

# AGENDA REQUEST FORM CITY OF DANIA

**Date:** March 7, 2011

**Agenda Item #:**

**Title:** Request for Abatement

**Requested Action:**

Approval of the Settlement Received for Ishake & Roselinda Aflalo, 4963 Windward Way 4104, CASE # 09-0793

**Summary Explanation & Background:**

This was originally cited on April 23, 2009 for 2 violations, and was given 30 days to comply. This went to the Special Magistrate on August 6, 2009 for 2 violations. The Special Magistrate issued an order giving the respondent until 9/15/09 to comply or a fine of \$150.00 per day would be levied. At the 1/07/10 hearing, the fine was confirmed. The fines ran from 9/15/09 through 7/30/10, 318 days @ \$150.00 per day = \$47,949.50 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, \$100.00 for a special magistrate fee, and \$250.00 in administrative fees, totaling \$1,850.00 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, \$100.00 for a special magistrate fee, and \$250.00 in administrative fees, totaling \$1,850.00 as settlement.

**Commission Action:**

Passed  Failed  Continued  Other

**Comment:**

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City Manager

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City Clerk

PREPARED 3/07/11, 14:41:13  
PROGRAM CE200L  
CITY OF DANIA BEACH

CASE HISTORY REPORT  
CASE NUMBER 09-00000793

CASE TYPE DATE ESTBL STATUS TENANT NBR STATUS DATE  
Folio Number INSPECTOR TENANT NAME  
ADDRESS 4/21/09 ACTIVE 4/23/09

MINIMUM STANDARDS  
5042-32-AB-2830-  
4963 WINDWARD WAY BLD41 4104  
FT. LAUDERDALE FL 33312

3. CASE 09-00000793

CASE DATA: CERTIFIED MAIL NUMBER 7009 0080 0001 9339 1929  
CERT LINE HC  
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: Vio letter-6-21(a)(2)(g); 15-1 4/23/09

NOTICE NAMES: AFLALO, ISHAK & ROSELINDA OWNER  
5167 MADISON CLAKE CIR E

RSUT TEXT: Property failed reinspection per inspector Tuchette Torres. 5/28/09  
May 28, 2009 10:48:48 AM danilxg 5/28/09

NARRATIVE: Compliance by September 15, 2009 or \$150.00 per day fine per 3/07/11  
Special Magistrate Gordon Linn. 3/07/11  
August 26, 2009 3:00:08 PM danilxg 3/07/11

RSUT TEXT: Property failed reinspection per Inspector Tuchette Torres. 9/28/09  
September 28, 2009 3:51:57 PM DANILXG 9/28/09

NARRATIVE: October 21, 2009 8:06:22 AM DANITXT 10/21/09

NARRATIVE: Fine confirmed per Special Magistrate Mark Berman at the 3/07/11  
January 7, 2010 Special Magistrate hearing. \$100.00 3/07/11  
administrative fee is assessed. 3/07/11  
January 19, 2010 4:12:03 PM DANITXT 3/07/11

RSUT TEXT: Spoke with listing agent A. Baba. He wants to meet with 7/26/10  
someone at the property to see if rear door in compliance. 7/26/10  
July 15, 2010 10:03:48 AM DANITXT. 7/26/10

RSUT TEXT: Received \$1,850.00 as settlement. Case will be scheduled for 3/07/11  
March 17, 2011 Commission Abatement hearing. 3/07/11  
March 7, 2011 2:37:57 PM DANITXT. 3/07/11

PREPARED 3/07/11, 14:41:13  
 PROGRAM CE200L  
 CITY OF DANIA BEACH

CASE HISTORY REPORT  
 CASE NUMBER 09-00000793

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 CASE TYPE DATE ESTBL STATUS TENANT NAME TENANT NBR STATUS DATE  
 Police Number INSPECTOR 4/21/09 ACTIVE 4/23/09  
 ADDRESS TUCHETTE TORRES  
 MINIMUM STANDARDS  
 5042-32-AS-2830-  
 4963 WINDWARD WAY BLD41 4104  
 FT. LAUDERDALE FL 33312

3. CASE 09-00000793

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
( 1)	4/23/09	DCCC 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	
( 2)	4/23/09	DCCC 15-1 BTR/License Required 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.	1	CE015001000001	ACTIVE	

# City of Dania Beach

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

OWNER: AFLALO,ISHAK E & .ROSELINDA  
 FOLIO: 0232-AB-2830  
 LEGAL: VILLAS AT HARBOR ISLES CONDO UNIT 4104 BLDG 41  
 ADDRESS: 4963 WINDWARD WAY 4104

## CODE ENFORCEMENT ORDER LIEN CEB 09-0793

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	RECORDED		RELEASED	
						BOOK	PAGE	BOOK	DATE
9/15/2009	7/30/2010	\$150.00	318	\$47,700.00	\$249.50	46902	934-940		2/25/2010
					Total				
					\$47,949.50				

REVISED 3/7/2011

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
		<u>249.50</u>