

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: November 21, 2013

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Patricia Devanny, 54 SW 14 ST,
Case # 10-0284

Summary Explanation & Background:

This was originally cited on 3/3/10 for 7 violations, and was given 30 days to comply. This went to the Special Magistrate on 7/8/10 for 3 violations. The Special Magistrate issued an order giving the respondent until 9/16/10 to comply or a fine of \$150.00 per day would be levied. At the 5/5/11 hearing, Special Magistrate Richard Conner confirmed the fine as a lien. This property has not been brought into compliance and per agreement with Special Counsel Office Ryan & Ryan, LLC and the new buyer Kevin Eichorn, the remaining violation will be corrected by 12/17/2013 or the new owner will be cited. The fines ran from 9/16/10 @ \$150.00 per day through 10/16/13 = \$168,900.00 plus admin fees of \$254.00 for a total of \$169,154.00.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$4,500.00 as settlement for the code cases.

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 due to foreclosure. The City received \$4,500.00 as settlement for the code cases.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 10-0284

Case Description: MINIMUM STANDARDS
 Case Start Date: 03-03-2010
 Status: Active
 Status Date:

Inspector: Ostrofsky
 Cited Address: 54 SW 14 ST
 Folio Number:
 Cited Party: PATRICIA DEVANNY

Type	Case Notes	Date
OWNER NAME	NICHOLAS LUPO	03-03-2010
OWNER NAME	TUCHETTE TORRES	03-03-2010
OWNER NAME	WARREN OSTROFSKY	03-03-2010
Violation	Vio.Let. - 8-21a4f; 8-21a5a3; 15-1; 22-1; 22-21; 28-4.20a; FBC 105.1	03-08-2010
Actions Text	Property failed reinspection on 4.7.10 per Inspector Warren Ostrofsky. April 7, 2010 4:19:37 PM DANITXT	04-07-2010
Actions Text	Property failed reinspection on 9.16.10 per Inspector Warren Ostrofsky. September 16, 2010 4:21:25 PM DANITXT.	09-16-2010
Meetings	Compliance by September 16, 2010 or \$150.00 per day fine per Special Magistrate Mark Berman at the July 8, 2010 Special Magistrate hearing. \$100.00 administrative fee is assessed. July 12, 2010 12:34:21 PM DANITXT.	01-03-2011
Meetings	Continuance granted to June 3,2010 hearing per Special Magistrate Mitch Kraft at the June 3, 2010 Special Magistrate hearing. Continuance granted to the July 8 ,2010 Special Magistrate hearing per Special Magistrate Gordon Linn at the May 6, 2010 Special Magistrate hearing. June 4, 2010 9:28:43 AM DANITXT. May 7, 2010 2:51:28 PM DANITXT	02-09-2011
Meetings	Fine confirmed per Special Magistrate Richard Conner at the May 5, 2011 Special Magistrate hearing. May 12, 2011 12:37:16 PM DANITXT.	09-06-2011
Actions Text	Property failed reinspection on 9.2.11 per Inspector Warren Ostrofsky. September 6, 2011 1:53:44 PM danitxt.	09-06-2011
Actions Text	Title search returned - property is pending bank foreclosure and the case can not move forward at this time. This status will be monitored. January 5, 2012 12:46:20 PM daninxl. Check on status of foreclosure	01-05-2012
Actions Text	Received from TIm Ryan's office a settlement check #1810 for \$4,500. Send to next available abatement hearing for settlement acceptance. LW 9/24/2013	09-24-2013

Case Activity Comments

INITIAL INSPECTION	03-03-2010
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- - DMS Violation Letter	03-08-2010
ION - REINSPECTION	04-07-2010
- - DMS Affidavit of Service	04-22-2010
ING - POST BOARD	09-16-2010
ARCH - TITLE SEARCH	01-06-2011
ION - REINSPECTION	09-01-2011
ARCH - TITLE SEARCH	11-28-2011
UP - UPDATE	03-29-2012

Case Violations

08021146002 - DBCC 8-21(a)) Fence / Wall / in disrepair	DBCC 8-21(a)(4)(f) states all fences, walls, and similar enclosures shall be maintained in a state of good repair.	ACTIVE	03/03/2010
08021151301 - DBCC 8-21(a) a)(3) Parking Maintenance	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.	ACTIVE	03/03/2010
15001000001 - DBCC 15-1 R/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.	ACTIVE	03/03/2010
22001000001 - DBCC 22- ilding Numbers (Front/ Rear/ y)	DBCC 22-1 states any building in the city must display the correct street number upon such building and any building that abuts an alleyway in the city must display the correct street number of the building so that it is visible from the alleyway.	ACTIVE	03/03/2010
22021000001 - DBCC 22-21 ewalk Maintenance	DBCC 22-21 states it is the duty of each owner of abutting property to construct or reconstruct, and to maintain and keep in uniform repair sidewalks in front of or abutting upon the property.	ACTIVE	03/03/2010
28004020101 - DBCC 28-4.20 Application of Regulations	DBCC 28-4.20(a) states no building shall be erected, added on to, reconstructed or structurally altered, nor shall any building or land be used which does not comply with all the regulations established by this chapter for the district in which the building or land is located.	ACTIVE	03/03/2010
05001000001 - FBC 105.1 mits Required	FBC 105.1 requires any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Florida Building Code (2007 ed.), or to cause any such work to be done, must first make application to the building official (or building department) and obtain the required permit(s).	ACTIVE	03/03/2010

City of Dania Beach

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

DEVANNY, PATRICIA

1203-10-5960

NORTH HOLLYWOOD 4-1 B LOT 2 BLK 45

S: 54 SW 14 STREET

ENFORCEMENT ORDER LIEN							CEB 10-0284			RECORDED			RELEASED		
	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE			
	Date	Amount	Days	FINE	Fee	Total									
10	10/16/2013	\$150.00	1,126	\$168,900.00	\$254.00	\$169,154.00	47947	1405-1410	6/1/2011	50260	152	10/16/2013			

DEDUCTIBLE COST OF RECORDING FEES

PAGES	CERTIFIED COPY COVER	10.00
PAGES	FINAL ORDER	32.00
PAGES	SUPPLEMENTAL ORDER	17.00
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
		254.00