

# 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: Hector and Tina Rodriguez, 2741 Griffin Road, Case #11-1008.

**Summary Explanation & Background:**

Case #11-1008

This was originally cited on 6/15/11 for 6 violations, and was given 15 days to comply. This went to the Special Magistrate on 10/6/11 for 7 violations. Special Magistrate Mark Berman issued an order giving the respondent until 1/14/12 to comply or a fine of \$150.00 per day would be levied. At the 5/3/12 hearing, Special Magistrate Mark Berman granted an extension to 6/12/12. At the 2/7/13 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. The property came into compliance on 2/28/13. The fines ran from 6/12/12 through 2/28/13, 261 days @ \$150.00 per day = \$39,150.00 plus admin fees of \$174.50 for a total of \$39,324.50.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$1,800.00 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 \$1,800.00 as settlement for the code case.

**Commission Action:**

Passed  Failed  Continued  Other

**Comment:**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Clerk

Case Number: 11-1008

Case Type:  
Notice of ViolationCase Description:  
MINIMUM STANDARDSCase Start Date:  
06-15-2011Status:  
Active

Status Date:

Default Inspector:  
Gary PhaneufCited Address:  
2741 GRIFFIN RDFolio Number:  
5042-29-14-0080Cited Party:  
HECTOR & TINA RODRIGUEZ

## Note Type

## Case Notes

## Date

Note Type	Case Notes	Date
INSPECTOR NAME	GARY PHANEUF	06-15-2011
Case Narrative	vio. let. 8-21(a)(2)(g),8-21(a)(2)(g),8-21(a)(4)(e), 8-21(a)(5)(a)(1),13-34	07-01-2011
Case Inspections Text	Extension granted to 8.15.11 per Inspector Gary Phaneuf. July 28, 2011 3:12:50 PM danitxt.	07-28-2011
Case Inspections Text	Property failed reinspection on 8/17/11 per Inspector Gary Phaneuf. August 18, 2011 10:44:48 AM DANISGA.	08-18-2011
Case Board Meetings	Compliance by January 14, 2012, 2011 or \$150.00 per day fine per Special Magistrate Mark Berman at the October 6, 2011 Special Magistrate hearing. \$50.00 administrative fee is assessed. October 11, 2011 3:58:18 PM danitxt.	10-11-2011
Case Narrative	Rcvd \$50 admin costs on 12/15/11. December 16, 2011 1:51:40 PM daninxl.	12-15-2011
Case Inspections Text	EXTENSION REQUEST RCVD ON 12/14/11. WILL BE SET FOR NEXT AVAILABLE SM HEARING FOR CONSIDERATION. February 25, 2012 9:46:21 AM daninxl.	02-25-2012
Case Board Meetings	Per Special Magistrate Mark Berman, at the 5/3/12 hearing, the following was ordered: Extension granted to June 12, 2012. KM 8/3/12	08-03-2012
Case Inspections Text	Per Insp Ostrofsky: case failed reinspection on 12/18/12.&nbsp;&nbsp;&nbsp;Send to T/S for confirmation. KM 12/18/12	12-20-2012
Case Narrative	Per T/S results received on 12/26/12: set case for next available hearing for confirmation. KM 12/26/12	12-26-2012
Case Board Meetings	Per Special Magistrate Mark Berman, at the 2/7/13 hearing, the following was ordered: Fine confirmed. KM 2/11/13	02-11-2013
Case Inspections Text	Per Insp Ostrofsky: case complied 2/28/13.&nbsp;&nbsp;&nbsp;Case remains open as fines are owed. KM 3/4/13	03-04-2013
Case Inspections Text	Abatement request received on 3/14/13.&nbsp;&nbsp;&nbsp;Send to next available hearing for abatement request. KM 3/20/13	03-20-2013
Case Board Meetings	Per Special Magistrate Gordon Linn, at the 5/2/13 hearing, the following was ordered: Abatement request denied without prejudice. KM 5/3/13	05-03-2013
Case Narrative	Per T/S results received on 6/4/13: send to next available hearing for authorization to foreclose. KM 6/5/13	06-05-2013

Case Inspections Text	Abatement request received.&nbsp;&nbsp; Hearing will be combination Abatement Request/Authorization to Foreclose. KM 6/5/13	06-05-2013
Case Board Meetings	Per Special Magistrate Mark Berman, at the 8/1/13 hearing, the following was ordered: Abatement request denied.&nbsp;&nbsp;&nbsp;Authorization to foreclose granted. KM 8/7/13	08-07-2013
Case Narrative	Request to be heard before the City Commission Abatement hearing received. KM 9/3/13	09-03-2013
Case Board Meetings	Per the Commission at the 10/10/13 Commission Abatement Hearing, the following was ordered: Abatement request denied - respondent or representative for respondent was not present at the hearing. Denial letter sent. LW 10/11/13	10-11-2013
Case Narrative	Per Tim Ryan's office: City accepted settlement of \$1,800.00 due to foreclosure. Send to next available commission abatement hearing for acceptance of settlement. LW 1/14/15	01-14-2015

## Case Activity Comments

INITIAL - INITIAL INSPECTION	06-15-2011
HISTORICAL - DMS Violation Letter	07-01-2011
REINSPECTION - REINSPECTION	07-15-2011
REINSPECTION - REINSPECTION	08-15-2011
HISTORICAL - DMS Affidavit of Service	09-20-2011
POST HEARING - POST BOARD	01-14-2012
HISTORICAL - DMS Affidavit of Service	04-19-2012

## 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	06/15/2011
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	06/15/2011
3	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	06/15/2011
4	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	06/15/2011
5	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	06/15/2011

6	CE105001000001 - FBC 105.1 Permits 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	06/15/2011
---	--	--	--------	------------

# City of Dania Beach

100 W. Dania Beach Blvd.  
 Dania Beach, FL 33004  
 954-924-6810

**OWNER:** HECTOR RODRIGUEZ & TINA RODRIGUEZ  
**FOLIO:** 0229-14-0080  
**LEGAL:** AVON HEIGHTS 38-38 B LOT 8,9 W 1/2, LESS S 40 FOR RD BLK 1  
**ADDRESS:** 2741 GRIFFIN ROAD, Dania Beach, Florida

CODE ENFORCEMENT ORDER LIEN							CEB 11-1008		RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE		
Date	Date	Amount	Days	FINE	Fee	Total								
6/12/2012	2/28/2013	\$150.00	261	\$39,150.00	\$174.50	\$39,324.50	49534	584-592	2/22/2013	112744253	1	1/13/2015		

**ESTIMATED COST OF RECORDING FEES**

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	40.50
4	PAGES	SUPPLEMENTAL ORDER	34.00
0	PAGES	RELEASE OF LIEN	0.00
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	0.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	50.00
			<b>174.50</b>