

AGENDA REQUEST FORM CITY OF DANIA

Date: March 7, 2011

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Settlement Received for Edelmira M Perez, 4919 Windward Way,
CASE # 09-0207

Summary Explanation & Background:

This was originally cited on February 12, 2009 for 1 violation, and was given 30 days to comply. This went to the Special Magistrate on June 4, 2009 for 1 violation. The Special Magistrate issued an order giving the respondent until 7/14/09 to comply or a fine of \$150.00 per day would be levied. At the 11/05/09 hearing, the fine was confirmed. The fines ran from 7/14/09 through 3/1/10, 230 days @ \$150.00 per day = \$34,749.50 including costs. This is a motion to accept the settlement offer received by the City. The City received \$1,500.00 for the code case plus \$100.00 for a special magistrate fee, totaling \$1,600.00 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 the settlement offer received by the City. The City received \$1,500.00 for the code case plus \$100.00 for a special magistrate fee, totaling \$1,600.00 as settlement.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 2/24/11, 12:50:52
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 09-00000207

CASE TYPE DATE ESTBL STATUS TENANT NER STATUS DATE
Folio Number 1/22/09 ACTIVE 2/09/09
ADDRESS INSPECTOR TENANT NAME
MINIMUM STANDARDS TUCHELTE TORRES

5042-32-AB-3050-
4919 WINDWARD WAY 3LD44 4405
DANIA BEACH FL 33004

1. CASE 09-00000207

CASE DATA: CERTIFIED MAIL NUMBER 7008 1300 0000 4135 9100
CERT LINE SM
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
FORMAL HEARING NOTICE CERT #
2ND INSPECTOR
3RD INSPECTOR
ALSO KNOWN AS ADDRESS

NARRATIVE: Vic.Let. - 15-1

NOTICE NAMES: EDELMIRA M PEREZ OWNER
PIETRO MASCANI 384

2/09/09

RSLT TEXT: Extension granted until 3/24/09 per inspector Tuchette
Torres.
March 19, 2009 10:02:24 AM danilxg

3/19/09
3/19/09
3/19/09

RSLT TEXT: Property failed reinspection per inspector Tuchette Torres.
March 30, 2009 2:23:56 PM danilxg

3/30/09
3/30/09

NARRATIVE: Compliance by July 14, 2009 or \$150.00 per day fine per
Special Magistrate Mitch Kraft at the June 4, 2009 hearing.
July 7, 2009 3:13:23 PM daniszp

7/07/09
7/07/09
7/07/09

RSLT TEXT: Property failed reinspection per inspector Tuchette Torres.
July 14, 2009 2:54:46 PM danilxg

7/14/09
7/14/09

NARRATIVE: Sent for Title Search

7/27/09

NARRATIVE: Fine confirmed day fine per Special Magistrate Gordon Linn
at November 5, 2009 hearing. \$100.00 administrative fee is
assessed.
November 9, 2009 4:07:40 PM DANITXI

2/18/11
2/18/11
2/18/11

RSLT TEXT: Property failed reinspection on 2.17.10 per Inspector Mike
Rinaldi. Administration costs plus fines are owed.
February 17, 2010 9:15:00 AM DANITXI

1/27/11
1/27/11
1/27/11

PREPARED 2/24/11, 12:50:52
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 09-00000207

 CASE TYPE DATE ESTBL STATUS TENANT NBR STATUS DATE

 Police Number 1/22/09 ACTIVE 2/09/09
 ADDRESS TUCHEITTE TORRES

 MINIMUM STANDARDS
 5042-32-AB-3050-
 4919 WINDWARD WAY BLD44 4405
 DANIA BEACH FL 33004

1. CASE 09-00000207

NARRATIVE:

RESULT TEXT: Received \$1,500 plus \$100 admin fee for total of \$1,600.00.
 Will wait for ck to clear.
 February 15, 2011 2:22:35 PM DANITXT.
 Check cleared, release of lien will be processed. Case will
 be scheduled for the March 17, 2011 City Commission
 Abatement hearing.
 February 24, 2011 12:48:08 PM DANITXT.

| VIOLATIONS: | DATE | DESCRIPTION | QTY | CODE | STATUS | DATE RESOLVED |
|-------------|---------|---|-----|----------------|--------|---------------|
| (1) | 2/12/09 | DBCC 15-1 BTR/License Required | 1 | CE015001000001 | ACTIVE | |
| | | DBCC 15-1 states it is unlawful for any person to engage in, manage or allow anyone on the person's property to engage in or manage any business in the city without having a business tax receipt (previously referred to as a license) from the city. | | | | |

City of Dania Beach

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

OWNER: PEREZ,EDELMIRA M
 FOLIO: 0232-AB-3050
 LEGAL: VILLAS AT HARBOR ISLES CONDO UNIT 4405 BLDG 44
 ADDRESS: 4919 WINDWARD WAY 4405

CODE ENFORCEMENT ORDER LIEN CEB 09-0207

| Start Date | Through Date | Lien Amount | # of Days | TOTAL FINE | Record Fee | RECORDED | | RELEASED | | | |
|------------|--------------|-------------|-----------|-------------|------------|----------|-----------|----------|------|------------|------|
| | | | | | | BOOK | PAGE | BOOK | PAGE | DATE | DATE |
| 7/14/2009 | 3/1/2010 | \$150.00 | 230 | \$34,500.00 | \$249.50 | 46765 | 1252-1258 | | | 12/30/2009 | |
| | | | | | Total | | | | | | |
| | | | | | | | | | | | |

REVISED 2/18/2011

| ESTIMATED COST OF RECORDING FEES | |
|----------------------------------|---|
| 1 | PAGES CERTIFIED COPY COVER 10.00 |
| 3 | PAGES FINAL ORDER 25.50 |
| 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 |
| | 249.50 |