



# The CITY OF DAYTONA BEACH SPECIAL MAGISTRATE MEETING MINUTES

City Hall  
Commission Chambers  
Regular Meeting

301 South Ridgewood Avenue  
Tuesday, January 8, 2019  
9:00 AM

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	<p>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</p>
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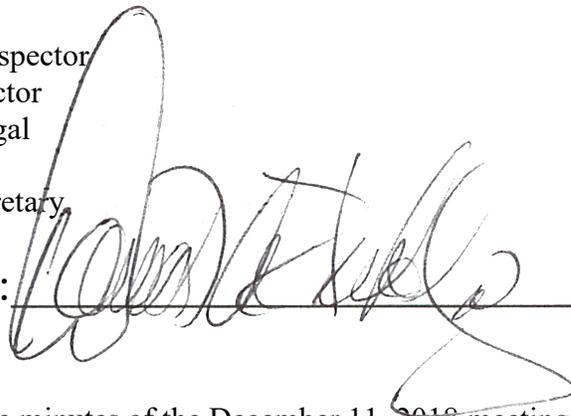
## Attendees:

David A. Vukelja, Special Magistrate

## Staff present:

Mr. Anthony E. Jackson, Assistant City Attorney  
 Captain Scott Lee, Daytona Beach Police Department  
 Officer Steve Jessmer, Daytona Beach Police Department  
 Mr. Steve Alderman, Code Inspector  
 Mr. Michael Fitzgerald, Code Inspector  
 Mr. Daniel Garcia, Code Inspector  
 Mr. Mark A. Jones, Code Inspector  
 Mr. Jerome McCoy, Code Inspector  
 Mr. Clifford Recanzone III, Code inspector  
 Mr. John Stenson, Lead Code Inspector  
 Ms. Aimee Hampton, Senior Paralegal  
 Mr. Charles Smarr, Audio/Video  
 Ms. Vivian June Barnes, Board Secretary

Approval of Minutes by:  
Special Magistrate



Mr. Vukelja approved and signed the minutes of the December 11, 2018 meeting.

Mr. Vukelja asked if there were any announcements.

Mr. Barnes stated the following cases are in compliance.

### CASE # 3 - SMG 08-18-90 - Fred J Hoffmann. Trustee under Business Trust dated 9/9/94 known as Braddock Trust

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.4 (Ref. FBC Supp. IPMC 304.2, 304.7, 304.14, 305.3, 309.1, 605.2), at 105 Braddock Ave. Violation(s) - Maintenance Code – Structural appearance standards, protective treatment, roofs and drainage, insect screens, interior surfaces, pest elimination - infestation, receptacles.

Compliance 1/8/2019

CASE# 8 - SMG 11-18-143 - 314 Ora Investors Of Florida LLC

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 314 Ora St.

Violation(s) - No Permit - installed parking pavers. First Notified - 8/14/2018.

Compliance 12/28/2018

CASE# 9 - SMG 11-18-128 - Cellese Family Trust and Francesca Cellese-Fahmy as Trustee

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 407 University Blvd. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 8/23/2018.

Compliance 1/7/2019

CASE# 11 - SMG 12-18-153 - Rudean W. Davis as Trustee of the Rudean W. Davis Living Trust dated December 9, 1999

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 720 Indiana St.

Violation(s) - Failure to obtain Rental License (RTL). First Notified - 5/12/2018.

Compliance 12/31/2018

CASE# 14 - SMG 12-18-155 - Kimberly A Latford

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 358 Hartford Ave. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 9/20/2018.

Compliance 12/31/2018

CASE# 22 - SMG 11-18-144 - David Bright

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7); Art. 6 Sec. 6.19.A.3, at 748 Mercedes Ave. Violation(s) - Outside storage and failure to maintain roof. First Notified - 8/20/2018.

Compliance 12/10/2018

CASE # 23 - SMG 11-18-148 - Earl Mccrary III

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at Vacant Lot Pinewood St. (Parcel # 5212-01-00-0670). Violation(s) - Trash pickup. First Notified - 6/29/2018.

Compliance 12/11/2018

CASE# 32 - SMG 01-19-01 - Marie A. Glock

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 317 N.

Grandview Ave. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 9/5/2018.

Compliance 12/31/2018

CASE# 38 - SMG 01-19-07 - Sunfire 3 LLC

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 1320 Phillips St.

Violation(s) - Failure to obtain Rental License (RTL).

First Notified - 5/29/2018.

Compliance 1/7//2019

Ms. Barnes announced case #31 is being withdrawn.

### CASE# 31 - SMG 01-19-13 - Sandra Coffman

is cited for failure to correct violations of The Land Development Code, Art. 4. Sec. 4.1.A; Art 5 Sec. 5.2.A.2, at 926 N Wild Olive Ave. Violation(s) - Zoning violation - this property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified - 2/5/2018.

Ms. Barnes swore in members of staff who would be testifying.

Mr. Vukelja called several cases out of order where attorneys were present.

### CASE# 6 - SMG 12-18-163 - 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, 404.12, 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), at 21 S Peninsula Dr. 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. Damaged balcony. First Notified - 10/12/2018.

Angela Hendry, in-house attorney for GEA Seaside, came forward.

Mr. Anthony Jackson, Assistant City Attorney, stated the inspector in this case is John Stenson and he reports that he hasn't gotten any updates from GEA Seaside Investments and his perspective is that the property can come into compliance by the next cutoff.

Lead Inspector, John Stenson, stated he believes the respondent can come into compliance by February 6.

Mr. Vukelja asked if the exterior had been maintained and that the property had not been used, occupied or rented since the last meeting.

Ms. Hendry stated the property has remained vacant the entire time.

Mr. Vukelja asked when the respondent will come into compliance.

Ms. Hendry stated they were asking for at least two months to rectify the issues in the Notice. She stated the primary issues are the flooring, the peeled paint and that the City is asking for repair of the damaged sidewalk which requires a lot of money and right now the property is in the middle of a foreclosure. She stated they are fighting for the property but the rents are being deposited into a registry so there are no rents. She stated they were two other properties in foreclosure as well.

Mr. Vukelja asked for clarification that in 60 days it would be all be done.

Ms. Hendry stated most would be done with the exception of the sidewalk. She stated the sidewalk was done for aesthetic purposes and she doesn't think there's anything wrong with the sidewalk and it just looks like it has minor cracks. She stated there were similar properties nearby that have the same type of sidewalk. She stated they had obtained a rental license with the same sidewalk and it has not changed.

Mr. Vukelja asked what type of work needed to be done on the inside.

Ms. Hendry stated there were issues with floorboards, there were some issues with a piece of siding on the house and that there were some bricks that are loose and needed to be replaced. She stated the biggest repair they need to do is the demolition of the balcony, which will

probably need to be removed, but that requires a contractor who will pull the necessary permits and that takes time. She stated that was on the beams connected to the balcony.

Mr. Vukelja asked, given the age of the house, if coming into compliance in 30 days is realistic. He stated he was uncomfortable with giving more time to a respondent who is in foreclosure and he would hate to find out in 60 days or more that we have not moved the needle at all as far as improving this property. He stated it does appear they are just maintenance issues but may be serious maintenance issues.

Inspector Stenson stated as far as the foreclosure status, this is the first he's heard of it. He stated there is a lot of work to be done but it did begin as a tenant complaint back in October. He stated there has been a lot of back and forth between GEA and staff and he sees no reason why there hasn't been any progress up to this point.

Mr. Vukelja asked Ms. Hendry what will happen over the next 60 days if he gives her additional time.

She stated GEA will retain a contractor to pull the necessary permits to demolish the balcony, or possibly repair it, so that it's in compliance.

**DISPOSITION:** Mr. Vukelja amended the previous Order of Non-Compliance to allow the respondent until March 6, 2019 to come into compliance or be returned for consideration of a fine of up to \$1,000 per day thereafter. He further ordered that the current order will be continued to maintain the exterior structure and that the property is not to be rented, utilized or otherwise occupied until it's brought into compliance.

### CASE# 30 - 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. Vukelja asked the respondent if she agreed that the violations existed or occurred on the property as listed in the Notice of Violation.

Ms. Hendry stated the construction that was being done at the property did not require a permit.

Mr. Vukelja asked the respondent if she is contesting the determination of whether there is compliance.

Ms. Hendry stated yes that she was contesting that.

Mr. Jackson stated the inspector is Steve Alderman and he indicates that she needs permits for a porch, roll roofing or porch plywood re-sheet, roof supports, roll roof walking deck cover and concrete deck cover with tar underneath are needed.

Mr. Vukelja asked if the respondent had done some redesign and reconstruction.

Mr. Jackson stated yes and that was observed the last time the inspector was at the property.

Mr. Vukelja asked if the City was ever provided with any plans as far as the work that was going to be done.

Inspector Alderman stated on September 11, 2018, he responded to the property for no permits during a major renovation. He stated while he was there, he met the crew leader named Rick and told him they needed to stop work and they stopped. He stated he posted the Stop Work Order and told Rick they needed to get a permit. He stated Rick told him he was working for the Property Manager which was Mr. Aberman. He stated there was roll roofing over top of a slab that has been tarred but has never been structurally engineered for support and it is very heavy and large. He stated there was no permit for the deck supports which had been replaced. He stated there is no permit for the rolled roofing over top of the flat deck above it that has to be supported because when the roller detaches from the 3-tab, which they did have a permit for. He stated the walking deck supports and the plywood under the base for framing has not been

permitted and it is fairly extensive. He stated the main issue would be for the concrete deck that has been poured and he has no idea technically how it's been supported.

Ms. Hendry stated the repairs that were made had to do with the previous code case which Inspector Fitzgerald handled. She stated they were not required to pull a permit if less than 25% of the roof was repaired.

Inspector Alderman stated the repairs were going to be extensive because of the weight-bearing concrete and he has never seen roll roofing as a walkway to any house, and at a minimum he would expect it would take at least two months.

Ms. Hendry stated they were requesting at least three months.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and continued the determination of a compliance date until the February 12, 2019 meeting. He stated in the interim, the respondent can start looking into what is going to be required as to the quantum of work they have undertaken already much less whatever else they have in mind for this property because he believes there will be a number of permits required and he does not know the extent of removal of work that may have to be done to enable engineers to see what's underneath. He further ordered the property is not to be rented, utilized or occupied until the time the Special Magistrate determines it to be in compliance.

Mr. Jackson stated he would like to see at least an application for permits by the next meeting.

Mr. Vukelja amended his previous order to further require that by February 6, 2019 the respondent will have at least applied for whatever permits may be required to conduct construction that will have to be done or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Ms. Hendry stated they were scheduled to present a progress report on February 12 and wanted to know if it would be enough if they had a scheduled plan in lieu of application for permit.

Mr. Vukelja stated no.

### CASE# 15 - SMG 12-18-157 - Joseph T Collier Jr & Thelma & Charles J & Bettye C Thomas

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 1151 Edith Dr. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 8/11/2018.

Mr. Vukelja stated the case is before him for the imposition of a fine.

Mr. Robert Robins, attorney, came forward. He stated the situation is the violations were caused by the tenants and he served them with a notice of terminated tenancy that will occur on January 31. He stated he spoke to Inspector Jones and he recommended that they continue this until the March docket to give him sufficient time to be able to evict them.

Inspector Jones agreed and stated there were numerous violations that they needed to correct.

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

### CASE # 28 - 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. IPCM 302.1, 302.7, 304.1, 304.2, 3.4.3, 304.4, 304.6, 304.7, 304.8, 304.9, 304.10, 304.12, 304.13.1, 304.13.2, 304.3.1 and 605.3), at 900 S. Peninsula Dr. Violation(s) - Maintenance Code - Missing and peeling paint, mold and mildew, exterior walls, concrete spalling, 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.

Karen Wansetler, attorney for Harbourside Sunsets COA, came forward. She stated she has the licensed Property Manager, Mike Privette.

Mike Privette came forward and was sworn in.

Ms. Wansetler stated since the initial Notice of Violation, the Association Manager has been in contact with Inspector Fitzgerald and the Association does not dispute the violations with one exception and that's the balcony issue. She stated the Association would need more time given the extent of the structural component in order to obtain three bids. She stated she could have two of the three in compliance and that they would be proposing a special assessment schedule, per the statute, against the collective owners. She stated the building was built in the 1970s and they cannot simply replace one but have to replace all of the railings to come into current code compliance. She stated she has pictures on the work they've completed with the existing maintenance budget, but she is asking to come back for the March 12 hearing after securing further funding on the six-figure project and starting the bidding process.

Mr. Jackson stated the inspector is Mike Fitzgerald and the City agrees that this will be a lengthy project. He stated, at the March meeting, he would like to see a timeline.

Ms. Wansetler stated she hoped by the March meeting to already have a contractor in place.

Donna Louise Shea and Gertrude O'Pealy came forward and were sworn in.

Ms. Shea stated she has lived in the building for 13 years and she has seen four different management companies and she lives in a dilapidated building. She stated the windows are moldy and they leak, and that Code Enforcement has been out there and helped them over the last couple of years where the management company has done nothing.

Ms. O'Pealy stated there are repairs such as metal beams that are missing and other beams that are being supported by wood and it feels like a patchwork job.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and continued the determination of a compliance date until the March 12, 2019 meeting.

Mr. Vukelja called the first Lien Review.

### LR-1 SMG 08-12-57 - 341 Fulton Street - Raymond A. Brewster (new owner is Albert L. Brewster)

is cited for failure to correct violations of The Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.2, 304.3, 304.6, 105.1). Violation(s) - Exterior wall damage; protective treatment; premises identification; no building permits. First Notified - 6/19/2012. Order Imposing Fine-Lien of \$100 per day effective September 11, 2012. Compliance - October 14, 2018; \$15,000.00 plus \$24.00 recording costs minus \$11,752.81 proceeds from tax deed sale = \$3,271.19 total amount due.

### CEB 10-13-117 - Raymond A. Brewster (new owner is Albert L. Brewster)

is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.13.1), at 341 Fulton Street. Violation(s)-Glazing -All glazing materials shall be maintained free from cracks and holes. First Notified -7/31/2013. Order Imposing Fine-Lien of \$100 per day effective November 20, 2013. Compliance October 14, 2018. \$15,000.00 plus \$24.00 recording costs = \$15,024.00 total amount due.

Ms. Elena Scott, Realtor for Albert Brewster, came forward and was sworn in.

Mr. Jackson stated the history of the property is one where the City has had some major problems. He stated the new owner has owned this property since 2016 and he did start some

work but then left it without completion. He stated the City acknowledges that it was kept up externally. Mr. Jackson stated that both lien reviews were dealing with this property. He stated this address was involved in a tax deed sale where we were able to get some proceeds. He stated the City is requesting that the fine be reduced to \$7,500 which is waving the remaining amount on lien 1 and asking for 50% of lien 2. He stated this property is currently under contract and pending sale and are offering this is a condition of the sale only.

Mr. Vukelja asked, since the property has been owned by the respondent since 2016 and it was brought into compliance on December 17, 2018, if the respondent had owned it for at least two of the years it was accruing fines and when the property was brought into compliance.

Mr. Jackson stated the fines had accrued before and that he was an out-of-state investor and his understanding is that once he acquired the property, improvement began to be made.

Denzil Sykes, Neighborhood Services Manager, stated the property is in compliance and the windows are newly installed even though it continues to be boarded up and the exterior of the building has siding now. He stated everything was permitted, and also the landscape is cut and being maintained.

There were technical problems with presenting a new photo and Ms. Scott produced a copy of the listing with a current photograph.

Ms. Scott stated Mr. Brewster bought this at a tax auction and this was his first venture into doing real estate and he happens to have the same name as the previous owner which has caused confusion but he is not related to and does not know previous owner. She stated he purchased the property with a friend who was going to do the work to fix it up and they fixed up the outside and painted it and everything and then Mr. Brewster fell ill and moved out of state. His partner performed no additional work on the property after that. She stated the previous realtors discovered that there needed to be a quiet title suit done so they hired an attorney to do that and \$3,400 and four months later he found out about the liens. She stated he had put \$50,000 into the property and the property was listed for \$47,000. She stated the sale was set to close on February 1 at a sale price of \$40,000. She stated there was no mortgage on the property.

**DISPOSITION:** Mr. Vukelja reduced the amount of the combined liens to \$1,500 subject to being paid within 30 days.

### CASE# 1 - SMG 09-18-102 - Levercia Anthony

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp IPMC 302.8, 304.2), at 1649 Cedar Highlands Blvd. Reroofing without a permit, peeling paint, junk boat. First Notified - 7/2/2018.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Cliff Recanzone. Inspector Recanzone reports that nothing has been done and is requesting a \$100 fine per day to a maximum of \$10,000 because it is an owner-occupied property.

**DISPOSITION:** Based on the presentation by the City Attorney and noting the absence of the respondent, a fine of \$100 per day was imposed, commencing January 3, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$10,000.

### CASE# 2 - SMG 06-18-61 - Sheila A Minnick/Dillon Property Management

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 304.2, 304.7, 304.13, 304.13.2, 304.14, 304.15, 305.3, 309.1, 604.3, 605.2); Art. 6 Sec. 6.19.A.4, at 532 Orange Ave. Violation(s) - Maintenance Code - Smoke Alarms, protective treatment, weeds, structural appearance standards, exterior structure - roofs and drainage, insect screens, pest elimination - infestation, interior surfaces, electrical system

hazards, receptacles, inoperable windows, window, skylight and door frames. First Notified - 3/1/2018.

Ms. Sheila Watson, previous owner, and Avinash Ramotar, Dillon Property Management owner, came forward and were sworn in.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Jerome McCoy. Inspector McCoy reports that they are just waiting for a permit to be final and so staff is asking to amend to the next cutoff in order to have the inspection.

Mr. Ramotar stated they had a zoning issue where the back property was zoned commercial and the front property was zoned residential, so the contractor had initially pulled a residential garage door permit.

**DISPOSITION:** Based on the stipulation of the parties, Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until March 6, 2019 to come into compliance or a fine in the amount of \$1,000 per day will automatically go into effect and continue each day thereafter until compliance is achieved or the fine reaches the maximum amount of \$15,000.

#### CASE# 4 - SMG 11-18-125 - LA Philip, Inc.

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; Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7, and 304.7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at 845 Valencia Ave. Violation(s) - Lack of required permits, outside storage, dilapidated accessory structure (fencing), damaged roof, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified - 8/6/2018.

Alik Afghani came forward and was sworn in.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is John Stenson. Inspector Stenson reports that the respondent is working in good faith and is asking to amend to the next cutoff.

Mr. Afghan he stated he believed he can have it ready by March 6.

**DISPOSITION:** Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine in the amount of \$1,000 per day each day thereafter until compliance is achieved or the fine reaches the maximum amount of \$15,000.

#### CASE# 5 - 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.

Respondent was not present.

Mr. Jackson stated the case is before you for a progress report and the inspector is John Stenson. He stated in this case the respondent is getting assistance from a program called VIND.

Inspector Stenson stated that the respondent had called him yesterday and is hospitalized. His inspection of the property yesterday still shows the roof in disrepair and there's outside storage and junk vehicle. He stated they are requesting to leave the compliance date for February 6, 2019.

Officer Steve Jessmer came forward. He stated the City was trying to work with this owner and in lieu of the circumstances he would take care of the junk vehicle before the next hearing.

There was no further disposition as a compliance date for February 6, 2019 was previously set.

## CASE# 7 - SMG 11-18-142 - 314 Ora Investors Of Florida LLC

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 314 Ora St. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 5/18/2018.

Donald Harkins came forward and was sworn in.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. Inspector Jones reports this respondent needs to get a rental license and he has failed inspection three times. He stated it has been rescheduled again for the 10th, and this is been going on since May 2018, so Inspector Jones is asking that we impose a fine of \$100 per day to a maximum of \$15,000.

Mr. Vukelja asked why the respondent kept failing the inspection.

Inspector Jones stated he re-inspected the property on December 31 and still had numerous items to correct from the original inspection and that they have yet to get into the third unit. He stated he got a call yesterday afternoon that they were ready for re-inspection and the earliest they can do it was the 10th but past inspection did not show they had corrected everything that's why they're looking for a fine. He stated the violations included smoke detectors, screens, windows that were not operable, but nothing of a major issue except the smoke detectors.

Mr. Harker stated they took over as rental managers on November 1st so a lot of the violations were from the previous management company and they're trying to do the best they can to come into compliance. He stated the maintenance guy was supposed to have it all done, and they met with Inspector Jones, and he didn't have it done. He stated they had some issues with getting some of the windows, but the maintenance guy told him it was in compliance now. He stated he was asking that a fine not be imposed until after the inspection on Thursday.

**DISPOSITION:** Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until February 6, 2019 to come into compliance or a fine in the amount of \$100 per day will automatically go into effect and will continue each day thereafter until compliance is achieved or the fine reaches the maximum amount of \$15,000.

## CASE# 10 - SMG 11-18-150 - Ormond Breeze LLC Trustee under Florida Land Trust 712

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 712 Georgia St. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 8/15/2018.

Casey Monahan came forward and was sworn in. She stated she had just started a job there as a manager.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. Inspector Jones reports since August 2018 the property has two failed inspections and Mr. Jones has not heard from them about scheduling a re-inspection so is asking for \$100 per day fine to a maximum of \$15,000.

Ms. Monahan stated she and the other Property Manager Sean, were looking for a 30-day extension. She stated Sean believed everything was completed and in late 2018 ordered the inspector to come out and he informed them the electrical outlets that he installed were not correct and he brought up the fit of the window screens, which in the previous inspection was not mentioned. She stated she believes they can have it done within the 30-day cutoff. She stated the tenants were being uncooperative and making it difficult. She stated they scheduled appointments to get in and then they would cancel.

Inspector Jones stated he inspected the property in January, and they failed because they did not install a GFI outlet in the bathroom. He stated the other unit had open wiring and not a GFI. He stated he also had a problem with the GFI outlet in the kitchen. He stated Sean was physically doing the work and they did have some screens which was noted on the original inspection that had not been corrected.

Mr. Vukelja asked what was left to be done.

Inspector Jones stated the three GFI outlets need to be corrected and a couple of window screens need to be replaced.

Mr. Vukelj a asked if the property was occupied.

Inspector Jones stated that one unit is occupied, and one unit is not at this time.

**DISPOSITION:** Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until February 6, 2019 to come into compliance or a fine in the amount of \$100 per day will automatically go into effect and will continue each day thereafter until compliance is achieved or the fine reaches the maximum amount of \$15,000.

### CASE# 12 - SMG 12-18-164 - Rudean W. Davis, as Trustee of the Rudean W. Davis Living Trust dated December 9, 1999

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 796 Georgia St. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 1/16/2018.

Ms. Rudean Davis came forward and was sworn in.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. Inspector Jones reports he was first notified back in January 2018 and the property remains in non-compliance and has an issue with windows. He stated the respondent was having problems getting a contractor, but it's been a year, so the inspector is requesting a \$100 per day fine to a maximum of \$15,000.

Inspector Jones stated that during the inspection there were a couple of windows that were not operable and the owner, back in July, had a contractor replace the windows without a permit. He stated they have applied for the permit and when the inspector came out, the windows were not impact windows which was required for the permit that was pulled.

Ms. Davis stated that she received an email from the city yesterday saying that the permit had been revised to the type of windows that were installed. She stated they replaced the windows but were not aware that they needed a permit. She stated when they finally got a contractor to apply for the permit, he put impact windows on the permit and the windows that he put in were not impact windows.

Mr. Jones stated at this point he would wait for the Building Inspector to go out and approve the windows because at this point it still requires a Building Inspector to sign off and finalize the permit.

Mr. Vukelja asked how long that would take.

Inspector Jones stated the contractor would need to call for an inspection and typically that is the next business day that he goes out and then he will either pass or fail the windows.

**DISPOSITION:** Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until February 6, 2019 or a fine in the amount of \$50 per day will automatically be imposed and will continue to accrue each day thereafter until the property is in compliance or the amount of the fine reaches the sum of \$15,000.

### CASE# 13- SMG 12-18-154-JNG Property Group, LLC

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 571 Fairmount Rd. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 9/19/2018.

No respondent was present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. Inspector Jones reports that this property has failed several inspections and he has had no

further contact from the respondent since December 10 and is requesting \$100 fine to the maximum of \$15,000.

**DISPOSITION:** Based on the city's presentation, and noting the absence of the respondent, a fine in the amount of \$100 per day, effective January 3, 2019, was imposed and will continue to accrue each day thereafter until such time as the property is in compliance or the amount of the fine reaches the sum of \$15,000.

Mr. Vukelja asked for respondents in chambers who were waiting for cases and called the following cases out of order.

### CASE# 24 - SMG 09-18-112 - Bulldog LLC

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.1, 304.2, 304.6, 304.7, 304.13, 304.8); City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at 208 Fairview Ave. Violation(s) - No address numbers, failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL). First Notified - 3/1/2018. Chris Cornelius came forward and was sworn in.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Danny Garcia. Inspector Garcia reports that the respondents have been working in good faith toward compliance. He stated the inspector thinks it will take a couple more months to complete the work, and at the request of the respondent, he is requesting to amend to the March cutoff date.

Mr. Cornelius agreed.

**DISPOSITION:** Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until March 6, 2019 or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

### CASE# 33 - SMG 01-19-02 - New Leaf Real Estate, LLC

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 319 Taylor Ave. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 8/8/2018.

Mr. Darren Jingres, owner, came forward and was sworn in.

Mr. Vukelja asked the respondent if he agrees that the violations occurred as stated in the Notice of Violation.

Mr. Jingres stated yes. He stated the case was not as simple as the lack of rental license and there was a lot going on at the property. He stated he is meeting with TRT for the City and has scheduled on the 10th an inspection for a boundary survey to attempt to combine two parcels. He stated he is asking the City to grant that request because he can't do anything until the surveys are done.

Inspector Jones stated he has not personally talked to Mr. Jingres but had received an email stating that he was attempting to merge these parcels back on October 1st.

Mr. Jingres stated the plan was to bring the property into compliance, but they have issues with the driveways and there's not enough parking compared to the units on the lot. He stated the City recommended that they get a survey done and merge the parcels which would allow him to create a driveway and give him the parking he needs. He stated he is at a standstill until the surveys are done.

Mr. Vukelja asked if parking was part of the original violation.

Inspector Jones stated they were not and that the parking violations came from a Police Officer who forwarded the information to Code Enforcement and that his case came from not having a rental license. He stated there were parking issues on other properties which he was not involved with and was involved only with this property.

Mr. Vukelja asked the respondent if he was aware that he needed a rental license.

Mr. Jingress stated that he was not aware, but he is now. He stated he applied for a rental license, but it was denied due to the number of units on the property. He stated the denial was for parking as well as water meters that needed to be updated and the next step is the boundary surveys.

Mr. Vukelja asked the inspector how long he thinks will be for him to come into compliance.

Inspector Jones stated he did know the length of the process that he was trying to go through and that he would not object to asking for a progress report next month, so we know what's going on. He stated when he applied for the rental license, he applied for all three of the properties.

Mr. Jingress stated he has an email from the inspector that will be doing the surveys that he will be there on Thursday and then it would be three weeks before the plans would be handed over. He stated at that point he would need to give them to his General Contractor which will pull permits. He stated they are looking at at least a month before he will have the surveys in the hands of the general contractor. He stated at that point the General Contractor will need to draw up plans for plumbing that the City is requiring.

Mr. Vukelja asked him if this was in relation to getting his rental license.

Mr. Jingress stated that it was his understanding that the problem is the number of units that he has on the property. He stated there are two parcels, one individual parcel has a single unit on it and the other parcel has two buildings.

Mr. Vukelja asked if we were in agreement that the rental license is being held up until he gets these other issues resolved.

Inspector Jones stated the rental license for 319 was being held up so that he can combine the property.

Mr. Jingress ask if there was any way to continue until March and he would provide the surveys once he has them to the City.

Capt. Scott Lee, with the Daytona Beach Police Department, stated these are two different issues and do not have anything to do with each other. He stated if you are renting a property in the City of Daytona Beach you need a rental license.

**DISPOSITION:** Mr. Vukelja continued the determination of a compliance date until the February 12, 2019 meeting for a progress report.

### CASE# 39 - SMG 01-19-08 - Mary F. Yan

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 629 Roma St. Violation(s)- Failure to obtain Rental License (RTL). First Notified - 5/29/2018.

Noble Gathers, Property Manager, came forward and was sworn in.

Mr. Vukelja asked the respondent if he agreed that these violations existed or occurred as stated in the notice.

Mr. Gathers stated yes.

Mr. Jackson stated the case is before you for a finding of compliance or non-compliance and the inspector is Mark Jones. Inspector Jones reports it should take by next cutoff for the property to come into compliance.

Mr. Gathers stated the only reason they didn't have a rental license was because of another property they have on River Street where he was trying to evict and there was nothing he could do with this property until he brought that into compliance. He stated the case was with Mr. McCoy and he now has his rental license.

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

## CASE# 41 - SMG 01-19-14 - I nose LLC

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 536 Washington St. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/17/2018.

Ms. Julian Crug, owner, came forward and was sworn in.

Mr. Vukelja asked the respondent if she agrees with the violations as listed in the notice.

Ms. Crug replied yes. She further stated she did not agree with the violations and that they needed correction.

Mr. Jackson stated the inspector is Mark Jones and Inspector Jones believes she can come into compliance before the next cutoff. He stated Inspector Jones believes the property that was a duplex did not have a rental license.

Ms. Crug stated she purchased the house last year in 2017 because it was damaged by a hurricane and the previous owner didn't have insurance and had to sell it and she thought it would be a good investment. She stated in August 2018 she found out she needed a license, so she immediately applied for a license and at the inspection they told her she had violations. She stated Mr. Jones told her that the property was zoned as single family, but she already had tenants there. She stated the previous owner had tenants for more than 10 years. She stated she went to the City Appraisal and the appraisal was for a two-family house. She called the Rental Technician and was told that it was zoned as a single house. She stated the Rental Technician didn't want to give her any information, so she went to the building department and did a public records request to get plans of the original building. He stated she had already paid for the rental license, but she needed time to evict the tenants and she has a lady that's been living there without paying anything for at least two months.

Mr. Vukelja asked the respondent if the house was occupied now.

Ms. Crug says she has one woman living there but she wants to evict her. She stated that she will convert it back to a single house, but it takes time.

Inspector Jones stated the complaint was tenant driven because they have only one air-conditioning unit for both sides of the property and the one tenant was not able to control what the other tenant did. He stated there was no record for a Business Tax License or Rental License and he spoke to both tenants and then notified the property owner that it was only allowed to be a single-family residence. He stated someone had closed off the wall and made it into a duplex.

Mr. Vukelja asked the respondent if she was going to have the work done by February 6.

Ms. Crug stated she spoke to a contractor last week and she believes they will take at least two months.

Mr. Vukelja asked the respondent how many tenants she has, and she responded one.

Mr. Vukelja asked the respondent if she was going to keep it at one tenant and she responded yes.

Mr. Vukelja stated that he would be comfortable with giving the respondent until March to come into compliance if he was assured there would be no additional tenants.

Mr. Vukelja asked the respondent if she intended to keep the tenant that was there, and she responded that she would like her to move out but wanted to give her time to find a house.

**DISPOSITION:** Mr. Vukelja found the respondent in non-compliance and ordered the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter. It was further ordered that, between the meeting and the property coming into compliance, there is to be no more than one tenant on the property.

## CASE# 19 - SMG 12-18-162 - Krisztian Guti

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 305.1, 304.14, 304.13, 304.6, 304.2; City Code Ch. 26 Sec. 26-294, at 615 Tanglewood St.

Violation(s) - work without permit, interior finishes, exterior finishes, screens, windows, exterior walls, paint, failure to obtain Rental License (RTL).

First Notified - 8/27/2018.

Ms. Elzebeth Kroll, mother of respondent, came forward and was sworn in.

Mr. Vukelja stated this case was continued from the December 28 meeting for the determination of a compliance date. He asked if a discussion had been had and if they had arrived at a compliance date.

Inspector Jones stated they had communication but that he didn't think they were anywhere close to a compliance date to be set because Ms. Kroll still needs to submit for a variance, and he doesn't know how long that process takes.

Mr. Vukelja asked the respondent why she hasn't applied for a variance already.

Ms. Kroll stated she followed the requirements and she has to submit the variance. She stated she has the survey done and all the requirements she just has to submit.

Mr. Vukelja asked when she planned on submitting the variance.

Ms. Kroll stated she would do it now.

Mr. Vukelja asked if she had any idea when the variance might be heard.

Ms. Kroll stated she did not know.

Mr. Jackson stated it would be on the fourth Thursday when the Board of Adjustment meets. He believes there is a cutoff deadline for applications as they would need time to send notices to the neighbors, so it is probably 10 days to two weeks out from the meeting date.

Mr. Vukelja asked what the purpose of the variance was.

Inspector Jones stated it was a single-family home that was made into three apartments in the front and two apartments in the back. He stated there was a permit issued in 09 and it was never finalized and they had one inspection for framing but there's nothing that they have in the records that it was approved for multi-use so that's where we are. He stated this started as a rental inspection where they applied for two licenses - one for each building.

Mr. Vukelja asked if she was looking to have five units on the property and Inspector Jones stated that was his understanding.

Mr. Jackson corrected his previous statement and stated the Board of Adjustments meets on the third Thursday and they've canceled this month's meeting because they didn't have any applicants and the next meeting would be February 21 and she will need to apply if she intends to be heard and if it meets the criteria for variance.

Mr. Vukelja asked Inspector Jones if she is denied a variance, how long it would take her to come into compliance.

Inspector Jones stated each unit could be a single-family unit and that there were kitchens that would need to be taken out and brought back to a single family home and he's not sure what the permit requirements are.

Mr. Vukelja clarified that she would go from five apartments to two and inspector Jones stated that was correct.

Inspector Jones stated that 4 of the units were occupied at this time.

Mr. Vukelja asked, if she were to convert from the five units down to two, how long would that take and inspector Jones stated he believed it could be within 60 days but he's not been inside some of the units so he can't definitively speak to it. He stated he assumed it would take a

licensed contractor as they are modifying electrical and he did not know if they required a building permit and that it would need to be reviewed by the Building Department.

**DISPOSITION:** Mr. Vukelja continued the case to the February 12, 2019 meeting for a progress report, and if respondent is not on agenda for a variance at the next meeting, then he will give the respondent 30 days to come into compliance.

### CASE# 16 - SMG 12-18-158 - AYA Realvest LLC, Fadwa Najdi Sole Mbr

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 411 N Halifax Ave #201. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 10/19/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. Inspector Jones reports #16, #17 and #18 are the same respondent and in each of those cases they have failed the requirement to have a rental license. He stated Inspector Jones is requesting a fine be imposed. He stated the respondent was first notified in October, his last contact with them was in November. He stated he spoke to someone this morning, and they haven't done anything toward coming into compliance and is requesting a \$100 per day fine to a maximum of \$15,000.

Inspector Jones stated they did their original inspection on August 28 and the Property Manager scheduled the inspections on November 6 but nothing had been done on any of the three properties. He stated he heard from the Property Manager this morning and re-inspection is scheduled for the 10th, but he has no idea if the property will be in any better condition than they were the last time.

**DISPOSITION:** Based on the inspector's report, and noting the absence of the respondent, a fine in the amount of \$100 per day, effective January 3, 2019 and continuing to accrue each day thereafter until such time as the property is in compliance or the amount of the fine reaches the sum of \$15,000 was imposed.

### CASE# 17 - SMG 12-18-159 - AYA Realvest LLC, Fadwa Najdi Sole Mbr

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 415 N Halifax Ave #111. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 10/19/2018.

**DISPOSITION:** Based on the inspector's report, and noting the absence of the respondent, a fine in the amount of \$100 per day, effective January 3, 2019 and continuing to accrue each day thereafter until such time as the property is in compliance or the amount of the fine reaches the sum of \$15,000 was imposed.

### CASE# 18 - SMG 12-18-160 - AYA Realvest LLC, Fadwa Najdi Sole Mbr

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 415 N Halifax Ave #110. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 10/19/2018.

**DISPOSITION:** Based on the inspector's report, and noting the absence of the respondent, a fine in the amount of \$100 per day, effective January 3, 2019 and continuing to accrue each day thereafter until such time as the property is in compliance or the amount of the fine reaches the sum of \$15,000 was imposed.

### CASE# 20 - SMG 09-18-106 - TAMBRA N. DAVIS, Trustee or her successors in trust of the TAMBRA N. DAVIS Management Trust dated June 11, 2005

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7, 304.9, 304.13, 304.13.1, 304.13.2), at 2301 S Peninsula

Dr. Violation(s) - Abandoned unsecured building, fading and peeling paint, severely damaged roofs and drainage, broken windows. First Notified - 1/26/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mike Fitzgerald. Inspector Fitzgerald is requesting that this case be amended to the next cutoff.

Inspector Fitzgerald stated the property is undergoing a complete rehabilitation and they're putting in a new roof and a lot of things and they are going above and beyond but it's taken longer than they thought. He stated they are putting in new windows and it's going to be really nice when they're done but they need more time.

**DISPOSITION:** Based on the inspector's report, Mr. Vukelja amended the current Order of Non-Compliance to allow the respondent until February 6, 2019 to come into compliance or be returned for the consideration of a fine of up to \$1,000 per day thereafter.

### CASE # 21 - SMG 09-18-113 - Promo 05 LLC

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3; City Code Ch. 90 Sec. 90-297, at & 227-225 N Oleander Ave. Violation(s) - Adding a third apartment in the basement of the front building - no permit for electrical, plumbing, new porch, new stairs and demo, failure to obtain Business Tax License (BTR). First Notified - 3/7/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for a progress report and the inspector is Mike Fitzgerald.

Inspector Fitzgerald stated he spoke with the respondent this morning and he's hired a contractor and they have to build a porch across the front. He stated they are working with an engineer to do the drawings and he thinks the drawings will take about 30 days. He stated he would like a progress report next month and that no one was living in it and the respondent will keep it empty throughout construction.

**DISPOSITION:** Mr. Vukelja continued any further decision on this case for a progress report at the February 12, 2019 meeting and at that time he will consider the amended order which has expired.

### CASE # 25 - SMG 12-18-161 - 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), at 200 N Ridgewood Ave. Violation(s) - Pot hole, trash and debris. First Notified - 10/25/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Danny Garcia. Inspector Garcia reports they were first notified of the violations in October 2018 and it is a major corridor of the city. He stated they have dealt with problems on this property before, but not the current owner, and they are not in compliance. He stated the inspector is requesting a \$500 per day fine to a maximum of \$25,000.

Inspector Garcia stated this is been an ongoing problem, and management has been to the property several times, and they had put covers on the potholes that he had cited them for previously. He stated they let the dumpsters overflow and when they recently cut the grass they went over the trash and all which scattered all over into the parking lot. The pothole is on the oncoming ramp of Seagrave, in the rear, and is get bigger, bigger, bigger and the problem is when it rains it fills up and it looks like a smooth surface and then cars go over it and they get damaged, including police cars.

Mr. Jackson asked the inspector if he had any contact with respondent.

Inspector Garcia stated that just this morning he spoke with an attorney in Miami who states he's been hired to represent the owner, which is out of California, and he asked for them to send him an email but he has not received it yet. He stated they have a contract with a painting company to paint it, but it hasn't happened yet.

**DISPOSITION:** A fine in the amount of \$500 per day, commencing January 3, 2019 and continuing to accrue each day thereafter until such time as the property is in compliance or the amount of the fine reaches the sum of \$25,000 was imposed.

## New Cases

### CASE# 26 - SMG 01-19-18 - 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. IPCM 304.2), at 200 N Ridgewood Ave. Violation(s) - Dirt & grime, peeling paint on exterior wall. First Notified - 10/20/2018.

Respondent was not present.

Inspector Garcia stated he is asking for noncompliance and to amend to the next cutoff. He has not gotten any contact with the owners or the tenants and he does not even know if it's vacant.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and allowed the respondent until February 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 27 - SMG 01-19-15 - Jae Louise Gates & Jeffrey Michael Gates

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 304.2 and 605.1), at 222 N Hollywood Ave.

Violation(s) - Faded & discolored exterior surface and damaged lamp.

First Notified - 10/1/2018.

Respondent was not present.

Inspector Garcia stated he had no contact with the owners or tenants and the property remains in non-compliance with faded paint and lamppost on the right of the door is unsecured and just hanging. He stated he posted the property

Mr. Vukelja asked if he had heard from the owners and Inspector Garcia stated no.

Mr. Vukelja asked how long it would take the owners to come into compliance and Inspector Garcia stated next cut-off.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and ordered the respondent until February 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 29 - SMG 01-19-19 - April Ann Leary

property on cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 302.4, 302. 7, 304.1, 304.1.1, 304.2, 304.3, 304.4, 304.5, 304.6, 304.13, 304.13.1, 304.13.2, 304.14, 304.15, 305.1, and 308.1 ), at 1057 North St. Violation(s) - Abandoned building - Outside storage, trash and debris, noxious weeds, damaged accessory structure (fence), public health threat, unsafe conditions (broken and dilapidated walls and roof),

faded and peeling paint, missing address numbers, damaged foundation walls, exterior walls, roof and drainage, broken windows, broken glass, inoperable windows, missing window screens, broken doors and damage to the interior structure, and accumulation of rubbish and garbage. First Notified - 12/19/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for a finding of compliance or non-compliance inspector is Mike Fitzgerald. Inspector Fitzgerald reports that the property remains in non-compliance.

Inspector Fitzgerald it had been hit by a tree during one of the hurricanes and it is a dilapidated structure.

Mr. Vukelja asked the inspector if he had any communication with the owner and inspector Fitzgerald stated we have, and they are working on getting a demolition done with the City.

Mr. Vukelja ask how long it would take to bring the property in a compliance.

Mr. Jackson stated we hope the demolition will be done by the next cutoff and it will be taken care of through our demolition program.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, and taking into consideration the photographs of the property, Mr. Vukelja found the respondent in non-compliance and ordered the respondent until February 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 34 - SMG 01-19-03 - 2018-3 IH Borrower LP

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 112 Logenberry Ct. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/5/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports the property is still in non-compliance and is requesting to amend to the next cutoff in order to obtain a rental inspection.

Inspector Jones stated the original inspection was back in August, and this goes for the next three cases, and we have heard no comment from the property owner property owner for very minor issues which include screens, windows. He stated we sent the Notice of Violation in November and they signed for the notice, but he has had no contact with the owner at all. He stated all four properties were occupied.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by February 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 35 - SMG 01-19-04 - 2018-2 IH Borrower LP

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 133 Hagge Dr. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/5/2018.

Respondent was not present.

Mr. Jackson stated this case is the same as the last case.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by February 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 36 - SMG 01-19-05 - 2018-2 IH Borrower LP

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 257 Perfect Dr. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/5/2018.

Respondent was not present.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by February 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 37 - SMG 01-19-06 - 2018-2 IH Borrower LP

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 128 Opal Hill Cir. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/5/2018.

Respondent was not present.

**DISPOSITION:** Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by February 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

### CASE# 40 - SMG 01-19-09 - Sal & Nellie Annino

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 309 N. Oleander Ave. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/2/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports that the respondent failed a rental inspection in January, but he expects them to be in compliance by the next cutoff and asked that they be found in non-compliance.

**DISPOSITION:** Based on the city's presentation and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by February 6, 2019 or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

There was no miscellaneous business and the meeting was adjourned.