

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: May 17, 2016 **Agenda Item #:**

Title: Request for Abatement

Requested Action:

Approval of the settlement received for: Live Cheap LLC, 129 SW 5 CT,
Case # 14-2297

Summary Explanation & Background:

This case was originally cited on 11/20/14 for 6 violations. This went to the Special Magistrate on 3/5/15 for 5 violations. The Special Magistrate issued an order giving the respondent until 5/14/15 to comply or a fine of \$200.00 per day would be levied. At the 12/3/15 hearing, the Special Magistrate confirmed the fine as a lien. The fine ran from 5/14/15 through 3/11/16, 302 days @ \$200.00 per day = \$60,400.00 plus recording/admin fees of \$262.50, for a total of \$60,662.50. The City received a total settlement of \$6,500.00 for code fines.

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 request to accept the settlement offer received by the City due to the sale of the property. The City received a total settlement of \$6,500.00 for code fines.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 2014-00002297

Case Type:
Notice of Violation

Case Description:
Initial case

Case Start Date:
11-20-2014

Status:
Active **Status Date:**

Default Inspector:
Warren Ostrofsky

Cited Address:
129 SW 5 CT

Folio Number:
5042-34-30-0410

Cited Party:
Live Cheap LLC

Note Type	Case Notes	Date
CASE INSPECTION NOTES	CASE INSPECTION NOTES	11-24-2014
CASE HEARING NOTES	CASE HEARING NOTES	11-24-2014
CASE ACTIVITY NOTES	Per Insp Ostrofsky: NOV posted on 11/20/14, also mailed. JC 11/24/14	11-24-2014
CASE INSPECTION NOTES	Per Insp. Ostrofsky: Case failed re-inspection 12/29/14. Send to next available hearing. LW 1/13/15	01-13-2015
CASE HEARING NOTES	Per Special Magistrate Mark Berman at the 3/5/15 hearing, the following was ordered: Stipulated Agreement. Compliance by May 14, 2015 or a \$200.00 per day fine. \$100.00 administrative fee assessed. LW 3/6/15	03-06-2015
CASE INSPECTION NOTES	Per Insp. Ostrofsky: Case failed post-board 5/18/15. Send to T/S for confirmation of fines LW 5/20/15	05-20-2015
CASE ACTIVITY NOTES	Paid admin fee of \$100.00 on 6/10/15 LW 6/10/15	06-10-2015
CASE INSPECTION NOTES	Per T/S results received from Tim Ryan's office on 10/20/15: set case for SM hearing on 12/3/15 for confirmation of fine. AL 10/20/15	10-20-2015
CASE HEARING NOTES	Per Special Magistrate Judith Secher, at the 12/3/15 hearing the following was ordered: Fines Confirmed. AL 12/17/15	12-07-2015
CASE INSPECTION NOTES	Per Insp. Ostrofsky: Case Complied 3/11/16. AL 3/16/16	03-16-2016

Case Activity Comments

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Case Violations

1	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.		11/20/2014
2	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.		11/20/2014
3	8-21(a)(4)(d) Plumbing Condition	DBCC 8-21(a)(4)(d) requires every plumbing fixture, water pipe, drain, waste pipe, and gas pipe to be maintained in good, sanitary working condition, and free from defects, leaks and obstructions.		11/20/2014
4	8-21(a)(4)(f) Fence/Wall/Enclosure Maint.	DBCC 8-21(a)(4)(f) states every accessory structure shall be kept in a clean and sanitary condition, free from rodents, vermin, and infestations and all fences, walls, and similar enclosures shall be maintained in a state of good repair.		11/20/2014
5	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.		11/20/2014
6	8-21(a)(5)(d) Vegetative Material Required	DBCC 8-21(a)(5)(d) states live vegetative material shall provide complete coverage of the entire yard area exposed to public view, and its height shall conform with all applicable city ordinances.		11/20/2014

City of Dania Beach

100 W. Dania Beach
 Dania Beach, FL 33
 954-924-6

OWNER: LIVE CHEAP LLC
FOLIO: 0234 30 0410
LEGAL: PARADISE MANOR 32-31 B LOT 9 BLK 2
ADDRESS: 129 SW 5 COURT 1-3, DANIA BEACH

CODE ENFORCEMENT ORDER LIEN						CEB 2014-2297		RECORDED		RELEASED	
Start	Through	Lien	# of	TOTAL	Record		BOOK/ INSTRUMENT	PAGE	DATE	BOOK/INSTRUMENT	PAGE
Date	Date	Amount	Days	FINE	Fee	Total					
5/14/2015	3/11/2016	\$200.00	302	\$60,400.00	\$262.50	\$60,662.50	113523895	PAGE 1 TO 7	2/18/2016	113666894	1 OF

Case complied 3/11/16

REVISED 5/23/2016

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
			262.50