

**CODE
ENFORCEMENT
BOARD**

City Commission Chambers
301 S. Ridgewood Ave., Daytona Beach, FL 32115

Members: Weegie Kuendig, Chairman; Turner Hymes, Vice-Chairman; Neil Harrington, Karen Robey, Valoree McLean & Bradford Gonzalez

March 12, 2020

Members present:

Mrs. Weegie Kuendig, Chairman
Mrs. Turner Hymes, Vice-Chairman
Mr. Neil Harrington
Ms. Valoree McLean
Ms. Karen Robey
Mr. Bradford Gonzalez

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Officer Cortland Lampe, Daytona Beach Police Department
Mr. Roosevelt Butler, Code Inspector
Mr. Lewis Chaff, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Mike Fitzgerald, Code Inspector
Mr. Mark Jones, Rental Inspector
Mr. Clifford Recanzone III, Rental Inspector
Ms. Sara Kirk, Code Inspector
Mr. John Stenson, Lead Code Inspector
Ms. LaWanda Tomengo, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. David Wood, Code Inspector
Mr. Joe Graves, Audio/Video
Ms. June Barnes, Board Secretary

Approval of Minutes by: Marylaine "Weegie" Kuendig Chairman

The Chairman called the meeting to order at 9:00 a.m.

Ms. Barnes called the roll and all members were present.

Mrs. Kuendig noted the incorrect date on the first page of the Minutes stating it should be February 13, 2020 instead of January 9, 2020. The Chairman asked if the minutes of the February 13, 2020 meeting had been read and asked for any other corrections. There were

none. Mr. Harrington motioned to approve the minutes with Mrs. Hymes seconding the same. Motion approved (6-0).

Mrs. Kuendig asked for disclosure of Ex Parte Communications and there was none.

Mrs. Kuendig asked if there were any announcements and Ms. Barnes announced the following cases.

CASE # 2 - CEB 02-20-34 - Steven B. Rogers, Toni Rogers Howell, Ronald A Rogers Jr., Shenetta Rogers, and Vella Janette Rogers Workman Estate is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **410 Lockhart St.** Violation(s) – Outside storage and dilapidated fencing. First Notified – 11/15/2019

Compliance 3-5-2020

CASE # 3 - CEB 02-20-16 - Toni Lynn Swires is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2), at **156 Oakwood Dr.** Violation(s) – Dilapidated fencing, peeling paint. First Notified – 8/10/2019

Compliance 3-5-2020

CASE # 6 - CEB 02-20-23 - Myriam Nova Soto is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **147 Lee St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 6/19/2019

Compliance 3-5-2020

CASE # 15 - CEB 02-20-36 - Rayfield McCloud is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **955 Magnolia Ave.** Violation(s) – Outside storage, junk vehicle, parking, dirt & grime. First Notified – 5/21/2019

Compliance 3-6-2020

CASE # 18 - CEB 11-19-281 - Nancy B Beckman is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **915 S Palmetto Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/24/2019

Compliance 3-11-2020

CASE # 27 - CEB 03-20-64 - Gary J Johnson is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1345 Sunset.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 9/28/2019

Compliance 3-5-2020

CASE # 35 - CEB 03-20-49 - Levonda Joy Selph & Albert P Skroch, Jr. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A. (Ref.

FBC Supp. IPMC 302.7), at **828-826 N Peninsula Dr.** Violation(s) – Damaged fence, outside storage of building materials. First Notified – 8/7/2019

Compliance 3-11-2020

Mrs. Kuendig announced the procedure for the meeting and called the first Lien Review.

LR – 1 CEB 11-19-267 – 557 Park Dr. - Allen M. Anglemyer is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1). Violation(s) – Trash & debris. First Notified – 7/16/2019. **Order Imposing Fine-Lien of \$100 per day effective December 12, 2019. Compliance – January 3, 2020. \$2,200.00 plus \$24.00 recording costs plus \$14.11 interest = \$2,238.11.**

Mr. Allen M Anglemyer came forward and was sworn in.

Mr. Jackson stated the case started in July 2019 and on December 12 a fine was imposed. He stated the property came into compliance on January 3, 2020. He stated at the request of the respondent who lives out of state, we requested a holiday delay. He stated the inspector reports the respondent has done a good bit of work and spent considerable money. He stated the City is willing to reduce the amount of the fine by 50% to \$1,100.00. He stated the property is in compliance with code.

Mr. Anglemyer stated he did a substantial amount of work and put up a fence, with a permit, after the Commission enacted the ordinance to allow vacant property to be fenced. He stated the violations are not his fault and the neighbors, prostitutes and drug dealers are putting trash on his property. He stated the property is a cut through from Park Drive and Division Street.

There was discussion regarding the new ordinance to fence a vacant lot and the compliance date.

Mrs. Hymes stated the respondent should get on the Trespass arrest with the Police Department.

Mr. Jackson stated the property is not on the trespass arrest site.

Ms. McLean stated someone local that he knows could keep an eye on the property for him.

Mr. Anglemyer stated he did not know anyone local and had been camping on the property for 3 weeks.

Mr. Gonzalez stated he can hire someone to hang out at the property and take care of the property and mow it as well.

Mr. Anglemyer stated the fence was a 6 foot chain link fence that is locked. He stated he has someone now to look after the property.

BOARD ACTION: Mr. Gonzalez made motion to reduce the amount of the fine to \$600 subject to being paid within 30 days or fine reverts back to the original amount. Mr. Harrington seconded the same and motion was approved 5-1 with Mrs. Hymes voting no.

LR - 2 CEB 12-19-286 - 644 Madison - Scott Alan & Patrica B Reid is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/1/2019. **Order Imposing Fine-Lien of \$100.00 per day effective January 9, 2020. Compliance – February 19, 2020. \$4,600 plus \$24.00 recording costs = \$4,624.00.**

Mr. Scott Alan Reid came forward and was sworn in.

Mr. Jackson stated the Respondent was notified in April of 2019 and fine imposed on January 9, 2020. He stated the property came into compliance on February 19 after many inspections had been offset and canceled by the tenant. He stated the owner came and took care of the violations but the case went on for 10 months. He stated he is requesting no reduction.

Mr. Reid stated he accepts responsibility for the property and is requesting relief. He stated he has difficult tenants and they are ill. He stated when he received the notice, he called Inspector Jones and asked him to coordinate the inspection with the tenants. He stated they would make a date and then canceled the inspections unbeknownst to him. He stated he got the punch list from Mr. Jones and then everything done within 30 days and he got the final inspection done.

Mr. Jones stated compliance was due on April 18 and he contacted the tenants several times and they were out of town. He stated they scheduled another inspection and the tenant was out of town. He stated on the January 3 inspection, the tenant was not there. He stated he finally had an inspection of January 16 and the final inspection was canceled in February by the tenant and then finally had the inspection.

Mr. Reid stated he spoke to the tenants the day before the inspection in January. He stated he completed the inspection on February 6 but it did not occur until February 14.

Ms. McLean stated there were 8 pieces of mail sent to the respondent.

BOARD ACTION: Mrs. Hymes made motion to deny the reduction of the fine/lien. Mr. Gonzalez seconded the same and motion was approved 5-1 with Mr. Harrington voting no.

LR-3 - CEB 10-19-221 – 724 Marion St - Arlene M. Rogers is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 308.1); Ch. 90 Sec. 90-297. Violation(s) – Roofs and drainage, rubbish and garbage, failure to obtain Business Tax Receipt (BTR) for scrapping business. First Notified – 9/27/2018. **Order Imposing Fine-Lien of \$100 per day effective November 14, 2019. Compliance – February 10, 2020. \$8,800.00 plus \$24 recording costs = \$8,824.00.**

Respondent was not present.

Mr. Jackson stated the preference of the City is that the case not be heard and the respondent will be able to refile if they choose.

Mrs. Kuendig stated not showing up is not good faith to her. There was discussion regarding what the Board can order.

Mrs. Kuendig asked for motion to deny the reduction of lien without prejudice. Mr. Gonzalez motioned the same with Ms. Robey seconding. Motion was approved 6-0.

LR-4 - CEB 05-19-95 – 1124 Lakewood Park Dr. - Jerlene P. Stiggons is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.5, 304.6, 304.7, 304.13, 304.13.2, 304.14, 304.15, 305.1.1, 305.2, 305.3, 305.6, 604.3.2). Violation(s) – Exterior structure members, foundation walls, exterior walls, roof & drainage, windows, door, frames, openable windows, insect screens, interior structure - unsafe conditions, interior structural members, interior surfaces, interior doors, abatement of electrical hazards with fire exposure. First Notified – 2/28/2019. **Order Imposing Fine-Lien of \$100 per day effective July 11, 2019. Compliance - February 10, 2020. \$10,000.00 plus \$24.00 recording costs = \$10,024.00.**

Mr. Thomas Huger, contractor, came forward and was sworn in. Mr. Huger stated he coordinated the demolition.

Mr. Jackson stated Inspector Clig is requesting no reduction. He stated the house was constructed using a grant from the City and had a fire. He stated the Respondent wanted to repair and rehab the property but the City did not grant the request.

Mr. Huger stated Ms. Stiggons is on monthly assistance and is not financially able to renovate the property. He stated she asked for assistance to demo and it was not granted. He stated he took care of the demolition for her. He stated she was able to salvage the slab and her family members are helping her to rebuild and get another mortgage.

Mrs. Kuendig asked when the house was condemned.

Mr. Clig stated it was condemned June of 2019 and the fire occurred in 2018.

Mr. Harrington asked if the City will grant money to people who don't have their home insured.

Mr. Clig stated the Respondent stated she would use her income tax money to repair.

Mr. Gonzalez asked if there was an investigation into the fire.

Mr. Clig stated it was not arson but natural causes.

Ms. Robey stated when the Respondent came before them in July, she had pre-approval to rebuild from the bank.

BOARD ACTION: Mr. Gonzalez made motion to reduce the amount of the fine/lien to \$5,000. Mr. Harrington seconded the same and motion was approved 4-2 with Mrs. Kuendig and Ms. Robey voting no.

LR-5 - CEB 09-19-194 – 223-219 Madison Ave - Jose F. Percy is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 6/4/2019. Order Imposing Fine-Lien of \$100 per day effective January 9, 2020. Compliance – February 12, 2020. \$3,400.00 per day effective January 9, 2020 plus \$24.00 recording costs - **\$3,424.00.**

Mr. Jose Percy came forward and was sworn in.

Mr. Jackson stated Inspector Jones is requesting no reduction. He stated there were multiple failed inspections starting in June. He stated fine was imposed on January 9 and Mr. Jones finally heard from the Respondent on January 19. He stated the final inspection was finally held on February and was in compliance.

Mr. Percy stated Mr. Jones put a notice on his door and he came and applied for the license. He stated he did not receive any notices. He stated when he got the Notice of Hearing he came to the meeting and Mr. Jones explained to the Board what was being done and separated the two properties. He stated he asked about the license and they told him it was in review. He stated no one told him he needed an inspection by Mr. Jones.

Mrs. Kuendig stated he came to the first hearing and did not have notification of the subsequent hearings. Mrs. Kuendig stated he did not show up for the 3 hearings.

Mr. Jackson stated we would have returned mail.

There was discussion regarding what type of notice is required to be done.

Ms. Barnes stated none of the mail had been returned.

Mr. Harrington asked if there was a doubt in the Respondent's mind that he was not meeting code and must come into compliance.

Mr. Percy stated he did not understand.

Ms. Robey stated he was aware that he needed to come into compliance.

Mr. Percy stated when Mr. Jones posted on his door, he came to the meeting. Mr. Jones did not see the application.

Ms. Robey stated when they determined there were two separate parcels he was no longer in compliance with the state and had to come into compliance with the City.

Mr. Percy stated he had no communication at all that Mr. Jones needed to inspect.

Ms. Robey stated at the first meeting it was continued to figure out if the respondent needed to come into compliance with the state or the city. She stated the respondent did not come back for that meeting.

Mr. Jackson stated the Respondent went and paid for applications and he thought he was done. Mr. Jackson stated he has had communication and the documents make it clear. He stated the property remained occupied throughout the process.

Mr. Percy stated he scheduled the inspection when the Inspector told him he needed to do that.

Mr. Jones stated he had more than a half a dozen communications. He stated he went downstairs with Mr. Percy after the September meeting and they showed him it was 2 parcels.

Mrs. Kuendig asked how long was it between the time they told him it was 2 parcels and the inspection.

Mr. Jones stated the first inspection was January 16 and the Board ordered a fine on January 9. He stated the inspection failed for many things. He stated they re-inspected on February 14.

Mr. Harrington referred to the minutes stating that there was an affidavit.

Ms. Barnes clarified that Mr. Jones asked him to sign an affidavit.

Mr. Percy stated he lives in one of the apartments.

Mrs. Kuendig asked why he gave his address as Ocoee.

Mr. Percy stated that's where he gets his mail.

BOARD ACTION: Mrs. Hymes made motion to deny the reduction of the fine/lien. Mr. Harrington seconded the same and motion was approved 6-0.

Mrs. Kuendig asked for motion to reopen Lien Review # 3. Ms. Robey motioned the same with Ms. McLean seconding. Motion was approved 6-0.

Ms. Carolyn Stafford, niece, came forward and was sworn in.

There was discussion regarding Ms. Stafford's permission to testify and Ms. Stafford stated that she acquired the property through her aunt's will.

Mr. Jackson stated Inspector Recanzone is requesting no reduction in fine and the property failed inspection 3 times. He stated it was a fight to get to minimal compliance. He stated the property now is in compliance and it took many months to get to that point.

There was an issue and discussion regarding the dates from the case to compliance and that it took a year for compliance.

Mr. Harrington asked if the scrapping business was gone.

Mr. Recanzone stated that it was.

There was discussion regarding the correct amount of the lien and determined it should be \$900 more.

Ms. Kuendig asked if it was a problem that the property is in the name of Arlene Rogers.

Mr. Jackson stated no.

Ms. Barnes pointed out that the Respondent was on the Tax Appraiser's website to be sent to c/o Ms. Stafford.

Mr. Jackson stated the inspector acknowledges that he had no contact from anyone between the inspection at the end of January and the compliance inspection. He stated there were tenants in the place.

Ms. Stafford stated she was not aware of the condition of the house. She stated she allowed her cousin and his wife to move in about 10 years ago. She stated they were paying the taxes and keeping things going and she hadn't been up here so she had no idea what they were doing on the property. She stated she came up and the yard was full of metal and junk and it scared her. She stated she told him he had to clean it up but he did not do it. She stated she evicted him and had the yard cleaned up. She stated no one lives there and she is going to sell it. She stated she received none of the notices and didn't know there was an issue until the property was posted. She stated she owned the house about 10 years and the tenants live there 9.

There was discussion that the Post Office box on the Tax Assessor's website is incorrect.

Mr. Jackson stated the property was posted.

Mrs. Kuendig asked if the tenants told her there was a posting on the door.

Ms. Stafford stated she didn't receive anything.

Mrs. Kuendig asked how she found out about the lien.

Ms. Stafford stated she came up here because they had not paid the taxes for this year.

There was discussion as to how Ms. Stafford found out about the violations on the property.

Ms. Stafford stated she found out from the person she is selling it to. She stated it is vacant now and will not be rented.

There was discussion regarding the buyer of the property and the information sent to her.

Captain Lee pointed out the error was in favor of the respondent.

BOARD ACTION: Mr. Gonzalez made motion to reduce the amount of the fine/lien to \$4,000. Mr. Harrington seconded the same and motion was approved 4-2 with Mrs. Kuendig and Ms. Robey voting no.

Mr. Harrington left the chamber at 10:11 a.m.

CASE # 1 - CEB 02-20-15 - Audrey Broxton is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7), at **824 Derbyshire Rd.** Violation(s) – Parking in yard, peeling paint, damaged roof. First Notified – 10/18/2019.

Respondent was not present.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance and is asking for next cutoff to come into compliance. He stated the respondents are working on it and still have issues regarding the roof.

Mr. Stenson stated he doesn't know if someone is living there and it is owned by a person living in Texas. He stated his first contact with the Respondent was about 10 days ago. He stated between March and 10 days ago he had no contact. He stated there has been some movement and he would like to amend to the next cutoff.

Mr. Harrington returned to the Chamber at 10:14 a.m.

BOARD ACTION: Ms. Robey made motion to amend the previous order of non-compliance and allow the respondent until April 1, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes seconded the same and motion was approved 6-0.

CASE # 4 - CEB 02-20-19 - Demond O. & Nakeithra Dean is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **140 Fountain Lake**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 9/18/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Jones stated the property is a rental property and is occupied. He stated he has had no contact from the owner. He stated he posted the property but no one came to the door. He stated at different times there have been different cars.

BOARD ACTION: Mr. Gonzalez made motion to impose a fine of \$100 per day, effective March 12, 2020, to a maximum of \$15,000 or until compliance is achieved. Mrs. Hymes seconded the same and motion was approved 6-0.

CASE # 5 - CEB 09-19-173 - Gema Vazquez is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **426 Flushing Ave**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/15/2019.

Ms. Nancy Koenig and Mr. Steve Koeniz, Property Managers, came forward and were sworn in.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and failed inspection in November 2019. He stated the re-inspection has not been scheduled and the property remains occupied.

Mrs. Kuendig asked if the property is vacant.

Mr. Jones stated it has been vacant at different times and believes it is unoccupied right now.

Ms. Koenig stated there is someone living there and everything has been repaired. She stated she reached out to Mr. Jones yesterday to schedule the inspection.

Ms. Robey asked when the new tenants moved in.

Ms. Koenig said they moved in on March 1.

Ms. Robey asked the respondent if she didn't believe she had to have the license before she put someone new in the property and this was an ongoing issue.

Ms. Koenig stated she rented it before the work was done.

BOARD ACTION: Ms. Robey made motion to impose a fine of \$100 per day, effective March 12, 2020, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzalez seconded the same and motion was approved 6-0.

CASE # 7 - CEB 02-20-20 - Sean Hughes is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **223 Arlington**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/3/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property failed inspection on February 20, 2020 and remains in non-compliance. He stated the inspector has given them until March 20 to fix the issues and is asking to amend to the next cutoff. He stated there are not a lot of items and both units are occupied.

Mr. Jones stated there is not a lot to do and both units are vacant and the mother said they would not rent until the final inspection is done.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until April 1, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 8 - CEB 02-20-22 - Zaydul Hoque & Farhana Akhter is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **207 N Peninsula**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 9/14/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and 3 units are occupied. He stated the property failed inspection on January 22, and February 27 and Mr. Jones is asking for a fine in the amount of \$100 to a maximum of \$15,000.

Mr. Jones stated all 3 units are occupied and there is a long list of violations. He stated he spoke to the Property Manager and the owner does the repairs. He stated the last time he was there, there was a motorhome parked on the grass.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective March 12, 2020, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 9 - CEB 02-20-33 - Jackson T L Trust, Jordan Minnie Trust, Truevine Temple Ministries, Inc., William Bolden Trust is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4, at **357 Rose Ave**. Violation(s) – Roof, fascia, peeling paint, dirt & grime. First Notified – 7/12/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the property remains the same. He stated he has had no contact with the respondent and is asking for a fine in the amount of \$100 per day to a maximum of \$20,000. He stated the reason for the \$20,000 maximum is that the 5-unit property is commercial.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective March 12, 2020, to a maximum of \$20,000 or until compliance is achieved. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 10 - CEB 02-20-30 - John A Sharper, Ken Sharper Est, Elnora Jackson Est, Samuel Sharper, Jimmie Sharper, Willie Sharper Jr Est & Arlivia Robinson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4, at **904 Oak St.** Violation(s) – Roof damage, peeling paint, dirt & grime. First Notified – 7/12/2019.

Mr. John Sharper came forward and was sworn in.

Mr. Jackson stated the Board made a dual order that the property be secured and that was done but remains in non-compliance. He stated nothing else had been done since July 2018. He stated the Inspector is asking for a fine in the amount of \$200 to a maximum of \$15,000. He stated it is heir property and has issues with the application for demo.

Mr. Sharper stated the property is boarded and has no trespassing signs. He stated he has to depend on his daughter in Jacksonville to transport him. He stated he had someone to finish the work yesterday for the roof and yard. He stated it has been vacant and will probably need to be demolished. He stated he has owned the property about 3 years and it is not out of probate.

Mr. Jackson stated the respondent cannot demo without the probate court action.

Mr. Cino asked the respondent if he was executor of his mother's estate.

Mr. Sharper stated he is the only surviving member.

Mr. Cino asked if the respondent had an attorney.

Mr. Sharper stated he has had 7 attorneys since he took over the property. He stated he is at the point where he just wants to sell the property as it is. He stated it is not before the courts for probate and if the fine is beyond reasonable to him, the city can have it. He stated there are 6 other siblings involved but they are dead.

Captain Lee stated the issue for the respondent is probate and we cannot assist him but the Board needs to continue with their order.

Mr. Jackson explained that while he may be the only surviving original member, there are other heirs to other deceased members.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective March 12, 2020, to a maximum of \$15,000 or until compliance is achieved. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-1 with Mr. Gonzalez voting no.

CASE # 11 - CEB 02-20-31 - Louis E Henry Jr, Crisey Ferguson & Steven Wayne Ferguson

is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 302.8, 303.1, 304.2, 304.3, 304.6, 304.8, 304.13, 304.15, 305.3, 305.6, 308.1, 604.3, 604.3.1, 604.3.1.1, 604.3.2.1, 605.1, 605.2, 605.3, 605.4); Art. 5, Sec 2.B.3 Art. 6 Sec 6.2.H.7.A, at **861 White Ct.** Violation(s) – Dirt and grime, mold, paint fading and peeling, dead tree, no ground cover, lawn maintenance, broken brick planter box, interior and exterior electrical hazard, exterior doors broken and broken trim, interior surfaces damaged and broken, non-working and missing smoke detectors, dorm living, damaged exterior fencing, outside storage trash and debris, dilapidated pool and standing water, non-working fireplace, junk vehicles, parking on the grass in front yard and street side yard, missing address numbers, damaged interior doors. First Notified – 5/22/2019.

Mr. Steve Ferguson came forward and was sworn in. He stated he lives there with his uncle and sister who also own the property.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and is asking for a fine in the amount of \$200 to a maximum of \$10,000. He stated they have done a couple of things.

Mr. Fitzgerald stated the electric had been repaired by a licensed electrician and the dead tree was gone.

Mr. Ferguson stated there was work going on. He stated the fact that it needs smoke detectors is not a safety issue. He stated he lives there with a roommate and has lived there for 10 years. He stated he took it over when his grandmother passed. He stated the property got out of probate in 2015 and he has owned it since 2017. He stated he is waiting on new cabinets.

Mr. Harrington asked about the dorm living.

Mr. Ferguson stated there is no dorm living. He further stated that there are 2 other people living there.

Mr. Fitzgerald stated there has been dorm living for over a year and that the respondent and 2 other people are living there. He read aloud the violations and what was done or left to do. He stated the pool is secure and empty.

Mr. Ferguson stated the renters are there to help him pay the bills. He agreed there were some violations still existing and said he is working on it.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$250 per day to a maximum of \$10,000.

BOARD ACTION: Mr. Gonzalez made motion to impose a fine of \$200 per day, effective March 12, 2020, to a maximum of \$10,000 or until compliance is achieved. Mr. Harrington seconded the same and motion was approved 6-0.

CASE # 12 - CEB 12-19-299 - William B. Brown & Lucie Denault is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A; (Ref. FBC Supp. IPMC 304.1.1, 304.2, 304.6, 304.12, 304.13, 304.14, 305.5, 302.7), at **601 University Blvd.** Violation(s) – Overhangs, window sills, electrical power

line, damaged windows, paint, stair railing rotted, holes in walls, window screens, accessory structure doors and paint. First Notified – 8/6/2019.

Mr. William Brown came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports he is working on it and is doing a good job. He stated the City is asking to amend to the May cutoff.

Mr. Brown stated the property is not rented. He stated they electricity has been fixed and he has repaired the soffit and put on new garage doors. He stated they landscaped and replaced the washer and dryer among other things.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until May 6, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

Ms. McLean left the chamber at 10:59 a.m.

CASE # 13 - CEB 02-20-25 - Deborah Wilkerson 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 304.2, 304.6, 304.14), at **534 Live Oak Ave.** Violation(s) – Peeling paint, windows, screens, fence. First Notified – 4/5/2019.

Ms. Debby Green, maiden name Wilkerson, came forward and was sworn in.

Mr. Jackson stated Inspector Kirk reports the property remains in non-compliance since April 2019 and there has been no change since the last hearing. She stated the Home was burglarized in May and then no work was being done. She stated they have a signed contract to sell the house and that they called a contractor but he never showed up and they had to find a new one. She stated they are scheduled to close on April 6.

Ms. Kirk stated she had contact with the respondent early on. She stated in May the home was burglarized and some equipment and materials were stolen so she extended the time and after that there was no contact or work being done.

Mrs. Kundig stated that Mr. Quinon stated at the last hearing there was a contract to sell the house.

Ms. Green stated they went to the house after the last hearing to meetin Home Solutions Investors and signed a contract. She stated they sent a contractor to inspect the property and the contractor never showed up. She stated that happened again several times and she has been unable to reach them. She stated she has a contract from another group but they said they could not move forward because of the amount of work that needs to be done. She stated she is now working with Alpine Properties. She stated she met with the contractor on Tuesday and he was here but had to leave. She stated they would like to close on the 6th but only cash.

BOARD ACTION: Ms. Robey made motion to amend the previous order of non-compliance and allow the respondent until April 1, 2020 to come into compliance or be returned to a

subsequent meeting for consideration of a fine up to \$1,000. Mrs. Hymes seconded the same and motion was approved 4-1 with Mr. Gonzalez voting no.

Ms. McLean returned to the chamber at 11:01 a.m.

CASE # 14 - CEB 02-20-27 - John H Sanders is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **Loomis Ave (Parcel # 5339-82-04-0060)**. Violation(s) – Parking on grass lot, trash and debris. First Notified – 10/17/2019.

Mr. Larry Sanders came forward and was sworn in.

Mr. Jackson stated Inspector Kirk is asking to amend to the next cutoff and the respondent is making progress.

Ms. Kirk stated the vehicles have been removed from the grass but there are a few new things on the property.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until April 1, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 a day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 4-2 with Mr. Harrington and Mr. Gonzalez voting no.

Mrs. Kuendig called for a break at 11:05 a.m. The meeting resumed at 11:12 a.m.

CASE # 25 - CEB 03-20-65 - Cathy Moutsopoulos is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **940 N Halifax**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 9/2/2019.

Ms. Cathy Moutsopoulos came forward and was sworn in. She stated her office is on one side and an apartment that she rents on the other.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and is asking for next cutoff for compliance. He stated the respondent is working on it and failed inspection in November.

Mr. Jones stated the property is an apartment and a business and has a lot of commercial violations. He stated the windows are not operating properly and will not remain open.

Ms. Moutsopoulos stated the unit had been vandalized and the window company told her it would be 3-4 months to get the windows installed. She stated the building was from 1953. She stated the property is not rented.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by June 3, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. It was further ordered that the property shall not be rented until compliance is achieved. Ms. Robey motioned the same motion with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 16 - CEB 02-20-38 - V J Singh 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 302.7, 304.7, 304.13, 308.1, 304.2), at **713 Marion St.** Violation(s) – Dilapidated fence, roof and porch, rotten wood, broken windows, trash and debris and peeling paint. First Notified – 4/27/2019.

Respondent was not present.

Mr. Jackson stated Inspector Kirk reports the property remains in non-compliance and was condemned in September 2019. He stated the respondent appealed and it was denied. He stated the City is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Captain Scott Lee stated the Circuit Court appeal will be up by the end of the month and the City can proceed with demolition.

BOARD ACTION: Mr. Harrington made motion to impose a fine of \$100 per day, effective March 12, 2020, to a maximum of \$15,000 or until compliance is achieved. Ms. McLean seconded and motion was approved 6-0.

CASE # 17 - CEB 02-20-39 - Neil & Cora Hitchman is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **312 Frances Ter.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/10/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the rental application has been submitted and is under review and is asking to amend to the next cutoff.

Mr. Jones stated the license is under review and as soon as it is approved, the respondent will schedule an inspection.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until April 1, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 19 - CEB 03-20-52 - George Schaier & Angela Wiley is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14), at **307 Adeline St.** Violation(s) – Failure to maintain site, faded exterior surfaces, no screens. First Notified – 10/17/2019.

George Schaier & Angela Wiley came forward and were sworn in.

Mr. Jackson stated Inspector Clig reports the property is currently in non-compliance and is asking for the next cutoff to come in to compliance.

Mr. Schaier stated he was unable to get the work done in time because he was incarcerated. He stated he replaced the fascia boards and the house was hit by a car. He stated he has owned the property since 2007.

Ms. Wiley stated her contribution is to buy the materials.

Mr. Clig stated there has been very little movement toward compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mrs. Hymes motioned the same motion with Ms. Robey seconding. Motion was approved 5-1 with Mr. Gonzalez voting no.

CASE # 20 - CEB 03-20-53 - Rosa Lee Wiggins Estate 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 304.7, 305.3, 308.1, 504.1, 505.3, 506.1), at **841 School St.** Violation(s) – Work without permit, roofs and drainage, interior surfaces, rubbish and garage accumulation, plumbing systems and fixtures, water system, sanitary drainage system. First Notified – 5/14/2019.

Respondent was not present.

Mr. Jackson stated Inspector Recanzone reports the property remains in non-compliance and is asking for a finding of non-compliance and next cutoff to come into compliance and he has had no contact with the respondent.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mr. Harrington motioned the same motion with Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 21 - CEB 03-20-54 - Tama Dukes Cencebaugh is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.A, at **920 N Halifax Av.** Violation(s) – Surfacing, location of off-street parking spaces - residential uses. First Notified – 8/16/2019.

Tama Duke Cencebaugh came forward and was sworn in. She stated this is her residence.

Mr. Jackson stated Inspector Recanzone reports the property is in non-compliance and believes it can be in compliance by the next cutoff.

Mr. Recanzone stated the house has been painted and there are still parking issues.

Ms. Cencebaugh stated she was told by the permit office that she needed to concrete or pave it within the next 30 days and she is getting estimates.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by May 6, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mr. Harrington motioned the same motion with Ms. McLean seconding. Motion was approved 5-1 with Mr. Gonzalez voting no.

CASE # 22 - CEB 03-20-56 - Balkrishna, Sanjiv & Ramrajie Birsan is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **257 Fountain Lake Blvd.** Violation(s) – Off-street parking. First Notified – 12/17/2019.

Respondent was not present.

Mr. Jackson stated Inspector Stenson reports he has had no contact with the respondent, the property remains in non-compliance and is asking for a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Ms. Hymes seconding. Motion was approved 6-0.

CASE # 23 - CEB 03-20-43 - Edward Jr & Deloris Alexander 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), at **925 W Millard Ct.** Violation(s) – Peeling paint, dirt and grime on exterior surfaces. First Notified – 12/27/2019.

Respondent was not present.

Mr. Jackson stated Inspector Stenson reports the property is in non-compliance and is asking for next cutoff to come into compliance.

Mr. Stenson stated he has had no contact with the respondent.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Ms. McLean seconding. Motion was approved 6-0.

CASE # 24 - CEB 03-20-61 - Bobby L Caldwell is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1311 Hillcrest Dr.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 9/23/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and is asking for next cutoff to come into compliance.

Mr. Jones stated the property is occupied and he has had no contact with the respondent. He stated the respondent signed for the green card in September and he went for inspection and it was canceled and he has had not further contact. He stated the tenant was outside and they would not allow him in. He stated the owner set up the appointment with the rental technician.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mr. Harrington motioned the same motion with Ms. Robey seconding. Motion was approved 6-0.

CASE # 26 - CEB 03-20-60 - David D Schaefer is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **444-440 Walnut St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 6/17/2019.
Respondent was not present.

Mr. Jones stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated at the rental inspection the Property Manager on December 4 but they did not show up and the tenants did not know of the inspection. He stated he has had no further contact. He stated both units are occupied. He stated it was a company property manager.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 28 - CEB 03-20-59 - Kinsey & Debbie Whaley is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **152 Madison.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/12/2019.

Kinsey Whaley came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and the respondent came to the rental office and argued he has what he needed. He stated he has a Business Tax License but no Rental License. He stated the inspector is asking for a finding on non-compliance and next cutoff to come into compliance.

Mr. Whaley stated he had receipts where he paid. He stated he filled out the application for Rental License.

Mrs. Kuendig stated that was for a Business Tax Receipt and that he needed an inspection before the rental license will be issued.

Mr. Jones stated the people in the Business Tax Office said that Mr. Whaley came in but wouldn't fill out the application for Rental License.

Mr. Whaley stated nothing had changed so there was no need to fill anything out.

Mr. Jackson stated they did not have a rental program at the time and the respondent needs to apply for the license and get an inspection.

Captain Lee stated he needs to fill out the correct application. He suggested the Inspector can walk the respondent to the licensing department after his last case.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mr. Harrington motioned the same motion with Ms. Robey seconding. Motion was approved 6-0.

CASE # 29 - CEB 03-20-66 - Minnie L Jordan is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **640 Cedar Highlands Blvd.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/23/2019.

Respondent was not present.

Captain Lee pointed out the agenda should say 1640.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and has had no contact with the respondent and it is occupied. He stated the Inspector would like to amend to the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 30 - CEB 03-20-46 - Bridgit A & Joseph A Pena is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 302.7, 303.1, 304.2, 304.14), at **1600 N Oleander Ave.** Violation(s) – Paint fading and peeling, exterior surfaces including garage doors, damaged screens including pool area, pool green and stagnant water. First Notified – 4/10/2019.

Bridgit and Joseph Pena came forward and were sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property is currently in non-compliance and is asking for next cutoff. He stated they are expecting a sale.

Mr. Pena stated they live there and the property was sold and provided signed contracts showing a close date of February 24. He stated he emailed a copy to Mr. Fitzgerald.

Mr. Jackson withdrew the case.

CASE # 31 - CEB 03-20-51 - Daniel O. Yancey is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 304.2, 304.7), at **723 N Peninsula Dr.** Violation(s) – Paint fading and peeling, damaged fascia board, damaged rain gutters. First Notified – 8/7/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance but should be in compliance by next cutoff. He stated there is minimal stuff left.

Mr. Fitzgerald stated he has had no contact with the respondent.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 32 - CEB 03-20-55 - Floyd J Mastronardi is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A; (Ref. FBC Supp. IPMC 304.7, 304.13, 302.7, 304.6, 304.9, 304.2), at **402 Auditorium Blvd.** Violation(s) – Structure and accessory structure (garage) roof damage, window and door frames, protective treatment for all overhangs, overgrown property, retaining wall. First Notified – 4/16/2019.

Mr. Floyd Mastronardi came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and is asking for a finding of non-compliance and next cutoff to come into compliance. He stated the Inspector reports he has had no prior contact with the respondent.

Mr. Fitzgerald stated he met the respondent when he posted the property.

Mr. Mastronardi stated he intends to sell to Home Solutions for \$65,000 and close on April 20th. He stated the contract was signed.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by May 6, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 33 - CEB 03-20-48 - Fredy & Victor Peralta is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 304.2, 304.13.1, 306.3); City Code Ch. 90 Sec. 90.297, at **961-859 Dr. Mary McLeod Bethune Blvd.** Violation(s) – Fire damaged unit, paint discolored by smoke and fire, broken windows, fire damage to interior surfaces, failure to obtain Business Tax Receipt (BTR). First Notified – 4/30/2019.

Mr. Victor Peralta came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property is in non-compliance and would like a finding and believes it can be in compliance by next cutoff.

Mrs. Kuendig asked when the fire was.

Mr. Peralta stated last year.

Mrs. Kuendig asked again when the fire was and there was no response.

Mrs. Kuendig asked what has been done since the fire.

Mr. Fitzgerald stated they pulled a permit within a month of the fire and started working. He stated that the respondent is about 90% done and all that is left is the fascia and for the permit to be finalized.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same motion with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 34 - CEB 03-20-47 - Janice F & Phillip P Rodenbaugh is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 304.2, 304.7), at **1105 Clearwater Rd.** Violation(s) – Exterior wall paint fading and peeling, damaged siding, fading and peeling paint on fascia boards. First Notified – 5/1/2019.

Respondent was not present.

Mr. Fitzgerald stated there was damage above the front porch and around the side of the property. He stated the respondent is a painter. He stated he is asking for a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mr. Harrington motioned the same motion with Ms. Robey seconding. Motion was approved 6-0.

CASE # 36 - CEB 03-20-44 - Mshende R. Brown 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 **535 Cannon St.** Violation(s) – Dirt & grime, faded and peeling paint. First Notified – 10/10/2019.

Respondent was not present.

Mr. Fitzgerald stated he spoke to the tenant and the property is in non-compliance. He stated he is asking for a finding of non-compliance and compliance by the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mrs. Hymes motioned the same motion with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 37 - CEB 03-20-45 - Thomas H Veal Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 302.2, 304.2, 304.6, 304.13.1, 304.13.2, 304.15, 305.3, 309.1, 604.3, 604.3.1, 605.2), at **635 N Nova Rd.** Violation(s) – Exterior walls dirt and grime, faded and peeling paint, damaged exterior surfaces, exterior electrical receptacle missing approved cover and hanging from wall, bathrooms missing ground fault electrical receptable, missing smoke detectors in hallway and bedrooms, damaged interior surfaces, signs of a water leak, damaged interior surfaces on wall under sink, damaged windows and unable to open - some screwed shut, missing window screens,damaged-broken window, missing glazing, outside storage, trash and debris and insect infestation. First Notified – 10/22/2019.

Respondent was not present.

Ms. Barnes reminded the Board they have a copy of a letter regarding this case.

Mr. Fitzgerald stated the respondent has a Business Tax License but no Rental License. He stated he is asking for non-compliance and the May cutoff for compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by May 6, 2020 or be returned to a

subsequent meeting for consideration of a fine up to \$1000 per day. Ms. McLean motioned the same motion with Ms. Robey seconding. Motion was approved 6-0.

CASE # 38 - CEB 03-20-50 - William H Laneave 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 **1236 Bel Aire Dr.** Violation(s) – Paint fading and peeling. First Notified – 6/17/2019.

Mr. William Laneave came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and is asking for compliance for the next cutoff.

Mr. Laneave stated he did not understand what was going on and had been working for a year and ½ on his property. He stated he fixed the plumbing and replaced floors. He stated his neighbor doesn't like him working inside and not outside.

Mrs. Kuendig stated the City is asking him to get the outside done.

Mr. Laneave stated he believes the city is using this case to harass him by a neighbor who is dissatisfied about how his house looks.

Mrs. Keundig told the respondent that he needed to paint the house and the complaint will have no validity. She asked the respondent if he could get that done in the next 30 days.

Mr. Laneave stated he could not. He stated the case was written in June and he left for a couple of months on the 15th of June for a medical emergency. He stated the guy who cuts his grass told him about the violations. He stated he spent a couple of weeks trying to find out what was going on and he spoke to the old code inspector who said it wasn't him.

Mrs. Kuendig stated Mr. Fitzgerald is now in charge of the respondent's case.

Mr. Fitzgerald stated the violations were the result of a code operation and not a neighbor complaint. He stated he posted the property and discussed with the respondent his medical conditions and gave him a lot of time.

Mr. Harrington asked if there were any up close up pictures and there was not.

BOARD ACTION: Mr. Gonzalez made motion to find the respondent in non-compliance and ordered the respondent to come into compliance by April 1, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. McLean seconded the same and motion was approved 6-0.

Mr. Harrington asked the inspector to take some up close pictures for the next meeting.

There was discussion regarding dorm living by Captain Lee and new Code inspectors were introduced to the Board.

The meeting was adjourned at 12:25 a.m.