

APPROVED

TOWN OF LAUDERDALE-BY-THE SEA
CODE COMPLIANCE HEARING MINUTES
Town Commission Meeting Room (Jarvis Hall)
Thursday, October 23, 2025 at 5:00PM

I. CALL TO ORDER, SPECIAL MAGISTRATE JUDITH E. SECHER

Special Magistrate Judith Secher called the hearing to order at approximately 5:05PM on Thursday, October 23, 2025 with Assistant Director Code Compliance Terry-Ann Boyd, Building Official Simo Mansor, Code Officer Donovan Williams, Code Officer Ralph DesRoches, and Special Magistrate Clerk Megan Small to record the minutes.

II. SWEARING OF WITNESSES

Special Magistrate Clerk Small administered the oath to everyone testifying today, other than to lawyers who would be speaking.

III. OPENING STATEMENT

Please note for the record that this is an in-person hearing and to please turn off or silence devices.

IV. PUBLIC COMMENTS

No one from the public requested to speak now on items not on the agenda.

V. CODE CASES

The cases were heard in the order they were typed. Special Magistrate Clerk Small said, when she called 4652 Poinciana St, that there were a few cases for that property address. All discussions/actions in the following matters below were not limited to the typed case summaries.

Assistant Director Code Compliance Terry-Ann Boyd testified that there was a gentleman who wanted to speak about 4652 Poinciana Street #4 which was item number 14 on the agenda.

CASES TO BE CONTINUED

ITEM #V. 14

***TAKEN OUT OF SEQUENCE**

Case #: 25060008 - Building Code (FBC) Violation

Property Owner: McKim, Shaun

Address/Folio: 4652 Poinciana St 4

Code Section(s): Sec. 12-2(a) - Business tax receipt required.

Florida Building Code FBC BCA Section 105.1. Work Without Permits

The Assistant Director explained that for the purposes of today's agenda, this case was continued until the November Hearing but the gentleman in attendance wanted to get a few things on the record today. Carl Pearson introduced himself and said that he was here on behalf of Mrs.

Wacker (unit 3) and Dr. Susan Wilson-Brooks (unit 7). He read his notes into the record which involved unit 3 and unit 7 lawsuits to stop the assessment from occurring for paying for the compliance of unit 4 by all the unit owners. He answered the Special Magistrate that the unit 4 owner needed to comply his unit himself. They could not stiff the other unit owners into paying for the plumbing work to comply unit 4. He said that unit 3 and unit 7 each had \$4,000 assessments to pay in order to get the plumbing for two bathrooms in unit 4 into compliance. He answered the Special Magistrate that there were 8 units combined in that building.

The Assistant Director explained that unit 4 had two violations which were for work without permits and renting without a Business Tax Receipt (BTR). However, unit 4 has received their BTR but they could not rent because of the open case for work without permit. The Town has asked that for the work done without permit, after-the-fact permit(s) were required. However, it was up to the association if that plumbing work allowing for two bathrooms in that unit would be permitted. Mr. Pearson testified that unit 4, when it was rented, has sewage backing up into unit 3. The owner of unit 4 was on the board and claimed that the plumbing was defective due to age and wear and tear. Also, this unit would be the only unit with a washer and dryer. Building Official Mansor said that in unit 4, there was an added bathroom and a washer and dryer. He told the unit owner that he had to "fix the mess" and the unit owner was exploring what needed to be done. The Building Official said the unit owner's contractor had to open the slab to see the pipes. Then a certified engineer would do a plan to take care of this unit. That plan would be given to the Building Official. The Special Magistrate reiterated that by the next hearing which was in November, the unit #4 owner would have a certified contractor open up the floor to see the pipes and submit a certified plan to the Building Official for the unit #4 situation to be fixed and bring the unit into compliance. The Special Magistrate ordered this agenda item and the other agenda items for 4652 Poinciana Street continued to the November hearing.

Building Official Mansor departed the meeting at approximately 5:30PM.

COMPLIED CASES

ITEM #V. 1

***TAKEN OUT OF SEQUENCE**

Case #: 25060011 - Business Tax Receipt Req (BTR)
Property Owner: Senouci, Carl LE Senouci, Joshua & Jedjiga, Houali
Address/Folio: 4652 Poinciana St 1
Code Section(s): Sec. 12-2(a) - Business tax receipt required.

For the record, no one was present to represent this property. Assistant Director Code Compliance Terry-Ann Boyd testified that the Town requested a Finding of Fact for conducting business without a BTR, however, they have a BTR and were in compliance now. In the future, if this should happen again under the same ownership at this same location, it could be considered a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing. The Special Magistrate ordered a Finding of Fact that the violation existed but was in compliance now and if it happened again under the same ownership at the same location in the future, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing due immediately but payable within thirty days.

ITEM #V. 2

Case #: 25060019 - Business Tax Receipt Req (BTR)
Property Owner: Senouci, Brahim
Address/Folio: 4652 Poinciana St 8
Code Section(s): Sec. 12-2(a) - Business tax receipt required.

For the record, no one was present to represent this property. Assistant Director Code Compliance Terry-Ann Boyd testified that the Town requested a Finding of Fact for conducting business and renting without a BTR, however, they were in compliance now. In the future, if this should happen again under the same ownership at this same location, it could be considered a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing. The Special Magistrate ordered a Finding of Fact that the violation existed but was in compliance now and if it happened again under the same ownership at the same location in the future it could be deemed a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing due immediately but payable within thirty days.

ITEM #V.4

***TAKEN OUT OF SEQUENCE**

Case #: 25070004 - Building Code (FBC) Violation
Property Owner: Digiovanni, Lynn M
Address/Folio: 4520 El Mar Dr #1
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits

For the record, no one was present to represent the property. Assistant Director Code Compliance Terry-Ann Boyd testified that the Town was seeking a Finding of Fact. The violation that was now in compliance was work without permits. In the future, if this should happen again under the same ownership at this same location, it could be considered a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing. The Special Magistrate ordered a Finding of Fact that the violation existed but was in compliance now and if it happened again under the same ownership at the same location in the future, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 hearing costs for today's hearing due immediately but payable within thirty days.

OLD BUSINESS

ITEM #V.19

***TAKEN OUT OF SEQUENCE**

Case #: 25080008 - Building Code (FBC) Violation
Property Owner: SMTP Holdings LLC (Land) Ocean Equities LTD
Address/Folio: 4653 N Ocean Dr
Code Section(s): Chapter 6 - Building and Building Regulations Section 6-37(a)(1)
Florida Building Code FBC BCA Section 105.1. Work Without Permits

For the record, no one was present to represent the property. Code Compliance Officer Ralph DesRoches testified that today was an update. The residents removed the stains from the parking lot surface (Section 6-37(a)(1)) but they did not comply Section 105.1 yet for removing/replacing numerous a/c units without permits. The Town was seeking to certify the fine totaling \$350 (which was \$150 for installing new a/c units without permits, \$100 hearing costs for today's hearing, plus last month's hearing cost for \$100) and the fine was to continue running until compliance was achieved. The Special Magistrate ordered certification of fines plus costs in the amount of \$350 plus the fine to continue running until compliance was achieved.

ITEM #V.20

Case #: 25090004 - Nuisance
Property Owner: Introini, Andy Ryan
Address/Folio: 1612 Bel-Air Ave
Code Section(s): Chapter 30 - Unified Land Development Regulations Section 30-477(a)- Maintenance of landscaped areas.

Chapter 6 - Building and Building Regulations Section 6-41(a)(1) - Maintenance of exterior of premises.
Chapter 6 - Building and Building Regulations Section 6-41(a)(12)- Maintenance of exterior of premises.
Chapter 6 - Building and Building Regulations Section 6-41(a)(19)- Maintenance of exterior of premises.
Chapter 6 - Building and Building Regulations Section 6-41(a)(3) - Maintenance of exterior of premises.

For the record, no one was present to represent the property. Code Compliance Officer Donovan Williams testified that three of the violations were complied. They are: Section 30-477(a), Section 6-41(a)(3), and Section 41 (a)(19). There were two violations still not in compliance. The fine of \$100/day/violation which started today equaled \$200 for two violations and \$100 hearing cost for today for a total of \$300 plus the fines were to continue to run until compliance was achieved. The Special Magistrate ordered \$300 certification of fines plus hearing cost and the fines were to continue running until compliance was achieved.

ITEM #V.21

Case #: 25090005 - Property Maintenance (General)
Property Owner: Introini, Andy Ryan
Address/Folio: 1624 Bel-Air Ave
Code Section(s): Chapter 6 - Building and Building Regulations Section 6-37(a)(1). Maintenance appearance standards
Chapter 6 - Building and Building Regulations Section 6-37(a). - Maintenance appearance standards.
Chapter 6 - Building and Building Regulations Section 6-41(a)(1) - Maintenance of exterior of premises.
Chapter 6 - Building and Building Regulations Section 6-41(a)(11)- Maintenance of exterior of premises.

For the record, no one was present to represent the property. Code Compliance Officer Donovan Williams testified that two violations were still not complied (Section 6-37 (a)(1) and Section 6-41 (a)(1)). The fine of \$100/day/violation started today equaled \$200 for two violations not complied plus \$100 hearing cost for today for a total of \$300 and the fines were to continue to run until compliance was achieved. The Special Magistrate ordered \$300 certification of fines plus cost and the fines were to continue running until compliance was achieved. Officer Donovan submitted photos for the record to the Special Magistrate of violations that still exist which were accepted without objection as City/Town Exhibit 1.

NEW BUSINESS

ITEM #V.24

***TAKEN OUT OF SEQUENCE**

Case #: 25090009 - Landscape Violations
Property Owner: 245Tradewinds LLC
Address/Folio: 245 N Tradewinds Ave
Code Section(s): Chapter 6 - Building and Building Regulations Section 6-41(c) Maintenance of exterior of premises.

For the record, no one was present to represent the property. Code Compliance Officer Donovan Williams testified that service was achieved by signed green card and posting to the property. The violation was for observed overgrown grass. The Town was recommending a Finding of Fact that the violation did occur and was complied but it if should re-occur in the future by the same

owner at the same location, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 costs for today's hearing. The Officer submitted photos to the Special Magistrate of the violation which showed the overgrown grass who accepted them into the record as City's/Town's Composite Exhibit without objection. The Special Magistrate ordered a Finding of Fact that if this violation of overgrown grass (Section 6-41 (c)) should re-occur in the future under the same ownership at the same address, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 cost was imposed and due immediately or paid within thirty days.

ITEM #V.25

***TAKEN OUT OF SEQUENCE**

Case #: 25070006 - Building Code (FBC) Violation
Property Owner: Hernandez, Hector Wolliston, Deon
Address/Folio: 4412 E Tradewinds Ave 1-2
Code Section(s): Florida Building Code FBC BCA Section 105.1. Work Without Permits

For the record, no one was present to represent the property. Code Compliance Officer Donovan Williams testified that the notice of violation was issued on July 23, 2025. Notice of service was achieved by green card and posting to the property. The violation was a fence installed without a permit. The Town recommended a Final Order for compliance with a fine of \$200/day to start on November 20, 2025 if not in compliance by November 19, 2025. He also submitted into evidence photos of the fence area and cemented posts, a letter from the listed registered agent stating that they have never been retained by the property owner, and a list of submitted permits showing that the property owners never attempted to get an after-the-fact permit or that they ever had a permit to begin with plus \$100 cost for today's hearing. The Special Magistrate accepted the photos of the fence installed without a permit into the record as City's/Town's Composite Exhibit 1 and the letter as City's/Town's Composite Exhibit 2 regarding not being hired as the registered agent for this property. Assistant Director Boyd explained about the letter from the company claiming not to be the property's registered agent. The Officer answered the Special Magistrate that this was a rental property. Special Magistrate Clerk Small said that the owners had a BTR for this property. The Assistant Director said that today was about the lack of permit. The Special Magistrate ordered a Final Order with \$200/day fine to begin on November 20, 2025 if the property was not in compliance by November 19, 2025 plus \$100 cost for today's hearing due immediately but payable within thirty days.

ITEM #V. 26

Case #: 25100002 - Garbage Carts
Property Owner: Luong, Viet T & Minh T
Address/Folio: 3260 S Terra Mar Dr
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-28(e) - Maintenance.

For the record, no one was present to represent this property. Code Compliance Officer Donovan Williams testified that the notice of violation was issued on October 2, 2025. Notice of service was achieved by green card and posting to the property. The violation was that trash receptacles were left out after noticed timeframe. The Town was recommending a Finding of Fact establishing that the violation occurred but was in compliance now and if this should reoccur in the future for the same owner at the same address it may be deemed a repeat violation subject to immediate and higher fines plus \$100 cost for today's hearing. The Special Magistrate ordered a Finding of Fact that if this violation of improper trash receptable maintenance (Section 10-28(e)) should re-occur in the future by the same owner at the same address, it could be deemed a repeat violation

subject to immediate and higher fines plus \$100 cost was imposed to be due immediately or paid within thirty days.

ITEM #V. 28

Case #: 25100004 - Garbage Carts
Property Owner: 1801 E Terra Mar Dr LLC
Address/Folio: 1801 E Terra Mar Dr
Code Section(s): Chapter 10 - Garbage and Refuse Section 10-28(e) - Maintenance.

For the record, no one was present to represent this property. Code Compliance Officer Donovan Williams testified that the notice of violation was issued on October 8, 2025. Notice of service was achieved by posting the property. The violation was trash receptacles were left out after scheduled timeframe. The Town was recommending a Finding of Fact establishing that the violation occurred but was in compliance now and if this should reoccur in the future for the same owner at the same address it may be deemed a repeat violation subject to immediate and higher fines plus \$100 cost for today's hearing. The Special Magistrate ordered a Finding of Fact that if this violation of improper trash receptable maintenance (Section 10-28(e)) should re-occur in the future by the same owner at the same address, it could be deemed a repeat violation subject to immediate and higher fines plus \$100 cost was imposed to be due immediately or paid within thirty days.

SPECIAL SET

ITEM #V.

***TAKEN OUT OF SEQUENCE**

Case #: 25080011 - Building and Building Regulations
Property Owner: 4326 Ocean Dr LLC
Address/Folio: 4326 N Ocean Dr
Code Section(s): Section 6-41(a)(1) - Maintenance of exterior of premises.
Section 6-41(a)(7) - Maintenance of exterior of premises.

For the record, no one was in attendance to represent the property. Assistant Director Boyd testified that they were here today to certify the fines for this property. This agenda item was brought in front of Special Magistrate Secher in August 2025 regarding the nuisance at the property related to the extensive overgrowth and the bees. She believed that it was the seventh occurrence of the bees at this property. The Town did request the Special Magistrate's permission to get the property abated which was done. The property was cleaned up. Debris, trash, etc. were cleared away. The Town was seeking to be reimbursed for the money extended for the abatement to have that done at a cost to be certified of \$550. They were also seeking the fines related to the invoice for the removal of the bees to be certified in the amount of \$1,985. She reminded that photos were submitted for the file of the extensive work to clean up the property plus the elimination of four bee hives humanely handled when the situation was available to do so humanely. Walls needed to be cut, etc. and there was one section in which the bees would not be able to be relocated. The Town was requesting to certify the amounts of \$550 and \$1,985 which were paid by the Town in order to get this property into compliance. The Town was also seeking to certify the fine for this case which was a repeat violation case. Now that the property was in compliance, the total for this repeat violation fine was \$19,500. So the full amount was to include \$19,500 for the repeat violation fine, the abatement costing \$1,985 to remove the bees, plus the abatement costing \$550 for overgrowth and cleaning up debris, trash, etc. around the perimeter of the property for a total amount of \$22,035. The Special Magistrate ordered the certification of \$19,500 repeat violation fine after the property was brought into compliance for the repeat violation, plus \$1,985 for the bee remediation and \$550 for cleaning up the perimeter of the property which were both necessary to comply the latest repeat violation - totaling \$22,035.

There would be no hearing costs for today and the Assistant Director answered the Special Magistrate that the property was unoccupied for quite some time. She said that the Town has been going above and beyond to get some kind of communication with the property owner. The owner was not located in the United States and was going through medical issues that he reported via email. The Town asked him to appoint someone in the United States to take care of matters for the property but they have not heard back from the owner yet. The Special Magistrate accepted the photos into the record without objection as City's/Town's Exhibit 1 of the bees, Exhibit 2 would be the order for the imposition of the fines. The Special Magistrate ordered certification of the \$1,985 bee remediation fine, certification of the \$550 cleaning up the property fine, and certification of the \$19,500 repeat violation fine.

Special Magistrate Clerk Small then read into the record the cases that were complied.

COMPLIED CASES		
Item #	Case #	Property Address
3	25040006	4644 Bougainvilla Dr 1-5
5	25080005	5200 N Ocean Blvd 1411A

Special Magistrate Clerk Small then read into the record the cases that were continued to the November 20, 2025 Hearing

CONTINUED TO NOVEMBER 20, 2025 HEARING		
Item #	Case #	Property Address
6	25060015	4652 Poinciana St 2
7	25060023	2041 Coral Reef Dr
8	25050002	1480 S Ocean Blvd
9	21100051	1850 S Ocean Blvd
10	21100022	1620 S Ocean Blvd
11	25060016	4652 Poinciana St 5
12	25060018	4652 Poinciana St 6
13	25070009	4652 Poinciana St 5 #5
14 (heard for matters other than the continuance)	25060008	4652 Poinciana St 4
15	25090006	247 Imperial Ln
16	24120001	228 Imperial Ln
17	25080006	1439 S Ocean Dr 202
18	25050003	226 Corsair Ave
22	25090002	236 E Commercial Blvd
23	25090007	4536 Poinciana St

Special Magistrate Clerk Small then read into the record the case that was withdrawn.

WITHDRAWN		
Item #	Case #	Property Address
27	25100003	3280 S Terra Mar Dr

Not having any additional business to be heard, Special Magistrate Judith Secher adjourned the Hearing on October 23, 2025 at approximately 6:17PM.

APPROVED BY:


Special Magistrate Judith Secher

ATTEST:


Special Magistrate Clerk Megan Small
Lauderdale-By-The-Sea, Florida