

AGENDA REQUEST FORM CITY OF DANIA

Date: October 26, 2011

Agenda Item #:

Title: Request for Abatement

Requested Action:

Consideration of the Abatement Request for: 2080 Griffin Holdings LLC, 2080 Griffin Road, Case #10-0257

Summary Explanation & Background:

This was originally cited on February 26, 2010 for 1 violation, and was given 30 days to comply. This went to the Special Magistrate on 05/06/10 for 1 violation. The Special Magistrate issued an order giving the respondent until 6/15/10 to comply or a fine of \$100.00 per day would be levied. Special Magistrate Gordon Linn ordered the fine confirmed at the 11/04/10 hearing. The fines ran from 6/15/10 through 08/30/11, 441 days @ \$100.00 per day = \$44,399.50 including costs. An abatement of \$4,000.00 was recommended to the City Commission per Special Magistrate Mark Berman at the October 6, 2011 Special Magistrate hearing.

Exhibits (List):

- (1) Copy of the original violation letter issued.
- (2) Copy of the Final Order issued and the Supplemental Order issued by the Special Magistrate.
- (3) Copy of the minutes from the 5/06/10, 11/04/10, and 10/06/11 Special Magistrate hearings.
- (4) Copy of the lien total sheet.

Purchasing Approval:

Source of Additional Information: *(Name & Phone)*

Recommended for Approval By:

An abatement of \$4,000.00 was recommended to the City Commission per Special Magistrate Mark Berman at the October 6, 2011 Special Magistrate hearing.

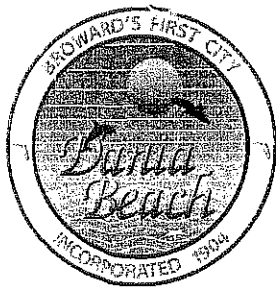
Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk



City of Dania Beach FLORIDA

February 26, 2010

2080 GRIFFIN HOLDINGS LLC
1055 NE 125 STREET
NORTH MIAMI, FL 33161-5804

Case Number: 10-00000257

Location: 2080 GRIFFIN RD
Folio: 5042-33-08-0160-

Legal Description:

HIGHLAND PARK UNIT NO 2 12-29 B LOTS 16,17 & PART OF LOT 18 DESC AS BEG AT A PT ON E R/W/L OF RAVENSWOOD RD, SAID PT BEING 14.8 S OF INTERSEC OF ELY R/W/L OF RAVENSWOOD RD & SLY R/W/L OF BROWARD RD, SLY 100.2, ELY 150, NLY 117.20, WLY 135.2 TO A PT, THENCE ALG A CURVE TO THE LEFT AN ARC DIST OF 23.36 TO POB, LESS PAR 5 E, CA #81-7143 BLK 12

Dear 2080 GRIFFIN HOLDINGS LLC:

You are hereby notified that you are presently in violation of Dania Beach Code of Ordinances. We have attached the ordinance section(s) and corrective actions for your reference.

You are required to correct the violation(s) and call for a re-inspection by March 28, 2010. Failure to comply will result in proceedings against you by the Code Enforcement Special Magistrate, as provided by law. If the violation is corrected and then reoccurs or if the violation is not corrected by the time specified for correction by the Code Inspector, the case may be presented to the Code Enforcement Special Magistrate for imposition of a fine and lien against the property even if the violation has been corrected prior to the hearing.

If you require further information or have any questions about the attached violation(s), please do not hesitate to contact me at 954924-6810 ext.3648.

Sincerely,

GARY PHANEUF
CODE INSPECTOR

I certify that an original hereof was furnished to the above named addressee by:
Certified Mail # 7009 1680 0000 9715 9473 by SM

CASE NUMBER 10-00000 7
PROPERTY ADDRESS 2080 GRIFFIN RD

VIOLATION: CE015001000001 QUANTITY: 1
DESCRIPTION: DBCC 15-1 BTR/License Required DATE: 2/26/10
LOCATION:

ORDINANCE DESCRIPTION :

DBCC 15-1 states it is unlawful for any person 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.

CORRECTIVE ACTION REQUIRED :

Cease all unlawful activities and obtain all required business tax receipts (previously referred to as licenses) and approvals before resuming business operations.

117.20, WLY 135.2 TO A PT, THENCE ALG A CURVE TO THE LEFT AN ARC DIST OF 23.36 TO POB, LESS PAR 5 E, CA # 81-7143 BLK 12 (# 0233 08 0160):

1. DBCC 15-1 BTR/License Required. It is unlawful for any person to engage in or manage any business in the city without having a Business Tax Receipt from the city. The business of renting property requires a Business Tax Receipt. There is no business tax receipt to lease the property and none for the tenant to conduct business within the city. A business tax receipt must be obtained. Respondent must obtain the required permit and inspections.

Upon consideration by the Special Magistrate, it is ORDERED:

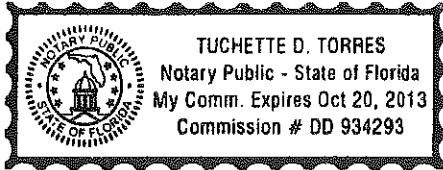
1. Respondent(s) has/have been found to be in violation of the above described code sections listed in paragraph(s) c.(1). A fine of \$100.00 per day will begin running on June 15, 2010.

The City of Dania Beach shall have and recover from Respondent(s), for the foregoing violations listed above, a fine of \$100.00 per day beginning June 15, 2010.

The fine shall continue until the violations come into compliance with the sections of the City Code upon requested inspection. Upon complying, the Respondent(s) MUST notify the City's Code Compliance Department and an officer will inspect the property and notify the Code Compliance Special Magistrate whether Respondent(s) has/have complied. If the Respondent(s) does/do not notify the City's Code Compliance Department, an officer will not inspect the property and the fine will continue to be imposed each day until a Code Officer is notified, inspects the property and determines the property to be in compliance with this order. The fine shall constitute a lien upon the real property and personal property of the Respondent(s).

2. **In addition, the Special Magistrate has also assessed an additional fine of \$150.00 to cover costs incurred by the City in the prosecution of this matter.** Said amount is now due, and must be paid prior to the compliance date as ordered. If not paid, this fine may also constitute a lien against the above referenced property which may also be actionable by law.

In the event this Final Order is recorded as a lien, a charge will be imposed to record the Final Order and any lien satisfaction. ORDERED at Dania Beach, Broward County, Florida, on May 28, 2010.



CODE COMPLIANCE SPECIAL MAGISTRATE

By: Gordon B. Linn
Gordon Linn, Esq.

Notary Seal:

Sworn and subscribed before me on May 28, 2010.

Tuchette D. Torres
NOTARY PUBLIC STATE OF FLORIDA

Gordon Linn is personally known to me.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing Final Order was mailed to the Respondent(s) on May 28, 2010.

CERTIFIED MAIL # 7009 1680 0001 3724 4565
Tuchette D. Torres
CODE COMPLIANCE
SPECIAL MAGISTRATE CLERK

CC: First Class Standard Mail
sm

xc: 2080 Griffin Road LLC, 12451 Australia Rd,
N. Miami, FL 33181
Certified Mail # 7009 1680 0001 3724 4874

CODE COMPLIANCE SPECIAL MAGISTRATE

CITY OF DANIA BEACH, FLORIDA

CITY OF DANIA BEACH, a Florida : CASE # 10-0257
Municipal Corporation,

PETITIONER, : FINAL ORDER

vs. :

2080 GRIFFIN HOLDINGS LLC

RESPONDENT(S). :

SUPPLEMENTAL ORDER /CLAIM OF LIEN

The CITY OF DANIA BEACH CODE COMPLIANCE SPECIAL MAGISTRATE, having received the notice and testimony of Code Officer Gary Phaneuf, on the City's Motion to Confirm Fine held on November 4, 2010, and based on the evidence, the Code Compliance Special Magistrate enters the following findings of fact and order:

1. The Respondent(s) or a representative for the Respondent(s) was not present at the hearing.
2. That the Code Compliance Special Magistrate did issue on May 6, 2010, a Final Order in the above-captioned case commanding the Respondent(s), 2080 Griffin Holdings LLC, to bring the violations specified in the Final Order into compliance on or before June 15, 2010, or pay a fine in the amount of \$100.00 per day for each day of non-compliance thereafter.
3. The violations found by the Code Compliance Special Magistrate and entered in the Final Order occurred on the following described real property located at 2080 GRIFFIN ROAD, Dania Beach, which property is legally described as: HIGHLAND PARK UNIT NO 2 12-29 B LOTS 16, 17 & PART OF LOT 18 DESC AS BEG AT A PT ON E R/W/L OF RAVENSWOOD RD, SAID PT BEING 14.8 S OF INTERSEC OF ELY R/W/L OF RAVENSWOOD RD & SLY R/W/L OF BROWARD RD, SLY 100.2, ELY 150, NLY 117.20, WLY 135.2 TO A PT, THENCE ALG A CURVE TO THE LEFT AN ARC DIST OF 23.36 TO POB, LESS PAR 5 E, CA# 81-7143 BLK 12 (# 0233 08 0160).

4. Respondent(s) did not comply with the Final Order on or before June 15, 2010.

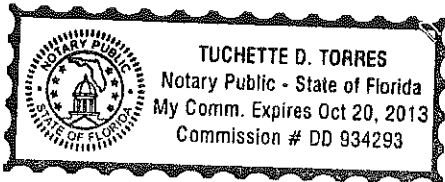
There are violations stated in the Final Order which still exist on the Property.

5. The fine stated in the Final Order is confirmed and ratified and shall accrue at the per diem rate specified until such time as the Respondent(s) has/have complied with the Final Order. Upon complying, **the Respondent(s) MUST notify** the City's Code Compliance Department and an officer will inspect the property and notify the Code Compliance Special Magistrate whether Respondent(s) has/have complied.

6. The fine shall constitute a lien against the above-described real property and it shall be a lien against any other real or personal property owned by Respondent(s).

DONE and ORDERED at Dania Beach, Broward County, Florida, on

November 18, 2010.



CODE COMPLIANCE SPECIAL MAGISTRATE

By: _____

Gordon Linn
Gordon Linn, Esq.

Notary Seal:

Sworn and subscribed before me on

November 18, 2010.

Tuchette Torres
NOTARY PUBLIC STATE OF FLORIDA

Gordon Linn is personally known to me.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing Supplemental Order/Claim of Lien was mailed to the Respondent(s) on November 18, 2010.

7010 2780 0001 4212 5271

CERTIFIED MAIL #

Tuchette Torres
CODE COMPLIANCE
SPECIAL MAGISTRATE CLERK

CC: First Class Standard Mail

sm

Return to: Mark Bates
Finance Director
City of Dania Beach
100 West Dania Beach Blvd.
Dania Beach, FL 33004

Case Order	Case #	Name	Address	Results	
27	07-1457	Irwin Seeman	2948 SW 54 St	Fine reconfirmed.	NP
28	09-1799	Paul Cates 1/2 Int Ea Adrianna Mora	5199 SW 28 Ter	Fine confirmed.	NP
29	10-0032	W & B Holdings LLC	3017 Ravenswood Rd 101	Stipulated agreement . Compliance by July 15, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
30	10-0120	John Wardell & Pamela Carr	4930 SW 27 Ave	Compliance by June 15, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
31	10-0201	2080 Griffin Holdings LLC	2080 Griffin Rd	Compliance by July 15, 2010 or \$200.00 per day fine. \$150.00 administrative fee is assessed.	NP
32	10-0221	Active Properties LLC	2451 SW 58 Mnr East	Stipulated agreement . Compliance by July 15, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
33	10-0257	2080 Griffin Holdings LLC	2080 Griffin Rd	Compliance by June 15, 2010 or \$100.00 per day fine. \$150.00 administrative fee is assessed.	NP
34	09-1322	Steve Hardee	2216 SW 38 St	Stipulated agreement . Compliance by July 15, 2010 or \$100.00 per day fine. \$100.00 administrative fee is assessed.	NP
35	09-1863	Eunice Alexander 1/2 Int Lyle Alexander	4927 SW 44 Ter	Fine confirmed.	NP
36	09-2291	James C Juranitch	325 NE 5 Ct	Continuance granted to June 3, 2010 hearing.	NP
37	10-0101	4764 SW 34 Ter Land Tr Teekoy Properties LLC Trstee	4764 SW 34 Ter	Compliance by July 15, 2010 or \$225.00 per day fine. \$100.00 administrative fee is assessed.	NP
38	10-0182	Secretary of Housing & Urban Dev %Nat'lHomeMgmtSolution LLC	5520 SW 43 Ter	Compliance by June 15, 2010 or \$200.00 per day fine. \$100.00 administrative fee is assessed.	NP
39	07-2481	Sharon Nielsen	4326 SW 48 Ct	Continuance granted to June 3, 2010 hearing.	NP
40	07-2980	W & O Inc	4331 Ravenswood Rd	Extension granted to August 14, 2010.	NP
41	09-1176	Arthur B Choate	3100 W State Rd 84	Continuance granted to June 3, 2010 hearing.	NP
42	08-0459	Victor Medina	529 E Sheridan St 2011	Authorization to foreclose granted. Recommendation of \$2,000.00 to City Commission.	NP
43	07-0181	Michelle B & Darryl Wilcox	141 NW 4 Ave	Fine confirmed. \$100.00 administrative fee is assessed.	NP
44	08-1973	Avi Levy	1400 NW 9 St	Abatement request denied without prejudice. Property owner can request an abatement upon return to the City.	NP
45	09-0996	Randall A Suhr	309 NE 2 Ave	Fine confirmed. \$100.00 administrative fee is assessed.	NP
46	09-1275	Kareen K Castro	730 NW 12 Ave	Fine confirmed.	NP
47	09-1510	Dou'z Inc	Vac Lot W of 801 SW 1 St Lot 2	Fine confirmed.	NP
48	09-2008	Stirling Industrial Park % Alan Levy	1340 Stirling Rd Rear	Stipulated agreement . Compliance by July 15, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
49	10-0244	Olympus Management	250 S Federal Hwy	Compliance by July 15, 2010 or \$175.00 per day fine. \$150.00 administrative fee is assessed.	NP
50	10-0284	Patricia Devanny	54 SW 14 St	Continuance granted to June 3, 2010 hearing.	NP

Case Order	Case #	Name	Address	Results	
21	09-1383	Sakara Chin	413 SW 2 Ave	Continuance granted to December 2, 2010 hearing.	NP
22	10-0578	Shirley M Reeves	320 SW 15 St	Extension granted to November 4, 2010. Case is compiled and \$100.00 administrative fee is paid.	NP
23	10-0743	Miguel & Avilia De La Torre	206 SE 10 St 402	Compliance by February 12, 2011 or \$200.00 per day fine. \$100.00 administrative fee is assessed.	NP
24	10-0960	Paul Lebrun H/E Gladys C Coon	1025 SE 2 Ave Bldg 1 203	Compliance by February 12, 2011 or \$100.00 per day fine. \$100.00 administrative fee is assessed.	NP
25	10-1209	Monique Lessard	205 SE 11 Ter 107	Continuance granted to December 2, 2010 hearing.	NP
26	09-0912	Associates Financial Services of America Inc	728 SW 7 St	Continuance granted to December 2, 2010 hearing.	NP
27	09-1538	Sylvia L Mack Est	734 SW 3 PL	Fine confirmed.	NP
28	07-1810	% Jasmine N Anderson	4700 SW 34 Ter	Continuance granted to December 2, 2010 hearing.	NP
29	09-2360	Karen Wright	4940 SW 28 Ter	Fine confirmed.	NP
30	10-0083	Christine Good	4880 SW 28 Ave	Fine confirmed.	NP
31	10-0257	Stephen R Cunningham 2080 Griffin Holdings LLC	2080 Griffin Rd	Fine confirmed.	NP
32	10-1075	2080 Griffin Holdings LLC	2080 Griffin Rd	Compliance by December 14, 2010 or \$150.00 per day fine. \$150.00 administrative fee is assessed.	NP
33	08-1081	Joanne H Kestler	5511 SW 44 Ave	Continuance granted to December 2, 2010 hearing.	NP
34	09-2208	Elias Perchik	3321 SW 44 St	Fine confirmed.	NP
35	09-2306	James Nanan	129 NW 14 Way	Continuance granted to December 2, 2010 hearing.	NP
36	10-0931	Loan Team Inc	38 NW 7 Ave	Stipulated agreement. Compliance by January 13, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
37	10-0992	Stirling Design Center % Neal Property Mgmt Inc	1249 Stirling Rd	Compliance by December 14, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
38	10-1020	Dania Phoenix Corp	113 NW 1 Ave	Compliance by December 14, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
39	10-1055	Roger Scott Helwig	711 NW 8 Ave	Compliance by December 14, 2010 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
40	10-1133	Paul Sazanow Rev Tr Paul Sazanow Trstee	1040 SE 2 Ave	Stipulated agreement. Compliance by January 13, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.	NP
41	10-1240	Nauman Akhtar	214 NE 5 Ave	Compliance by December 14, 2010 or \$150.00 fine per day in regards to charges # 1, 2 and 3. Compliance by November 24, 2010 or \$150.00 per day fine in regards to charges # 4, 5, and 7. Authorization to abate nuisances by cutting and cleaning the overgrowth and debris on the property, and repairing the sidewalk in regards to charges # 4, 5, and 7 after November 24, 2010 granted in the interest of public health and safety. \$100.00 administrative fee is assessed.	NP

Case Order	Case #	Name	Address	Results
1	11-1010	Federal Home Loan Mortgage Corp	2401 SW 49 CT	Compliance by December 15, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
2	10-0201	2080 Griffin Holdings LLC	2080 Griffin Rd	Abatement of \$7,000.00 recommended to City Commission.
3	10-0257	2080 Griffin Holdings LLC	2080 Griffin Rd	Abatement of \$4,000.00 recommended to City Commission.
4	10-1075	2080 Griffin Holdings LLC	2080 Griffin Rd	Abatement of \$3,000.00 recommended to City Commission.
5	11-0562	Amanda H Tilley	118 NE 1 Ct	Compliance by December 15, 2011 or \$100.00 per day fine. \$50.00 administrative fee is assessed.
6	11-0161	Timothy Ivey	126 NW 5 Ave	Extension granted to December 15, 2011.
7	10-1496	Sharon H Burak	425 SE 11 Ter 203	Compliance by January 14, 2012 or \$100.00 per day fine. \$50.00 administrative fee is assessed.
8	11-1147	J & G Equities	3901 Stirling Rd	Compliance by November 15, 2011 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
9	10-1185	John & Angeline Jerryfone	3120 SW 58 PI	Extension granted to January 14, 2012.
10	11-0351	Louis Ferrer Est	3448 SW 44 St	Fine confirmed. Hold on recording for 30 days.
11	11-0842	Louis Ferrer Est	3448 SW 44 St	Compliance by November 15, 2011 or \$250.00 fine (one time assessment). \$50.00 administrative fee is assessed.
12	11-0843	Louis Ferrer Est	3460 SW 44 St	Compliance by November 15, 2011 or \$250.00 fine (one time assessment). \$50.00 administrative fee is assessed.
13	11-0630	Collins M Sterling Rev Tr	6 SW 5 Ave	Compliance by December 15, 2011 or \$200.00 per day fine. \$100.00 administrative fee is assessed.
14	10-1363	Anita Collins	4649 SW 35 Ave	Fine confirmed. Reduced to \$1,900.00 if paid by January 14, 2012.
15	11-0238	R H Investments Properties LLC	60 SW 15 St	Extension granted to December 15, 2011.
16	11-0597	Amaury Dominguez	4932 SW 45 Ave	Compliance by January 14, 2012 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
17	11-1214	Mortgage Clinic Inc	499 E Sheridan St #2D	Continuance granted to November 3, 2011 hearing.
18	11-1107	Allen S Greenberg	36 SE 13 St	Compliance by December 15, 2011 or \$100.00 per day fine. \$50.00 administrative fee is assessed.
19	11-0826	Grace De Los Angeles Yung Li	4684 SW 24 Ave	Compliance by December 15, 2011 or \$100.00 per day fine. \$50.00 administrative fee is assessed.
20	11-0217	Dennis J Perdue 1/2 Int Ida H Mazzucchelli	550 S Federal Hwy	Fine confirmed. Reduced to \$250.00 if paid by November 15, 2011.
21	10-1741	Philippe & Claire Tronel Wilson & Lea Souza	715 SW 9 St	Partial release of names from lien for respondents Philippe & Claire Tronel granted in the amount of \$250.00.
22	11-1151	Denville Daniel	4632 SW 33 Ave Front	Compliance by November 15, 2011 or \$250.00 fine (one time assessment). \$50.00 administrative fee is assessed.
23	11-1152	Denville Daniel	4632 SW 33 Ave Rear	Compliance by December 15, 2011 or \$100.00 per day fine. \$50.00 administrative fee is assessed.
24	11-1153	Denville Daniel	4640 SW 33 Ave Front	Compliance by November 15, 2011 or \$250.00 fine (one time assessment). \$50.00 administrative fee is assessed.
25	11-1154	Denville Daniel	4640 SW 33 Ave Rear	Compliance by November 15, 2011 or \$250.00 fine (one time assessment). \$50.00 administrative fee is assessed.
26	11-1007	Hector Rodriguez Tina Rodriguez	2723 Griffin Rd	Compliance by December 15, 2011 or \$150.00 per day fine. \$50.00 administrative fee is assessed.
27	11-1008	Hector Rodriguez Tina Rodriguez	2741 Griffin Rd	Compliance by January 14, 2012 or \$150.00 per day fine. \$50.00 administrative fee is assessed.
28	11-0711	Rocio Zamora	719 SW 5 St	Compliance by January 14, 2012 or \$150.00 per day fine. \$100.00 administrative fee is assessed.
29	11-1006	Rocio Zamora	719 SW 5 St	Compliance by January 14, 2012 or \$100.00 per day fine. \$50.00 administrative fee is assessed.

City of Dania Beach

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

OWNER: 2080 GRIFFIN HOLDINGS LLC

FOLIO: 0233-08-0160

LEGAL: HIGHLAND PARK UNIT NO 2 12-29 B LOTS 16,17 & PART OF LOT 18 DESC AS BEG AT A PT ON E RW/L OF RAVENSWOOD RD, SAID PT BEING 14.3 S OF INTERSEC OF ELY RW/L OF RAVENSWOOD RD & SLY RW/L OF BROWARD RD, SLY 100.2, ELY 150, NLY 117.20, WLY 135.2 TO A PT. THENCE ALG A CURVE TO THE LEFT AN ARC DIST OF 23.36 TO POB, LESS PAR 5 E, CA #81-7143 BLK 12

ADDRESS: 2080 GRIFFIN ROAD

CODE ENFORCEMENT ORDER LIEN				CEB 10-0257		RECORDED		RELEASED			
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	BOOK	PAGE	DATE	BOOK	PAGE	DATE
6/15/2010	8/30/2011	\$100.00	441	\$44,100.00	\$299.50	47763	414-419	3/2/2011			
					Total						
					\$44,399.50						

REVISED 10/26/2011

CORI MAYO

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 150.00
	299.50