

AGENDA REQUEST FORM CITY OF DANIA BEACH

Date: April 12, 2016

Agenda Item #:

Title: Request for Abatement

Requested Action:

Approval of the Settlement Received for: Ricardo & Ismalie Jean Charles,
3951-3953 SW 51 ST, Case #11-0473 & Case #13-1361.

Summary Explanation & Background:

For case #11-0473 this was originally cited on 4/6/11 for 1 violation. This went to the Special Magistrate on 7/7/11 for 1 violation. The Special Magistrate issued an order giving the respondent until 8/16/11 to comply the violations or a fine of \$250.00 per day would be levied. The fines ran from 8/16/11 through 4/20/16, 1,709 days @ \$250.00 per day = \$427,250.00.

For case #13-1361 this was originally cited on 8/16/13 for 8 violations. This went to the Special Magistrate on 12/12/13 for 8 violations. The Special Magistrate issued an order giving the respondent until 1/1/14 to comply the violations or a fine of \$100.00 per day would be levied. At the 4/2/15 hearing Special Magistrate Bruce Jolly confirmed the fine. The fines ran from 1/1/14 through 4/20/16, 804 days @ \$100.00 per day = \$84,000.00. This is a motion to accept the settlement offer received by the City due to sale of property. The City received \$3,268.56 as settlement for the fines.

Exhibits (List):

- (2) 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 sale of property. The City received \$3,268.56 as settlement for the fines.

Commission Action:

Passed Failed Continued Other

Comment:

City Manager

City Clerk

Case Number: 11-0473

Case Type:
Notice of Violation

Case Description:
MINIMUM STANDARDS

Case Start Date:
04-06-2011

Status:
Inactive

Status Date:
08-16-2013

Default Inspector:
Lori Mobley

Cited Address:
3951 -3953 SW 51 ST

Folio Number:

Cited Party:
RICARDO& ISMAELIE JEAN
CHARLES

Note Type

Case Notes

Date

INSPECTOR NAME	LORI MOBLEY	04-06-2011
Case Narrative	vio. let. 15-1	04-12-2011
Case Inspections Text	Extension granted to 6.6.11 per Inspector Lori Mobley. May 23, 2011 11:05:17 AM DANITXT.	05-23-2011
Case Inspections Text	Property failed reinspection on 6/2/11 per Inspector Lori Mobley. June 3, 2011 3:36:32 PM DANISGA.	07-08-2011
Case Board Meetings	Compliance by August 16, 2011 or \$250.00 fine(one time assessment per Special Magistrate Gordon Linn at the July 7, 2011 Special Magistrate hearing. \$100.00 administrative fee is assessed. July 14, 2011 9:38:24 AM danitxt.	07-14-2011
Case Inspections Text	Property failed reinspection on 8/16/11 per Inspector Lori Mobley. August 16, 2011 4:39:26 PM DANISGA.	08-16-2011
Case Inspections Text	per tim ryan's ofc. schedule for confirmation of fines hearing September 20, 2011 11:44:23 AM danitxt.	09-20-2011
Case Board Meetings	Fine confirmed by Special Magistrate Gordon Linn at the November 3, 2011 hearing. November 8, 2011 3:57:23 PM DANISGA.	11-08-2011
Case Inspections Text	Lien never recorded. Re-send to Tirm Ryan's office to determine if lien can be recorded now. LW 6/25/14	06-25-2014
Case Inspections Text	Case closed 8/16/13 due to case #2013-1361 being opened/re-cited. AL 2/29/16.	02-29-2016

Case Activity Comments

INITIAL - INITIAL INSPECTION	04-06-2011
HISTORICAL - DMS Violation Letter	04-12-2011
REINSPECTION - REINSPECTION	05-06-2011
REINSPECTION - REINSPECTION	06-06-2011
POST HEARING - POST BOARD	08-16-2011

F-TITLE SEARCH - TITLE SEARCH	08-24-2011
HISTORICAL - DMS Affidavit of Service	10-19-2011
FORECLOSURE - FORECLOSURE REINSPECTION	02-01-2012

Case Violations

1	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	04/06/2011
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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.	08/16/2013
2	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.	08/16/2013
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.	08/16/2013
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.	08/16/2013
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.	08/16/2013
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.	08/16/2013
7	CE014002001001 - DBCC 14-2(a) Junk/Abandoned Vehicles	DBCC 14-2(a) states it is unlawful to park, store, have, or permit parking or storage of any junked and abandoned vehicle of any kind or parts thereof upon any private property unless the vehicle is completely enclosed within a building or is in connection with an approved business and licensed as such.	08/16/2013
8	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.	08/16/2013

City of Dania Beach

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

OWNER: RICARDO & ISMAELIE JEAN CHARLES
FOLIO: 0231 10 0010
LEGAL: COMISKEY PARK 102-8 B LOT 3
ADDRESS: 3951 SOUTHWEST 51 STREET, DANIA BEACH, FLORIDA

CODE ENFORCEMENT ORDER LIEN					CASE # 11-0473		RECORDED		RELEASED		
Start	Through	Lien	# of	TOTAL	Record	BOOK	PAGE	DATE	BOOK/INSTRUMENT	PAGE	
Date	Date	Amount	Days	FINE	Fee	Total					
8/16/2011	4/20/2016	\$250.00	1,709	\$427,250.00	\$204.00	\$427,454.00	50963	403-406	7/25/2014	113643023	1 OF 1

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
1		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	50.00
			204.00

City of Dania Beach

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

OWNER: RICARDO & ISMAELIE JEAN CHARLES
FOLIO: 0231 10 0010
LEGAL: COMISKEY PARK 102-8 B LOT 3
ADDRESS: 3951-3953 SW 51 Street 1-2, Dania Beach, Florida

CODE ENFORCEMENT ORDER LIEN							CEB 2013-1361		RECORDED			RELEASED	
Start	Through	Lien	# of	TOTAL	Record		BOOK/ INSTRUMENT	PAGE	DATE	BOOK/ INSTRUMENT	PAGE		
Date	Date	Amount	Days	FINE	Fee	Total							
1/1/2014	4/20/2016	\$100.00	840	\$84,000.00	\$354.00	\$84,354.00	112957423	Page 1 to 6	4/29/2015	113643023	1 TO		

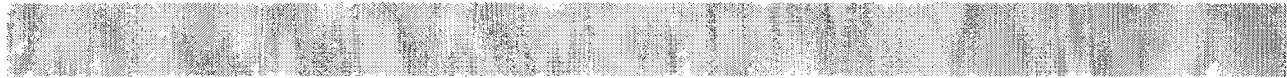
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		ADM. FEE RECORDING LIEN	40.00
		ADM. FEE RECORDING RELEASE	30.00
		ADM. FEE - SPECIAL MAGISTRATE FINE	200.00
			354.00

City of Dania Beach

OWNER: JEAN CHARLES, RICARDO & ISMAELIE
 FOLIO: 0231-10-0010
 LEGAL: COMISKEY PARK 102-8 B LOT 3
 ADDRESS: 3951 SW 51 STREET

LOT MOWING AND DEBRIS REMOVAL LIEN								RECORDED			RELEASED	
Interest	Through	Lien	# of	Interest		Interest	Record		BOOK	PAGE	DATE	BOOK/ INSTR
Start	Date	Amount	Days	Amount	Per Diem	Amount	Fee	Total				
12/22/2007	4/20/2016	\$90.00	3,042	0.00032900	\$0.029610	\$90.07	\$90.00	\$270.07	45004	548	1/16/2008	11364302



REVISED 5/20/2016
Cherrie-Ann Browne
Accts. Receivable & Liens

ESTIMATED COST OF RECORDING FEES			
1	PAGE(S)	CLAIM OF LIEN	10.00
		ADM. FEE RECORDING LIEN	40.00
1	PAGE(S)	RELEASE OF LIEN	10.00
		ADM. FEE RECORDING RELEASE	30.00
			<u>90.00</u>

City of Dania Beach

Dania Beach, FL 33
954-924-3

PAGE	DATE
1 OF 1	4/20/2016