

✓

# AGENDA REQUEST FORM CITY OF DANIA

**Date:** August 31, 2011

**Agenda Item #:**

**Title:** Request for Abatement

**Requested Action:**

Approval of the Settlement Received for Colleen Anne Moran Rev Tr. Est, Luster F. Smith Trste, 20 SE 12 Street, CASE # 09-0668

**Summary Explanation & Background:**

This was originally cited on April 8, 2009 for 1 violation, and was given 30 days to comply. This went to the Special Magistrate on July 9, 2009 for 1 violation. The Special Magistrate issued an order giving the respondent until 8/18/09 to comply or a fine of \$100.00 per day would be levied. At the 11/05/09 hearing, the fine was confirmed. The fines ran from 8/18/09 through 3/22/11, 615 days @ \$100.00 per day = \$58,362.50 including costs. This is a motion to accept the settlement offer received by the City. The City received \$3,700.00 for the code case, \$100.00 for special magistrate fee and \$162.50 in administrative and recording fees totaling \$3,962.50 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 \$3,700.00 for the code case, \$100.00 for special magistrate fee and \$162.50 in administrative and recording fees totaling \$3,962.50 as settlement.

**Commission Action:**

Passed  Failed  Continued  Other

**Comment:**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Clerk

PREPARED 6/14/11, 15:30:53  
PROGRAM CE200L  
CITY OF DANIA BEACH

CASE HISTORY REPORT  
CASE NUMBER 09-00000668

CASE TYPE  
Folio Number  
ADDRESS  
MINIMUM STANDARDS  
5142-03-24-0045-  
20 SE 12 ST  
DANIA BEACH  
FL 33004

DATE ESTBL  
INSPECTOR  
3/19/09  
ERIC WALTON

STATUS  
TENANT NAME  
ACTIVE

STATUS DATE  
TENANT NBR  
4/08/09

4. CASE 09-00000668

CASE DATA: CERTIFIED MAIL NUMBER 7009 0080 0001 9339 3459  
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. - 15-1

4/08/09

NOTICE NAMES: COLLEEN ANNE MORAN REV TR EST OWNER  
LUSTER F SMITH TRSTE

RSLT TEXT:	Property failed reinspection per inspector Eric Walton. May 8, 2009 4:10:59 PM danilxg	5/08/09 5/08/09
NARRATIVE:	Compliance by August 18, 2009 or \$100.00 per day fine per Special Magistrate Mark Berman at the July 9, 2009 hearing. July 28, 2009 3:33:51 PM daniszp	6/14/11 6/14/11 6/14/11
RSLT TEXT:	Property failed reinspection per inspector Eric Walton. August 20, 2009 4:56:36 PM danilxg	8/20/09 8/20/09
NARRATIVE:		0/00/00
NARRATIVE:	Fine confirmed day fine per Special Magistrate Gordon Linn at November 5, 2009 hearing. \$100.00 administrative fee is assessed. November 9, 2009 4:02:45 PM DANITXT	6/14/11 6/14/11 6/14/11
RQST TEXT:	check to see if has license or is same owner	3/04/11
RSLT TEXT:	Received \$3,700.00 for code case. \$100 admin fee and \$162.50 for admin & rec. fees= \$3,962.50. Will wait for ck to clear, then release lien. April 11, 2011 4:26:57 PM DANITXT. Check cleared. Release of lien will processed. April 20, 2011 4:30:47 PM DANITXT.	6/14/11 6/14/11 6/14/11 6/14/11 6/14/11

PREPARED 6/14/11, 15:30:53  
PROGRAM CE200L  
CITY OF DANIA BEACH

CASE HISTORY REPORT  
CASE NUMBER 09-00000668

-----  
CASE TYPE  
Folio Number  
ADDRESS  
-----  
MINIMUM STANDARDS  
5142-03-24-0045-  
20 SE 12 ST  
DANIA BEACH  
FL 33004  
-----  
DATE ESTBL  
INSPECTOR  
3/19/09  
ERIC WALTON  
-----  
STATUS  
TENANT NAME  
ACTIVE  
-----  
STATUS DATE  
TENANT NBR  
4/08/09  
-----

4. CASE 09-00000668

VIOLATIONS:  
( 1)  
DATE 4/08/09  
DESCRIPTION  
DBCC 15-1 BTR/License Required  
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.  
QTY CODE  
1 CE015001000001  
STATUS  
ACTIVE  
DATE RESOLVED

# City of Dania Beach

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

**OWNER:** COLLEEN ANNE MORAN REV TR EST LUSTER F. SMITH TRSTE  
**FOLIO:** 5142-03-24-0045  
**LEGAL:** DIXIE HWY 12-4 B LOT 16, 17, 18 E 2/3 BLK 2  
**ADDRESS:** 20 SE 12 STREET

## CODE ENFORCEMENT ORDER LIEN

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	CEB 09-0668		RECORDED		RELEASED	
						Book	Page	Book	Page	Book	Page
8/18/2009	3/22/2011	\$100.00	581	\$58,100.00	\$262.50	47761	343-349	47874	259-260	3/4/2011	4/26/2011
					<b>Total</b>						
					\$58,362.50						

**REVISED** 6/14/2011  
**CORI MAYO**  
 Accts. Receivable & Liens

## ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
3	PAGES	SUPPLEMENTAL ORDER	25.50
2	PAGES	RELEASE OF LIEN	25.00
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
			<b>262.50</b>