



The CITY OF DAYTONA BEACH SPECIAL MAGISTRATE MEETING MINUTES

City Hall
Commission Chambers
Regular Meeting

301 South Ridgewood Avenue
Tuesday, February 12, 2019
9:00 AM

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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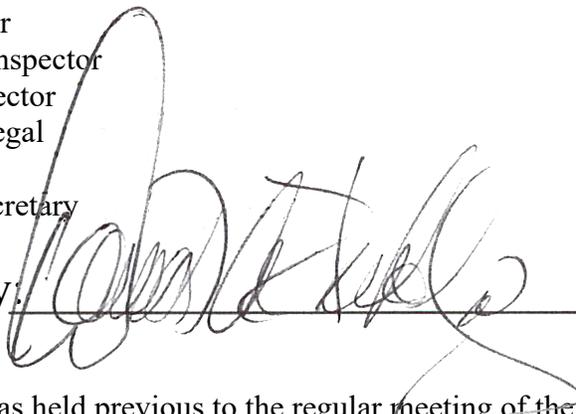
Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony E. Jackson, Assistant City Attorney
 Captain Scott Lee, Daytona Beach Police Department
 Officer Steve Jessmer, Daytona Beach Police Department
 Mr. Denzil Sykes, Neighborhood Services Manager
 Mr. Steve Alderman, Code Inspector
 Mr. Michael Fitzgerald, Code Inspector
 Mr. Daniel Garcia, Code Inspector
 Mr. Mark A. Jones, Code Inspector
 Mr. Jerome McCoy, Code Inspector
 Mr. Clifford Recanzone III, Code Inspector
 Mr. John Stenson, Lead Code Inspector
 Ms. Aimee Hampton, Senior Paralegal
 Mr. Charles Smarr, Audio/Video
 Ms. Vivian June Barnes, Board Secretary

Approval of Minutes by:
Special Magistrate



The Bike Week Appeals hearing was held previous to the regular meeting of the Special Magistrate.

During that portion of the meeting, Mr. Vukelja approved and signed the minutes of the January 8, 2019 meeting.

Mr. Vukelja also asked if there were any announcements at the previous meeting.

Mr. Barnes stated the following cases are in compliance.

CASE# 3 - SMG 09-18-106 - Tambra N. Davis, Trustee or her successors in trust of the TAMBRA N. DAVIS Management Trust dated June 1, 2005

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7, 304.9, 304.13, 304.13.1, 304.13.2), at 2301 S Peninsula Dr. Violation(s) -Abandoned unsecured building, fading and peeling paint, severely damaged roofs and drainage, broken windows. First Notified -1/26/2018.

Compliance 2-4-2019

CASE# 10 - SMG 01-19-04 - 2018-2 IH Borrower LP

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 133 Hagge Dr. Violation(s) - Failure to obtain Rental License (RTL). First Notified -11/5/2018.

Compliance 2-6-2019

CASE# 12 - SMG 01-19-06 -2018-2 IH Borrower LP

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 128 Opal Hill Cir. Violation(s) -Failure to obtain Rental License (RTL). First Notified-11/5/2018.

Compliance 2-8-2019

CASE# 14 - SMG 01-19-09 -Sal & Nellie Annino

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 309 N. Oleander Ave. Violation(s) - Failure to obtain Rental License (RTL). First Notified -11/2/2018.

Compliance 1-18-2019

CASE# 20 - SMG 02-19-31 - Andy & Hady Diaz

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 134 Knight Pl. Violation(s) - Maintenance Code - Missing and peeling paint (including fascia), window covered by plywood. First Notified-11/14/2018.

Compliance 2-4-19

CASE# 29 - SMG 02-19-21 - Hunter Harold Williamson Jr. & Lisa H. Davis

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 622 Ruth St. Violation(s) -Failure to obtain Rental License (RTL). First Notified -9/4/2018.

Compliance 2-7-19

CASE # 31 - SMG 02-19-26 - G&I VII Bellair Plaza LLC

is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at 2499 N Atlantic Ave. Violation(s) -Sign malfunction. First Notified - 11/12/2018.

Compliance 2-4-2019

Ms. Barnes announced the following case is withdrawn.

CASE # 27 - SMG 02-19-24 - MHC Carriage Cove LLC

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 3 Wagon Wheel Ct. Violation(s) - No building permit for carport. First Notified - 9/18/2018.

Mr. Vukelja called the first case of the regular agenda at 9:53 a.m. which is a Lien Review.

LR -1 - SMG 06-18-57 - 102 Carnival Dr. - Maria C Ware

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297. Violation(s) - Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified - 3/23/2018. Order Imposing Fine-Lien of \$100.00 per day plus a one-time administrative fee of \$250.00 for no Business Tax License (BTR) effective July 6, 2018. Compliance - January 9, 2019. \$15,000.00 plus \$250.00 administrative fee plus \$24.00 recording costs= \$15,274.00 due.

Ms. Maria C. Ware came forward and was sworn in. She stated she was not aware of all of the violations and hired a property management company to manage the property. She stated every time something would come up; she would call them, and they told her they would handle it. She stated the roof needed to be replaced and she paid \$52,035. She stated she is constantly bickering with her insurance company. She stated she had an issue with one of the properties that was in foreclosure and she decided to sell that property and discovered the lien. She stated she brought the property up to code and did everything that she was told to do. She stated she does not have \$15,000 and has just spent \$35,000 on a generator because the insurance is not giving her any money. She stated she has moved in their full time to keep things going.

Mr. Jackson stated the Inspector in this case was Mark Jones and he made notification to Ms. Ware and she signed for the card in March of this year. He stated they are just hearing from her as she is trying to sell another property, and this is encumbering it. He stated the staff is requesting that the fine be reduced to \$5,274 dollars.

Mr. Vukelja asked what the violation was.

Mr. Jackson stated it was failure to obtain a Rental License and failure to obtain a Business Tax Receipt.

Mr. Vukelja asked the inspector if he had ever met Ms. Ware before and he stated no.

Mr. Vukelja asked the inspector who he had been dealing with.

Mr. Jones stated he did not deal with anyone until the end of December when he got a call from a realtor who was stating that Ms. Ware was trying to sell another property and this lien came up.

Mr. Vukelja stated she makes mention of a Property Manager that dropped the ball and he was wondering if the inspector had contact with this Property Manager.

Mr. Jones stated he did not. He stated the Notice of Violation was generated in March of 2018 and the case was before the Magistrate twice but there was no Property Manager or owner that attended.

Mr. Vukelja asked when the property came into compliance and Mr. Jones responded January 9th of this year.

Mr. Jackson stated the recommended reduction that the City is making is because of the fact that when it was brought into compliance the inspection led to a couple of additional minor things and they took care of them immediately.

DISPOSITION: Mr. Vukelja reduced the amount of the lien from \$15,274 to \$1,500 subject to being paid within 30 days or the lien reverts back to the previous amount.

Mr. Vukelja called a short recess at 10:33 a.m.

Mr. Vukelja resumed the meeting at 10:39 a.m.

Mr. Vukelja called Lien Review 2.

LR-2 - SMG 05-08-80-1069 Peter Road - Stanley A. Roberson and Juanedda F. Roberson

is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1 (ref. 302.8 IPMC). Violation(s) - Junk vehicle storage. First Notified - 2/11/2008. Order Imposing Fine-Lien of \$50.00 per day effective June 4, 2008. Compliance - January 24, 2019. \$10,000.00 plus \$24.00 recording costs = \$10,024.00 due.

Ms. Quenedda Floyd-Carter, daughter of the property owner, came forward and was sworn in. She stated that her parents were divorcing, and they were transferring the deed to her when she

found out there was a lien on the property. She stated a neighbor originally called about a couple of cars that were on the property and someone came out and told her parents what they needed to do to bring it up to code. She stated they removed the cars but failed to have it inspected and thought that it was cleared up.

Mr. Jackson stated this is a junk vehicle violation from 2008 and the position with City staff is that it's been taken care of and is in compliance. He stated the City is asking for a reduction to \$1000 dollars.

Ms. Carter asked if that is something she has to pay now.

Mr. Vukelja stated they would give her 30 days.

DISPOSITION: Mr. Vukelja reduced the amount of the lien from \$10,024 to \$1,000 subject to being paid within 30 days or the lien reverts back to the previous amount.

Mr. Vukelja called Lien Review 3.

LR-3 - SMG 08-18-101 -1134 Berkshire Rd. - Joyce Dixon, as Trustee of the Joyce Dixon Revocable Trust dated September 15, 2006

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 10/5/2017. Order Imposing Fine-Lien of \$100.00 per day effective November 8, 2018. Compliance - December 7, 2018. \$2,900.00 plus \$24.00 recording costs = \$2,924.00 due.

Ms. Joyce Dixon came forward and was sworn in.

Mr. Vukelja stated this is a lien in the amount of \$2,924 emanating from a violation that goes back to 2017 for failure to obtain a Rental License and asked Ms. Dixon why he should consider giving her any relief.

Ms. Dixon stated she was trying to do all she could to come in compliance and was not hesitating. She stated she had to evict someone, and they asked her to get a licensed contractor. She stated it was hard for her to find someone to put in the kind of window that they wanted her to install.

Mr. Jackson stated this had been going on since August of 2017. He stated she failed reinspection four times and the City's position is no reduction. He stated she finally got things taken care of but continued to rent it even though it was in non-compliance and it was one of one of several of Ms. Dixon's properties that were of issue to the City.

Ms. Dixon stated that is not true. She stated when she got the girl out of there, she came in compliance right away. She stated it was over a window. She stated Mr. Jones was out there one time and told her she needed to pull a permit. She stated she did that and came in compliance.

Mr. Jackson stated this is the case where we had electrical outlet issues and there were a lot more things besides the window and Ms. Dixon frequently pointed to the issue regarding her tenants but did nothing until she was forced to get them out so that she can take care of the things necessary.

Ms. Dixon stated there was nothing electrical on that. She stated it was a box outside that had tape on it so she doesn't know what the inspector is talking about as far as electrical is concerned.

Mr. Vukelja stated the City doesn't feel that she put a whole lot of effort into fixing the window and if you added up all the time, she spent here at hearings she probably could have replaced all the windows.

DISPOSITION: Mr. Vukelja reduced the amount of the lien from \$2,924 to \$2,000 subject to being paid within 30 days or the lien reverts back to the previous amount.

LR-4 SMG 08-18-100 - 310 Marion St Unit #4 - Joyce Dixon, as Trustee of the Joyce Dixon Revocable Trust dated September 15, 2006

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7, 304.14, 304.18.1, 305.3, 402.2, 504.1, 505.4, 604.3, 605.2, 704.2). Violation(s) - Roofs and drainage, insect screens, building security doors, interior surfaces, lighting in common halls and stairways, plumbing systems and fixtures, water heating facilities, electrical system hazards, receptacles, smoke alarms. First Notified - 6/7/2018. Order Imposing Fine-Lien of \$150.00 per day effective December 6, 2018. Compliance - January 30, 2019. \$8,250.00 plus \$24.00 recording costs = \$8,274.00 due.

Ms. Dixon stated she had a tenant in there and when she got the tenant out, she came in compliance. She stated they told her she again needed to pull a permit for two doors. She stated she had done that.

Mr. Vukelja stated in this instance her imposing fine of \$150 per day was effective on December 6 and compliance on January 30.

Mr. Jackson stated this case goes back well before even the June 2018 date. He stated it is something that was continual, the inspector was continuously involved, and the inspector would report that even when he told her to get the property in compliance and she said she was working on it what she did instead was put another tenant in even though it was in a horrible condition. He stated the position of the City is no reduction on this lien as well. He stated he would tender testimony from the inspector as to the conditions of the residence.

Mr. Jones stated this is a case where a tenant complaint called into Code Enforcement. He stated when he went out and did the inspection, there were quite a few major issues. He stated there were electrical issues such as a hot water heater that didn't have plates, no smoke detectors in the unit and problems with the electrical system. He stated the tenant then moved out and Ms. Dixon had another tenant move in after he had told her of the violations. He stated there were numerous inspections trying to come into compliance when it finally did January 30th. He stated the front door and the exit door from the kitchen had to be replaced because they were damaged and she did that without permits, so she had to get a permit for that but that was from the initial violation.

Mr. Vukelja asked Ms. Dixon what extenuating circumstances were there that she is asking him to reduce the amount of the lien.

Ms. Dixon stated she didn't get notice until after the tenant was gone and she had moved someone in. She stated Mr. Jones told her she needed to pull a permit for doors and if she had known that, she would have pulled a permit because she had just done the window. She stated the person that was there took the cover off the hot water heater. She stated she did whatever Mr. Jones asked her to do to try to come into compliance.

Mr. Vukelja stated she didn't get it done in the time that was given her to get it done.

Ms. Dixon stated that was because Mr. Jones told her the doors needed to be replaced and she had to get a contractor. She stated she doesn't live locally so she had to find somebody to put the permit.

Mr. Vukelja asked the Inspector how extensive was the amount of work that had to be done on this place.

Mr. Jones stated it was a one-bedroom apartment and the work that was needed was extensive, but it could have easily been done in a month had it progressed that way. He stated there were light fixtures that were there with exposed wires in the ceiling and the covers were missing. He stated when he did the initial inspection of the hot water heater, the drain for the kitchen sink was a bucket. He stated it was not even connected and that both the back and the front doors had been busted in. He stated at some point in time it was missing screens and the bathroom had to be reworked. He stated had a contractor got in there and done the work, it could've been done

within month or two from the initial notification. He stated the complaint came from a tenant who was living there. He stated they notified him back in April and the Notice of Violation was sent but not accepted so the property had to be posted and it was posted on June 9.

Ms. Dixon stated that's when a second tenant came in there and she was not aware of it. She stated when she was aware of it, the last tenant was there, and the Special Magistrate gave her time to get him out and she went right in there and did whatever needed to be done.

Mr. Vukelja stated the fine was started December 6. So whatever time they had given her had already elapsed and even then, it was about another eight weeks before the work was done.

Ms. Dixon stated with a contractor.

Mr. Vukelja stated this started in June of 2018.

Ms. Dixon stated she does not live here and comes back and forth trying to get things done. She stated she did all she could to come into compliance with whatever he wants her to do up until the doors.

DISPOSITION: Mr. Vukelja reduced the amount of the lien from \$8,274 to \$6,000 subject to being paid within 30 days or the lien reverts back to the previous amount.

Mr. Vukelja called case #1.

CASE# 1 - SMG 01-19-11 - GEA Seaside Investments, Inc.

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 507 Phoenix Ave. Violation(s) - Construction without permits. First Notified - 9/11/2018.

Ms. Angela Hendry came forward.

Mr. Vukelja stated this case is here for a progress report and the determination of a compliance date. He stated permits must be applied for by February 6, 2019 and asked the respondent if they had applied for permits.

Ms. Hendry stated yes.

Mr. Vukelja asked what other progress has been made on the interior and if all the repairs had been made inside.

Ms. Hendry stated there are no other issues besides the garage and balcony overhang. She stated they have a contractor and are going forward with the permits. She stated the City is requesting architectural drawings to be submitted and they are waiting on the drawings.

Mr. Jackson stated there is a question of compliance.

Mr. Vukelja asked if the City had an opportunity to see the work that has been done to date.

Mr. Jackson stated the inspector has been able to inspect and he believes that with a good contractor working diligently the work can probably be done in about 30 days or so.

Ms. Hendry stated that is not possible, they still need to find an architect and have the drawings created and submitted to the City and then that needs to be approved. She stated it would be impossible to be in compliance within 30 days.

Mr. Jackson agreed and stated the City is agreeable to giving her an additional 30 days.

Ms. Hendry stated they need at least three months - 90 days - because right now they have to retain a new maintenance crew because of the strict deadlines with their other properties. She stated they couldn't meet those other deadlines. She stated even though they do have a contractor, they are in the process of hiring maintenance crews to help with the contract work.

Mr. Jackson stated this has been going on since September 2018 so there is concern when we start pushing beyond the 60-day time period.

Mr. Vukelja stated it looks like a major amount of work here and the property is not going to be rented, occupied or utilized, and the exterior will be maintained in the interim.

DISPOSITION: Mr. Vukelja amended the previous Order of Non-Compliance to allow the respondent until May 8, 2019 to come into compliance or be returned for consideration of a fine of up to \$1,000 per day thereafter. He further ordered that the current order be continued to maintain the exterior structure and that the property is not to be rented, utilized or otherwise occupied until it's brought into compliance.

CASE# 2 - SMG 11-18-147 - GEA Seaside Investments Inc

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 304.6, 304.8, 305.3, 504.1 and 604.3.1), at 507 Phoenix Ave. Violation(s)- Maintenance Code - Non-working hot side of bathroom sink, damaged interior surfaces, exterior damage, electrical hazard or missing parts. First Notified -7/23/2018.

Mr. Vukelja stated this is a progress report for the determination of a compliance date for garage, roof and deck.

Mr. Jackson stated the City is well satisfied that the respondent is making the progress necessary and they believe that she can have it all done by the same May 8th date.

Ms. Hendry stated yes.

DISPOSITION: Mr. Vukelja amended the previous Order of Non-Compliance to allow the respondent until May 8, 2019 to come into compliance or be returned for consideration of a fine of up to \$1,000 per day thereafter. He further ordered that the current order be continued to maintain the exterior structure and that the property is not to be rented, utilized or otherwise occupied until it's brought into compliance.

CASE# 5 - SMG 05-18-52 - Margaret Ellen Eberwein

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 302.3, 302.4, 302.8, 304.7); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.8.G, at 348 Jackson Ave. Violation(s) -Damaged roof, outside storage, boarded windows, inoperable vehicle and scooters, overgrown shrubs and dilapidated fence. First Notified -2/13/2018.

Ms. Margaret Ellen Eberwein came forward and was sworn in.

Mr. Vukelja stated this matter is here for the imposition of a fine.

Mr. Jackson stated this is the residence where the main issue is a damaged roof and the respondents are getting assistance from an organization called VIND. He stated they have made progress and needed her to provide a certain amount of down payment which she has done. He stated all that is left is for them to get started. He stated the nature of this work is such that they can't use their volunteers and are using contractors and have contracted the work out. He stated they don't have a timeline yet and are asking to come back for a progress report next month.

DISPOSITION: Mr. Vukelja continued the imposition of a fine until the March 12, 2019 hearing so that VIND can provide information and a compliance date can be ascertained.

CASE# 6 - SMG 01-19-15 - Jae Louise Gates & Jeffrey Michael Gates

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 304.2 and 605.1), at 222 N Hollywood Ave. Violation(s) - Faded & discolored exterior surface and damaged lamp. First Notified -10/1/2018.

Respondent was not present.

Mr. Jackson stated the property remains in non-compliance and the Inspector is Danny Garcia.

Mr. Garcia reports that there's no change and he is asking that a \$250 per day fine be imposed to a maximum of \$15,000.

Mr. Danny Garcia, Code Enforcement Officer, stated he had just conducted an inspection and the property remains the same. He stated he had contact once with the owner and he said he was

incarcerated and when he got out, he was going to have it painted and fix the lamp as you see in the front door. He stated that was it and nothing was done, and he hasn't heard from him since.

Mr. Vukelja asked if the exterior had been repainted and Mr. Garcia stated it has not been touched.

Mr. Vukelja stated he hasn't fixed the damaged lamp and Mr. Garcia stated that is correct.

Mr. Vukelja asked the inspector if he had been asking him to do this since October and Mr. Garcia stated that is correct.

Mr. Vukelja stated he hasn't done anything, and Mr. Garcia stated that is correct.

DISPOSITION: A fine in the amount of \$250 per day was imposed, commencing February 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000.

CASE# 7 - SMG 01-19-18 - Daytona 54 LLC

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp. IPMC 304.2), at 200 N Ridgewood Ave. Violation(s) - Dirt & grime, peeling paint on exterior wall. First Notified - 10/20/2018.

Respondent was not present.

Mr. Jackson stated the inspector in this case is Danny Garcia and this is the Family Dollar Store off Ridgewood and Bay. He stated the property is familiar to staff in terms of violations. He stated this understanding that ownership is changed but the history of this property, in terms of its condition, is something that has been addressed before, and sanctioned, but it's not a repeat violation because of the change of ownership. He stated the condition is of great concern to the staff who indicates nothing has been done about the dirt and grime and the peeling paint on the exterior wall. He stated the inspector is asking that a \$500 fine be imposed to a maximum of \$25,000. He stated that this is a major corridor of the city.

Mr. Vukelja asked Mr. Garcia if he had any contact with the respondent at all.

Mr. Garcia stated yes that recently he had contact with the owner residing in California. He stated it is an elderly man and kind of hard to understand. He stated he expressed the concern about the property and the many complaints. He stated the owner had someone that he wanted him to meet out there and walk around with him, but he has not met that person yet. He stated the owner hired an attorney out of Miami and that person was unable to attend. He stated the only one thing that has been taken care of is the landscaping. He stated the grass has been cut but they don't pick up the trash and they cut over it and it blows all over the place. He stated the graffiti by the rear step has been removed but that's the only thing that has been done.

DISPOSITION: A fine in the amount of \$500 per day was imposed, commencing February 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$25,000.

CASE# 8 - SMG 12-18-162 - Krisztian Guti

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.1, 304.14, 304.13, 304.6, 304.2; City Code Ch. 26 Sec. 26-294, at 615 Tanglewood St. Violation(s) -work without permit, interior finishes, exterior finishes, screens, windows, exterior walls, paint, failure to obtain Rental License (RTL). First Notified - 8/27/2018.

Ms. Elzebeth Kroll, mother of the respondent, and Mr. Charles Bergen, General Contractor, came forward and were sworn in.

Mr. Jackson stated this was set for progress a report because they were going to consider variance and put an application in. He stated they did not go for the variance, but they did

submit permits to remove a kitchen to remedy the violations. He stated the inspector has been in communication with them and is satisfied with what they're doing and believes it will probably take them a couple of months to come into compliance. He stated the City is okay with an April compliance date.

Mr. Vukelja asked what they are having to do.

Mr. Jones stated they are going to take the two properties back and make them single family as they originally were before they added the three units in the front unit and the two units in the back. He stated that is what the contractor has now submitted permits for. He stated his understanding is it's still under review, but they feel pretty confident that they can bring it back as single-family units and then they'll be in compliance.

Mr. Vukelja asked if these properties were occupied at present and Mr. Jones stated yes.

Mr. Charles Bergen stated he was a certified General Contractor and received notice from the City that the Plans Examiner asked him to make some additional drawings. He stated he has them and will drop them off before he leaves. He stated once he is satisfied with what he has, he will be able to obtain a building permit and do the renovations necessary.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE# 9 - SMG 01-19-02 - New Leaf Real Estate, LLC

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 319 Taylor Ave. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 8/8/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for a progress report and the determination of a compliance date and the inspector is Mark Jones. Mr. Jones reports that he has had some communication with the respondent and wasn't anticipating the responding to be here today.

Mr. Jones stated he received a call from the owner that he could not make it and instead of worrying about combining this property with the adjacent property, they are going to proceed with doing the inspections for the three units that are approved for 319 Taylor. He stated he has the inspection scheduled for Monday at 1:30 and he believes that he should be able to bring it into compliance by the next cut off unless there is a major issue when doing the inspection.

Mr. Vukelja asked if the respondent knows that he is talking about the next cutoff and Mr. Jones stated yes.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE# 11 - SMG 01-19-05 - 2018-2 IH Borrower LP

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 257 Perfect Dr. Violation(s)- Failure to obtain Rental License (RTL). First Notified - 11/5/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. He stated Mr. Jones reports that the respondent has failed several inspections and is requesting a fine of \$100 per day to a maximum of \$15,000.

Mr. Jones stated there is a minor issue but, it is a safety issue. He stated they have a GFC that is next to the sink that they had their handyman repair twice and have not yet got it into compliance. He stated he inspected it again on February 6th and it still was not operating correctly. He stated they said they would call him as soon as it gets fixed.

DISPOSITION: Noting the absence of the respondent, based on the Inspector's presentation, a fine in the amount of \$100 per day was imposed, commencing February 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000.

CASE# 13 - SMG 01-19-08 - Mary F. Yan

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 629 Roma St. Violation(s)- Failure to obtain Rental License (RTL). First Notified - 5/29/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Mark Jones. Mr. Jones reports that the property failed inspection on July 17, 2018. He stated the inspector discussed the work that needs to be done but has had no contact since then and is requesting a fine in the amount of \$100 per day to a maximum of \$15,000 be imposed.

Mr. Jones stated there was a very large list of violations and he received a call this past Friday stating that they believe it's all completed, and they would like to schedule an inspection, so he has an inspection scheduled for tomorrow. He stated he had no idea whether it's going to pass.

DISPOSITION: Noting the inspector's report and the absence of the respondent, a fine in the amount of \$100 per day was imposed, commencing February 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000.

CASE# 15 - SMG 02-19-35 - Worker Investments LLC

is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at 749 S Ridgewood Ave. Violation(s) - Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL). First Notified - 11/15/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for a finding of compliance or non-compliance and the inspector is Jerome McCoy. He stated Mr. McCoy reports that he has had no contact with the respondent and is asking for a finding of non-compliance and next cutoff to come into compliance.

Mr. McCoy stated he has had no contact from the respondent, the Notice the Violation was returned, and he had to post the property.

DISPOSITION: Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 16 - SMG 02-19-27 - William B. Parnell

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 204.3), at 218 Kingston Ave. Violation(s) - Maintenance Code - broken fencing, outside storage, missing address. First Notified - 11/14/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the determination of compliance or non-compliance and the inspector is Mike Fitzgerald. He stated the inspector reports that the property remains in non-compliance and is asking for the next cutoff to come into compliance.

Mr. Fitzgerald stated the owners have removed the shed, painted the door, fixed the fence and added the address numbers and there is no reason they cannot come into compliance by the next cutoff.

DISPOSITION: Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 17 - SMG 02-19-28 - James O. Jr. & Jacqueline P. Jackson

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 302.8, 304.2, 304.7), at 811 Harrington St. Violation(s) - Maintenance Code - Faded and peeling paint, rotten wood, junk vehicles, damaged roof and damaged fence. First Notified - 11/7/2018.

Jacqueline Jackson came forward and was sworn in.

Mr. Vukelja asked the respondent if she agrees that the violations occurred at the time of the Notice and the respondent stated yes.

Mr. Jackson stated Mr. Fitzgerald reports that this would take about two months and is asking for the April cutoff.

Ms. Jackson stated she would do the best she can but that she just got the hospital and she has heart issues.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 18 - SMG 02-19-29 - Thomas L Towner, Sr.

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2.3; Art 3. Sec. 3.4.S.3; Art. Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at 819 Harrington St. Violation(s) - Outside storage, trash and debris, faded and peeling paint, ongoing roof work and building construction with no permits. First Notified - 12/3/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for a finding of compliance or non-compliance and the inspector is Mike Fitzgerald. He stated the inspector reports that the property remains in non-compliance and is requesting until the next cutoff to come into compliance. He stated Mr. Fitzgerald has had no contact with the owner.

Mr. Fitzgerald stated they hired a contractor to do the work and pull the permit. He stated when he issued the Stop Work Order the contractor disappeared. He stated the property is in the same condition and he has had no contact with the owner since.

Mr. Vukelja asked how much time should be required to come into compliance and Mr. Fitzgerald stated he should be able to get the permit by the next cutoff.

DISPOSITION: Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 19 - SMG 02-19-30 - Morning Star Missionary Baptist Church of Daytona Beach by Trust

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 505.3), at 643 Madison Ave. Violation(s) - Maintenance Code - Paint fading and peeling, no water. First Notified - 10/25/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the determination of compliance or non-compliance and the inspector is Mike Fitzgerald. He stated the inspector reports that the respondents were here and had to leave because of an emergency. He stated the inspector reports the property is in non-compliance and is asking for the next cutoff to come into compliance. He stated he had one wall left to paint.

Mr. Fitzgerald stated he spoke to him earlier today and about 80 percent of the house has been painted and he was going down to get the rental license application today so he should be in compliance by next cut off.

DISPOSITION: Based on the inspector's report, Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called for a 5-minute break at 11:20 a.m.

Mr. Vukelja resumed the hearing at 11:27 a.m.

CASE# 21 - SMG 02-19-32 - Charles McDowell

is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at 134 Harney St. Violation(s) - Parking on unapproved surface. First Notified - 11/6/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for the determination of compliance or non-compliance and the inspector is Mike Fitzgerald and he reports that the property is still in non-compliance and is requesting next cutoff for the property to come into compliance.

Mr. Fitzgerald stated he was here earlier and said he moved out today and he should be in compliance by the next Monday.

Mr. Vukelja asked if he just needed to do an inspection and Mr. Fitzgerald stated yes.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 22 - SMG 02-19-33 - Jo-Ann M. Teel

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A.; Art. 6 Sec. 2.H.7.a (Ref. FBC Supp IPMC 302.5, 304.13, 304.15, 305.1.1, 305.3, 305.6, 309.1, 504.3, 602.3, 603.1, 605.2, 605.4); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at 633 Florence St. Violation(s) - Maintenance Code - Rodents, damaged windows and doors, damaged and unsafe interior surfaces, bug infestation, plumbing hazards, no heating supply, broken mechanical appliances, broken receptacles, damaged electrical wiring, failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL). First Notified - 9/17/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for determination of compliance or non-compliance and the inspector is Mike Fitzgerald. He stated the inspector reports that the property remains in non-compliance and he is requesting until the next cutoff for the property to be brought into compliance.

Mr. Fitzgerald stated he was at the property yesterday and they are 80% completed. He stated her son was ill so she couldn't make it today. He stated he is asking for non-compliance and the next cutoff.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 23 - SMG 02-19-34 - Maria T. Smith

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A.; Art. 6 Sec. 2.H.7.a (Ref. FBC Supp IPMC 302.1, 304.2, 304.13.1, 304.13.2), at 211 N Halifax Ave. Violation(s) - Maintenance Code - fading & peeling paint, damaged windows, outside storage, trash and debris. First Notified - 7/27/2018.

Maria Smith came forward and was sworn in.

Mr. Vukelja asked the respondent if she agrees that the violations occurred on the property at the time of the Notice of Violation and she stated yes.

Mr. Jackson stated the inspector is Mike Fitzgerald and the inspector reports that the property should be able to come into compliance by the next cutoff.

Mr. Fitzgerald stated he was out there this week and she's about 80 percent completed. He stated on the front there is damage to a window.

Ms. Smith stated she has someone to fix that and he had an accident at work, or it would have already been done, but it should be done by today.

Mr. Vukelja asked the respondent if she would have it done by March 6th and she responded yes.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 24 - SMG 02-19-36 - George A Walton Estate

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 702.4, 302.8, 304.15), at 841 Kingston Ave. Violation(s) - Maintenance Code - Boarded up windows, failure to have emergency escape openings, several junk vehicles, broken screen door. First Notified - 11/13/2018.

Respondent was not present.

Mr. Jackson stated that Mr. Fitzgerald reports that this property was in non-compliance at the time that it was cited and has since been brought into compliance by the respondent and he is asking for a finding of Non-compliance/compliance.

Mr. Fitzgerald stated there is a junk vehicle and the windows were all closed with hurricane shutters and if you're sleeping there you can't get out. He stated he wanted them taken down and not up for long periods of time.

Mr. Vukelja asked if he needed to specify for the will-fine the conduct that is prohibited.

Mr. Fitzgerald stated he could do all of the violations.

DISPOSITION: Based on the inspector's report and noting the absence of the respondent, Mr. Vukelja found the respondent was now in compliance as of 2/12/2019 and previously in non-compliance and for any future violations shall be returned to the Special Magistrate for consideration of a fine up to \$5,000 per day.

CASE # 25 - SMG 02-19-22 - 8 & 8 Property Enterprises Inc.

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 704.2, 302.4, 302.8, 304.14, 305.3, 308.1, 504.1, 603.1, 604.3), at 1830 5. Clyde Morris Blvd. Violation(s) - Smoke alarms, exterior weeds, junk vehicle, insect screens, interior surfaces, accumulation of rubbish or garbage, plumbing systems and fixtures, mechanical appliances and electrical system hazards. First Notified - 7/13/2018.

Michael Bass, Registered Agent, came forward and was sworn in.

Mr. Vukelja asked the respondent if he agrees these violations existed or occurred as stated in the Notice of Violation and he stated yes. He asked how much time should reasonably be required for Mr. Bass to bring this property into compliance.

Mr. Bass stated he was ready to go right now.

Mr. Jackson stated that is also the position of the inspector, Cliff Recanzone, who reports that this can be brought in compliance by next cutoff.

Mr. Vukelja asked the inspector what the status of these violations at present was.

Mr. Recanzone stated he was informed the property should be in compliance and he should be doing an inspection later this week.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 26 - SMG 02-19-23 - Dimitrios C Bozios Realty Corp

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7), at 1174 Beville Rd. Violation(s)- Damaged fence. First Notified- 10/9/2018.

Ms. Linda Shultz came forward and was sworn in.

Mr. Vukelja asked the respondent what her affiliation was with the owner.

Ms. Shultz stated nothing that she was the property owner at 117 4 Beville. She stated he was probably the landlord or the property owner. She stated she was the franchise holder and was responsible for the property maintenance.

Mr. Vukelja asked Mr. Jackson if he was satisfied that she was responsible for the property maintenance and Mr. Jackson stated yes.

Mr. Vukelja asked the responded if she agreed the violations existed or occurred as stated in the Notice of Violation and she stated she did.

Mr. Vukelja asked how much time should reasonably be required for this respondent come into compliance.

Mr. Jackson stated the inspector is Cliff Recanzone and he reports that it should come into compliance by the next cutoff. He stated he has had some communication via electronic means.

Mr. Recanzone stated they should be in compliance by next cutoff.

Ms. Shultz stated she was going to try to come into compliance by March 6th, but the problem has been the General Contractor. She stated he came down yesterday to pull a permit but was told there was no paperwork on file so he couldn't pull the permit. So, she is trying to get a permit pulled and has another contractor on call right now. She stated if they can't get it pulled today, she was going to talk to the person that denied it yesterday. She stated it is the removal of a large fence and it is cemented. She stated once they remove it and get it hauled then it is an installation process. She stated she would definitely be done by April.

Mr. Recanzone stated he did not have a problem with an April cutoff.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 28 - SMG 02-19-20 - LeBaron Properties LLC

is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at 1101 6th Street. Violation(s) - Failure to obtain Rental License (RTL). First Notified - 11/7/2018.

Kevin LeBaron came forward and was sworn in.

Mr. Vukelja asked the respondent if he agreed that the violations occurred on the property at the time of the Notice of Violation and he stated yes.

Mr. Jackson stated the inspector is Mark Jones and the inspector believes that the property can come into compliance by the next cutoff.

Mr. LeBaron stated it was done and that he had pictures.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until March 6, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE# 30 - SMG 02-19-25 - 504 Main St LLC

is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 301.1, 304.1.1, 304.6, 304.7, 304.9, 304.10, 304.12, 304.13.1, 306.1.1, 308.1, 604.3), at 504 Main St. Violation(s) - Structural appearance standards, dangerous stairs, roof leaks, unsafe masonry, exterior walls, roof and drainage, dangerous fire escape, broken windows, unsafe stairs, brick walls cracking, rubbish accumulation and electrical hazard. First Notified - 10/10/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for determination of compliance or non-compliance and the inspector is Steve Alderman. He stated the inspector reports that the property remains in non-compliance and is asking for next cutoff for the property to come into compliance.

Steve Alderman, Code Enforcement Officer, stated the violations came as a CRM complaint as damage to an adjacent building. He stated the fire escape is dangerous. He stated when he got there, he found a leaking roof, bad drainage, unsafe masonry exterior wall breaks and cracking, dangerous fire escape, broken windows, rubbish and debris accumulation and electrical hazards. He stated he had communication with Miss Roselle, and he expected her to be here today. He stated the building, as of yesterday, has for sale signs in the front door and the building has been cleared out. He stated there is an issue of a fire escape that is dangerous, and he would like the Magistrate to mandate that she block access to it. He stated it is abandoned and there is no one living in it.

Mr. Vukelja asked what relief the City is looking for.

Mr. Alderman stated the City is looking for permission to deny access to the stairwell or at least put it on record to require the property owner to do it.

Mr. Vukelja asked if this property was going to be utilized during Bike Week and Mr. Alderman stated not that he is aware of.

Mr. Jackson clarified that the Special Magistrate would have the authority to order the owner to secure the property until it's brought into compliance as it is a hazard. He stated he is asking some barricading to be ordered in a quick fashion.

Scott Lee, Daytona Beach Police Captain, stated they know there's a lot of work that needs to be done on property but their first and immediate concern is the safety concern that comes with the stairwell, so if the Magistrate could order that they bring that part into compliance or secure it in some way that makes it safe within a short time frame, then they would be able to work through the rest of the parts of the property with them.

Mr. Vukelja asked how quickly the stairwell could be rectified.

Captain Lee stated if they took action, they could secure it in less than 24 hours.

Mr. Jackson asked if they had a means to give immediate notification once an order is entered.

Mr. Alderman stated if he could catch Ms. Roselle in the office at 777. He stated they have not contacted him, and he hasn't seen them since 777 has been open which is on his Main Street checks daily. He stated the rust is completely through the stairwell and on about 50 percent of

the stairwell and the landing. He stated there is no salvaging the stairwell but blocking it is doable.

Captain Lee stated they had two options - to secure it or to come into compliance.

Mr. Vukelja asked if there any other life safety concerns other than the stairwell.

Mr. Alderman stated not immediately.

Mr. Vukelja stated they were obviously in no position to establish a compliance date right now.

Mr. Alderman stated the last time he talked to her, in November, the estimates to repair the exterior exceeded the value of the property.

Mr. Jackson requested that it also be ordered that the property remains unoccupied.

DISPOSITION: Based upon the testimony of the City inspector and based upon the photographs made available, Mr. Vukelja found the respondent in non-compliance and ordered the respondent to be at the March 12, 2019 meeting to advise us when they will be in compliance. In the interim, he ordered the stairs be secured and inaccessible by Friday, February 15, 2019 at 5:00 p.m. or be returned for the consideration of a fine. It was further ordered that the rest of the building must be secured to City standards by 5 p.m. and that the property is not to be rented, occupied or otherwise utilized until compliance is achieved.

CASE # 32 - SMG 02-19-37 - ST & Irene Koutouzis et al

is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.B; Art 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.-19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.4 (Ref. FBC Supp. IPMC 301.2, 302.3, 302.9, 304.2, 304.6, 304.7, 308.1, 308.2, 308.2.1), at 515 N Atlantic Ave. Violation(s) - Graffiti, roof perimeter, protective treatment, outside storage, roof repair, roof tarp, pipe cap-vent, crumbling-cracked wall blocks, repair driveway-parking lot, hole in exterior wall, vines growing on exterior wall, rubbish & garbage and trash-debris. First Notified - 11/28/2018.

Irene Koutouzis came forward and was sworn in.

Mr. Vukelja asked the respondent if she agreed that these violations existed or occurred as stated in the Notice of Violation.

Ms. Koutouzis stated that before she received the notice, she had made contact with Brent Faircloth regarding the roof and he has started and is almost complete. She stated the same day she hired Tony Shaw who is a contractor, but they cannot begin painting the building until the roof is done. She stated regarding the driveway the property in the back does not belong to her, and there are problems with the homeless sleeping there, so she is in negotiations to buy an easement there. She stated on the north side of the building there were two trees on another property that is abutting her property and causing cracks in the building and she needs those two trees removed. She stated that the painter will not be able to paint that part of the building because he can't get to it since her building abuts the property line.

Mr. Jackson stated the inspector is Steve Alderman and he believes that April should be enough time for the respondent to come into compliance. He stated the inspector reports that the property remains in non-compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja recalled Case #4.

CASE# 4 - SMG 09-18-113 - Promo 05 LLC

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3; City Code Ch. 90 Sec. 90-297, at & 227-225 N Oleander

Ave. Violation(s) - Adding a third apartment in the basement of the front building- no permit for electrical, plumbing, new porch, new stairs and demo, Failure to obtain Business Tax License (BTR). First Notified - 3/7/2018.

Mr. Juan Petruizzo came forward and was sworn in. He stated about two months ago he hired an architect and a general contractor who started doing the work. He stated they did the blueprints and everything and he said they are not responding to him. He stated he put a new roof on. He stated on Friday he met with another general contractor and he is supposed to sign a contract to take over building the apartment tonight.

Mr. Vukelja asked if they are looking for a compliance date.

Mr. Jackson stated yes, they are looking for a compliance date and the case is over a year old.

Mr. Vukelja stated it looks like a lot of work has been done and asked if the stairs are the issue.

Mr. Fitzgerald stated there is a second-floor door that should be going out to a balcony and there's no balcony.

Mr. Petruizzo stated he is planning to do a new balcony and new stairs but is having trouble finding someone to do it.

Mr. Vukelja asked the respondent how much more time should be required.

Mr. Petruizzo stated he is meeting with this guy tonight.

Mr. Jackson stated staff is asking for next cutoff for compliance.

Mr. Vukelja stated at present the property is unoccupied and Mr. Petruizzo stated yes.

Mr. Vukelja asked the respondent if it is going to stay that way until he is in compliance.

Mr. Petruizzo stated no one has lived there for two years.

Mr. Vukelja asked what the next step, as far as finishing this up, would be.

Mr. Petruizzo stated he would probably sell it.

Mr. Vukelja told the respondent he could report to the inspector his progress for the next meeting and did not have to drive up here but, he wanted to be able to know a compliance date at the March meeting.

DISPOSITION: Mr. Vukelja continued the case to the March 12, 2019 hearing for a progress report and the determination of a compliance date. He further ordered that the property is not to be rented, utilized or otherwise occupied until it's brought into compliance.

There was no miscellaneous business and the meeting was adjourned at 11 :55 a.m.