

AGENDA REQUEST FORM CITY OF DANIA

Date: August 31, 2011

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for Hilario Valdespino Jr., 434 SE 3 Street, CASE # 08-0131

Summary Explanation & Background:

This was originally cited on January 29, 2008 for 5 violations, and was given 30 days to comply. This went to the Special Magistrate on April 3, 2008 for 5 violations. The Special Magistrate issued an order giving the respondent until 7/12/08 to comply or a fine of \$150.00 per day would be levied. At the 12/04/08 hearing, the fine was confirmed. The fines ran from 7/12/08 through 4/06/11, 998 days @ \$150.00 per day = \$149,849.50 including costs. This is a motion to accept the settlement offer received by the City. The City received \$7,485.00 for the code case, and \$149.50 in administrative and recording fees, totaling \$7,634.50 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 \$7,485.00 for the code case, and \$149.50 in administrative and recording fees, totaling \$7,634.50 as settlement.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 6/14/11, 14:38:51
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 08-00000131

CASE TYPE DATE ESTBL STATUS STATUS DATE
Folio Number INSPECTOR TENANT NAME TENANT NBR
ADDRESS 1/29/08 ACTIVE 1/29/08

MINIMUM STANDARDS
5142-03-48-0290-
434 SE 3 ST
ERIC WALTON

1. CASE 08-00000131

CASE DATA: CERTIFIED MAIL NUMBER 7007 2680 0000 4987 2312
CERT LINE JC
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
VIOLATION TYPE
FORMAL HEARING NOTICE CERT # 7007 2680 0000 4900 7769
2ND INSPECTOR
3RD INSPECTOR
ALSO KNOWN AS ADDRESS

NARRATIVE: Vio Letter 8-21a5a3; 13-34b; 13-34c; 22-1; 22-21 1/29/08

NOTICE NAMES: VALDESPINO, HILARIO JR
434 SE 3RD ST

OWNER

RSLT TEXT: Property failed reinspection per inspector Eric Walton.
February 29, 2008 10:39:21 AM danilxg 2/29/08

NARRATIVE: Stipulated agreement. Compliance by July 12, 2008 or \$150.00
per day fine as ordered by Special Magistrate Gordon Linn at
the 4/3/08 hearing. 6/14/11
April 11, 2008 9:14:59 AM daniszzp 6/14/11
sm 6/14/11

RSLT TEXT: Property failed reinspection per inspector Eric Walton.
July 15, 2008 9:27:04 AM danilxg 7/15/08

NARRATIVE: Sent for Title Search 7/15/08

NARRATIVE: Fine confirmed per Special Magistrate Gordon Linn. 6/14/11

RSLT TEXT: Property failed reinspection per inspector Eric Walton.
March 19, 2009 9:46:03 AM danilxg 4/07/11
Per Inspector Eric Walton, property is in compliance as of
4.6.11 but they still owe fines. 4/07/11
April 7, 2011 11:54:40 AM DANITXT. 4/07/11

RSLT TEXT: Received \$7,485.00 code case, \$149.50 admin and recording
fees=\$7,634.50 (cashier's check). Release of lien processed. 5/31/11

PREPARED 6/14/11, 14:38:51
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 08-00000131

 CASE TYPE DATE ESTBL STATUS STATUS DATE
 Folio Number INSPECTOR TENANT NAME TENANT NBR
 ADDRESS 1/29/08 ACTIVE 1/29/08
 MINIMUM STANDARDS ERIC WALTON
 5142-03-48-0290-
 434 SE 3 ST

1. CASE 08-00000131

RSLT TEXT: May 31, 2011 11:06:09 AM DANITXT. 5/31/11

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	1/29/08	DBCC 8-21(a) (5) (a) (3) Parking shall be paved with asphalt or concrete or block, and shall be of smooth surface and in good repair.	1	CE008021151301	ACTIVE	
(2)	1/29/08	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, and/or canal banks clean and free from any accumulation of garbage, trash, and litter.	1	CE013034002001	ACTIVE	
(3)	1/29/08	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	
(4)	1/29/08	DBCC 22-1 Bldg Numbers (Front) correct street number upon such building.	1	CE022001000001	ACTIVE	
(5)	1/29/08	DBCC 22-21 Sidewalk Maint property to construct or reconstruct, and to maintain and keep in uniform repair sidewalks in front of or abutting upon the property.	1	CE022021000001	ACTIVE	

City of Dania Beach

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

OWNER: VALDESPINO, HILARIO JR
 FOLIO: 1203-48-0290
 LEGAL: OCEAN VIEW GOLF ADD 37-7 B LOT 9 BLK 3
 ADDRESS: 434 SE 3 STREET

CODE ENFORCEMENT ORDER LIEN

Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	RECORDED		RELEASED	
						BOOK	PAGE	BOOK	PAGE
7/12/2008	4/6/2011	\$150.00	998	\$149,700.00	\$149.50	46115	323-329		
					Total				
					\$149,849.50				
								4/7/2009	

CEB 08-0131

PARTIAL RELEASE OF LIEN 10/09/2009: BOOK #46581 PAGE 85

Compiled on 4/6/11

REVISED 4/19/2011

ESTIMATED COST OF RECORDING FEES		
1	PAGES CERTIFIED COPY COVER	10.00
4	PAGES FINAL ORDER	34.00
2	PAGES SUPPLEMENTAL ORDER	17.00
2	PAGES RELEASE OF LIEN	18.50
	ADM. FEE RECORDING LIEN	40.00
	ADM. FEE RECORDING RELEASE	30.00
		<u>149.50</u>