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AGENDA REQUEST FORM CITY OF DANIA

Date: August 31, 2011

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for John Goodwin, 3901 SW 58 Street, CASE # 08-1565

Summary Explanation & Background:

This was originally cited on August 15, 2008 for 9 violations, and was given 30 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 \$200.00 per day would be levied. At the 11/5/09 hearing, the fine was confirmed. The fines ran from 8/18/09 through 2/23/11, 554 days @ \$200.00 per day = \$111,049.50 including costs. This is a motion to accept the settlement offer received by the City. The City received \$40,767.22 for the code case, and \$100.00 for administrative fee, totaling \$40,867.22 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 \$40,767.22 for the code case, and \$100.00 for administrative fee, totaling \$40,867.22 as settlement.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

PREPARED 7/12/11, 10:41:08
PROGRAM CE200L
CITY OF DANIA BEACH

CASE HISTORY REPORT
CASE NUMBER 08-00001565

CASE TYPE
Folio Number
ADDRESS
MINIMUM STANDARDS
5042-31-01-0670-
3901 SW 58 ST
DAVIE

DATE ESTBL
INSPECTOR
8/09/08
MICHAEL RINALDI
FL 33314

STATUS
TENANT NAME
ACTIVE

STATUS DATE
TENANT NBR
8/15/08

4. CASE 08-00001565

CASE DATA: CERTIFIED MAIL NUMBER 7008 0150 0003 4945 4941
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; 8/15/08
8-21a5a1; 13-34a; 13-34b; 13-34c; 13-74c; 22-1 8/15/08

NOTICE NAMES: JOHN GOODWIN OWNER
4410 SW 24TH AVENUE

RESULT TEXT	DATE
Extension granted until 11/17/08 per inspector Mike Rinaldi.	9/17/08
September 17, 2008 3:40:10 PM danilxg	9/17/08
Extension granted until 12/18/08 per inspector Mike Rinaldi.	11/19/08
November 19, 2008 9:53:56 AM danilxg	11/19/08
The property was given a 30 day extension from 12/18/08 until 1/17/09.	12/26/08
December 26, 2008 10:45:01 AM daniszp	12/26/08
Extension granted until 2/22/09 per inspector Mike Rinaldi.	1/29/09
January 29, 2009 10:21:28 AM danilxg	1/29/09
Extension granted until 3/23/09 per inspector Mike Rinaldi.	2/23/09
February 23, 2009 3:17:29 PM danilxg	2/23/09
Extension granted until 3/23/09 per inspector Mike Rinaldi.	2/23/09
February 23, 2009 3:17:29 PM danilxg	2/23/09
Extension granted until 4/23/09 per inspector Mike Rinaldi.	3/23/09
March 23, 2009 2:45:06 PM danilxg	3/23/09
Property failed reinspection per inspector Gary Phaneuf.	5/08/09
May 8, 2009 12:05:28 PM danilxg	5/08/09

PREPARED 7/12/11, 10:41:08
 PROGRAM CE200L
 CITY OF DANIA BEACH

CASE HISTORY REPORT
 CASE NUMBER 08-00001565

CASE TYPE
 Folio Number
 ADDRESS
 MINIMUM STANDARDS
 5042-31-01-0670-
 3901 SW 58 ST
 DAVIE

FL 33314

4. CASE 08-00001565

DATE ESTBL STATUS TENANT NBR
 8/09/08 ACTIVE 8/15/08
 MICHAEL RINALDI

NARRATIVE: Compliance by August 18, 2009 or \$200.00 per day fine per Special Magistrate Mark Berman at the July 9, 2009 hearing. July 28, 2009 3:43:14 PM daniszp

RESULT TEXT: Property failed reinspection per inspector Mike Rinaldi. August 19, 2009 9:20:22 AM danilxg

NARRATIVE: Fine confirmed day fine per Special Magistrate Gordon Linn at November 5, 2009 hearing. \$100.00 administrative fee is assessed. November 9, 2009 4:06:13 PM DANITXT

RESULT TEXT: Property failed reinspection on 2.17.10 per Inspector Mike Rinaldi. February 18, 2010 1:23:42 PM DANITXT

RESULT TEXT: Extension granted until 11/17/08 per inspector Mike Rinaldi. September 17, 2008 3:40:10 PM danilxg

NARRATIVE: Authorization to foreclose granted per Special Magistrate Mitch Kraft at the June 3, 2010 Special Magistrate hearing. June 7, 2010 3:13:34 PM DANITXT.

RESULT TEXT: The City received \$40,767.22 for the code case, and \$100.00 for administrative fee, totaling \$40,867.22 as settlement. Case will be scheduled for next Commission Abatement hearing. July 12, 2011 10:40:52 AM danitxt.

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(1)	8/15/08	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	7/12/11
(2)	8/15/08	DBCC 8-21(a)(2)(g) Window Equi ventilation must be equipped with fully operable hardware and fitted with screens.	1	CE008021127002	ACTIVE	7/12/11
(3)	8/15/08	DBCC 8-21(a)(4)(a) Bldg Cond DBCC 8-21(a)(4)(a) requires foundations, floors, walls, ceilings, roofs, roof surfaces, windows, doors, and all other building parts to be structurally sound, weather	1	CE008021141001	ACTIVE	7/12/11

PREPARED 7/12/11, 10:41:08
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 5042-31-01-0670-
 3901 SW 58 ST
 DAVIE
 FL 33314

DATE ESTBL
 INSPECTOR
 8/09/08
 MICHAEL RINALDI

STATUS
 TENANT NBR
 8/15/08

TENANT NAME
 ACTIVE

4. CASE 08-00001565

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
(3)	8/15/08	DBCC 8-21(a) (4) (a) Bldg Cond proof, water tight, rodent proof, and kept in a state of good repair.	1	CE008021141001	ACTIVE	
(4)	8/15/08	DBCC 8-21(a) (5) (a) (1) Bldg Mt 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	
(5)	8/15/08	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	
(6)	8/15/08	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	
(7)	8/15/08	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	
(8)	8/15/08	DBCC 13-74(c) Removal of items receptacles shall be removed from the right of way and from the front yard no later than dusk of the day of collection.	1	CE013074003002	ACTIVE	
(9)	8/15/08	DBCC 22-1 Bldg Numbers (Front) correct street number upon such building.	1	CE022001000001	ACTIVE	

City of Dania Beach

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

OWNER: GOODWIN,JOHN
 FOLIO: 0231-01-0670
 LEGAL: REED LAND CO SUB 2-32 D 31-50-42 LOT 11 N 300 LESS W 510 BLK 3
 ADDRESS: 3901 SW 58 STREET

CODE ENFORCEMENT ORDER LIEN										CEB 08-1565		
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE
8/18/2009	2/23/2011	\$200.00	554	\$110,800.00	\$249.50	\$111,049.50	46765	1210-1216	12/30/2009			

REVISED 7/12/2011

Accts. Receivable & Liens

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