

**SPECIAL MAGISTRATE
CITY OF FORT PIERCE, FLORIDA**

SM CASE # 15-2091

RE: Violation of Section(s): 5-1.101.2.1 Unsafe Building, IPCM 108.1.2 Unsafe Equipment, IPCM 304.7 Roofs & Drainage, IPCM 304.13, Windows, Doors & Frames, IPCM 304.13.2 Openable Windows, IPCM 305.3 Interior Surfaces, IPCM 505.1 Water System, IPCM 603.1 Mechanical Equipment, IPCM 605.1 Electrical Equipment

Violator: LUCIA H CARRANZA
6715 NE PINSON CT
PORT ST LUCIE, FL 34983

Property Address: 1217 EASTER AVE
Tax ID #: 2409-823-0016-000/3
Legal Description: CRAMER'S ADDITION BLK 2 E 1/2 OFLOTS 7 AND 8 (OR 3082-2390)

ORDER ON RULE 16 HEARING

THIS CAUSE came before the Special Magistrate on November 15, 2016 upon the request of the Violator: LUCIA H CARRANZA, pursuant to Rule 16 of the Rules of Procedure of the Code Enforcement Board and the Special Magistrate, to determine whether there has been timely compliance with the requirements of the Order Determining Violation dated May 18, 2016 in this cause regarding the above-described real property (the "real property") and whether the fine under said Order Determining Violation should be adjusted. The Special Magistrate, having heard and considered the evidence presented and arguments made, having considered the criteria specified in said Rule 16, and being otherwise advised in the premises, finds that:


- A. The Respondent has failed to bring the real property into compliance, a determination that is not disputed by the Respondent who indicates that she has been unable to do so for reasons associated with her health and finances. However, the Building Department Investigator recommended granting an additional period of time (90 days) within which to bring the real property into compliance. The total amount of the fine accruing under the Order is \$2,720.00 (\$20.00 recording fees) as of November 15, 2016.
- B. The Department initially interpreted the Respondent's request for a hearing as one seeking additional time to bring the real property into compliance and recommends that the fine should be stopped as of the date of this order for a period of 90 days. Accordingly, it is

ORDERED as follows:

1. The Respondent is granted an extension of time of 90 days from the date of this hearing within which to bring the real property into compliance with the requirements of the prior Order; and the Respondent is responsible for notifying the Division of Code Enforcement of the City of Fort Pierce, Florida (the "Department") at (772) 467-3149, when, in the Respondent's view, the real property is in compliance with the requirements of the prior Order.
2. The accrual of the fine under the prior Order is abated during the said 90 day period, and, if the Respondent fails to bring the real property into compliance within the said 90 day period, the fine shall thereupon and thereafter continue to accrue at a daily, cumulative rate specified in the prior Order dated May 18, 2016. The Special Magistrate reserves ruling on the issues described in the initial paragraph of this Order until further hearing thereon which shall be scheduled by the Department, with notice thereof to the Respondent, after the expiration of the said 90 day period or upon confirming that the real property has been brought into compliance, whichever occurs first.
3. In the event of any inconsistencies between the provisions of this Order and the provisions of the prior Order, such provisions of the prior Order shall be considered amended to the extent specified in this Order.

2016.

DONE AND ORDERED this 17th day of November, 2016, *Nunc pro tunc* November 15,



Fran Ross, Special Magistrate

I CERTIFY that a copy of the above Order was mailed to the Violator, Lucia H. Carranza, 6715 NE Pinson Court, Port St. Lucie, FL 34983 and to Iola Mosley, Assistant City Attorney, Ft. Pierce, FL 34950, on this 17th day of November, 2016.



Colleen Greer, Code Enforcement Clerk