



**Notice of Unsafe Building  
 Affidavit**

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT  
 SAINT LUCIE COUNTY  
 FILE # 4406263 02/28/2018 12:18:26 PM  
 OR BOOK 4102 PAGE 1234 - 1238 Doc Type: NOT  
 RECORDING: \$44.00

Case#: 18-0544  
 Property Address: 1700 N 16TH ST  
 Tax ID#: 2404-512-0017-000/0  
 Legal Description: IRENE PLAZA BLK 2 LOTS 6 AND 7 (OR 3070-563)  
 Owner(s): VINCENT T BENJAMIN  
 239 W 63RD ST #6-C  
 NEW YORK, NY 10023

This AFFIDAVIT certifies that the above property, building, structure or premise is unsafe and the owner(s) of record has been properly served.

2/23/18  
 Date

Margaret M. Arraiz  
 Margaret M. Arraiz, City of Fort Pierce, Florida

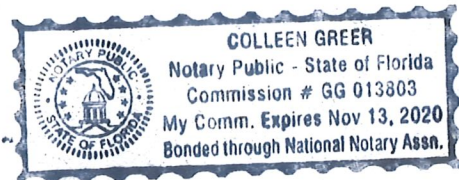
*Attachment: Notice of Unsafe Building Letter*

*This Affidavit replaces the Notice of Unsafe Building Affidavit recorded in Book 3173 Page 504. This Affidavit shall remain on file until such time as the condition(s) rendering the building, structure or premise unsafe have been abated.*

State of Florida, County of St. Lucie

The foregoing instrument was acknowledged before me this 27th day of February, 2018, by Margaret M. Arraiz who is personally known to me.

Colleen Greer  
 Signature of Notary



stamp



THE SUNRISE CITY

# FORT PIERCE

CODE ENFORCEMENT

Florida

February 23, 2018

Case #: 18-00000544

VINCENT T BENJAMIN  
239 W 63RD ST #6-C  
NEW YORK, NY 10023

RE: Address: 1700 N 16TH ST  
Tax ID #: 2404-512-0017-000/0

Pursuant to the City of Fort Pierce Code of Ordinances and the International Property Maintenance Code (IPMC) s. 108, the property located at the above referenced location has been found to be unsafe and is in violation of the following:

### *108.1.1 Unsafe structures.*

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

### *108.1.3 Structure unfit for human occupancy.*

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

### *108.1.5 Dangerous structure or premises.*

For the purpose of this code, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous:

3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

### *304.1 Exterior structure – General.*

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

### *304.1.1 Unsafe conditions.*

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Atención: Documento importante con respecto a sus derechos y responsabilidades. Si usted no comprende inglés consiga traducción inmediatamente.  
Atansyon: Dokuman sa impòtan an rapò avek droi è responsablité ou. Si ou pa kompran anglè relé nou ou bien chèché ou moun pòu nou espliké sa tou suit.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

#### *304.2 Protective treatment.*

Exterior surfaces, including but not limited to , doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. Metal surfaces subject to ruse or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

#### *304.4 Structural members.*

All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

#### *304.6 Exterior walls.*

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

#### *304.7 Roofs and drainage.*

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

#### *304.13 Window, skylight and door frames.*

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

#### *305.3 Interior surfaces.*

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

#### *502.1 Dwelling units.*

Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room

in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

#### *504.1 General.*

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

#### *505.3 Supply.*

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

#### *505.4 Water heating facilities.*

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

#### *602.1 Facilities required.*

Heating facilities shall be provided in structures as required by this section.

#### *605.1 Installation.*

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner

#### *704.1 General.*

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

#### *Sec. 5-1.105.1 Required.*

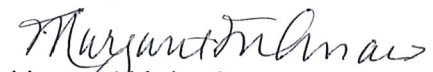
Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

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The building, structure, or premise is condemned and shall be demolished within 30 days. The building or structure has been posted with a Condemned placard and ordered vacated to prevent further occupancy until work is completed and the final inspection has been approved. The demolition of the building or structure must fully comply with all local ordinances and the currently adopted Florida Building Code (FBC). If no action has been taken by the legal owner to come into compliance within the time specified, the City may initiate demolition proceedings in accordance with the City of Fort Pierce Charter and all applicable codes, with all costs incurred charged against the owner of record and a lien filed upon such real estate.

Should you have questions regarding this matter, you may contact my office at (772) 467-3720.

Sincerely,

A handwritten signature in cursive script, appearing to read "Margaret M. Arraiz".

Margaret M. Arraiz  
Code Compliance Manager  
City of Fort Pierce