

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: Daniel A & Marlene Manter, Danny S. Maitlen, 120 SE 2 Avenue, Case # 07-2225

Summary Explanation & Background:

This was originally cited on 8/30/07 for 6 violations, and was given 30 days to comply. This went to the Special Magistrate on 11/5/07 for 3 violations. Special Magistrate Mark Berman issued an order giving the respondent until 2/13/08 to comply or a fine of \$100.00 per day would be levied. At the 11/7/08 hearing, Special Magistrate Mitchell Kraft confirmed the fine as a lien. Special Magistrate reduced the fine to \$5,300.00 if paid by 9/5/09. The fine was not paid by that date and 10/8/09 hearing, the Special Magistrate denied the request for an extension. At the 7/8/10 hearing, Special Magistrate granted Authorization to Foreclose. The fines ran from 2/13/08 through 12/30/13, 2,147 days @ \$100.00 per day = \$214,700.00 plus admin fees of \$141.00 for a total of \$214,841.00.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$5,500.00 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 \$5,500.00 as settlement for the code cases.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 07-2225

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
08-30-2007

Status:
Active

Status Date:

Default Inspector:
HISTORICAL CE
INSPECTOR

Cited Address:
120 SE 2 AVE

Folio Number:

Cited Party:
DANIEL A & MARLENE MANTER

Note Type

Case Notes

Date

Case Narrative	Vio.Let.- 8-21a4e; 8-21a5a3; 14-2a; 15-1; 22-21; 33-211	08-30-2007
INSPECTOR NAME	MICHAEL RINALDI	08-30-2007
Case Inspections Text	Property failed reinspection per inspector Mike Rinaldi. October 3, 2007 10:38:40 AM danilxg	10-03-2007
Case Inspections Text	Property failed reinspection per inspector Mike Rinaldi. February 13, 2008 4:30:37 PM danilxg	02-13-2008
Case Inspections Text	The sidewalk was repaired by Public Services and that charge is now in compliance. The lien will be recorded for the repair. October 10, 2008 9:48:31 AM danilxg	12-29-2008
Case Other Actions	Sent for Title Search	01-06-2009
Case Board Meetings	Fine was confirmed by Special Magistrate Mitch Kraft at the August 7, 2008 hearing. August 26, 2008 10:08:36 AM danilxg	07-08-2009
Case Board Meetings	Stipulation Approved. Compliance by February 13, 2008 or \$100.00 per day fine ordered per Special Magistrate Mark Berman.	08-05-2009
Case Inspections Text	Fine not paid. September 21, 2009 10:34:00 AM danilxg	10-19-2009
Case Inspections Text	Payment	10-22-2009
Case Inspections Text	No payment received. February 17, 2010 9:06:01 AM DANITXT	03-02-2010
Case Board Meetings	Final Order review motion dismissed and challenge of Case was continued to the August 6, 2009 hearing. July 14, 2009 2:28:01 PM danilxg compliance denied per Special Magistrate Gordon Linn. December 29, 2008 2:48:49 PM danilxg	04-07-2010
Case Board Meetings	Extension request denied. Fine confirmed. Reduced to Payment extended until January 16, 2010 per Special Magistrate Mark Berman at the October 8, 2009 hearing. \$5,300.00 if paid by September 5, 2009. October 22, 2009 8:37:35 AM DANITXT	05-26-2010
Case Board Meetings	Authorization to foreclose granted per Special Magistrate Mark Berman at the July 8, 2010 Special Magistrate hearing. July 12, 2010 1:03:27 PM DANITXT.	05-31-2011
Case Narrative	Per Tim Ryan's Office - Acceptance of settlement 1/6/2014 for \$5,500.00. Send to 3/5/14 Commission Abatement Hearing. 1/23/14	01-23-2014

Case Activity Comments

INITIAL - INITIAL INSPECTION	08-28-2007
HISTORICAL - DMS Violation Letter	08-30-2007
REINSPECTION - REINSPECTION	09-29-2007
HISTORICAL - DMS Affidavit of Service	10-24-2007
POST HEARING - POST BOARD	02-13-2008
FORECLOSURE - FORECLOSURE REINSPECTION	11-07-2008
REINSPECTION - REINSPECTION	11-07-2008
HISTORICAL - DMS Affidavit of Service	11-18-2008
F-TITLE SEARCH - TITLE SEARCH	01-06-2009
HISTORICAL - DMS Affidavit of Service	06-25-2009
REINSPECTION - REINSPECTION	09-05-2009
HISTORICAL - DMS Affidavit of Service	09-22-2009
POST HEARING - POST BOARD	01-16-2010
F-TITLE SEARCH - TITLE SEARCH	03-18-2010
HISTORICAL - DMS Affidavit of Service	06-22-2010

Case Violations

1	CE008021145001 - DBCC 8-21(a)(4)(e) Electrical Condition	DBCC 8-21(a)(4)(e) requires all electrical wiring and accessories to be maintained in good, safe working condition and be adequately insulated and protected. No wiring, outlets, or connections shall be left exposed so as to create a hazardous condition.	ACTIVE	08/28/2007
2	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	08/28/2007
3	CE014002001001 - DBCC 14-2(a) Junk/Abandoned Vehicles	DBCC 14-2(a) states it is unlawful to park, store, have, or permit parking or storage of any junked and abandoned vehicle of any kind or parts thereof upon any private property unless the vehicle is completely enclosed within a building or is in connection with an approved business and licensed as such.	ACTIVE	08/28/2007
4	CE015001000001 - 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.	ACTIVE	08/28/2007
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	08/28/2007

6	CE033211000001 - DBCC 33-211 Parking Surface	DBCC 33-211 states all areas reserved for off street parking shall be hard surfaced in accordance with the specifications of the city.	ACTIVE	08/28/2007
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City of Dania Beach

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

OWNER: MANTER,DANIEL A & MARLENE & MAITLEN,DANNY S
FOLIO: 0234-18-0060
LEGAL: MASON SUB AMENDED PLAT 14-19 1/2 B LOT 18 TO 21 BLK 1
ADDRESS: 118-120 SE 2 AVENUE

CODE ENFORCEMENT ORDER LIEN							CEB 07-2225			RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE			
Date	Date	Amount	Days	FINE	Fee	Total									
2/13/2008	12/30/2013	\$100.00	2,147	\$214,700.00	\$141.00	\$214,841.00	46115	233-238	4/7/2009	50506	1301	41667			

Acceptance from Tim Ryan's Office - 12/30/13

Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	25.50
2	PAGES	SUPPLEMENTAL ORDER	17.00
2	PAGES	RELEASE OF LIEN	18.50
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
			141.00