

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: June 3, 2015

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Natalya S Esaulenko (formerly Marcus & Eunice Santoni property), 25 SW 12 Street, Case #09-1189 due to sale of property

Summary Explanation & Background:

This was originally cited on 6/19/2009 for 7 violations, and was given 30 days to comply. This went to the Special Magistrate on 4/8/2010 for 4 violations. Special Magistrate Mark Berman issued an order giving the respondent until 5/18/2010 to comply or a fine of \$200.00 per day would be levied. At the 8/5/2010 hearing, Special Magistrate Gordon Linn confirmed the fine as a lien. The fines ran from 5/18/2010 through 1/21/2015, 1,709 days @ \$200.00 per day = \$341,800.00 plus admin fees of \$258.00 for a total of \$342,058.00

This is a motion to accept the settlement offer received by the City due to sale of the property. The City received \$1,500.00 as settlement for the code case.

Exhibits (List):

- (1) Copy of the case 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 sale of the property. The City received \$1,500.00 as settlement for the code case.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 09-1189

Case Type:
Notice of ViolationCase Description:
MINIMUM STANDARDSCase Start Date:
06-19-2009Status:
Active

Status Date:

Default Inspector:
Tuchette TorresCited Address:
25 SW 12 ST

Folio Number:

Cited Party:
MARCUS SANTONI SR &

Note Type

Case Notes

Date

INSPECTOR NAME	ERIC WALTON	06-19-2009
INSPECTOR NAME	TUCHETTE TORRES	06-19-2009
Case Narrative	Vio.LEt. - 8-21a4a; 8-21a5a1; 8-21a5a3; 13-34a; 15-1; 22-21; 33-211	07-02-2009
Case Inspections Text	Property failed reinspection per inspector Tuchette Torres. August 6, 2009 10:11:33 AM danilxg	08-06-2009
Case Inspections Text	check status of bankruptcy.	11-25-2009
Case Inspections Text	Per Victoria Pappas(Tim Ryan's office), bankruptcy still in effect. January 7, 2010 11:45:18 AM DANITXT Check for bankruptcy status.	01-07-2010
Case Inspections Text	Property failed reinspection on 11.24.09 per Inspector Eric Walton. November 24, 2009 3:35:22 PM DANITXT Property is in bankruptcy. November 25, 2009 2:18:47 PM DANITXT Received email from Tim Ryan's office to proceed with casee. February 10, 2010 9:59:38 AM DANITXT	02-10-2010
Case Inspections Text	Property failed reinspection on 5.24.10 per Inspector Eric Walton. May 28, 2010 10:14:52 AM DANITXT.	05-28-2010
Case Inspections Text	Property failed reinspection on 12.2.10 per Inspector Eric Walton. December 6, 2010 12:00:14 PM DANITXT.	12-06-2010
Case Board Meetings	Fine confirmed per Special Magistrate Gordon Linn at the August 5, 2010 Special Magistrate hearing. August 10, 2010 12:02:32 PM DANITXT.	12-16-2010
Case Board Meetings	Previous order vacated per Special Magistrate Mark Berman at Compliance by November 17, 2009 or \$150.00 per day fine per Special Magistrate Mark Berman at the October 8, 2009 the April 8,2010 Special Magistrate hearing. Compliance by May 18, 2010 or \$200.00 per day fine. \$100.00 administrative hearing. October 21, 2009 4:48:29 PM DANITXT fee is assessed. April 13, 2010 12:50:43 PM DANITXT	02-10-2011
Case Inspections Text	Per Insp. Urow: Property changed hands on 11/26/13 and a case was opened against the new owner on 1/21/15. This file/case remains open due to outstanding fines owed. LW 1/26/15	01-26-2015
Case Narrative	Per Tim Ryan's office - accepted settlement of \$1,500.00 to release lien. Schedule for 6/3/15 hearing. LW 5/1/15	05-01-2015

Case Activity Comments

INITIAL - INITIAL INSPECTION	06-19-2009
HISTORICAL - DMS Violation Letter	07-02-2009
REINSPECTION - REINSPECTION	08-01-2009
HISTORICAL - DMS Affidavit of Service	09-22-2009
POST HEARING - POST BOARD	11-17-2009
REINSPECTION - REINSPECTION	12-28-2009
REINSPECTION - REINSPECTION	02-01-2010
POST HEARING - POST BOARD	05-18-2010
F-TITLE SEARCH - TITLE SEARCH	06-15-2010
FORECLOSURE - FORECLOSURE REINSPECTION	11-29-2010
F-TITLE SEARCH - TITLE SEARCH	12-22-2010

Case Violations

1	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	06/19/2009
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.	ACTIVE	06/19/2009
3	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	06/19/2009
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.	ACTIVE	06/19/2009
5	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	06/19/2009
6	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	06/19/2009
7	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	06/19/2009

City of Dania Beach

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

OWNER: MARCUS SANTONI SR & EUNICE SANTONI
 FOLIO: 1203-10-6210
 LEGAL: NORTH HOLLYWOOD 4-1 B LOT 14 BLK 46
 ADDRESS: 25 SW 12 STREET

CODE ENFORCEMENT ORDER LIEN							CEB 09-1189	RECORDED			RELEASED		
Start	Through	Lien	# of	TOTAL	Record		BOOK	PAGE	DATE	BOOK/INSTRUMENT	PAGE	DATE	
Date	Date	Amount	Days	FINE	Fee	Total							
5/18/2010	1/21/2015	\$200.00	1,709	\$341,800.00	\$258.00	\$342,058.00	47713	1679-1684	2/11/2011	112963025	Page 1 of 1	5/1/2015	

ESTIMATED COST OF RECORDING FEES

1	PAGES	CERTIFIED COPY COVER	10.00
4	PAGES	FINAL ORDER	34.00
3	PAGES	SUPPLEMENTAL ORDER	25.50
2	PAGES	RELEASE OF LIEN	18.50
		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	100.00
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			258.00