

AGENDA REQUEST FORM CITY OF DANIA

Date: November 5, 2010

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Settlement Received for 118 NW 7 Avenue Tr., Family Real Estate Trste, 118 NW 7 Avenue Front, CASE # 09-0571

Summary Explanation & Background:

This was originally cited on March 24, 2009 for 9 violations, and was given 21 days to comply. This went to the Special Magistrate on July 9, 2009 for 9 violations. The Special Magistrate issued an order giving the respondent until 8/18/09 to comply or a fine of \$150.00 per day would be levied. At the 11/05/09 hearing, the fine was confirmed. The property was brought into compliance on 10/20/10. The fines ran from 8/18/09 through 10/20/2010, 428 days @ \$150.00 per day = \$ 64,458.00 including cost. This is a motion to accept settlement offer received by the City. The City received \$2,758.00 for code case and \$100.00 administrative fee = \$2,858.00 as settlement.

Exhibits (List):

- (1) Copy of the history report.
- (2) Copy of the lien sheet.

Purchasing Approval:

Source of Additional Information: *(Name & Phone)*

Recommended for Approval By:

This is a motion to accept settlement offer received by the City. The City received \$2,758.00 for code case and \$100.00 administrative fee = \$2,858.00 as settlement.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 11/08/10, 12:51:33
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 09-00000571

CASE TYPE
Folio Number
ADDRESS

DATE ESTBL
INSPECTOR
3/19/09
WARREN OSTROFSKY

STATUS
TENANT NAME
ACTIVE

STATUS DATE
TENANT NBR
3/24/09

MINIMUM STANDARDS
5042-34-01-0850-
118 NW 7 AVE FRONT
DANIA BEACH FL 33004

9. CASE 09-00000571

CASE DATA: CERTIFIED MAIL NUMBER 7009 0080 0001 9337 0429
CERT LINE SM
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
FORMAL HEARING NOTICE CERT #
2ND INSPECTOR
3RD INSPECTOR
ALSO KNOWN AS ADDRESS

NARRATIVE: Vio.Let. - 8-21a2g win/door; 8-21a2g window equip; 8-21a4a; 3/24/09
8-21a5a1; 8-21a5a2; 13-34a; 13-34b; 13-34c; 15-1 3/24/09

NOTICE NAMES: 118 NW 7 AVE TR OWNER
FAMILY REAL ESTATE TRSTE
RSLT TEXT: Property failed reinspection per inspector Warren Ostrofsky. 4/15/09
April 15, 2009 9:29:46 AM danilxg 4/15/09
NARRATIVE: Compliance by August 18, 2009 or \$150.00 per day fine per 11/08/10
Special Magistrate Mark Berman at the July 9, 2009 hearing. 11/08/10
July 29, 2009 9:02:59 AM daniszp 11/08/10
RSLT TEXT: Property failed reinspection per inspector Warren Ostrofsky. 3/10/10
August 19, 2009 9:20:22 AM danilxg 3/10/10
NARRATIVE: Sent for title search 8/24/09
NARRATIVE: Fine confirmed at the November 5, 2009 hearing per Special 11/08/10
Magistrate Gordon Linn. 11/08/10
November 9, 2009 3:58:51 PM DANITXT 11/08/10
RSLT TEXT: Property failed foreclosure reinspection on 3.9.10 per 11/08/10
Inspector Warren Ostrofsky. There is a change of ownership. 11/08/10
Release of lien, recording and administrative costs are due. 11/08/10
March 11, 2010 9:07:59 AM DANITXT 11/08/10
RSLT TEXT: Received settlement payment for \$2,758.00 plus \$100 admin 11/08/10
fee. Case will be scheduled for November 18, 2010 City 11/08/10

PREPARED 11/08/10, 12:51:33
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 09-00000571

CASE TYPE ----- STATUS DATE
 Folio Number ----- TENANT NBR
 ADDRESS ----- TENANT NBR
 ----- 3/24/09
 MINIMUM STANDARDS
 5042-34-01-0850-
 118 NW 7 AVE FRONT
 DANIA BEACH FL 33004

9. CASE 09-00000571
 RSLT TEXT: Commission hearing.
 October 21, 2010 11:12:26 AM DANITYT.

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	3/24/09	DBCC 8-21(a)(2)(g) Win/Door Mn shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair.	1	CE008021127001	ACTIVE	11/08/10
(2)	3/24/09	DBCC 8-21(a)(2)(g) Window Equi ventilation must be equipped with fully operable hardware and fitted with screens.	1	CE008021127002	ACTIVE	11/08/10
(3)	3/24/09	DBCC 8-21(a)(4)(a) Bldg Cond ceilings, roofs, roof surfaces, windows, doors, and all other building parts to be structurally sound, weather proof, water tight, rodent proof, and kept in a state of good repair.	1	CE008021141001	ACTIVE	11/08/10
(4)	3/24/09	DBCC 8-21(a)(5)(a)(1) Bldg Mnt and every structure thereon, including all parts of the structure and appurtenance where exposed to public view, shall be maintained in good condition and shall not show evidence of deterioration, weathering, discoloration, ripping, tearing, or other holes or breaks.	1	CE008021151101	ACTIVE	11/08/10
(5)	3/24/09	DBCC 8-21(a)(5)(a)(2) Paint painting or which are otherwise protected from the elements shall be kept painted or protected, maintained free of graffiti, and be of uniform colors void of any evidence of deterioration.	1	CE008021151201	ACTIVE	11/08/10
(6)	3/24/09	DBCC 13-34(a) Nus Accumulation operator of premises within the city to allow the accumulation of or to accumulate any garbage, litter, trash, stagnant water, untended vegetation, or to allow any discoloration, or any nuisance as defined in section 13-21 upon the premises.	1	CE013034001001	ACTIVE	3/24/09
(7)	3/24/09	DBCC 13-34(b) Prop & RW Maint within the city shall keep such property and the adjoining unpaved portions of the public rights of way, swales,	1	CE013034002001	ACTIVE	3/24/09

PREPARED 11/08/10, 12:51:33
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 09-00000571

 CASE TYPE DATE ESTEL STATUS STATUS DATE
 Folio Number INSPECTOR TENANT NAME TENANT NBR
 ADDRESS 3/19/09 ACTIVE 3/24/09

MINIMUM STANDARDS
 5042-34-01-0850-
 118 NW 7 AVE FRONT
 DANIA BEACH FL 33004

9. CASE 09-00000571

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(7)	3/24/09	DBCC 13-34(b) Prop & RW Maint and/or canal banks clean and free from any accumulation of garbage, trash, and litter.	1	CE013034002001	ACTIVE	
(8)	3/24/09	DBCC 13-34(c) Untended Veg improved property within the city shall not permit untended vegetation upon such property and the public rights of way, swales, and/or canal banks. Untended vegetation includes all grass, weeds, and underbrush in excess of eight (8) inches in height from the ground, and any overgrown vines and similar other vegetation.	1	CE013034003001	ACTIVE	
(9)	3/24/09	DBCC 15-1 BTR/License Required or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city.	1	CE015001000001	ACTIVE	

City of Dania Beach

100 W. Dania Beach Blvd.
 Dania Beach, FL 33004
 954-924-6800 Ext. 3662

OWNER: 118 NW 7 AVE TR
 FAMILY REAL ESTATE TRSTE
FOLIO: 0234-01-0850
LEGAL: TOWN OF DANIA B-49 D LOT 15 BLK 6
ADDRESS: 118 NW 7 AVENUE

CODE ENFORCEMENT ORDER LIEN

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record		RECORDED BOOK	RECORDED PAGE	RELEASED	
					Fee	Total			BOOK	PAGE
8/18/2009	10/20/2010	\$150.00	428	\$64,200.00	\$258.00	\$64,458.00	46765	1282-1289		12/30/2009

CEB 09-0571

REVISED 11/8/2010

ESTIMATED COST OF RECORDING FEES

1	PAGES CERTIFIED COPY COVER	10.00
4	PAGES FINAL ORDER	34.00
3	PAGES SUPPLEMENTAL ORDER	25.50
2	PAGES RELEASE OF LIEN	18.50
	ADM. FEE RECORDING LIEN	40.00
	ADM. FEE RECORDING RELEASE	30.00
	ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
		258.00