

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: March 4, 2015

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Dawn Lipka, 719 SW 7 Street,
Case #11-0355 and Case #11-0086

Summary Explanation & Background:

Case #11-0355

This was originally cited on 3/22/11 for 7 violations, and was given 30 days to comply. This went to the Special Magistrate on 6/2/11 for 7 violations. Special Magistrate Mark Berman issued an order giving the respondent until 6/22/11 to comply or a fine of \$250.00 per day would be levied. At the 7/12/12 hearing, Special Magistrate Gordon Linn confirmed the fine as a lien. The property came into compliance on 5/28/14. The fines ran from 6/22/11 through 5/28/14, 1,071 days @ \$250.00 per day = \$267,750.00 plus admin fees of \$254.00 for a total of \$268,004.00.

Case #11-0086

This case is for a Public Services Nuisance Abatement lien only. The lien was \$1,598.82 and made part of this settlement.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$2,598.82 as settlement for both 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 \$2,598.82 as settlement for both code cases.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 11-0355

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
03-22-2011

Status:
Active

Status Date:

Default Inspector:
Eric Walton

Cited Address:
719 SW 7 ST

Folio Number:

Cited Party:
DAWN LIPKA

Note Type

Case Notes

Date

INSPECTOR NAME	ERIC WALTON	03-22-2011
INSPECTOR NAME	NICHOLAS LUPO	03-22-2011
Case Narrative	Vio. let.-8-21(a)(2)(g),8-21(a)(2)(g),8-21(a)(2)(a),8-21(a)(4)(f),8-21(a)(5)(a)(1),8-21(a)(5)(a)(2),13-34(a)	03-23-2011
Case Inspections Text	Property failed reinspection on 4.20.11 per Inspector Eric Walton. April 21, 2011 10:21:05 AM DANITXT.	04-21-2011
Case Board Meetings	Compliance by June 22, 2011 or \$250.00 per day fine per Special Magistrate Mark Berman at the June 2, 2011 Special Magistrate. \$100.00 administrative fee is assessed. Record the final order. June 7, 2011 11:45:13 AM DANITXT.	06-07-2011
Case Inspections Text	Property failed reinspection on 6/30/11 per Inspector Eric Walton. July 5, 2011 8:32:25 AM DANISGA.	07-13-2011
Case Inspections Text	Per title search: schedule case for a hearing to confirm the fine. April 18, 2012 2:05:17 PM daninxl.	04-18-2012
Case Narrative	Case scheduled for Confirmation of Fine hearing on 7/12/12. KM 8/6/12	08-06-2012
Case Board Meetings	Per Special Magistrate Gordon Linn, at the 7/12/12 hearing, the following was ordered: Fine confirmed. KM 8/6/12	08-06-2012
Case Inspections Text	Per Insp. Urow: Case complied 5/28/14. Owner representative will be requesting a settlement on this case and case 11-0086 (nuisance abatement). LW 5/28/14	05-28-2014
Case Narrative	Per Tim Ryan's Office: Received settlement on this case and sister-case 11-0086 for \$2,598.82 on 8/20/14. Will process payment and release and scheduled for next available Commission Abatement Hearing (December 3, 2014) LW 8/20/14	08-20-2014
Case Narrative	Commission Abatement Hearing of 12/4/14 was cancelled. Rescheduled for 3/4/15 LW 11/21/14	11-21-2014

Case Activity Comments

INITIAL - INITIAL INSPECTION	03-22-2011
HISTORICAL - DMS Violation Letter	03-23-2011

REINSPECTION - REINSPECTION	04-02-2011
POST HEARING - POST BOARD	06-22-2011
F-TITLE SEARCH - TITLE SEARCH	12-22-2011

Case Violations

1	CE008021127001 - DBCC 8-21(a)(2)(g) Window/Door Maint./ Equip.	DBCC 8-21(a)(2)(g) states every window and exterior door shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair and all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.	ACTIVE	03/22/2011
2	CE008021127002 - DBCC 8-21(a)(2)(g) Windows must fully operate	DBCC 8-21(a)(2)(g) states all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.	ACTIVE	03/22/2011
3	CE008021141001 - DBCC 8-21(a)(4)(a) Building Condition	DBCC 8-21(a)(4)(a) requires foundations, floors, walls, ceilings, roofs, roof surfaces, windows, doors, and all other building parts to be structurally sound, weather proof, water tight, rodent proof, and kept in a state of good repair.	ACTIVE	03/22/2011
4	CE008021146002 - DBCC 8-21(a)(4)(f) 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	03/22/2011
5	CE008021151101 - DBCC 8-21(a)(5)(a)(1) Building Maintenance	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.	ACTIVE	03/22/2011
6	CE008021151201 - DBCC 8-21(a)(5)(a)(2) Paint Maintenance	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.	ACTIVE	03/22/2011
7	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	03/22/2011

Case Number: 11-0086

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
01-25-2011

Status:
Active

Status Date:

Default Inspector:
Eric Walton

Cited Address:
719 SW 7 ST

Folio Number:

Cited Party:
SHONDON REV LIV TR

Note Type

Case Notes

Date

INSPECTOR NAME	ERIC WALTON	01-25-2011
Case Narrative	Vio. let-8-21(a)(2)(g),8-21(a)(2)(g),8-21(a)(4)(a),8-21(a)(4)(e), 8-21(a)(5)(a)(1),8-21(a)(5)(a)(2),13-34(a)	01-28-2011
Case Inspections Text	Property failed reinspection on 3.4.11 per Inspector Eric Walton. Case will be in postboard files. March 11, 2011 3:08:57 PM DANITXT. New owner on bcpa. Property will be recited. March 11, 2011 4:30:14 PM DANITXT.	05-19-2011
Case Narrative	Per Tim Ryan's Office: Received settlement on this case and sister-case 11-0355 for \$2,598.82 on 8/20/14. Will process payment and release and scheduled for next available Commission Abatement Hearing (December 3, 2014) LW 8/20/14	08-20-2014
Case Narrative	Commission Abatement Hearing of 12/3/14 cancelled. Rescheduled to 3/4/15 LW 11/21/14	11-21-2014

Case Activity Comments

INITIAL - INITIAL INSPECTION	01-25-2011
HISTORICAL - DMS Violation Letter	01-28-2011
REINSPECTION - REINSPECTION	02-27-2011

Case Violations

1	CE008021127001 - DBCC 8-21(a)(2)(g) Window/Door Maint./ Equip.	DBCC 8-21(a)(2)(g) states every window and exterior door shall be reasonably weathertight, maintained without cracks and holes, and in a state of good repair and all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.	ACTIVE	01/25/2011
2	CE008021127002 - DBCC 8-21(a)(2)(g) Windows must fully operate	DBCC 8-21(a)(2)(g) states all windows intended for ventilation must be equipped with fully operable hardware and fitted with screens.	ACTIVE	01/25/2011
3	CE008021141001 - DBCC 8-21(a)(4)(a) Building Condition	DBCC 8-21(a)(4)(a) requires foundations, floors, walls, ceilings, roofs, roof surfaces, windows, doors, and all other building parts to be structurally sound, weather proof, water tight, rodent proof, and kept in a state of good repair.	ACTIVE	01/25/2011

4	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	01/25/2011
5	CE008021151101 - DBCC 8-21(a)(5)(a)(1) Building Maintenance	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.	ACTIVE	01/25/2011
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City of Dania Beach

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

OWNER: DAWN LIPKA
 FOLIO: 1203-34-0820
 LEGAL: COLLEGE TRACT 19-9 B LOT 17 BLK 6
 ADDRESS: 719 SW 7 STREET

CODE ENFORCEMENT ORDER LIEN						CEB 11-0355			RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record	BOOK	PAGE	DATE	BOOK	PAGE	DATE			
Date	Date	Amount	Days	FINE	Fee	Total								
6/22/2011	5/28/2014	\$250.00	1,071	\$267,750.00	\$254.00	\$268,004.00	49021	1458-1464	8/23/2012	51046	1619	8/27/2014		

Case Complied 5/28/14

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
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
			254.00

City of Dania Beach

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

OWNER: LIPKA, DAWN
 FOLIO: 1203-34-0820
 LEGAL: COLLEGE TRACT 19-9 B LOT 17 BLK 6
 ADDRESS: 719 SW 7 STREET

NUISANCE ABATEMENT LIEN						CASE # 11-0086			RECORDED			RELEASED		
Interest	Through	Lien	# of	Interest		Interest	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE
Start	Date	Amount	Days	Amount	Per Diem	Amount	Fee	Total						
2/23/2011	6/17/2014	\$1,069.90	1,210	0.00032900	\$0.351997	\$425.92	\$103.00	\$1,598.82	47786	558	3/16/2011	51046	1619	8/27/2014

Settlement offer accepted 6/17/2014

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
		<u>103.00</u>