

LOCAL GOVERNMENT CODE ENFORCEMENT
CITY OF NEW PORT RICHEY, FLORIDA
Case No.: 18-0137

City of New Port Richey, Florida,
Petitioner,

v.

Ali, Mohamed
Triggiano, Francis
4309 US Highway 19
New Port Richey, FL 34652
Respondent(s),

ORDER

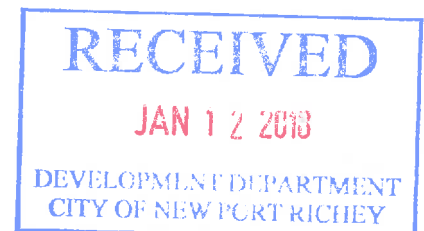
Re: Violation of Section 6-124 Minimum Housing, City of New Port Richey, Florida.

5451 Marine Pkwy., New Port Richey, FL 34652

Special Magistrate, Brent E. Simon, in accordance with Chapter 162, Florida Statutes, has heard testimony and reviewed all evidence received at the Special Magistrate hearing held on December 12, 2017, and based on the testimony and evidence presented, enters an Order finding violation. The following Findings of Fact, Conclusions of Law and Order are hereby entered:

Findings of Fact

1. The Respondent(s) Mohamed Ali appeared in person.
2. City of New Port Richey Code Enforcement Officer, Rachel Laurel, provided evidence and testimony regarding the condition(s) of the property and reasons why the property was in violation of the City of New Port Richey's Code of Ordinances 6-124 Minimum Housing.
3. Testimony was presented by the City's Code Enforcement Officer regarding the missing windows, doors, no walls in rear, carport sagging, support beams rotten. Additional items depicted in the photographs of the property were accepted into Evidence. Evidence package composite Exhibit A and B were received and reviewed.
4. That the property contained deficiencies listed in the Notice of Violation, Affidavit of Violation and Request for Hearing, and the photographs submitted by the City, and each are herein incorporated by reference.



5. Notice of Violation was mailed by certified mail return receipt, regular mail and posted at City Hall and subject property on October 25, 2017. The subject property was issued the Notice of Hearing by certified mail return receipt, regular mail and posted at City Hall and subject property on November 28, 2017.

6. That Respondent(s) are/is the owner(s) of the Property.

7. As of December 11, 2017 the property was not in compliance.

8. The City has incurred costs for the prosecution of this case and expenses for the Special Magistrate to adjudicate it. The City has expended \$82.00 in administrative costs and the Magistrate has expended \$150.00 in costs to adjudicate this case.

Conclusions of Law

9. The Special Magistrate concludes that the Property is in violation of the City Code of Ordinances Section 6-124 listed in the Notice of Violation and Affidavit of Violation and Request for Hearing.

10. The City prevailed in the prosecution of this case, and is entitled to recover all costs and expenses incurred.

Order

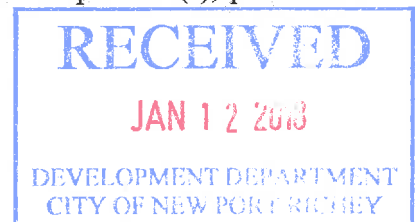
It is, therefore, ordered and adjudged that:

11. The Respondent(s) shall correct the violations on the aforementioned property and come into compliance on or before midnight January 28, 2018, by obtaining a City of New Port Richey building permit within 45 days of this order and perform work to comply with permit, or suffer an administrative fine in the amount of \$75.00 per day for each violation of the City Code, 6-124, for each day thereafter that the violation(s) continue to exist.

12. Separate and distinct from the amount due or the fine, the Respondent(s) shall pay within thirty (30) days of this Order, the amount of \$232.00 toward the City's costs and expenses for the Special Magistrate in the prosecution and Adjudication of this case.

13. The Respondent(s) must notify the City of New Port Richey Code Enforcement Officer at (727) 232-8944 when the property comes into compliance of all violations to stop the accrual of the daily fines. An inspection of the property will be made to verify that all violations have been corrected and if so, an Affidavit of Compliance will be filed to stop the daily fine.

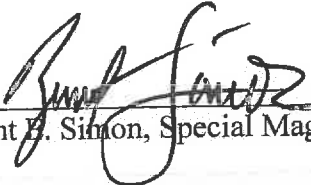
14. A certified copy of this Order may be recorded in the Public Records of Pasco County, Florida and, once recorded, shall constitute a lien against the property upon which the violation exists and upon any other real or personal property owned by the Respondent(s), pursuant to Chapter 162, Florida Statutes.



15. After 3 months from the filing or recording of this order, if the amount due hereunder remains unpaid, the city attorney or any other attorney so designated to represent the City may foreclose on the lien created hereby and sue to recover a money judgment for the amount of the lien plus accrued interest and other charges imposed by law.

Appeals: Any aggrieved party may appeal this Order to the Circuit Court. An appeal must be filed within thirty (30) days of execution of this Order.

DONE AND ORDERED on 15 day of December, 2017

By: 
Brent E. Simon, Special Magistrate

Copies To: Respondent and City of New Port Richey

NOTICE

Administrative fines, costs and expenses, shall be paid by check or money order payable to City of New Port Richey, and mailed to City of New Port Richey c/o Billing and Collections, 5919 Main St., New Port Richey, FL 34652. If the fine is not paid, the fine may be enforced in the same manner as a court judgment.

