

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: March 5, 2014

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Kenneth and Edith Crews, 32 SE 4 Street, Case # 10-0756

Summary Explanation & Background:

This was originally cited on 6/10/10 for 6 violations, and was given 30 days to comply. This went to the Special Magistrate on 8/5/10 for 5 violations. Special Magistrate Gordon Linn issued an order giving the respondent until 9/14/10 to comply or a fine of \$200.00 per day would be levied. At the 6/2/11 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. At the 2/2/12 hearing, Special Magistrate Gordon Linn granted authorization for money judgment. The property came into compliance on 7/29/13. The fines ran from 9/14/10 through 7/29/13, 1,049 days @ \$200.00 per day = \$209,800.00 plus admin fees of \$262.50 for a total of \$210,062.50. This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$8,500.00 as settlement for the code case.

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 \$8,500.00 as settlement for the code cases.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 10-0756

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
05-18-2010

Status: Active
Status Date:

Default Inspector:
Eric Walton

Cited Address:
32 SE 4 ST

Folio Number:

Cited Party:
KENNETH & EDITH CREWS

Note Type

Case Notes

Date

INSPECTOR NAME	ERIC WALTON	05-18-2010
INSPECTOR NAME	TUCHETTE TORRES	05-18-2010
Case Narrative	Vio.Let. - 8-21a5a3; 13-34a; 13-34b; 13-34c; 22-21	06-10-2010
Case Inspections Text	Property failed reinspection on 7.12.10 per Inspector Eric Walton. July 16, 2010 9:07:50 AM DANITXT.	07-16-2010
Case Board Meetings	Compliance by September 14, 2010 or \$200.00 per day fine per Special Magistrate Gordon Linn at the August 5, 2010 Special Magistrate hearing. \$100.00 administrative fee is assessed. August 10, 2010 3:57:55 PM DANITXT.	08-10-2010
Case Inspections Text	Property failed reinspection on 9.16.10 per Inspector Eric Walton. \$100 admin fee is still owed. September 16, 2010 4:23:27 PM DANITXT.	01-11-2011
Case Board Meetings	Fine confirmed per Special Magistrate Mark Berman at the June 2, 2011 Special Magistrate. June 7, 2011 9:33:49 AM DANITXT.	06-07-2011
Case Inspections Text	Property failed reinspection on 9/19/11 per Inspector Lori Moblely. September 20, 2011 8:52:16 AM DANISGA.	09-20-2011
Case Inspections Text	Title search returned - will be set for hearing to authorize money judgment proceedings. January 5, 2012 2:51:02 PM daninxl.	01-05-2012
Case Board Meetings	At the hearing on 2/2/12, the following was ordered by Special Magistrate Gordon Linn: Authorization for money judgment granted. Authorization to abate the nuisances by cutting the overgrowth and cleaning the trash and debris on the right of way and removing any obstructions to the sidewalk after February 22, 2012 granted in the interest of public health and safety. February 25, 2012 12:29:43 PM daninxl.	02-25-2012
Case Inspections Text	Per Insp. Walton, case failed nuisance abatement inspection on 3/19/12. KM 8/21/12	08-21-2012
Case Inspections Text	Per Insp Walton: case complied 7/29/13. Case remains open as fines are owed. KM 8/6/13	08-06-2013
Case Narrative	Payment of \$100.00 for Special Magistrate Costs received on 8//813. KM 8/8/13	08-08-2013
Case Narrative	Per Tim Ryan's Office: Received \$8,500.00 settlement check 12/11/13. Prepared Release for recording. Send to Commission Abatement Hearing on 3/5/14 for acceptance LW 12/11/13	12-11-2013

Case Activity Comments

INITIAL - INITIAL INSPECTION	05-18-2010
HISTORICAL - DMS Violation Letter	06-10-2010
REINSPECTION - REINSPECTION	07-10-2010
HISTORICAL - DMS Affidavit of Service	07-22-2010
POST HEARING - POST BOARD	09-14-2010
F-TITLE SEARCH - TITLE SEARCH	01-06-2011
HISTORICAL - DMS Affidavit of Service	05-17-2011
FORECLOSURE - FORECLOSURE REINSPECTION	09-19-2011
F-TITLE SEARCH - TITLE SEARCH	11-28-2011
NUISANCE ABATE - NUISANCE ABATEMENT REINSPECT	02-22-2012

Case Violations

1	CE008021151301 - DBCC 8-21(a)(5)(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	05/18/2010
2	CE013034001001 - DBCC 13-34(a) Nuisance 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.	ACTIVE	05/18/2010
3	CE013034002001 - DBCC 13-34(b) Property & R/W Maintenance	DBCC 13-34(b) states each owner or operator of property 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.	ACTIVE	05/18/2010
4	CE013034003001 - DBCC 13-34(c) Untended Vegetation	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.	ACTIVE	05/18/2010
5	CE022021000001 - DBCC 22-21 Sidewalk 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	05/18/2010

City of Dania Beach

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

OWNER: KENNETH & EDITH CREWS
FOLIO: 1203-17-0110
LEGAL: HOLLYWOOD CENTER AMEN PLAT 9-43 B LOT 21, 24 LESS E 18 BLK 2
ADDRESS: 32 SE 4 STREET

CODE ENFORCEMENT ORDER LIEN							CEB 10-0756		RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE		
Date	Date	Amount	Days	FINE	Fee	Total								
9/14/2010	7/29/2013	\$200.00	1,049	\$209,800.00	\$262.50	\$210,062.50	47982	1542-1548	6/17/2011	50417	618	12/18/2013		

CASE COMPLIED 7/29/13

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	40.50
2	PAGES	SUPPLEMENTAL ORDER	17.00
1	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
			262.50