

# 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: Lottie Austin Est., 1106 NW 2 Street,  
Case #2012-1097

**Summary Explanation & Background:**

This was originally cited on 11/5/12 for 7 violations, and was given 14 days to comply. This went to the Special Magistrate on 1/10/13 for 7 violations. Special Magistrate Gordon Linn issued an order giving the respondent until 2/19/13 to comply or a fine of \$150.00 per day would be levied. At the 5/2/13 hearing, Special Magistrate Gordon Linn confirmed the fine as a lien. The fines ran from 2/19/13 through 11/20/14, 639 days @ \$150.00 per day = \$95,850.00 plus admin fees of \$262.50 for a total of \$96,112.50.

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: 2012-00001097

Case Type:  
Notice of Violation

Case Description:  
Initial Case

Case Start Date:  
10-16-2012

Status:  
Active

Status Date:

Default Inspector:  
Maydolys Lopez-Silvero

Cited Address:  
1106 NW 2 ST

Folio Number:  
5042-33-10-0410

Cited Party:  
Lottie Austin EST

Note Type

Case Notes

Date

CASE ACTIVITY NOTES	CASE ACTIVITY NOTES	11-05-2012
CASE INSPECTION NOTES	CASE INSPECTION NOTES	11-05-2012
CASE HEARING NOTES	CASE HEARING NOTES	11-05-2012
CASE ACTIVITY NOTES	NOV approved and mailed on 11/7/12. KM 11/6/12	11-06-2012
CASE INSPECTION NOTES	Per Insp Lopez: case failed reinspection on 11/28/12.&nbsp;&nbsp; Send to next available hearing. KM 11/28/12	11-28-2012
CASE HEARING NOTES	Per Special Magistrate Gordon Linn, at the 1/10/13 hearing, the following was ordered: Compliance by February 19, 2013 or \$150.00 per day fine.&nbsp;&nbsp; \$100.00 administrative fee assessed.&nbsp;&nbsp;  KM 1/24/13	01-24-2013
CASE INSPECTION NOTES	Per Insp Lopez: case failed post hearing reinspection on 2/20/13.&nbsp;&nbsp; Send to T/S for confirmation. KM 2/20/13	02-20-2013
CASE ACTIVITY NOTES	Per T/S results received: set case for next available hearing for confirmation. KM 3/22/13	03-22-2013
CASE ACTIVITY NOTES	Case transferred to Insp urow. KM 3/20/13	03-22-2013
CASE HEARING NOTES	Per Special Magistrate Gordon Linn, at the 5/2/13 hearing, the following was ordered: Fine confirmed. KM 5/3/13	05-03-2013
CASE INSPECTION NOTES	Per Insp. Urow: Case failed foreclosure inspection on 10/8/2013. Send to T/S for authorization to foreclose. LW 10/10/13	10-10-2013
CASE ACTIVITY NOTES	Per T/S results received 12/27/2013. Do not set case for Auth. to foreclose due to pending foreclosure action. Tim Ryan's office will continue to monitor. LW 12/31/13	12-31-2013
CASE ACTIVITY NOTES	Per Tim Ryan's office: Received settlement of \$1,800.00 to release the lien. Schedule for 3/4/15 Commission Abatement Hearing LW 2/19/15	02-19-2015

Case Activity Comments

## Case Violations

1	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.		10/16/2012
2	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.		10/16/2012
3	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.		10/16/2012
4	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.		10/16/2012
5	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.		10/16/2012
6	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.		10/16/2012
7	CE022001000001 - DBCC 22-1 Building Numbers (Front/ Rear/ Alley)	DBCC 22-1 states any building in the city must display the correct street number upon such building and any building that abuts an alleyway in the city must display the correct street number of the building so that it is visible from the alleyway.		10/16/2012

# City of Dania Beach

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

**OWNER:** LOTTIE AUSTIN EST  
**FOLIO:** 0233-10-0410  
**LEGAL:** WEST MOORLAND 19-8 B LOT 20 BLK3  
**ADDRESS:** 1106 Northwest 2 Street, Dania Beach, Florida

CODE ENFORCEMENT ORDER LIEN						CEB 2012-1097		RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	INST	PAGE	DATE	
Date	Date	Amount	Days	FINE	Fee	Total							
2/19/2013	11/20/2014	\$150.00	639	\$95,850.00	\$262.50	\$96,112.50	49799	397-403	5/16/2013	112817085	1 OF 1	2/18/2015	

**ESTIMATED COST OF RECORDING FEES**

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	40.50
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
			<b>262.50</b>