

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: Bernice Falco Est, 301 SE 3 Street, Unit 501, Case #12-0244

Summary Explanation & Background:

This was originally cited on 4/2/12 for 6 violations, and was given 30 days to comply. This went to the Special Magistrate on 4/4/13 for 6 violations. Special Magistrate Mark Berman issued an order giving the respondent until 7/13/13 to comply or a fine of \$150.00 per day would be levied. At the 12/12/13 hearing, Special Magistrate Mark Berman confirmed the fine as a lien. The property came into compliance on 7/31/14. The fines ran from 7/13/13 through 7/31/13, 18 days @ \$150.00 per day = \$2,850.00 plus admin fees of \$254.00 for a total of \$2,954.00.

This is a motion to accept the settlement offer received by the City due to foreclosure. The City received \$750.00 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 \$750.00 as settlement for the code case.

Commission Action:

Passed **Failed** **Continued** **Other**

Comment:

City Manager

City Clerk

Case Number: 12-0244

Case Type:
Notice of ViolationCase Description:
MINIMUM STANDARDSCase Start Date:
03-22-2012Status:
Active

Status Date:

Default Inspector:
Warren OstrofskyCited Address:
301 SE 3 ST 501HFolio Number:
5142-03-CH-0410Cited Party:
BERNICE A FALSO EST

Note Type

Case Notes

Date

Note Type	Case Notes	Date
INSPECTOR NAME	WARREN OSTROFSKY	03-22-2012
Case Narrative	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) March 30, 2012 10:29:04 AM daninxl.	03-30-2012
CASE INSPECTION NOTES	CASE INSPECTION NOTES	07-30-2012
CASE INSPECTION NOTES	Per Insp. Ostrofsky, extension granted to 9/30/12 on 7/30/12. KM 7/30/12	07-30-2012
CASE INSPECTION NOTES	Per Insp Ostrofsky: extension granted on 12/4/12 until 1/4/13. KM 12/4/12	12-04-2012
CASE INSPECTION NOTES	Per Insp Ostrofsky: extension granted on 1/4/13 until 1/25/13. KM 1/8/13	01-08-2013
CASE INSPECTION NOTES	Per Insp Ostrofsky: case failed reinspection on 1/30/13. Send to next available hearing. KM 1/31/13	01-31-2013
CASE INSPECTION NOTES	Per Insp Ostrofsky: case failed post hearing inspection on 7/17/13. Send to T/S for confirmation. KM 7/19/13	07-19-2013
CASE INSPECTION NOTES	Per T/S results received 10/3/2013, send to next available hearing for confirmation. LW 10/4/2013	10-04-2013
CASE INSPECTION NOTES	Per Special Magistrate Mark Berman at the 12/12/13 hearing: Fine Confirmed. LW 12/26/13	12-13-2013
CASE INSPECTION NOTES	Per Insp. Ostrofsky: Case complied 7/31/13. Case remains open due to fines/costs on property LW 12/26/13	12-26-2013
CASE INSPECTION NOTES	Per Insp. Ostrofsky: Send to t/s for foreclosure LW 5/8/14	05-08-2014

Case Narrative	Per Tim Ryan's Office: Received settlement on this case for \$750.00 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 12/3/2014 cancelled. Schedule for March 4, 2015. LW 11/21/14	11-21-2014

Case Activity Comments

INITIAL - INITIAL INSPECTION	03-22-2012
HISTORICAL - DMS Violation Letter	04-02-2012
REINSPECTION - REINSPECTION	04-29-2012

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	03/22/2012
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	03/22/2012
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	03/22/2012
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	03/22/2012
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	03/22/2012
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	03/22/2012

City of Dania Beach

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

OWNER: BERNICE A FALSO EST
FOLIO: 1203-CH-0410
LEGAL: MEADOWBROOK LAKES VIEW H CONDO UNIT 501
ADDRESS: 301 SE 3 Street, 501 H, Dania Beach, Florida

ORDER IMPOSING FINE						CEB 12-0244		RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK	PAGE	DATE	
Date	Date	Amount	Days	FINE	Fee	Total							
7/13/2013	7/31/2013	\$150.00	18	\$2,850.00	\$254.00	\$2,954.00	50442	1441-1446	12/30/2013	51046	1576	8/27/2014	

COMPLIED 7/31/2013

REVISED 11/21/2014

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
3	PAGES	FINAL ORDER	32.00
2	PAGES	SUPPLEMENTAL ORDER	17.00
2	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