

# AGENDA REQUEST FORM CITY OF DANIA BEACH

**Date:** November 15, 2012

**Agenda Item #:**

**Title:** Request for Abatement

**Requested Action:**

Approval of the Settlement Received for: Nauman Akhtar, 214 NE 5 Avenue,  
Case # 10-1240

**Summary Explanation & Background:**

This was originally cited on 8/31/10 for 7 violations, and was given 21 days to comply. This went to the Special Magistrate on 11/4/10 for 6 violations. The Special Magistrate issued an order giving the respondent until 12/14/10 to comply 3 violations or a fine of \$150.00 per day would be levied. The Special Magistrate also issued an order giving the respondent until 11/25/10 for the other 3 violations or a fine of \$150.00 per day would be levied, and authorizing the City to abate the nuisances. At the 5/5/11 hearing, the Special Magistrate confirmed the fine as a lien. The case complied on 10/3/12. The fines ran from 11/25/10 through 10/3/12 for the first 3 violations, 678 days @ \$150.00 per day = \$101,700.00 plus admin fees of \$254.00, for a total of \$101,954.00; and from 12/14/10 through 10/3/12 for the other 3 violations, 659 days @ 150.00 per day = \$98,850.00. The total of all liens for this case on this property is \$200,804.00. This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$1,968.00 as settlement for the fines, \$432.00 for nuisance abatement liens, and \$100.00 in administrative fees, for a total settlement received of \$2,500.00.

**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 \$1,968.00 as settlement for the fines, \$432.00 for nuisance abatement liens, and \$100.00 in administrative fees, for a total settlement received of \$2,500.00.

**Commission Action:**

Passed  Failed  Continued  Other

**Comment:**

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City Manager

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City Clerk

PREPARED 4/15/11, 14:48:48  
PROGRAM CR200L  
CITY OF DANIA BEACH

CASE HISTORY REPORT  
CASE NUMBER 10-00001240

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CASE TYPE DATE ESTBL STATUS STATUS DATE  
Folio Number INSPECTOR TENANT NBR  
ADDRESS 8/23/10 ACTIVE 8/31/10  
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MINIMUM STANDARDS  
5042-35-06-0410.  
214 NE 5 AVE  
WARREN OSTROFSKY

35. CASE 10-00001240

CASE DATA: CERTIFIED MAIL NUMBER 7010 1060 0000 1447 3666  
CERT LINE SM  
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: Viol. Let. - 8-21a5a1; 8-21a5a2; 8-21a5a3; 13-34a; 13-34c;  
15-1; 22-21 8/31/10  
8/31/10

NOTICE NAMES: NAUMAN AKHTAR OWNER  
1801 SATINWOOD CIRCLE

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RSLT TEXT: Property failed reinspection on 9.21.10 per Inspector Warren  
Ostrofsky. 9/22/10  
September 22, 2010 9:08:25 AM DANITXT. 9/22/10

NARRATIVE: Compliance by December 14, 2010 or \$150.00 per day fine 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.  
November 12, 2010 3:15:30 PM DANITXT. 12/10/10  
12/10/10  
12/10/10  
12/10/10  
12/10/10  
12/10/10  
12/10/10  
12/10/10

RSLT TEXT: Property failed reinspection on 11.30.10 per inspector  
Warren Ostrofsky. 12/02/10  
December 2, 2010 9:38:26 AM DANITXT. 12/02/10

RSLT TEXT: Property failed reinspection on 12.14.10 per inspector  
Warren Ostrofsky. 12/16/10  
December 16, 2010 9:27:30 AM DANITXT. 12/16/10

NARRATIVE: 0/00/00

PREPARED 4/15/11, 14:48:48  
 PROGRAM CE200L  
 CITY OF DANIA BEACH

CASE HISTORY REPORT  
 CASE NUMBER 10-00001240

CASE TYPE  
 Folio Number  
 ADDRESS  
 MINIMUM STANDARDS  
 5042 35-06-0410-  
 214 NE 5 AVE

DATE ESTBL

INSPECTOR  
 8/23/10

WARREN OSTROFSKY

STATUS

TENANT NAME  
 ACTIVE

STATUS DATE

TENANT NBR  
 8/31/10

39. CASE 10-00001240

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	DATE RESOLVED
( 1 )	8/31/10	DBCC 8-21(a)(5)(a)(1) Bldg Mnt DBCC 8-21(a)(5)(a)(1) states the exterior of all premises 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. DBCC 8-21(a)(5)(a)(2) Paint DBCC 8-21(a)(5)(a)(2) states all surfaces requiring painting or which are otherwise protected from the elements shall be kept painted or protected, maintained free of graffiti, and be of uniform colors void of any evidence of deterioration.	1	CE008021151101	ACTIVE	
( 2 )	8/31/10	DBCC 8-21(a)(5)(a)(1) Bldg Mnt DBCC 8-21(a)(5)(a)(1) states the exterior of all premises 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. DBCC 8-21(a)(5)(a)(2) Paint DBCC 8-21(a)(5)(a)(2) states all surfaces requiring painting or which are otherwise protected from the elements shall be kept painted or protected, maintained free of graffiti, and be of uniform colors void of any evidence of deterioration.	1	CE008021151201	ACTIVE	
( 3 )	8/31/10	DBCC 8-21(a)(5)(a)(3) Parking DBCC 8-21(a)(5)(a)(3) states all off street parking spaces shall be paved with asphalt or constructed of concrete or block, and shall be of smooth surface and in good repair.	1	CE008021151301	ACTIVE	
( 4 )	8/31/10	DBCC 13-34(a) Nus Accumulation DBCC 13-34(a) states it is unlawful for any owner or 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	
( 5 )	8/31/10	DBCC 13-34(c) Untended Veg DBCC 13-34(c) states the owners and operators of all 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	
( 6 )	8/31/10	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.	1	CE015001000001	ACTIVE	
( 7 )	8/31/10	DBCC 22-21 Sidewalk Maint DBCC 22-21 states it is the duty of each owner of abutting property to construct or reconstruct, and to maintain and	1	CE022021000001	ACTIVE	

PREPARED 4/15/11, 14:48:48  
PROGRAM CE200L  
CITY OF DANIA BEACH

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Folio Number INSPECTOR TENANT NAME  
ADDRESS 8/23/10 ACTIVE 8/31/10  
MINIMUM STANDARDS  
5042-35-06-0410 -  
214 NE 5 AVE

WARREN OSTROFSKY

39. CASE 10-00001240

VIOLATIONS: ( 7) DATE 8/31/10 DESCRIPTION DBCC 22-21 Sidewalk Maint QTY CODE STATUS DATE RESOLVED  
keep in uniform repair sidewalks in front of or abutting  
upon the property. I CE022021000001 ACTIVE

# City of Dania Beach

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

OWNER: AKHTAR, NAUMAN  
 FOLIO: 0235-06-0410  
 LEGAL: ROYAL PALM VISTA 41-12 B LOT 1 N 1/2 BLK 4  
 ADDRESS: 214 NE 5 AVENUE

CODE ENFORCEMENT ORDER LIEN				CEB 10-1240				RECORDED			RELEASED		
Start Date	Through Date	Lien Amount	# of Days	TOTAL FINE	Record Fee	Total	BOOK	PAGE	DATE	BOOK	PAGE	DATE	
11/25/2010	10/3/2012	\$150.00	678	\$101,700.00	\$254.00	\$101,954.00	47947	1337-1343	6/1/2011				
12/14/2010	10/3/2012	\$150.00	659	\$98,850.00	\$0.00	\$98,850.00	47947	1337-1343	6/1/2011				
						<u>\$200,804.00</u>							

Case compiled as of 10/3/2012.

ESTIMATED COST OF RECORDING FEES			
1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
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
			<u>254.00</u>

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 ADDRESS: 214 NE 5 AVENUE

**NUISANCE ABATEMENT LIEN**

Interest Start	Through Date	Lien Amount	# of Days	Interest Amount	Per Diem	Interest Amount	Record Fee	BOOK	PAGE	DATE	BOOK	PAGE	DATE
12/6/2010	10/15/2012	\$268.97	679	0.00032900	\$0.088491	\$60.09	\$103.00	47590	524	12/16/2010			
Total								\$432.06					

**CASE # 10-1240 RECORDED**

**RELEASED**

This lien is accruing interest daily. To calculate additional interest amount, multiple the per diem amount (X) the number of days after: 10/15/2012

**REVISED 10/15/2012**  
**CORI MAYO**  
 Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES

1	PAGE(S)	CLAIM OF LIEN	16.50
	ADM. FEE	RECORDING LIEN	40.00
1	PAGE(S)	RELEASE OF LIEN	16.50
	ADM. FEE	RECORDING RELEASE	30.00
			103.00