated the City is now requesting no reduction.

Mr. Jackson stated the City would like to withdraw the offer of \$8,000 and will accept the Magistrate's ruling.

Mr. Riggio asked if the address used for the Notice was correct.

Ms. Barnes stated she did not send this Notice but the address on the Volusia Property Appraiser's site and the address on the Notice are both the same address and is the address of the property. She stated the property was posted on April 17th, 2022.

Mr. Jackson asked if the Notice that was sent was consistent with the City's process for many years.

Ms. Barnes stated yes.

Ms. Hannah asked if there was a form for the violations.

Inspector Recanzone stated yes and that it was left with the tenant at the time of inspection.

Ms. Hannah stated she was not aware of the violations.

Mr. Riggio stated the Respondent is presumed to have knowledge of the City's ordinance and that the tenant was not notifying her.

Ms. Hannah stated she would like to take advantage of the offer if it still stands.

DISPOSITION: The Special Magistrate reduced the amount of the lien to \$8,000, payable within 30 days, or the fine reverts back to the original amount.

LR-4 - 476 Zelda Blvd - David Roberto Ruizcalderon and Stephanie Mary Ruizcalderon is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2. Violation(s) – Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 1/25/2024. Order of Non-Compliance and Finding of Irreparable & Irreversible violation and Imposition of a one-time fine in the amount of Fifteen Thousand (\$15,000.00) Dollars imposed on February 27, 2024. Compliance = February, 27, 2024. Amount due = **\$15,000.00**.

Mr. David Ruizcalderon appeared via Zoom and was sworn in.

Inspector Yates stated City staff met with Mr. Ruizcalderon and agreed to reduce the amount of the lien to \$1,500.

Mr. Ruizcalderon agreed and stated that City Staff agreed to give him 90 days to pay the fine.

Mr. Riggio stated that whatever the Respondent works out for additional time is agreeable to him.

DISPOSITION: The Special Magistrate reduced the amount of the lien to \$1,500, payable within 30 days, or the fine reverts back to the original amount.

LR-5 - RTL 08-22-164 - 801 S Ridgewood Ave - Daytona 19 LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294 Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/12/2022. 1st Order Imposing Fine/Lien of One Hundred (\$100.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars imposed on August 26, 2022 for life/safety issues of blocked and inoperable windows, and the door in the kitchen that is bolted prevents ingress and egress. Amount due of \$15,000 plus \$936.68 interest and \$24 recording fees = \$15,590.68. 2nd Order Imposing Fine/Lien of \$200 per day to a maximum of Fifteen Thousand (\$15,000.00) dollars imposed on September 12, 2022 for remaining violations. Amount due of \$15,000 plus \$773.49 plus \$24 recording fees = \$15,797.49. Property is not in Compliance. Total amount due = **\$31,758.17**.

Andi Liu, Ralph Chiai and Wilson Zorrilla appeared via Zoom and were sworn in.

Mr. Zorrilla stated they are in the process of selling their property at 304 Taylor and are being encumbered by the City's liens on 801 S Ridgewood and 549 Mulberry. He stated the City agreed to remove the encumbrance and then reneged. He stated they have twenty-five windows to replace, and they need to sell the Taylor property in order to bring the lien properties into Compliance.

Mr. Chiai stated the windows at 801 S Ridgewood do open and stay open.

Mr. Riggio asked how many properties Daytona 19 owns.

Mr. Zorrilla stated 5 and that they are selling 304 Taylor to generate funds to repair the remaining properties. He stated they were just made aware that the property at 549 Mulberry is also crossing into the encumbrance.

Mr. Jackson stated the problem with asking for a partial release is the property is still in Non-Compliance. He stated the release would be granted in hopes that the Respondents will take care of the property but there is no guarantee.

Inspector Tomengo stated 549 Mulberry has a record of failed inspections and they also own 505 5th Ave as well.

Mr. Zorrilla stated his track record has credibility.

Inspector Tomengo stated that 304 Taylor is due for inspection.

There was discussion as to whether to apply the administrative fee to one property or divide it among both properties.

Inspector Tomengo stated she was there when the windows at 801 S Ridgewood were pried open with tools.

Mr. Jackson asked the Respondents if this was a pending sale agreement and did they have a time period for the sale?

Mr. Zorrilla stated they have a contract and have to put money in escrow. He stated the money left over will help pay for the windows.

Mr. Jackson asked when the property is set to close.

Mr. Zorrilla stated Thursday.

Mr. Jackson asked for a time frame of when the windows will be fixed.

Mr. Zorrilla stated 45-60 days after closing on Taylor.

Mr. Jackson stated the City would like to see the property brought up to IPMC standards and Compliant in the next 90 to 120 days. He stated there needs to be some right to revoke if they don't meet the required 120 days then the lien will revert. He stated Mulberry has \$30,000 in liens and so does 801 S Ridgewood which is \$60,000 in liens.

Mr. Riggio suggested a continuation to work out the details and then come back next month.

Mr. Chiai stated his concern is they will lose their buyer.

There was further discussion as to how to apply the \$6,000 payment to each of the liens.

Mr. Riggio called a recess at 10:18 am.

The meeting resumed at 10:39 am

Mr. Jackson stated there is also a lien on the property at 115 S Grandview.

Mr. Zorrilla stated that was Satisfied.

Mr. Jackson gave a recommendation as to how to partially release the encumbered property at 304 Taylor by including the book and page from each existing lien. He stated the property at 304 Taylor would be released but all other property remains fully encumbered with a stipulation that any necessary amendment to clarify the reduction for the title company to enforce the spirit of this order. He stated the \$6,000 received will be divided against all 5 currently held on the 3 properties at 115 S Grandview, 801 S Ridgewood and 549 Mulberry.

There was discussion as to whether the \$6,000 would be paid in advance or paid at closing.

Mr. Zorrilla stated they would prefer it be paid at closing.

Mr. Jackson stated he would still like some commitment that the liened properties would be placed into Compliance within 120 days.

DISPOSITION: The Special Magistrate ordered that the property encumbered, 304 Taylor Ave, by the following Orders Imposing Fine liens at 801 S Ridgewood - recorded on Book 8404 Page 3947, and Book 8388 Page 1821; and the liens on 549 Mulberry – recorded on Book 8378 Page 1283, Book 8378 Page 1280 shall be partially released as to the property itself for the amount of \$6,000 to be paid at time of closing. All other property owned by Daytona 19 shall remain fully encumbered. It is further ordered that parties stipulate to any necessary amendments to clarify this reduction for the title company while accomplishing the spirit of this order.

NEW CASES:

CASE # 1 - RTL 03-24-33 - CC Post House LLC TR & Florida Land Trust S612 DTD 8/31/2015 TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 612 N Halifax Ave. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/13/2024.

Respondent was not present.

Inspector Recanzone stated the City would like to withdraw this case.

DISPOSITION: The Special Magistrate ordered that the case be withdrawn.

CONTINUED CASES:

CASE # 2 - RTL 02-24-25 - TRSTE, LLC TR & 433 Marion St Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 433 Marion St. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 11/13/2023.

Respondent was not present.

Inspector Tomengo stated she has had no contact with the Respondent, she has verified the property is a rental and is tenant occupied. She stated the owners have not applied for a Rental License and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

DISPOSITION: The Special Magistrate imposed a fine in the amount of \$100 per day, effective March 26, 2024, until Compliance is achieved or the fine reaches the maximum amount of \$15,000.00.

IRREPARABLE/IRREVERSIBLE

CASE # 4 - RTL 03-24-28 - Esther G Adams & Russell John Carter is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at 1156 Sand Trap Ct. Violation(s) – Zoning violation - the property is zoned PD-G. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 2/13/2024.

Ms. Esther Adams came forward and was sworn in.

Inspector Kevin Yates stated the case was field generated and the property is zoned PD-G. He stated he first observed the violation on February 13, 2024 and notified the Respondent the same day. He stated the advertising stopped on February 13, 2024. He stated the website lists the rate as \$168 per night, check in at 3:00 pm and check out at 1 pm. He stated the violation is irreparable and irreversible and is asking for a fine in the amount of \$1,000.

Mr. Jackson gave the City's argument as to why the violation should be found to be irreparable and irreversible in nature.

Ms. Adams stated she agrees with the fine but that she did not know and made a stupid mistake. She stated she had no contracts, no move ins and is asking for the public to be educated.

There was discussion regarding issues of short-term rentals in residential neighborhoods, Commission direction and initial and current fine structure imposed on violators.

DISPOSITION: After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He imposed a one-time fine in the amount of \$1,000, payable within 30 days, and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence. It was further ordered the property is in Compliance as of February 13, 2024.

CASE # 5 - RTL 03-24-29 - Tsion Berhane Araya is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at 106 Misty Glen Ln. Violation(s) – Zoning violation - the property is zoned PD-G. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 2/24/2024.

Ms. Tsion Berhane Araya and Mr. Robel Eausi, son of the owner, came forward and was sworn in.

Inspector Yates stated the case was field generated and the property is zoned PD-G. He stated he first observed the violation on February 24, 2024 and notified the Respondent the same day. He stated the advertising stopped on February 28, 2024. He stated the website lists the rate as \$180 per night, check in flex and check out at 3 pm. He stated the violation is irreparable and irreversible and is asking for a fine in the amount of \$1,000.

Mr. Eausi waived repetition of the City's argument as to why the violation should be found to be irreparable and irreversible in nature and the Special Magistrate agreed to incorporate the argument given in the previous case in his ruling.

Mr. Robel asked for the fine to be reduced and stated the property was never rented and they had no offers. He stated that he understands the advertising is part of the violation.

Mr. Jackson stated that the City's position is consistent with requests in other cases.

Ms. Araya stated she doesn't live here and visited on occasion, and she was not aware. She stated the property is not used most of the time. She stated she would not have purchased the property if she had known.

DISPOSITION: After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He imposed a one-time fine in the amount of \$1,000, payable within 30 days, and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence. It was further ordered that the property is in Compliance as of February 28, 2024.

CASE # 6 - RTL 03-24-30 - BH Daytona LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at 431 N Grandview Ave. Violation(s) – Zoning violation - the property is zoned RP. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 2/23/2024.

Ms. Heidi Meyers, owner, came forward and was sworn in.

Inspector Yates stated the case was field generated and the property is zoned RP. He stated he first observed the violation on February 23, 2024 and notified the Respondent the same day. He stated the advertising stopped on February 27, 2024. He stated the website lists the rate as \$121 per night, check in at 3:00 pm and check out at 10:00 am. He stated the violation is irreparable and irreversible and is asking for a fine in the amount of \$1,000.

Ms. Meyers waived repetition of the City's argument as to why the violation should be found to be irreparable and irreversible in nature given in Case #4 and the Special Magistrate agreed to incorporate the argument in his decision.

Ms. Meyers stated she will pay the \$1000.

Inspector Yates stated she has a Business Tax Receipt on that property.

DISPOSITION: After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He imposed a one-time fine in the amount of \$1,000, payable within 30 days, and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence. It was further ordered the property is in Compliance as of February 27, 2024.

CASE # 7 - RTL 03-24-31 - Jihan Rosado is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at 531 Phoenix Ave. Violation(s) – Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 2/28/2024.

Mr. Ary Rosado, brother of the owner, came forward and was sworn in.

Mr. Jackson asked the Respondent if he had the authority to speak on the owner's behalf.

Mr. Rosado stated yes.

Inspector Yates stated the case was field generated and the property is zoned SFR-5. He stated he first observed the violation on February 28, 2024 and notified the Respondent the same day. He stated the advertising stopped on March 1, 2024. He stated the website lists the rate as \$131 per night and check-in at 3:00 pm. He stated the violation is irreparable and irreversible and is asking for a fine in the amount of \$1,000.

Mr. Jackson repeated the City's argument as to why the violation should be found to be irreparable and irreversible in nature and the Special Magistrate agreed to incorporate the argument in his decision.

Mr. Rosado stated he was not aware and it was not intentional. He stated he immediately took corrective action.

DISPOSITION: After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He imposed a one-time fine in the amount of \$1,000, payable within 30 days, and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence. It was further ordered the property is in Compliance as of March 1, 2024.

CASE # 8 - RTL 03-24-32 - Opulent Home Health Care LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at 1249 Suwanee. Violation(s) – Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 2/29/2024.

Respondent was not present.

Inspector Yates stated the case was field generated and the property is zoned SFR-5. He stated he first observed the violation on February 29, 2024 and notified the Respondent the same day. He stated the advertising stopped on February 29, 2024. He stated the website lists the rate as \$179 per night with check in at 3:00 pm and check out at 11 am. He stated the violation is irreparable and irreversible and is asking for a fine in the amount of \$1,000.

Mr. Jackson repeated the City's argument as to why the violation should be found to be irreparable and irreversible in nature and the Special Magistrate agreed to incorporate the argument in his decision.

DISPOSITION: After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He imposed a one-time fine in the amount of \$1,000, payable within 30 days, and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence. It was further ordered the property is in Compliance as of February 29, 2024.

CONTINUED IRREPARABLE/IRREVERSIBLE CASES:

CASE # 9 - RTL 02-24-24 - Kenneth Metzler Jr is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at 213 Jessamine Blvd. Violation(s) – Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 1/26/2024.

Respondent was not present.

Inspector Yates stated the case was field generated and the property is zoned SFR-5. He stated he first observed the violation on February 26, 2024 and notified the Respondent the same day. He stated the advertising is still active. He stated the website lists the rate as \$425 per night, 17 reviews, check in at 3:00 pm and check out is 11 am. He stated the violation is irreparable and irreversible and is asking for a fine in the amount of \$15,000.

Mr. Jackson repeated the City's argument as to why the violation should be found to be irreparable and irreversible in nature and the Special Magistrate agreed to incorporate the argument in his decision.

DISPOSITION: After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He imposed a one-time fine in the amount of \$15,000, payable within 30 days, and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence. It was further ordered the property is in not in Compliance.

MB-1 - RTL 07-22-140 - 516 Phoenix Ave - 516 Phoenix LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2. Violation(s) – Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 6/8/2022. Order Of Non-Compliance & Finding of Irreparable and Irreversible Violation and Imposition of Fine in the amount of Ten Thousand (\$10,000) Dollars imposed on July 26th, 2022. Amount Due of \$10,000 plus \$24 recording fees plus \$630.17 interest = **\$10,654.17**.

Mr. Rene Viamontes appeared via Zoom and was sworn in.

Inspector Recanzone stated administrative staff met with Mr. Viamontes and agreed to reduce the amount of the lien to \$2,000.

Mr. Viamontes stated this was a first-time offense, it was a studio apartment, and he should be in the same boat as the previous cases which received fines in the amount of \$1,000.

Mr. Jackson stated that he recognizes the Respondent's hardship. He stated he was represented at the first hearing by an attorney and subsequently represented by a different attorney when the case was heard by the Circuit Court which upheld the original ruling of \$10,000. He stated the respondent has had several lien reviews and agreed to the amount offered by the City at a meeting with staff.

DISPOSITION: The Special Magistrate reduced the amount of the lien to \$2,000, payable within 90 days, or the fine reverts back to the original amount.

The meeting was adjourned at 12:37 pm.