

CODE ENFORCEMENT BOARD

A meeting of the Indian River County (IRC) Code Enforcement Board (the Board) was held in the Commission Chambers at the County Administration Building, 1801 27th Street, Building "A", Vero Beach, Florida on Monday, August 25, 2014 at 1:30 p.m.

Present were Chairman **Pete Clements**, General Contractor Appointee; **Tony Gervasio**, Member-at-Large Appointee; **Joe Petrulak**, Subcontractor Appointee; **Karl Zimmermann**, Realtor Appointee; and **David Myers II**, Businessman Appointee.

Absent was Vice-Chairman **Aaron Bowles**, Engineer Appointee (excused).

Let the record show there is a vacancy for an Architect Appointee.

Also in attendance was IRC staff: Roland DeBlois, Environmental and Code Enforcement Chief; Vanessa Carter Solomon, Rose Jefferson and Kelly Buck, Code Enforcement Officers; Attorney Jennifer Peshke, Attorney for the Board; and Reta Smith, Recording Secretary.

Call to Order

Chairman Clements called the meeting to order and led all in the Pledge of Allegiance. The secretary called the roll, establishing that a quorum was present.

9:48:36 **Approval of Minutes of July 28, 2014**

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to approve the minutes of July 28, 2014 as presented.

9:49:13 **Attorney's Overview of Board Purpose and Procedures**

Attorney Jennifer Peshke, Attorney for the Board, gave a brief overview of the procedures and purpose of the Code Enforcement Board.

9:55:03 **Agenda Additions or Deletions, Consent Items**

Mr. Roland DeBlois, IRC Environmental and Code Enforcement Chief,

reported the following cases had either complied, been rescheduled, or were recommended by staff for an extension of time on the Consent Agenda. Cases #2014020013, #2014030074, #2014040037, #2014050059, #2014050005, #2014050125, #2014040088, #2014060041, #2014050112, #2014030020, #2014060022, #2014050095 and #2014030041 - 30 day extension until September 19, 2014. Cases #2012080061, #2013100037, #2013100068 and #2013060092 - 60 day extension until October 24, 2014. Cases #2013040024, #2013070120, #2013110071, #2012110095 – 90 day extension until November 21, 2014.

In compliance were Cases #2013100093, #2014060087, #2014060036, #2014020096, #2014070080, #2014070036, #2014070063, #2014070071, #2014070116, #2014070075, #2014070054, #2014070057, #2014070058, #2014070060, #2014070012, #2014080101, #2013110068, #2014010037, #2014050097, #2014020069, #2014060018, #2014010022, #2014040036, #2014070002, #2013080131, #2013020065 and #2014080099.

Mr. DeBlois recommended the Lien Release Requests be heard no sooner than 3:00 p.m.

10:03:11

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to accept the Consent Agenda with the revisions.

10:03:32 **Swearing in of Those Who Will Testify**

The secretary proceeded to administer the testimonial oath to everyone who would be testifying at today's hearings.

EVIDENTIARY HEARINGS

10:04:50 **Case #2014050014 – Vista Golf LLC (Grill on the Green)**

Mr. DeBlois related this case had to do with construction of an outside deck without permits or site plan approval by a tenant operating a restaurant at a golf course/residential development. He confirmed the deck was something that could be approved and it was just a matter of the tenant going through the process.

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, verified service on Respondent Vista Golf on August 14, 2014 and submitted four photographs and a Notice of Violation by the IRC Building Department into evidence. She stated the

tenant's contractor had applied for a building permit in May, 2014; however they were advised they would have to apply for administrative approval to include the deck on the site plan, which had not been done as of today's date.

Mr. DeBlois recommended an extension of 60 days, until October 24, 2014, for compliance.

Respondent Mr. Curt Lienemann, the tenant, reported he had hired people to help him do what was necessary to gain approval and thought it could be accomplished in 60 days.

10:10:23

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violations and grant an extension of 60 days, until October 24, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent tenant was present for this hearing.

COMPLIANCE HEARING

10:11:50 **Case #2014080098 – Michael J. Tansey (Mattress Firm)**

Mr. DeBlois indicated this case involved a repeat violation of a Board Order dating back to November 26, 2012 for illegal signs on a commercial property. He explained at that time the property was in compliance; but because of prior history with illegal signs at the site the Board entered a Continuing Order and a \$500 per day fine in the event the violation recurred.

Inspector Carter Solomon testified she had observed signs on the property on the weekends and an illegal sign was present when she reinspected the property on August 12, 2014, although she acknowledged it was removed as soon as the Order Finding Violation was delivered.

Mr. DeBlois recommended the Board find the Respondent in violation of the Continuing Order and a fine of \$500, based on staff's verification of one day's violation.

Respondent Ms. Angela Wheeler, representing Mattress Firm, stated she was new on the job and was not aware of the previous Order and the store also had a

new Manager who was eager to draw business on to the premises. She promised the sign violations would not recur in the County.

10:17:37

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Gervasio, the Board voted (4-1) to find a sign violation had occurred for one day contrary to the Continuing Order and impose a fine in the amount of \$500. Mr. Myers II opposed.

It is noted for the record the Respondent's representative was present for this hearing.

EVIDENTIARY HEARINGS

10:18:26 **Case #2014070062 – Kenneth & Doris Inman (Green Tree Servicing)**

Mr. DeBlois reported this case involved a swimming pool maintenance violation at a vacant residence going through foreclosure.

Inspector Carter Solomon confirmed service to the bank on August 13, 2014 via certified mail and submitted one photograph into evidence. She observed there was a screen enclosure and fence around the pool and the yard was being maintained by the bank; however the pool was not being cleaned and the neighbors were complaining.

Respondent Mr. Michael Stewart, representing the bank, asked for an extension of time to comply.

Mr. DeBlois recommended an extension of 60 days, until October 24, 2014, for compliance.

10:21:54

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of 60 days, until October 24, 2014, for compliance or a \$100 per day fine.

It is noted for the record the bank's representative was present for this hearing.

10:22:59 **Case #2014030031 – Synergy Orlando One Inc. (Tenant)**

Mr. DeBlois stated this case had to do with a mobile home park whereby there was a separate owner of the unit itself within the park ownership.

Ms. Kelly Buck, IRC Code Enforcement Officer, confirmed the illegal fence had been removed but there was still missing skirting on the mobile home and two sheds had been built without permits.

Mr. DeBlois recommended an extension of 60 days, until October 24, 2014, for the Respondent to obtain after-the-fact permits for the sheds and install the skirting or otherwise be potentially subject to a \$100 per day fine.

Respondent Mr. Raymond Mullenix, tenant owner of the mobile home on the property, said he wanted to do what was necessary to comply.

10:27:51

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violations and grant an extension of 60 days, until October 24, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent tenant was present for this hearing.

10:28:57 **Case #2014050146 – Judith Tamblyn (Tenant)**

Inspector Carter Solomon submitted two photographs into evidence and advised she had received multiple complaints from neighbors and the IRC Health Department about a pond that had become green with overgrown algae. She added there had also been an issue of overgrown weeds that was now in compliance.

Mr. DeBlois recommended an extension of 60 days, until October 24, 2014, for compliance.

Respondent Mr. Richard Tamblyn Jr. testified he had treated the pond about a month ago and it would take some time to see any results.

May, 2010 to remove the debris and obtain permits to either repair or remove the structures. He continued when the case eventually came back for a compliance hearing on October 25, 2010 after three extensions, upon hearing the violations had not been resolved the Board imposed a \$100 per day fine with a start date of October 23, 2010.

Mr. DeBlois submitted one aerial photograph into evidence showing the dilapidated structures and verified they had been removed as of August 12, 2014 after 1,389 days of non-compliance, which translated to a flat fine in the amount of \$138,900.

Respondent Mr. Michael Schlitt related he and some of his family members had recently purchased the foreclosed property on the Internet without knowing of the lien; however as soon as they learned of the violations they had obtained the necessary permits to come into compliance as soon as possible.

Mr. DeBlois confirmed title to the property had been obtained by the Respondent on July 8, 2014 and permits were obtained on July 24, 2014, with the work being completed in a very timely manner. He advised administrative costs would be \$1,700, plus \$900 for three extensions, for a total of \$2,600, and stated staff would support reducing the fine to administrative costs in that amount.

Respondent Schlitt explained the property was heavily overgrown with a concrete barrier in the driveway so there was no automobile access, and he had no way of knowing the buildings existed.

Mr. Zimmermann asked if the Respondent had done any kind of record search prior to purchasing the property to determine if there were liens or other encumbrances on the property.

Respondent Schlitt stated his cousin who lived in Daytona, Florida had done the diligence for the sale.

Mr. Gervasio expressed concern that the Board would get a reputation for reducing liens in these types of cases and buyers would think it was alright to go ahead and purchase a property without researching the background. Mr. Myers II agreed and mentioned he had often observed cars backed up to the site and children on bicycles going in and out of the site. Mr. Zimmermann advised in cases with long-term non-compliance it had been standard practice for the Board to impose a fine of 10% of the flat fine, which in this case would be \$13,890.

Mr. Gervasio thought it was important to point out the Board did not set fines based on whether a property involved a bank or a private citizen.

10:58:37

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find compliance and set the reduced fine amount at \$4,820, which was 10% of the flat fine.

It is noted for the record the Respondent's representative was present for this hearing.

EVIDENTIARY HEARINGS

10:59:39 **Case #2014050114 – Frederick Brandzel (Bank of America, N.A.)**

Inspector Carter Solomon submitted one photograph into evidence and an Affidavit of Service indicating the property had been posted on August 14, 2014, and confirmed service on the bank by certified mail on August 14, 2014. She related the cited violation was for swimming pool maintenance and confirmed the pool was enclosed by a four foot fence with a lock. Inspector Carter Solomon recommended an extension of 30 days, until September 19, 2014, for compliance.

11:00:45

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

11:00:59 **Case #2014040093 – Pearl Jackson et al**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on August 15, 2014 and two photographs into evidence, and described overgrown weeds and junk, trash and debris on vacant property. She advised there was a separate County condemnation proceeding in the works; however she had not had contact with any of the Respondents involved and in the meantime neighbors were complaining because the property was extremely overgrown. Inspector Carter Solomon recommended an extension of 30 days, until

September 19, 2014, for compliance.

11:02:21

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

11:02:32 **Case #2014030069 – Titone Properties LLC (Tenant)**

Inspector Carter Solomon submitted two photographs into evidence and confirmed service on Respondent Titone Properties on August 13, 2014. She stated staff was not proceeding against the tenant in this case because she had been before the Board previously and advised she had cleaned up a portion of the property but the trash on the north side of the site was there when she moved in and was the responsibility of the owner. Inspector Carter Solomon confirmed she had observed the trash had been on the property for some time and recommended an extension of 30 days, until September 19, 2014, for compliance.

11:03:31

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Myers II, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

11:03:53 **Case #2014030033 – Synergy Orlando One Inc.**

Inspector Buck submitted two photographs taken August 20, 2014 into evidence and confirmed service on the Respondent on August 13, 2014. She related the property had been cited for mobile home undercarriage skirt violation, adding the unsecured vacant structure and junk, trash and debris violations had been taken care of. Inspector Buck indicated some of the skirting had been done and the Respondent owner told her the violation would be resolved. She recommended an extension of 30 days, until September 19, 2014, for compliance.

11:05:19

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Gervasio, the Board voted unanimously (5-0) to find the mobile home undercarriage skirt violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

11:05:55 **Case #2014060101 – Henry & Lisa Rodrigues**

Inspector Buck confirmed service on August 9, 2014 and submitted three photographs into evidence. She described overgrown weeds and junk, trash and debris on the subject property, and advised the junk, trash and debris violation was complied. Inspector Buck recommended an extension of 30 days, until September 19, 2014, for compliance of the overgrown weeds.

11:06:49

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation for overgrown weeds and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

11:07:01 **Case #2014060103 – Michele Swanson**

Inspector Buck advised this case was in compliance.

11:07:12 **Case #2014070035 – Chase Home Finance LLC**

Ms. Rose Jefferson, IRC Code Enforcement Officer, confirmed service on August 11, 2014. She described a vacant residence with overgrown weeds and submitted three photographs into evidence, and recommended an extension of 30 days, until September 19, 2014, for compliance.

11:08:07

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Myers II, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

11:08:56 **Case #2014070164 – Henry Rodrigues**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on August 15, 2014 and two photographs into evidence, and described overgrown weeds on a vacant property. She recommended an extension of 30 days, until September 19, 2014, for compliance.

11:09:59

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

11:10:14 **Case #2014070122 – Titone Properties LLC (Tenant)**

Inspector Carter Solomon said she would reschedule the case because she did not get service on the tenant.

11:10:41 **Case #2014070124 – Juan & Maria Delossantos**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on August 15, 2014 and four photographs into evidence. She indicated the property was a vacant apartment complex with broken windows and boards and overgrown weeds, and recommended an extension of 60 days, until October 24, 2014, for compliance.

11:11:52

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted (4-1) to find the violations and grant an extension of 60 days, until October 24, 2014, for compliance or a \$100 per day fine. Mr. Myers II opposed.

It is noted for the record the Respondents were not present for this hearing.

11:12:19 **Case #2014070129 – Terrie & Charity Banks (Beneficial Florida)**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on August 15, 2014 and three photographs into evidence, and confirmed service on the bank on August 15, 2014. She related the cited violations were for overgrown weeds and junk, trash and debris and recommended an extension of 30 days, until September 19, 2014, for compliance.

11:13:25

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Myers II, the Board voted unanimously (5-0) to find the violations and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

11:13:33 **Case #2014070065 – John Morgan (Citi Financial Equity Services)**

Inspector Carter Solomon confirmed service on the bank on August 14, 2014 and submitted into evidence two photographs and an Affidavit of Service indicating the property had been posted on August 15, 2014. She advised the cited violations were for junk, trash and debris and overgrown weeds and recommended an extension of 30 days, until September 19, 2014, for compliance.

11:14:43

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violations and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondents were not present for this hearing.

11:15:10 **Case #2014060037 – Alonzo Beachum**

Inspector Buck advised she did not have service on the Respondent

11:15:20 **Case #2014050136 – Federal National Mortgage Association**

Inspector Carter Solomon submitted an Affidavit of Service indicating the property had been posted on August 15, 2014 and one photograph into evidence. She stated there was an unmaintained swimming pool at the vacant residence and a representative of the bank told her she intended to get it drained and covered, but so far nothing had been done. Inspector Carter Solomon recommended an extension of 30 days, until September 19, 2014, for compliance.

11:16:14

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find the violation and grant an extension of 30 days, until September 19, 2014, for compliance or a \$100 per day fine.

It is noted for the record the Respondent was not present for this hearing.

COMPLIANCE HEARINGS

11:16:30 **Case #2010030109 – Christopher & Ishiko Kirrie**

Mr. DeBlois recalled this case first came to Board on May 23, 2011 for site plan non-conformance for a garage addition to a warehouse without site plan approval or building permits. He explained the Respondents had appealed the matter to the Circuit Court a number of times and the Board's Order had eventually been upheld earlier this year.

Mr. DeBlois continued the case had come back to the Board on April 28, 2014, at which time Attorney Rich Stringer, representing the Respondents, requested an extension of 120 days to allow for the process to obtain after-the-fact site plan approval and building permits. He submitted one photo taken on August 22, 2014 into evidence and observed the building was the same as before and no after-the-fact building permit had been applied for nor was there any record of an administrative approval application submitted. Mr. DeBlois recommended a \$100

per day fine be imposed with a start date of August 23, 2014.

11:19:24

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find non-compliance and impose a \$100 per day fine with a start date of August 23, 2014.

It is noted for the record the Respondents were not present for this hearing.

LIEN RELEASE REQUESTS

11:21:52 **Eagle Trace Estate Homes LLC - Cases #2013090049 – 5560 62nd Lane; #2013090043 – 6170 55th Avenue; #2013090055 – 5580 62nd Place; #2013090056 – 5600 62nd Place; #2013090054 – 5500 62nd Place; #2013090051 – 6200 55th Avenue; #2013090050 – 6210 55th Avenue; 2013090044 – 6190 55th Avenue**

Mr. DeBlois explained all of the eight cases had to do with properties within the Eagle Trace development that were cited at the same CEB meeting and they all came into compliance at the same time. He continued the violations were for building debris such as loose roof tiles, overflowing dumpsters and overgrown weeds involved with a foreclosure action taking place on the property, and staff was prepared to present the cases collectively to the Board.

Mr. DeBlois recapped the cases first came to the Board on October 28, 2013 and at the time Mr. Eli Baron, representing Respondent Eagle Trace Homes LLC, was in attendance. He advised the dumpster issues were resolved early on when staff contacted the owner of the dumpsters and he had them removed and staff verified compliance of the overgrown weeds and junk, trash and debris violations as of July 27, 2014. He confirmed this was 183 days of non-compliance for each of the eight cases, which would be \$18,300 multiplied by eight for a cumulative fine amount of \$146,400.

Mr. DeBlois related there was one Order Granting Extension for each case, which would be \$2,000 in administrative costs per case, for a total fine amount of \$16,000. He pointed out from staff's perspective there was some opportunity for flexibility since all of the violations occurred at the same time and were resolved at the same time, which the Board may wish to take into consideration.

After discussion the Board members pointed out 10% of the total fine would be \$14,640 or \$1,830 per property.

Mr. Sergio Concepcion, representing the lender, advised he had foreclosed on the property on July 17, 2014 and as soon as he received the Certificate of Title he had cut the grass and cleaned up all of the sites. He advised according to his attorney the foreclosure would negate the daily fines because they were inferior to the mortgage.

Attorney Peshke stated based on the evidence and discussion today, and the details presented by the Respondent to the board, there was no evidence presented at this time to establish that the liens do not travel with the property; no evidence had been presented to establish that the liens were foreclosed in the lender's foreclosure action, and no evidence was presented to indicate as to the timing of the lender's lis pendens in conjunction with the CEB liens. The Respondent referenced comments made by his attorney about this position, however his attorney was not present to argue this point and the Respondent was not able to clearly articulate his position on the matter as to why no fines should be assessed.

Discussion followed.

11:36:09

ON MOTION BY Mr. Myers II, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find compliance of all eight properties and set the fine at 10% of the original flat fine of \$146,400; for a total amount of \$14,640 or \$1,830 per property.

It is noted for the record the foreclosing lender was present for this hearing.

11:38:14 **Case #2013080077 – Robert & Gladys Jean Williams (First Impressions)**

Mr. DeBlois summarized this case first originally came to the Board on October 28, 2013 for site plan non-conformance and landscape maintenance violations at an approved day care business on the subject property, at which time the Board gave the Respondents 60 days, until December 20, 2013, to bring the landscape into compliance with the approved site plan. He continued the case eventually came back to the Board on February 24, 2014 after one extension, and upon hearing nothing had been done the \$100 per day fine was imposed with a start date of February 22, 2014. Mr. DeBlois confirmed staff had verified compliance as

of July 28, 2014, which was 156 days of non-compliance for a flat accrued fine amount of \$15,600, or a calculation of administrative costs of \$2,000.

Mr. Randy Mosby, representing the Respondents, related Mr. Robert Williams had a lawn maintenance business and had originally attempted to do the planning of the landscape himself; and subsequently the plants had died or were the wrong size or type. He requested the fines be reduced to administrative costs in view of the fact the Respondent had tried his best to comply.

11:42:06

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find compliance and set the fine at \$2,000 to cover administrative costs.

It is noted for the record the Respondents' representative was present for this hearing.

COMPLIANCE HEARINGS

11:42:49 **Case #2013100130 – Tracey Scarborough**

Inspector Carter Solomon recalled this case initially came to the Board on February 24, 2014 for a roof put on a structure without a building permit. She confirmed the Respondent obtained a permit in February, 2014 and two extensions were granted to allow time for him to finish up the work and obtain final inspections; however the permit had since expired without anything being done. Inspector Carter Solomon recommended the \$100 per day fine be imposed with a start date of August 23, 2014.

11:43:35

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find non-compliance and impose a \$100 per day fine with a start date of August 23, 2014.

It is noted for the record the Respondent was not present for this hearing.

11:43:49 **Case #2014060108 – Abdool Khan (Countrywide Home Loans Inc.)**

Mr. DeBlois related this case first came to the Board on July 28, 2014 for an

overgrown weeds violation. He submitted a photograph taken August 22, 2014 into evidence and noted nothing had been done, and recommended the \$100 per day fine be imposed with a start date of August 23, 2014.

11:44:46

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Zimmermann, the Board voted unanimously (5-0) to find non-compliance and impose a \$100 per day fine with a start date of August 23, 2014.

It is noted for the record the Respondents were not present for this hearing.

11:44:01 **Case #2014060076 – Titone Properties LLC**

Inspector Carter Solomon stated this case initially came to the Board on July 28, 2014, at which time the Respondent was granted approximately 30 days to clean up the junk, trash and debris in the rear yard. She submitted one photograph into evidence and observed more trash had been added to the site and she had not heard from the Respondent. Inspector Carter Solomon recommended the \$100 per day fine be imposed with a start date of August 23, 2014.

11:45:50

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Myers II, the Board voted unanimously (5-0) to find non-compliance and impose a \$100 per day fine with a start date of August 23, 2014.

It is noted for the record the Respondent was not present for this hearing.

11:46:01 **Case #2014060048 – Christopher & Rhonda Morcillo**

Mr. DeBlois indicated this case had to do with overgrown weeds and junk, trash and debris.

Inspector Carter Solomon submitted one photograph into evidence and advised the property was not in compliance. She recommended the \$100 per day fine be imposed with a start date of August 23, 2014.

11:46:45

ON MOTION BY Mr. Gervasio, SECONDED BY Mr. Petrulak, the Board voted unanimously (5-0) to find non-compliance and impose a \$100 per day fine with a start date of August 23, 2014.

It is noted for the record the Respondents were not present for this hearing. Mr. DeBlois announced staff would reschedule any Lien Release Requests that had not been heard today because the Respondents were not present.

11:47:16 **Authorization for Notices to Appear**

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Zimmermann the Board voted unanimously (5-0) to authorize the Notices to Appear for cases leading up to the September 22, 2014 meeting.

Other Matters

There were none.

Adjournment

There being no further business the meeting was adjourned at 3:30 p.m.