

Memorandum



Date: September 2, 2008

To: Honorable Chairman Bruno Barriero and
Members, Board of County Commissioners

From: George M. Burgess
County Manager

Agenda Item No. 1(D)1

Subject: Sunset Review of County Boards for 2008 – Nuisance Abatement Board

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2008 Sunset Review of County Boards Report for the Nuisance Abatement Board (NAB). The NAB approved the attached report at its meeting on January 17, 2008, and has recommended the continuation of its board.

A handwritten signature in cursive script, appearing to read "Alina T. Hudak".

Alina T. Hudak
Assistant County Manager

cmo19408

Memorandum



Date: January 29, 2008

To: George M. Burgess
County Manager

From: Gregg Samms, Chairperson *Gregg A. Samms*
Nuisance Abatement Board

Subject: Sunset Review of County Boards for 2008 – Nuisance Abatement Board

Pursuant to Section 2-11.40 of the Code of Miami-Dade County (MDC), I am submitting the 2008 Sunset Review of County Boards Report for the Nuisance Abatement Board (NAB) for transmittal to the Board of County Commissioners (BCC). The NAB approved the attached report at its meeting of January 17, 2008.

It is recommended that the BCC approve the continuation of the NAB. Additionally, it is respectfully requested that the BCC appoint members to fill three current NAB vacancies. The NAB members, during their review of the annual report on January 17, 2008, expressed concern about the difficulty with achieving quorums, in part due to three vacancies pending appointment. The NAB members respectfully requested that I express their concerns and appreciation to the BCC for their support and any assistance that the BCC can provide in expediting these pending appointments so that the NAB can expeditiously continue its very important work in abating nuisances and preventing crime in the MDC community.

BACKGROUND

1. The Nuisance Abatement Ordinance, enacting the NAB, was adopted in May 1992. The NAB began its service in January 1993.
2. The NAO was enacted and the NAB was created, pursuant to Florida Statute 893.138, to provide a tool for citizens, police officers, and employees of Miami-Dade County to abate public nuisance activities on residential and business properties. The NAO and the NAB have encouraged business and residential property owners to take proactive preventive action on their properties, and work with the officers of the MDPD to prevent criminal activity within their neighborhoods. The NAO was enacted to bridge a gap between code enforcement and law enforcement efforts on properties where criminal activities are ongoing and the owners are not taking their responsibilities, to not only comply with codes and provide basic security measures such as lighting and fencing, but are failing to work with the police and take necessary measures to prevent the criminal activity. The NAO was enacted to help all interested parties to improve the quality of life at individual properties and in surrounding neighborhoods and ultimately to protect and safeguard the public health, safety, and welfare.
3. The NAB should continue to function, pursuant to the recommended amendments contained in the attached report, because the NAO and the NAB have been an effective tool to encourage property and business owners to take the necessary actions to prevent ongoing and dangerous criminal activity at their Premises. The properties where the criminal activity has been abated have required reduced police intervention and resources, thereby providing an economic savings as well as providing safer places and neighborhoods for the citizens and visitors of the community.



Miami-Dade County Nuisance Abatement Board

Coordinator: Jack DiCarlo, Administrative Officer 3
Miami-Dade Police Department (MDPD)
Intergovernmental Bureau (IB) Nuisance Abatement Unit (NAU)
Telephone: (305) 596-3850 ext.280
Assistant County Attorney: Terrence A. Smith (305) 375-1322

BIENNIAL (2006-2007) SUNSET REVIEW QUESTIONNAIRE MIAMI-DADE COUNTY BOARDS - 2008

Board Members

Carlos Figueroa
Regina M. Giles
Roxanne Joffe
Harold Lawton
Pedro Mora
Gregg Samms, Chairperson
Steve Sessler
Reverend Willie Starks (Serving pending new appointment)
Lance Stelzer, Vice-Chairperson
Jennifer Vazquez
Vacancy Pending Appointment
Vacancy Pending Appointment (Mr. Aldecocea resigned 1/31/07)
Vacancy Pending Appointment (Mr. Antunez, Jr. resigned 11/14/06)

Appointing Commissioners

Natacha Seijas
Dennis C. Moss
Joe A. Martinez
Barbara A. Jordan
Bruno A. Barreiro
Audrey M. Edmonson
Sally A. Heyman
Dorin D. Rolle
Katy Sorenson
Carlos A. Gimenez
Jose "Pepe" Diaz
Rebeca Sosa
Javier D. Souto

I. GENERAL INFORMATION

1. Board Reporting and Organization:

The Miami-Dade County (MDC) Nuisance Abatement Board (NAB), appointed by the County Commissioners, is honored to be celebrating its fifteenth anniversary of dedicated service to the citizens of MDC in January 2008. Mr. Gregory Samms and Mr. Lance Stelzer serve as the NAB Chairperson and Vice-Chairperson.

The NAB is coordinated through the Nuisance Abatement Unit (NAU) of the Miami-Dade Police Department's (MDPD) Intergovernmental Bureau (IB), under the leadership of Mayor Carlos Alvarez, County Commission Chairman Bruno A. Barreiro and the County Commissioners, County Manager George Burgess, Assistant County Manager Alina Tejeda Hudak, MDPD Director Robert Parker, Assistant Director J. D. Patterson, Chief Frank Vecin, Commander Daniel Llano Montes, and NAU Administrative Officer 3 Jack DiCarlo. The NAU and NAB are represented by Assistant County Attorney Terrence Smith. The NAB, MDPD, and the NAU coordinate enforcement of the NAO. Enforcement of the NAO is supported by

investigations of all criminal activity conducted with the resources of the MDPD.

The NAB normally meets once each month in accordance with the Florida Sunshine Law. Meeting notices are published in the Miami-Dade County Calendar. Agendas and Minutes are provided to the County Manager's Office, the Board of County Commissioners, and the Clerk of the Board of County Commissioners. The current NAB membership information is included in this report above and below. The schedule for 2008 and contact information for the NAU are attached (**Attachment #1**).

2. Indicate number of board members, terms of office, and number of vacancies:

The NAB currently has ten (10) members seated, with three (3) vacancies, which are pending the appointments of these members by the respective Commissioner. The current NAB members (followed by appointing Commissioner, most recent appointment dates, and term expiration dates) are as follows:

<u>NAB Member</u>	<u>Commissioner</u>	<u>Last Appointment</u>	<u>Expiration</u>
Carlos Figueroa	Natacha Seijas	11/30/04	11/30/08
Regina M. Giles	Dennis C. Moss	07/07/05	11/30/08
Roxanne Joffe	Joe A. Martinez	11/30/04	11/30/08
Harold Lawton	Barbara A. Jordan	01/19/05	11/30/08
Pedro Mora	Bruno A. Barreiro	04/19/05	11/30/08
Gregory Samms	Audrey M. Edmonson	06/05/06	11/30/08
Steve Sessler	Sally Heyman	03/16/07	11/30/10
Rev. Willie Starks	Dorrian D. Rolle	04/30/03	10/31/06
(Active pending reappointment or the appointment of a new member)			
Lance Stelzer	Katy Sorenson	11/30/06	11/30/10
Jennifer Vazques	Carlos A. Gimenez	09/12/06	11/30/08

The following members resigned or their terms expired during the 2006-2007 years:

<u>NAB Member</u>	<u>Commissioner</u>	<u>Last Appointment</u>	<u>Expiration</u>
Julio Aldecocea	Rebeca Sosa	12/01/03	01/30/07
Emiliano Antunez, Jr.	Javier D. Souto	03/16/04	11/14/06
Rev. Willie Starks	Dorrian D. Rolle	04/30/03	10/31/06

Reverend Starks has continued to serve, but has requested that Commissioner Rolle make a new appointment to replace him.

The following Commissioners have pending appointments due to vacancies or term expirations:

<u>Commissioner</u>	<u>Vacancy Date</u>	
Jose "Pepe" Diaz	10/01/97	(Prior Commissioners did not make an appointment)
Dorin D. Rolle	10/31/06	(Reverend Willie Starks term of office expired on 10/31/06, but he is still serving pending appointment by Commissioner Rolle of a new member)
Rebecca Sosa	01/30/07	(Mr. Aldecocea, after missing several meetings due to illness resigned on 01/30/07)
Javier D. Souto	11/14/06	(Mr. Antunez resigned on 11/14/06)

3. Identify number of meetings and members' attendance (Attach records reflecting activity from January 1, 2006 through December 30, 2007):

From January 2006 thru December 2006, twelve (12) meetings were scheduled and six were held. Of those scheduled meetings, one was postponed at the meeting due to the failure of one NAB member to appear; one was postponed due to the inability to achieve a quorum; three were postponed due to a request for continuance by property owners' attorneys, a light agenda that did not require immediate NAB action and/or to the receipt by the NAU of acceptable abatement plans from owners prior to the scheduled hearings. Members attended or planned to attend 58.26% of the meetings held or postponed.

The number of meetings attended by each of the NAB members during 2006 are as follows: Mr. Aldecocea (1/7), Mr. Antunez (5/7), Mr. Figueroa (1/7), Ms. Giles (Grace) (3/7), Ms. Joffe (5/7), Mr. Lawton (7/7), Mr. Mora (5/7), Mr. Samms (3/3), Mr. Sessler (7/7), Reverend Starks (3/7), and Mr. Stelzer (4/7). Attendance at the meetings held was 60.27%.

From January 2007 thru December 2007, fifteen (15) meetings were scheduled and seven were held. Of these, one was postponed at the meeting when a quorum could not be obtained, six were postponed due to the expected inability to achieve a quorum, and one was postponed due to a limited agenda and the expected inability to achieve a quorum. Additional meetings were scheduled when a meeting was postponed due to quorum at the scheduled meeting of the month. Of those meetings where NAB members attended and/or provided attendance availability, attendance would have been 52.70% of the meetings.

Of those meetings held, the number of meetings attended by the NAB members during 2007 are as follows: Mr. Aldecocea (0/1), Mr. Figueroa (6/8), Ms. Giles (Grace) (4/8), Ms. Joffe (5/8), Mr. Lawton (8/8), Mr. Mora (4/8), Mr. Samms (8/8), Mr. Sessler (7/8), Reverend Starks (3/8), Mr. Stelzer (1/8), and Ms. Vasquez (2/6). Attendance at the meetings held was 61.54%. The 2006 and 2007 Membership Attendance Records are attached (**Attachment #2**).

4. What is the source of your funding?

The funding source is the General Fund for support of salary, fringe benefits, and minor operating supplies. The funding source for the NAB and the NAU has been included in the MDPD Intergovernmental Bureau's (IB) Administrative Budget. Equipment, printing of brochures, initial costs, and miscellaneous operating costs have been funded by Law Enforcement Trust Fund (LETF) Grants. Currently, all NAU operating expenses are encumbered by MDPD General Funds, and are offset by the imposition of costs on properties that are declared public nuisances.

5. What date was the NAB Created?

The NAB was created on May 19, 1992 pursuant to Ordinance No. 92-42, as amended. The NAB held its first organizational meeting on January 23, 1993, and held its first hearing in April 1993.

6. A copy of the ordinance creating the NAB is attached (Attachment #3).

7. Nuisance Abatement Board's Mission Statement and Purpose:

The NAB's mission is to provide enforcement of the Nuisance Abatement Ordinance (NAO), which was enacted by the County Commission in May 1992 pursuant to provisions by Florida Statute 893.138. The NAO was enacted and the NAB was created to fulfill the following purposes: (1) to provide a tool for citizens, police officers, and employees of Miami-Dade County to abate public nuisance activities on residential and business properties; (2) to help all interested parties to improve the quality of life at individual properties and in surrounding neighborhoods and ultimately to protect and safeguard the public health, safety, and welfare; and (3) to bridge a gap between code enforcement efforts and law enforcement efforts on properties where criminal activities are ongoing and the owners have not taken the appropriate and necessary steps to ensure compliance with the NAO and other applicable state and local laws. These steps include but are not limited to providing basic security measures such as lighting and fencing or failing to work with the police and take necessary measures to prevent criminal activity in and around the owner's property. Since the enactment of the NAO and the creation of the NAB, business and residential property owners have been successfully encouraged to take proactive preventive action on their properties, and to work with the Miami-Dade Police Department (MDPD) officers to prevent criminal activity within their neighborhoods.

The NAO requires property and business owners to eliminate public nuisances and provides the community with a tool to encourage owners to take responsibility for preventing recurring nuisance activities on their property in unincorporated MDC. The NAB and the NAO address recurring criminal/nuisance activity involving the following:

1. The unlawful sale, delivery, or possession of controlled substances/narcotics
2. Youth and street gang criminal activity
3. Prostitution or solicitation of prostitution
4. Lewd and lascivious activity
5. Illegal gambling
6. The illegal sale, possession, or consumption of alcoholic beverages

7. Other criminal activities that constitute a danger to the public health, safety, and welfare

The NAO provides that citizens, employees, and police officers may file complaints regarding the above activities and request the NAB to consider whether a property may be deemed a public nuisance that constitutes a danger to the public health, safety, and welfare. The Nuisance Abatement Unit (NAU), as designated by the Director of MDPD, coordinates the investigations of the complaints and criminal activity through MDPD Officers. Additionally, the NAU conducts crime analysis to determine if there are other properties/incidents that need to be considered. If there are three (3) or more substantiated and documented complaints within a twelve (12) month period and a pattern of recurring/ongoing criminal activity at a property, the NAU will send official notification to the property owner requiring the owner to respond immediately by telephone and in writing with a detailed plan of action within fourteen (14) days and to take immediate action to abate the nuisance activity. The NAU will review the abatement plan with the owner and, in conjunction with MDPD officers and other County officials, conduct a security survey of the property to determine if any additional suggestions/abatement steps need to be taken by the owner.

If the owner fails to respond and take sufficient steps to abate the nuisance, and/or there are additional incidents, the case will be heard by the NAB. The NAB may review the evidence and hear testimony from police officers, citizens/complainants, and the owners to determine if there is evidence to declare the premises a public nuisance and/or determine if the owners have taken sufficient steps to abate the nuisance activity.

If the NAB finds the premises to be a public nuisance, it may order immediate actions, including but not limited to recommendations of MDPD and County officials, to be taken by the owners to abate the nuisance activity. Orders typically may include the following:

1. Requiring the owner to take immediate action to abate the nuisance, i.e., security, lighting, fencing, cameras.
2. Ordering the cessation of any activity that is conducive to the nuisance, i.e., failing to check identification for possible underage sale of alcoholic beverages.
3. Ordering, in the event that owners do not comply with recommendations and abate the nuisance, that the property and/or business be closed and secured.
4. Ordering that the property/business owners pay MDPD and County costs incurred.
5. Ordering that the owners report to the NAB their progress in abating the nuisance for one year (jurisdiction over the premises).

The NAB often emphasizes that each case is handled based on its own merits and that the cooperative efforts of the property and business owners are critically important to the successful abatement of the nuisance activity. The NAB may temporarily or permanently accept the owners' abatement plans or may develop orders that are relevant to the property, its security, its owners, and the neighborhood and the successful abatement of the nuisance activity.

8. Attach the NAB's standard operating procedures, if any:

The NAB operates in conjunction with the NAO and the adopted "Conduct of Hearings" (**Attachment #4**) and "Chairperson Opening Statement" (**Attachment #5**) are attached.

Additionally, a copy of a sample Complaint Affidavit (**Attachment #6**) is attached. Operating procedures are continually reviewed.

9. Attach a copy of the NAB's By-Laws, if any.

While the NAB has not adopted formal By-Laws, it operates in conjunction with the NAO, the standard operating procedures listed in #8 above, the guidance delineated in the notification letters provided by the NAU to the owners, and the guidance of the NAB's Legal Advisor (Assistant County Attorney), and the NAU's Administrative Officer 3.

10. Attach a copy of the NAB minutes approving the Sunset Review Questionnaire, including a vote of the membership.

The NAB approved the report at its meeting on January 17, 2008, as reflected by the attached minutes of the January 17, 2008, meeting (**Attachment #7**).

II. EVALUATION CRITERIA/PERFORMANCE MEASURES/ACCOMPLISHMENTS

1. Is the board serving the purpose for which it was created?

Yes. In January 2008, the NAB will complete its fifteenth year of service to the citizens of Miami-Dade County. The NAO and the NAB have given citizens, police officers, and Miami-Dade County employees a tool and opportunity to identify public nuisance properties, file complaints, and be heard by the NAB, if the property/business owners do not take immediate responsibility and action to abate the nuisance activity. The penalties, including the imposition of costs and the decisive actions that the NAB has taken, have encouraged property and business owners to take responsibility for their properties, thereby reducing or eliminating the need for further law enforcement, NAU, and NAB actions.

Additional communications by law enforcement officers and NAU personnel with citizens and property/business owners, concerning suggestions for abatement and possible NAB sanctions, have also resulted in the abatement of nuisance activity, often prior to any formal required action by the NAB.

2. Is the board serving current community needs?

Yes. The NAB has been very receptive to citizen concerns and complaints. Several citizens, Miami-Dade County Commissioners and/or their assistants, MDPD Officers, and law enforcement officers from other jurisdictions, have attended NAB meetings and presented evidence and/or testimony regarding public nuisance properties to the NAB.

The MDPD, IB, and NAU in conjunction with the NAB have created a web page (**Attachment #8**), published a brochure, a video training tape, created PowerPoint Presentations, and presented seminars to inform citizens, property and business owners, and law enforcement officers of the NAB, their opportunities to be heard, and the requirements of the NAO. Since August 2002, the NAU has presented approximately 70 COPS (Community Oriented Police) seminars to more than 2,200 officers in MDPD Police and Investigative Services and new officers in the police academy classes.

3. What are the board's major accomplishments?

- a. **During last 24 months, 2006 - 2007:** During this time period, the NAB met thirteen (13) times; declared eight (8) properties public nuisances; heard twenty-four (24) status reports on properties they had previously declared public nuisances; heard evidence and ordered owners to pay costs on two properties that had previously been declared a public nuisance; and heard evidence and received more than fifty (50) status reports on twenty-two (22) properties that they decided to elect not to declare the premises a public nuisance and defer NAB action because of substantial abatement actions and presented plans by the owners. While deferring action pursuant to the recommendations of the NAU or at the request of the owners, the NAB advised that they would reconsider the cases if additional incidents occurred or the owners failed to comply with the abatement action plans that they had proposed. Additionally, at least three houses and a vacant commercial establishment that the NAB had declared nuisances or had considered action on were demolished by the Building Department's Unsafe Structure's Board, in conjunction with requests for review by the NAU.

Also during this time period, the NAU reviewed cases on more than six hundred and forty (640) properties; opened files on more than one hundred and fifteen (115) properties, closed files on one hundred and twenty-one (121) properties, and reviewed and utilized more than five hundred and fifty (550) incident reports involving these properties. The NAU currently has actions and notification letters pending further review on several properties.

The following list highlights some of the cases considered by the NAB and MDPD's NAU during the time period from 2006 - 2007:

The NAB and NAU deferred action on a **Liquor Store/Bar** and residential complex at **NW 49 Street and 22 Avenue**. The property owner advised that the liquor store business was abandoned by the business owner and she decided to operate a mortgage broker business and retail clothing store, in addition to two rental apartments on the second floor. The owner cleaned and painted the structure, conducted background checks on prospective tenants, provided for better security, and has greatly improved the appearance of the premises in the neighborhood. Criminal drug activity has been substantially reduced and the nuisance was abated.

In April 2006, the NAB, after hearing evidence presented by the NAU and MDPD Officers from the Airport District, Narcotics Bureau, Strategic and Specialized Investigations Bureau (Vice & organized crime), and the Intergovernmental Bureau, declared the "**Centro Espanol**" **Adult Entertainment/Strip Club at 3615 NW South River Drive** a public nuisance. The evidence included more than forty (40) documented incidents of prostitution and ten illegal narcotic incidents since August 2005. Additionally, many other incidents of this type and crimes including homicide, robbery, aggravated batteries, and shootings were investigated by MDPD and the NAU over five years and considered by the NAB. The NAB ordered that the owners take the necessary and legal actions to work with MDPD and abate the nuisance activity. In conjunction with NAB action and ongoing investigations by the MDPD, including the MDPD Legal Bureau Forfeiture Section, a court in consideration of \$1.5 million in cash found hidden on the property during a search warrant in February 2006, continued to hear new evidence of ongoing prostitution and drug activity, and after several hearings ordered the owners to close the business in June 2006. **Ongoing efforts by the MDPD Legal Bureau and all concerned local and state officials resulted in the forfeiture of \$1.5 million to the County and the Law Enforcement Trust Fund. Additionally, an agreement was made**

that the owners shall sell the property and the business. The closure of the business and the combined and continuing efforts by all, including the NAB over two years, after evidence was presented that the owners did not abide by an abatement agreement in 2005 with the County, MDPD, and the NAU, resulted in a major reduction in criminal activity and MDPD Calls for Service at the property and in the surrounding Airport District community, thereby resulting in significant ongoing savings for investigative and police costs. The NAB, after postponement of the meeting in December 2007, is scheduled to hear a status report from the owners and potential new buyers regarding their plans for the still closed property on January 17, 2007. Additionally, the NAB will be asked to consider the matter of costs to the County, MDPD, the NAU, and the County Attorney. **This case, and others over the years, exemplifies the coordinated County, MDPD, and State and Federal law enforcement efforts in IB initiated "Quality of Life" investigations and the effectiveness of the NAO, NAB, and nuisance abatement program for the public health, safety, and welfare of the citizens.**

The NAB and NAU deferred a hearing on a house at **SW 103 Avenue and 173 Street**. The owner met with the NAU and MDPD Officers after receiving notice of the drug activity allegedly being conducted by a relative and other tenants. The owner evicted the tenants, cleaned and secured the house, and secured a fence around the property. No additional incidents have been reported and the house remains closed pending sale. The NAB advised the owner that they would reconsider the matter if there are any additional incidents or lack of compliance by the owner with his abatement plans.

The NAB, after considering evidence of ongoing drug activity since August 2006, declared the **house at NW 30 Avenue and 43 Terrace** a public nuisance for the third time since 2000. After considering the lack of effective abatement plans by the owners and previously ordered temporarily effective abatement actions, the NAB ordered that the owners and all residents vacate, close and secure the premises. After being closed for a couple of weeks, the NAB, upon presentation of a more complete abatement plan, allowed the owners to reopen the house providing only that three designated persons live there, visitors be limited and not allowed during night hours, the fence and gates be locked and secured at all times, and the owner's son attend drug rehabilitation counseling. Since the house has been allowed to reopen, there has been a significant reduction in criminal activity at the premises and the surrounding streets. The NAB will hear a final status report and consider the matter of costs in early 2008.

The NAB after considering evidence of ongoing drug activity, as investigated by Cutler Ridge and Narcotics Bureau officers since 2004, declared the premises, **a house at SW 104 Avenue and 173 Terrace**, a public nuisance for the second time since 2000. The NAB found that the owner did not have control of the house, her relatives and more than 15 people at a time that she often allowed to sleep at the house were conducive to the drug activity, and the elderly owner was at risk for her safety. The NAB initially ordered that the house be vacated, closed, and secured for the safety of the owner and the community, but agreed to reconsider that order if the owner presented a satisfactory abatement plan. The NAB reconsidered its order of closure at the next meeting provided that the owner complied with stated abatement actions including the following: clear and clean the yard of all overgrowth and junk and trash that will allow for the hiding of drugs; install additional security lighting; repair and erect additional security fencing; provide that MDPD officers arrest trespassers; evict all borders and limit visitors to those with no criminal records, maintain the security of the fence and gate; require that all relatives who have been involved in drug activity and will live at the house enroll in and attend drug rehabilitation counseling sessions. While there are still concerns, the owners have reduced the drug activity at the premises and are continuing to work with MDPD

and the NAB to provide for the elimination of all criminal activity. In September 2007, the NAB heard from the NAU and the owners that they have cleared the house of all drug-oriented persons, including a son whose access to the house was limited by the owner, been remodeling and cleaning the house and yard, and will not allow any persons to sleep at the house other than the owner and her sons. The owner recently paid \$3,000 in costs from the first case. A final status report and cost hearing on the new case is pending on this property.

After the owner met with the NAU and provided an abatement plan, including increased security, lighting, and supervision of tenants, the NAB and NAU deferred the hearing regarding **a rental duplex at SW 189 Street and 113 Place**, pending any additional incidents or lack of compliance. The narcotics activity had been reduced significantly, but a recent review indicated that more incidents have taken place and a NAB hearing will be scheduled.

After the new owner met with MDPD officers and the NAU at the **10 duplex unit rental apartment complex at SW 117 Avenue and 224 Street** and agreed to abatement actions including eviction of tenants; clean, paint and improve the units; conduct background checks on prospective tenants; and regularly visit and supervise the complex, the NAB and NAU deferred the hearing pending any additional incidents or lack of compliance by the owner with their abatement plan. The amount of narcotics and other criminal activity has been significantly reduced and the owner has taken an active role in preventing criminal activity at the premises and in the community. MDPD officers and the NAB and NAU are monitoring the premises for any additional activity.

The NAB, after hearing from the NAU and the owner of a rental house at **NW 30 Avenue and 44 Street**, elected to defer the hearing pending any additional incidents and the promised submission of an abatement plan in 2007. As the owner did not provide a satisfactory abatement plan, failed to appear for further NAB meetings, and persons previously arrested were frequenting the premises again, the NAB declared the premises a public nuisance in March 2007 and ordered the owner to provide an abatement plan. The owner evicted the tenants and closed and secured the house. However, the owner sold the house after the eviction, but left the property littered with junk and trash. The new owner was notified that the property must be cleaned up and rehabilitated in compliance with MDC and state health and minimum housing regulations. The original owner appeared at a status report and cost hearing in September 2007. He and the new owner assured that the property was cleaned of all junk and trash and the house boarded and secured pending the rehabilitation of the property. The original owner was ordered to pay reduced costs of \$1,000 in view of his stated efforts to abate the nuisance activity. After a review at the request of the NAU, the Building Department's Unsafe Structure Board found the house to be unsafe and ordered and completed demolition of the house in October 2007.

The NAB, after hearing from the NAU and the owner of **a rental apartment complex containing eight units at NW 27 Avenue and 57 Street**, elected to defer the hearing pending any additional incidents and compliance with an abatement plan that included: eviction of any responsible tenants; provide increased lighting and fencing security; conduct background checks on prospective tenants; meet with all tenants; and authorize MDPD officers to arrest trespassers. After two additional narcotics search warrants in February and June 2007, a NAB hearing to consider the matter was scheduled. The owners advised that they had again evicted tenants and followed all of the recommendations of the NAU and Mr. DiCarlo. The NAB, after due consideration and recognition that the owners really have tried to do everything possible to respond to the recommendations of the NAU, NAB, and officers, again elected not to declare the premises a public nuisance, but advised the owners that they would have little choice but to do so if there are any additional incidents or lack of compliance

with the owners' abatement plans.

After the owner of a **rental quadriplex at SW 223 Street and 117 Court** responded with a written abatement plan and met with the NAU and officers, the NAB deferred the hearing pending any additional incidents or lack of compliance with their abatement plan. The owner cleared the premises of all junk and trash and junk vehicles, erected additional security fencing, notified her tenants that no more drug activity would be allowed, evicted irresponsible tenants, authorized MDPD officers to arrest trespassers, and continued to communicate with the NAU. No additional narcotic incidents have been reported.

The owners of a **single family rental house at NW 32 Avenue and 82 Street** did not respond to a NAU notification letter. Due to the apparent lack of control and suspected ongoing narcotic activity, the NAB declared the premises a public nuisance in February 2007, and ordered the house to be vacated, closed, and secured in May 2007, when there was no further response and it was determined that the owners are not in control of the house. The property case, pending additional MDPD and NAB action as the owners had not responded and complied as of August 2007, was found by MDPD Northside Crime Suppression Team (CST) detectives to be the site of additional drug activity in September 2007, by vagrants who had taken over the house. The NAU and IB Officers, after six months of searching, located the owner, suffering from Alzheimer's disease, in a nursing home in West Virginia. Additionally, the owner's son who was reported to be the only living heir to the house, was found to be hiding Miami, in fear of the drug dealers who had battered, threatened, and forced him from the house in December 2005, and were allegedly still involved in the drug activity at the house. As the owner was found unable to understand or make any decisions due to her medical and mental condition, the son was located and advised that he could take responsibility for the house in representation of his mother. The owner's son advised that the alleged drug dealers and vagrants who had taken over the house were occupying it illegally and requested that MDPD officers enforce Trespassing statutes and assist him with insuring that the house, supposed to be vacant, be vacated, secured, and boarded up. The NAB so ordered the owner and the son to cause the house to be vacated, closed, and secured and joined with the son to request that the County and MDPD assist the owner with this, as neither the owner nor her son were physically or economically capable of insuring that this happens. The house was vacated, and secured from entry in November 2007. The costs will be secured by a lien on the premises and MDPD Officers are continuing to monitor the premises. No additional activities have been reported and no persons have tried to break in through the boarded doors and windows.

The owner of a **single family rental house at NW 94 Street and 30 Avenue** met with the NAU and officials from the building department and agreed to have vacated, close, and secure the house, except for one tenant to monitor the house for him. The NAB elected to defer the matter pending additional incidents or lack of compliance by the owner. Additionally, the owner was provided additional time to work with building department officials and to bring the house into compliance with building and minimum housing codes prior to renting the house again. No additional incidents have been reported and the house remained closed and secured and the yard was cleaned and secured. The Building Department's Unsafe Structure Board, following a request for review by the NAU, ordered and completed demolition of the house deemed Unsafe in July 2007.

Upon complaints regarding drug activity to MDPD and Director Parker, the Narcotics Bureau and NAU conducted an investigation at a **rental duplex at SW 184 Street and 107 Avenue**. The investigation resulted in the arrest of three persons during two search warrants from December 2006 thru February 2007. The NAU and Team Metro notified the owner of the

criminal activity and violations of the NAO and other code violations. The owner responded and initiated abatement actions including: initiated evictions against persons at this unit and five (5) other duplexes that she owned in the block; cleaned up all junk, trash, and junk vehicles in the yard, and rehabilitated the properties for new tenants that they conducted background checks on. The NAB deferred the hearing pending any additional incidents or lack of compliance with the abatement plans. No additional incidents have been reported.

Upon notification of narcotics activity at **NW 92 Street and 31 Avenue**, the owner appeared before the NAB but did not provide an abatement plan. The NAB provided the owner another 30 days to consider the matter and recommended that he consider eviction of the tenants. The owner advised the NAB that he would consider evicting the tenant's sons who were allegedly involved in the activity and the owner met with the NAU at the property. The NAB deferred the hearing in May 2007 pending any additional incidents. However, a new incident involving the tenant's sons was reported in June 2007, and the NAB agreed to hear the matter in October 2007. The NAB found that there was not enough evidence related to the property to declare it a nuisance at this time, but advised the owner that any further incidents would force it to reconsider the matter and that he should take steps to insure that the tenant and her sons further prevent the drug activity. The NAU and MDPD are continuing to monitor the premises.

Upon receiving notification by the NAU of narcotics activity at a **duplex at SW 178 Street and 103 Avenue**, the owner appeared before the NAB. The owner advised that they evicted the responsible tenant, will conduct background investigations on prospective tenants, and will maintain the cleanliness and security of the duplex. The NAB and the NAU deferred the hearing pending any additional incidents or lack of compliance with their abatement plan.

The owner of a single family house at **NW 67 Street and 18 Avenue** responded in September 2007, to the NAU notification letter with an abatement plan that included: the already concluded eviction of his tenants that may have allowed the drug activity; the house was secured and boarded up and he will keep it that way until he sells it; the posting of "No Trespassing" signs; and the provision of authorization for MDPD to arrest trespassers. The NAB elected to accept the owner's abatement plans and defer the hearing pending any additional incidents or lack of compliance with his abatement plans.

The NAB was advised that the owner of a bar at **NW 79 Street and 10 Avenue** met with the NAU and MDPD officers and presented an abatement plan that included: meet with all family members and employees and establish written and verbal rules and regulations regarding zero tolerance for drugs and other criminal activity on the premises; cooperate with MDPD in any investigations; conduct criminal background checks on all current and prospective employees; provide additional training to security staff regarding security; consider hiring a licensed security company to provide assistance; install a new security camera system; establish better communications with MDPD officers and encourage the enforcement of trespassing statutes; review interior and exterior security lighting; utilize a metal detector wand to screen all customers and employees for weapons; comply with MDC requirements for closing hours; and take other necessary actions to prevent any additional drug or criminal activities. The NAU recommended and the NAB agreed to defer the matter pending any additional activities or lack of compliance with their abatement plans.

The owner of a rental duplex at **NW 82 Street and 19 Avenue** responded to the NAU notification and advised the NAB and the NAU that he is trying to evict two registered tenants, alleged to be involved in the drug activity, and will remodel and rehabilitate the house in compliance with MDC code regarding single family homes being used for multi-family rentals.

The NAB elected to provide the owner more time to complete the eviction in November 2007, but advised that they will take action if there are any additional incidents or lack of compliance with their abatement plan.

The NAU sent a notification letter to the owner of a single family house at **NW 2 Avenue and 82 Street** that was the site of illegal narcotics and other criminal activity in and around the house and in and around approximately five possibly illegal detached rental units in the rear yard. The owner advised the NAU that her abatement plan would include eviction of all tenants; boarding up and securing both the main house and all of the rental units until she obtains an opinion as to whether she has the right to use all of the units for rental; and clean and maintain the yard free of all junk and trash. The owner secured the entire yard with security fencing and provided authorization for MDPD officers to monitor the premises and arrest trespassers. The NAU agreed to defer the hearing pending any additional incidents or lack of compliance by the owner with their abatement plans. The house has remained secured and crime free since September 2007.

The owner of a house at **NW 8 Court and 77 Street** has advised that she would evict the tenants and sell the property after rehabilitating it. The NAU and NAB have deferred the hearing pending any additional incidents.

The owner and tenants of a house at **NW 30 Avenue and 66 Street** advised that the drug activity was due to the tenant allowing the brother to live at the premises while the tenants were in the midst of a domestic split up. When they moved back in, they learned from the NAU of the drug activity. They advised that the brother was no longer living there, agreed to not let a homeless person sleep in a homemade shack in the rear yard; and agreed to maintain the premises crime free. The NAB, after much consideration and assurances from both the tenant and the owner that there would be no further activity, agreed to defer the matter pending any additional incidents or lack of compliance with their abatement plan.

The owner of a house at **NW 75 Street and 18 Avenue** met with IB officers and the NAU at the house and advised that his abatement plans included: the pending eviction of his tenants; rehabilitation and cleaning of the house; background checks on any prospective tenants; and communications with the police and neighbors. The NAU recommended and the NAB agreed to defer the hearing pending any additional incidents or lack of compliance with their abatement plans.

The owner of a house at **NW 89 Terrace and 22 Avenue** responded to the NAU notification and met with officers and the NAU regarding the ongoing illegal narcotics activity at the house. The owner advised that he would evict all tenants, secure and board up the house, and clean the house of all junk and trash and sell the house. The NAB initially deferred the matter but after additional incidents in October 2007 and a failure of the owner to secure the house on a timely basis, the NAB declared the premises a Public Nuisance in November 2007 and ordered the owner to comply with his abatement plan of vacating and securing the house. The owner has now complied with the recommended NAB actions and the premises has remained secure and posted with Trespassing signs.

The owners, a family trust, of a house at **NW 69 Street and 18 Avenue** had not responded to the NAU notification letter regarding narcotics activity and the finding of more than 85 grams of cocaine by Narcotics Bureau detectives in March 2007. As the house was being occupied by apparently unauthorized vagrants and the owner has not been located, the NAB agreed that sufficient notification had been provided at the premises and elected to hear the matter. The NAB declared the premises a Public Nuisance and ordered that the owner respond and

provide an abatement plan to the NAU and the NAB and take actions to insure that no additional narcotics activities will be allowed. Additional NAU and NAB actions, including costs, are pending.

The owners of a house at **NW 24 Avenue and 92 Street** had not responded to the NAU notification letter regarding illegal narcotics activity as investigated by MDPD Narcotics Bureau and Northside detectives by November 2007. A 69-year-old brother of the registered owner was arrested and alleged to be involved in the drug activity. The NAB in the absence of the owner elected to hear the matter and declared the Premises a Public Nuisance. The owners of the house, the third house to be declared a Public Nuisance on November 15, 2007, were ordered to appear at the next NAB hearing and present an abatement plan. The owner, after all Mr. DiCarlo, appeared at the NAB postponed hearing in December 2007, and advised that his brother has been in trouble at the house and other places for most years of his life and that he would have to seek a court injunction to force his brother and other drug vagrants living at the house without his permission to vacate the premises and allow him to gain control of it. The owner agreed that he would provide an abatement plan prior to the next NAB meeting.

The owner of a house at **NW 19 Avenue and 47 Terrace**, investigated by the Narcotics Bureau in March 2007, responded to the NAU notification letter immediately. The owner advised that she was unaware of the narcotics activity when she took over the house from her ex husband and completely remodeled it for use by her and her teenage children in August 2007. The house was found to be immaculate and a much improved place in the neighborhood. The NAU recommended and the NAB agreed that the owner has submitted a highly welcomed abatement plan and deferred the matter pending any additional incidents or lack of compliance with the abatement plan.

The owners of a closed store at **NW 18 Avenue and 68 Street** have not responded to the NAU notification letter and a hearing has been scheduled for January 2008. The store was the site of much internal drug activity during 2007.

b. Since established:

The NAB, in conjunction with officers, supervisors, and officials from Miami-Dade County and MDPD, the County Attorney's Office, the NAU, and property and business owners, have worked together to successfully abate several alleged public nuisances involving illegal narcotics, alcohol, prostitution, etc. during the past 15 years. A list of significant properties and how they were addressed by the NAB, MDPD, and the NAU, pursuant to the NAO is attached (**Attachment #9**).

In summary, the NAU, in conjunction with MDPD officers and the NAB, has opened investigations on approximately one thousand three hundred (1,300) properties since the inception of the NAU in August 1992. Evidence has been accumulated to enable the NAU to send formal Notification Letters to owners of two hundred and twenty (220) of these properties, with notification letters pending further NAU and MDPD investigation on several other properties. Hearings have been convened or scheduled on one hundred and sixty (161) of these properties and the NAB has declared sixty-six (66) of them public nuisances. MDPD investigators, including Narcotics Bureau personnel, have sent additional investigative and requests for abatement notification letters to the owners of more than two hundred thirty eight (238) of these 1,300 properties, thereby possibly resulting in the cooperation of the owners and abatement of the nuisance without requiring NAU notifications and NAB hearings. In

total, seven hundred and twenty-four (724) property files have been closed and five hundred and seventy-three (573) remain open for further investigation.

Properties investigated include drug houses and businesses, markets, adult book and video stores, adult entertainment businesses, apartment complexes, bars and liquor stores.

c. Evaluation of NAB and NAU accomplishments:

While NAB and NAU case productivity may seem low over the long and short periods of time, there are many factors that need to be considered during any evaluation of the numbers of cases being reviewed by the NAU and being presented to the NAB for review. First and foremost, the NAU and NAB, under advice from attorneys from the County Attorney and Police Legal Bureau, have approached their jobs conservatively with the priority of documenting cases with sufficient evidence that will demonstrate the serious nature of the nuisance at the property. The documentation of these cases involves considerable detailed research, investigation, and analysis that often take several months to complete. Some complex cases have been resolved over a long period of time, i.e., Centro Espanol, referred to above, involved about three years of ongoing NAU and MDPD investigations before the nuisance was abated through actions by the NAB and the Court in ongoing criminal and MDPD Legal Bureau Forfeiture proceedings. Approximately six months and more than 530 hours (the equivalent of 13 forty hour weeks) of NAU personnel time, as well as much more than 1,200 hours of MDPD officer's time have been documented in a cost summary pending review by the NAB in January 2008.

Following Florida and U. S. Supreme Court appeal cases concerning other jurisdictions, the NAB has been diligent to demonstrate the recurring criminal activity that constitutes a danger to the public health, safety, and welfare, and to demonstrate that the owners were provided a reasonable opportunity to abate the nuisance but failed to take sufficient actions to do so. Such diligence takes a considerable amount of research time before a case can be brought before the NAB to request that it be declared a nuisance. Additionally, the NAB may request that the owners be provided additional time and asked to comply with recommendations by MDPD and the NAB before it declares the premises a public nuisance, usually only after additional investigation demonstrates ongoing criminal activity at the premises and/or a lack of compliance by the owners with their abatement plans.

An official who has responsibilities with the Nuisance Abatement Board for the City of Miami advised that their case productivity has slowed considerably over the past few years since they were challenged in a case that led to a Florida Supreme Court case that ratified their NAB's decision to close a hotel. The Court held that their case was not a taking, but only because the NAB provided the owners the time and opportunity to take abatement actions over a long period of time and demonstrated that the owners did not comply and their lack of compliance led to continuing nuisance activity at the premises that constituted a continuing danger to the public health, safety, and welfare. It was learned that while the City of Miami's NAB was hearing four – five cases a month in the 1990's and declared approximately 50 properties public nuisances from 1991 – 1997, they have only declared approximately 25 properties public nuisances since 1997. It was advised that almost all of their monthly meetings were cancelled in 2006 and they have only heard one case in 2006 and one case in 2007 where they have formally found them to be public nuisances. It was additionally advised that the presentation of cases to the NAB slowed when they realized that they would only be able to obtain closure orders based on incrementally increasing criminal cases being brought

before the NAB and a strong demonstration that the owners have not taken recommended actions to abate the nuisance activity. Much like MDPD has done, they have proactively concentrated on working with the property and business owners to obtain compliance prior to having to present the cases to the NAB.

In order to demonstrate the considerable amount of time that it takes to successfully present a case to the NAB, the following NAU responsibilities are offered for consideration:

1. Complaints regarding a specific property are received from citizens, employees, and police officers and are verified and substantiated by MDPD officers' investigations and documented by offense/incident reports.
2. The NAU reviews the history of all incidents at the premises over a number of years time to determine if there are sufficient incidents to meet the minimal requirements of the NAO and to determine if there is a pattern of recurring activity. This process involves the review of MDPD databases including written reports and calls for service and obtaining and reviewing all reports to determine if they in fact are related to the property and if they meet the criteria of the NAO. The review often finds that there are many cases in close proximity to the property, but they may not be identified as being on the property but on the roadway. Every attempt is made to contact the officers to determine if a roadway incident may also be tied to a particular property. Additionally, it may be determined that there is evidence that the criminal activity slowed down considerably after arrests and there is no pattern of recurring activity, perhaps due to the officers impact on the property, the suspects, and the property owners. In these cases, it is sometimes determined that a notification letter will be sent only after there are additional documented incidents.
3. A determination has been made in consultation with investigative supervisors and Police Legal Bureau Attorneys that specific incidents, including juveniles and cases still pending criminal court trial actions may not be appropriate for inclusion in the nuisance abatement case until the court case is closed. Often by the time the court case closes, we may not be able to demonstrate recurring activity within a year's time to meet the requirements of the NAO at the time and the notification letter may not be able to be sent after so much time has passed. The NAU currently reviews individual incidents with investigators to determine if the cases can be reviewed by the NAB prior to the court case closing, particularly where the investigators advise that the property is a serious concern and should be dealt with as soon as possible.
4. Incidents are documented in a database to be utilized for inclusion in a formal incident summary that is provided with a notification letter to the owners. The notification letter is only sent after careful review by the NAU with IB supervisors and responsible investigative entity and MDPD District Commanders.
5. The owner is provided 14 days to respond by telephone and in writing with a detailed abatement plan and actions that they will be taking to abate the nuisance. Recommendations are developed by the NAU, in consultation with MDPD officers, NAU and IB officers' review and inspections of the property, often while accompanying narcotics investigators on search warrants, and communicated by telephone to the owners when they respond to the NAU notification letter. A tentative NAB hearing date is now included with the notification letter and the hearing may be held or deferred depending on the owner's response to the notification letter. These notification letters

often take several hours and or days to prepare, depending on the number of cases that have been documented at the property. A large commercial property takes considerable time as there are usually a lot more incidents documented in order to demonstrate the recurring activity and the inordinate amount of time that MDPD officers often are required to dedicate to investigations at the property to prevent the criminal activity. These cases of which there have been three very large ones, including one pending additional preparation, have required considerable NAU investigative and preparatory time over several months.

6. A meeting is held with the owner, MDPD IB and District Officers, and other County and State agencies at the premises to review their abatement plans, to provide a security survey, and to discuss any other recommendations/actions that need to be taken by the owner, MDPD, and other County agencies. A decision is often made at this time, in conjunction with MDPD leaders to defer the NAB hearing due to the owners' abatement plans or to proceed with a hearing before the NAB due to lack of an effective abatement plan, lack of compliance with recommendations, or ongoing criminal activity. If the case is deferred, officers are asked to continue to monitor the premises and determine if there are ongoing criminal activities or a lack of compliance with their abatement plans.
7. If a decision is made to present the case to the NAB and require the owners to appear, it takes additional time to coordinate MDPD witnesses, presentation materials, and the owners, as well as insuring the MDPD quorum, to insure that proper due process is provided. Reviews are often held with Police Legal Bureau and Assistant County Attorney Terrence Smith, as well as MDPD officers to insure adequate preparation and presentation. Sufficient documentation, summaries, photographic evidence, and copies of all incidents, as well as sufficient witnesses, must be utilized to fulfill the requirements of the NAO and the NAB. Oftentimes, the NAB will provide the owner the opportunity to be heard and present their abatement plan, prior to holding a full hearing. The NAB may defer the matter to provide additional time for the owner to fully implement their abatement plan, meet with the NAU and officers, and demonstrate that their abatement actions are successful in preventing any additional activity. In these cases, the owner may be called before the NAB and communicate for several months with the NAU to demonstrate the successful abatement of the nuisance activity. If there are additional incidents or a lack of compliance with the abatement plan, the NAB hearing will be rescheduled.
8. If the NAB hears the case and determines that there is sufficient evidence to declare the premises a public nuisance, the NAB will consider MDPD and NAU recommendations in their immediate or sometimes future orders requiring the owner to take specific actions to abate the nuisance. The Assistant County Attorney and the NAU prepare the written orders that often average five pages, deliver them to the owner, and review them with the owner to insure their compliance. MDPD IB officers and the NAU monitor the property for additional activity and/or compliance with the NAB orders. Coordination with officers and other County agencies is often necessary to monitor the property and provide the owner and /or residents the proper guidance and services that may be necessary to insure that they have the resources and means necessary to be able to abate the nuisance activity.
9. Once the property is declared a nuisance, County and MDPD costs may be determined and presented to the owners and the NAB at a cost hearing. The NAB is required to order costs, but often waits until they determine if the owners have complied with the

orders and abated the nuisance. They often provide the owners the opportunity to submit expenses that they have incurred in abating the nuisance and provide the opportunity for a reduced cost order in consideration of the expenditures that they have made for the security of the premises.

10. Once a property is declared a nuisance, the NAB will be provided status reports and often require that the owners appear for additional status hearings to insure compliance and abatement. In the case of ongoing activities, the NAB may order additional abatement actions and/or closure of the property if they find that this is the only option that will prevent the ongoing nuisance activity, due to the lack of compliance by the owner. In several cases that have come before the NAB, this continuing pressure by the NAU and the NAB has resulted in significantly reduced criminal activity at the premises. Monitoring and ongoing communications take considerable time, but are usually very effective in preventing the ongoing activity and convincing the owners that they need to take aggressive preventive actions, in conjunction with MDPD and County officials, to continue their abatement actions on a long-term basis.

Other IB and NAU proactive actions are being taken to identify nuisance properties and to convince property owners of the necessity of taking necessary actions to prevent criminal activity at their premises, as well as to communicate the availability of the nuisance abatement program to citizens, owners, police officers, and County employees as an effective crime-prevention tool. These initiatives, which often take considerable time and involve other MDPD and County personnel in the ongoing quest to promote better "Quality of Life (QOL)" that citizens truly deserve, include:

1. Review of newly developed MDPD "Calls for Service" databases to proactively identify nuisance properties, sometimes before a complaint is received. Review and continue ongoing improvements to a NAU database to document cases and incidents, as well as monitor properties. Efforts are being undertaken to see if these reviews can be accomplished on a daily basis and work in conjunction with IB and MDPD officers to more proactively identify cases and provide quicker presentation of notification letters to the owners and cases to the NAB as necessary.
2. The NAU is available and conducts citizen orientations regarding the NAO and QOL initiatives at MDPD District Citizen Advisory Committee (CAC), Crime Watch, neighborhood, and association meetings. The NAU is available to conduct 3-4 meetings per month if requested.
3. The NAU regularly conducts training for MDPD and other agency law enforcement officers regarding the NAO. Officers are encouraged during citizen interactions to make crime prevention recommendations to property owners and advise them of their responsibilities under the NAO if they do not comply with the recommendations.
4. Participate with the County Attorney and Police Legal Bureau attorneys in continuing reviews of the NAO, applicable state statutes, County ordinances, and court cases to determine if the NAO is in compliance with all legislation and court decisions and if any changes can be proposed that will help to increase the effectiveness and efficiency of the program. Additionally law enforcement officers are continually consulted to determine how we can help them on individual cases and in their ongoing crime prevention efforts.

5. Participation in MDPD Compstat and other crime prevention and Community Oriented Policing (COPS) initiatives and meetings.
6. Development of web sites and brochures to help communicate the NAO program and tools available to citizens, County employees, and law enforcement officers.
7. Preparation and provision of NAB agendas and minutes and weekly, monthly, and annual reports to concerned parties so that the tools available can be appropriately communicated to all concerned parties and County leaders.
8. The NAU has and will continue to work in partnership with Miami-Dade County (MDC), MDPD, and IB partners on QOL community projects such as the February 2007 Habitat for Humanity project at NW 22 Avenue and 75 Street, the November 2006 basketball court and clean-up project at the Public Housing development in the Cutler Ridge area, the Calusa neighborhood wall-painting project in April 2007, and other community cleanups, in partnership with IB's Illegal Dumping Community Service unit. All of these functions emphasize improved QOL for citizens and encourage citizens to take pride and initiative regarding keeping their communities free of drugs, criminal activity, trash, and blighted structures that are in violation of the NAO, other County codes, and building standards.

New initiatives and ongoing efforts will emphasize greater proactive use of resources to identify and successfully convince the owners to abate nuisances at their properties. As always, the ongoing success of the nuisance abatement program demands that all cases are pursued with appropriate measures of due process and controls. Quality cases will continue to be more important than the quantity of cases, but NAU, MDPD, and County Attorney experiences and expertise will be utilized to increase productivity and the number and scope of cases to be considered by the NAU and the NAB.

4. Is there any other board, either public or private, which would better serve the function of this board?

No. Several jurisdictions in Florida and nationwide have created NABs to deal with public nuisance properties. The NAB and the NAU have worked in conjunction with personnel of the MDPD, Building and Zoning Department, Team Metro, the Florida Department of Health, the Florida Department of Business and Professional Regulation, and the Florida Division of Alcoholic Beverages and Tobacco to resolve complaints and deal with nuisance properties. In addition, other non-MDPD law enforcement officials have cooperated with MDPD Investigators and presented evidence to the NAB. MDPD and other law enforcement agencies may utilize the NAO to file complaints with the NAB to assist them with their enforcement and investigative actions regarding public nuisance properties. Other jurisdictions have requested assistance and advice from the NAU and other County officials in their efforts to set up their nuisance abatement programs.

5. Should the ordinance creating the board be amended to better enable the board to serve the purpose for which it was created?

Yes. The NAB, NAU, and the County Attorney's Office, as well as Police Legal Bureau Attorneys, have formulated proposed amendments that will reflect recent changes in County and Florida State Statutes, as well as court decisions in local, state, and federal courts. The

proposed Amendments include changes in definitions, types of nuisance activity, jurisdictions, penalties, membership requirements, quorum requirements, enforcement options, fines, and costs.

The proposed amendments were submitted to the Board of County Commissioners and approved by the Public Safety Committee. Several changes have been made to address Commissioner and County Manager concerns and are being finalized for submission in 2008. The proposed amendments are attached. (**Attachment #10**).

6. Should the board's membership requirements be modified?

Yes. Proposed amendments have been developed and reviewed by the NAB, NAU, and the County Attorney's Office. The proposed membership requirements will allow persons who reside in Miami-Dade County, rather than just unincorporated areas, to be members. Additionally, the retired law enforcement requirement has been adjusted to allow more flexibility for appointments, and the Board of County Commissioners may exercise residency waiver options, upon a two-thirds vote of the Board. Amendments include quorum requirements and appointed alternates that will assist with preventing the postponement of hearings due to loss of a quorum.

7. What is the operating cost of the board, both direct and indirect (Report on FY 2006/07 and FY 2007/08)?

The costs for fiscal year 2005 – 2006, including the operating costs of the NAU with vacancies, were estimated at \$250,571. The costs for fiscal year 2006 - 2007, including the operating costs of the NAU, are estimated at approximately \$153,890. The costs for fiscal year 2007 - 2008, including the operating costs of the NAU, assuming the vacancies are not filled, are projected at approximately \$184,798. This amount does not include MDPD investigative, administrative, and patrol costs of the nuisance properties. Additionally, it does not include all of the costs of the County Attorney's Office and other County entities that may be utilized. A detailed estimate of the costs is attached (**Attachment #11**).

8. Describe the board's performance measures developed to determine its own effectiveness in achieving its stated goals.

Although formal measurements have not been adopted by the NAB, the NAB, MDPD, and County Commissioners are kept apprised of the status of all cases that have come before the NAB through minutes and regular NAU status reports.

Performance measures are a continual challenge for MDPD and the NAU, especially as the NAB evaluates and measures its success on each individual case that is brought before it. As expected, when the NAO was enacted by the County Commission in 1992, in most cases the NAB has not had to take formal action by declaring a premises a public nuisance because owners are often encouraged by the NAB to take actions to abate the nuisance. Oftentimes owners also only take the initiative to implement recommendations made by MDPD, IB, NAU, and NAB, and sometimes the courts, when compelled or threatened with a declaration by the NAB that the owner's property is a public nuisance and/or subsequent threats to take action against the property are made by the NAB to ensure compliance.

The NAU, through an internally managed database that assists with tracking property cases and individual incidents at the premises, monitors individual properties. MDPD crime analysis tools are utilized by the NAU and district/investigative entities to review the properties regularly and take enforcement action necessary. Properties that are found to have significant criminal activity after appearing before the NAB, upon a NAB declaration that the property is a public nuisance, or upon being granted a deferral by the NAB and/or NAU, are tracked and brought before the NAB for a hearing upon meeting the requirements of the NAO.

Of approximately 220 properties where notifications by the NAU to the Owner have been made, most have no significant additional problems. However, other properties are repeat offenders and in at least three cases, such properties have been declared a public nuisance more than one time. Two of these properties are owned by elderly property owners, who have been to their detriment victimized by the drug-related activity on the property. As a result of these activities, the NAB repeatedly brought the property owners and their relatives before the NAB and the NAB has addressed the problems and lack of control by the owners and their relatives. As a direct result of the NAU, MDPD and the NAB's involvement, the criminal activity significantly diminished. With approximately 10 properties that have appeared before the NAB and/or the NAU, we have observed significant decreases in criminal activity; however there have been periodic activity problems. They are constantly reviewed to determine if the NAB should hear the case again. A small percentage of these properties have been sold, demolished through coordinated efforts with the Building Department Unsafe Structure Board, or the owners have taken significant actions to abate the nuisance. The NAU and IB continually coordinate and utilize all County resources, including the NAB, to find solutions to the ongoing problems and to stop them, often without the NAB's intervention.

The IB and NAU continually explore methods to determine if the crime statistics have decreased significantly as a direct or indirect result of NAB and NAU actions. However it has been a challenging effort and one that will require significant increases in resources, including additional computers and manpower to evaluate the ongoing statistics regarding criminal activity at each property and the surrounding community. Regular departmental, district, and central investigative entities' review of criminal statistics through the Compstat program identify areas for MDPD to concentrate their enforcement actions and identify problematic properties.

MDPD, IB, and the NAU utilize weekly, monthly, and annual reporting opportunities, such as annual Community Service Bureau reports (CALEA), annual NAB reports such as this one, departmental goals and vision reports, annual personnel and budget analysis, annual reports provided to the Mayor for presentation to the public, Bureau Commander "Active Strategy" reports, and executive and supervisory individual annual performance appraisals. Each of these evaluate the individual, entity, and departmental achievements in crime reduction goals and programs, including the NAU and Nuisance Abatement program as a tool in the department's continuing fight to reduce crime. These evaluations are shared with the NAB and governmental leaders, as needed, and utilized to coordinate departmental efforts and manpower in the most economical and efficient means possible.

III. ANTICIPATED FUTURE ACCOMPLISHMENTS/GOALS

1. The NAB and NAU will continue to proactively interact with MDPD personnel and intergovernmental agencies to continue to provide an effective tool for the County and MDPD to abate public nuisance properties and prevent criminal activity at these properties

that constitute a danger to the public health, safety, and welfare of the neighborhoods in which they exist.

2. The NAB and NAU will submit and request MDC leadership to review and adopt the proposed NAO amendments that will provide for continued improvements in effectiveness and efficiency in the abatement of public nuisances due to criminal activity.
3. The NAU, in conjunction with the NAB, will continue to increase the quantity/scope of NAU investigations and interactions with property owners. The NAU will continue to emphasize and expand the mission of the NAU and NAB by proactively interacting with the MDPD IB, Narcotics Bureau, District COPS officers, and other MDPD entities. During a recent period from March to April 2007, the NAU actively reviewed thirty (30) properties and documented forty (40) criminal incidents; met with the property owners and/or investigators regarding seven properties; assisted Narcotics Bureau investigators on March 15, 2007, with seven (7) search warrants during a search warrant blitz in Northside District involving twelve (12) locations; assisted Narcotics Bureau investigators with four (4) search warrants during the investigation of approximately thirty (30) marijuana hydroponics labs on March 28, 2007; and responded to a Commissioner request because of a homicide and other criminal activity at a restaurant/bar in the Cutler Ridge District.

An example of time-consuming work by the NAU involves the review of the increasing number of marijuana hydroponics laboratories being discovered by the Narcotics Bureau. During another one day investigation on November 14, 2007, approximately thirty (30) more hydroponic labs were uncovered. As it is difficult to demonstrate that these labs meet the requirements for application of the NAO as usually only one incident is demonstrated on the day when investigators uncover the lab, proposed amendments to the NAO will provide more flexible application of the ordinance to be able to demonstrate that the activity over a prolonged period of time provides an enormous danger to the public health, safety, and welfare and merits consideration under the NAO.

4. The NAU will continue to provide police and citizen training regarding the NAO, NAB, nuisance abatement, and other quality of life investigative resources. In June 2007, the IB and NAU hosted a "Quality of Life Investigations Forum" for more than 60 MDPD, County, and State partners in quality of life investigations.
5. The NAU will utilize improved investigative computerized database resources to emphasize crime analysis capabilities and provide timely responses to nuisance problems.
6. The NAB and NAU will continue to increase productivity and efficiency and assume additional responsibilities that will provide assistance with quality of life and nuisance abatement programs. While the NAU will work with all available resources, avenues will be explored to provide additional recommended personnel.
 - a. Newly reformatted MDPD databases are being reviewed to determine if daily crime analysis can be undertaken to more proactively identify and initiate action against nuisance properties.
 - b. Officers, including IB officers from the Criminal Code Enforcement Squads and other IB entities, district and investigative entities, and officials from other County

and state agencies are being requested to proactively identify nuisance properties and timely provide incident reports and concerns to the NAU.

- c. NAU computer and database resources, as well as documentation gathering and correspondence are being reviewed continually to find ways to speed up the process of notification letters and presentation of cases to the NAB without sacrificing quality that may subject NAB decisions to court challenges that we have generally successfully avoided.
7. The NAB and NAU will continue to utilize technological advances, computers, and communications equipment in the Commission Chambers to provide avenues for the public and property owners to gain more knowledge and better understanding of the NAB mission. The utilization of advancing technologies will enable more effective and efficient use of resources that will allow the NAB and NAU to deal with increasing caseloads, both in numbers and complexity.
8. The NAB will further assist MDC and the citizens by providing for increased efficiency of the NAB by assisting with filling of vacancies and eliminating absences and quorum difficulties.

IV. CONCLUSION/COMMENTS

NAB members, MDPD, MDC, and the NAU employees, current and past, in partnership with the Mayor, County Commissioners, County Manager, County Attorney, and Department Directors, have proudly served the citizens of MDC and look forward to the opportunity to continue to serve the MDC community in the abatement of public nuisance properties and the prevention of criminal activity. It is strongly recommended that the NAO, NAB, and NAU be continued and properly funded so that the available tools against ongoing nuisance challenges and criminal activity will be effectively and efficiently utilized for the benefit of the health, safety, and welfare of all citizens, visitors, employees, and law enforcement officers. The NAO has not only been an effective tool against the properties whose owners have not complied with the NAO over the years, but it has provided an opportunity for all County officials to encourage property and business owners to proactively take the necessary actions to prevent criminal activity that presents a detriment to the quality of life in and around the properties and in their neighborhoods, prior to necessary action needing to be taken by the NAB and the NAU. The cost savings, demonstrated in the reduction of necessary police actions, calls for service, and other MDC resources, has been evident, but may be immeasurable.

Attachments (1-11) are listed below:

1. NAB 2008 Meeting Schedules and NAB Contact Information
2. NAB Membership Attendance Records
3. Nuisance Abatement Ordinance (NAO) – Original/Current
4. NAB Conduct of Hearings
5. Chairperson Opening Statement
6. MDPD NAU Complaint Affidavit
7. NAB Minutes January 17, 2008, meeting, including review of the Annual Sunset Report.
8. NAU Web Page Design copy
9. Cases Highlighted from 1992 – 2007
10. Nuisance Abatement Ordinance Proposed Amendments
11. NAU Estimated Costs Summary



Miami-Dade County
Nuisance Abatement Board (NAB)
 Sunset Review Questionnaire



Attachment #1

NAB 2008 Meeting Schedule

Primary Date for Month

Alternate Date for Month

January 17, 2008	3 rd Thursday	January 31	5 th (Last) Thursday
February 28	4 th (Last) Thursday	March 5	1 st Wednesday
March 27	4 th (Last) Thursday	April 3	1 st Thursday
April 17	3 rd Thursday	April 23	4 th Wednesday
May 1	1 st Thursday	May 7	1 st Wednesday
May 29 (for June)	5 th (Last) Thursday	June 4	1 st Wednesday
July 10	2 nd Thursday	July 24	4 th Thursday
August 26	4 th Tuesday	None	
September 11	2 nd Thursday	September 25	4 th (Last) Thursday
October 16	3 rd Thursday	October 22	4 th Wednesday
November 13	2 nd Thursday	November 19	3 rd Wednesday
December 11	2 nd Thursday	December 17	3 rd Wednesday

The alternate meeting dates for each month will be utilized in the event of quorum difficulties on the primary meeting dates, NAB Member preferences for alternate meeting dates, or in the event of a large amount of meeting business that may require an additional meeting.

Mailing and Contact Information

Nuisance Abatement Board (NAB)
Miami-Dade Police Department
Intergovernmental Bureau
Nuisance Abatement Unit (NAU)

Jack DiCarlo, Administrative Officer 3

7617 S. W. 117 Avenue
Miami, Florida 33183

Telephone: 305-596-3850 Ext. 280

Fax: 305-273-8495

E-Mail: jdicarlo@mdpdp.com

Terrence A. Smith
 Assistant County Attorney

MIAMI - DADE COUNTY Nuisance Abatement Board Membership Membership Attendance & Availability Record January 2007 - December 2007	NAB 2007 MEMBERSHIP ATTENDANCE & AVAILABILITY										Attachment #2 Page #2
	Meeting Dates	Actual Attendance at Meetings held	05/09/07 05/09/07 06:00 p.m. 7:15 p.m.	09/19/07 09/19/07 6:00 p.m. 8:00 p.m.	10/11/07 10/11/07 6:05 p.m. 7:45 p.m.	11/15/07 11/15/07 6:00 p.m. 7:50 p.m.	12/13/07 12/13/07 6:15 p.m. Postponed Quorum to 1/2008	Number of meetings that they attended of those held	Total Number of Meetings Held	% of Attendance at Meetings Held	
01/18/07 thru 12/13/07 NAB Members Start Time End Time	03/01/07 6:45 p.m. 8:30 p.m.	05/09/07 06:00 p.m. 7:15 p.m.	09/19/07 6:00 p.m. 8:00 p.m.	10/11/07 6:05 p.m. 7:45 p.m.	11/15/07 6:00 p.m. 7:50 p.m.	12/13/07 6:15 p.m. Postponed Quorum to 1/2008	0	0			
NAB Members											
Aldacoeca, Julio	N/A - Resigned 01/31/07	N/A	N/A	N/A	N/A	N/A	0	0		#DIV/0!	
Figuerola, Carlos	Present	Present	Absent - 6	Absent - 1 - L	Present	Present	6	8	8	75.00%	
Giles, Regina M.	Present	Absent - 2	Absent - 2	Present	Present	Absent - 4	4	8	8	50.00%	
Joffe, Roxanne	Absent - 2	Present	Present	Present	Present	Absent - 1	5	8	8	62.50%	
Lawton, Harold	Present	Present	Present	Present	Present	Present	8	8	8	100.00%	
Mora, Pedro	Absent - 2	Absent - 5	Absent - N	Present	Present	Present	4	8	8	50.00%	
Sammis, Gregory	Present	Present	Present	Present	Present	Present	7	8	8	100.00%	
Sessler, Steve	Present	Present	Present	Absent - 2	Present	Present	8	8	8	100.00%	
Starks, Reverend Willie	Absent - 6	Present	Absent - N	Present	Present	Absent-5,2	3	8	8	37.50%	
Stelzer, Lance	Absent - 1,2	Absent - 1,2	Present	Absent - 4,L	Present	Absent-1	1	8	8	12.50%	
Vasquez, Jennifer	*	Absent - 4	*	*	*	Absent-5,4	2	6	6	33.33%	
Pending Appointment/Diaz	*	*	*	*	*	*	*	*	*	*	
Pending Appointment/Sosa	*	*	*	*	*	*	*	*	*	*	
Pending Appointment/Souto	N/A	N/A	N/A	N/A	N/A	N/A					
Total Members Present/Able	5	6	7	7	6	5	48	78	78	61.54%	
Total Members Appointed	9	10	10	10	10	10	78	78	78		
Percentage of Attendance	55.56%	60.00%	70.00%	70.00%	60.00%	50.00%	61.54%	61.54%	61.54%		
Attendance Availability at Meetings Postponed											
01/18/07 thru 12/13/07 NAB Members Start Time End Time	04/12/07 Postponed Quorum	07/19/07 Postponed 1:00 p.m. Quorum	08/16/07 Postponed 2:30 p.m. Quorum	09/05/07 Postponed to 9/19 Quorum	11/01/07 Postponed 11/1 Quorum/Limited Agend to 11/15/07	12/05/07 Postponed Quorum to 12/13/07	# Available For Meetings Scheduled and Postponed	Possible Total Number of Meetings Scheduled And Postponed	% of NAB Individual Availability		
Aldacoeca, Julio	Unable - 1	N/A	N/A	N/A	N/A	N/A	0	1	0.00%		
Figuerola, Carlos	Able	Unable - 2	Unable - 6 - L	Unable - N/R	Unknown	Unable-4	7	15	46.67%		
Giles, Regina M.	Unable - 4	Unable - 6	Unable - 4 - L	Unable-6	Unable-2	Able	5	15	33.33%		
Joffe, Roxanne	Unable - 4	Able	Unable - 2	Able	Unable-1	Unable-1	7	15	46.67%		
Lawton, Harold	Unable - 4	Able	Able	Unable - 4	Able	Able	13	15	86.67%		
Mora, Pedro	Able	Able	Unable - 6 - L	Able	Able	Able	9	15	60.00%		
Sammis, Gregory	Able	Unable - 2,L	Able	Unable - 2	Unable-2	Able	12	15	80.00%		
Sessler, Steve	Able	Able	Able	Able	Able	Able	14	15	93.33%		
Starks, Reverend Willie	Unable - 4	Unable - 2 - L	Unable - 2	Unable - 2	Unable	Unable-6	3	15	20.00%		
Stelzer, Lance	Unable - 1,2	Able	Able	Unable - 6	Able	Unable-5,1	4	15	26.67%		
Vasquez, Jennifer	N/A-Appointed 9/2006 by Gimenez b	Able	Unable - 2 - L	Able	Unable-2	Unable-4	4	12	33.33%		
Pending Appointment/Diaz	*	*	*	*	*	*	*	*	*		
Pending Appointment/Sosa	*	*	*	*	*	*	*	*	*		
Pending Appointment/Souto	Antunez, Jr., Emiliano NA - Resigned	N/A	N/A	N/A	N/A	N/A					
Total Members Present/Able	5	5	4	4	4	5	78	148	52.70%		
Total Members Appointed	10	10	10	10	10	10	78	78			
Percentage of Planned Attendance	50.00%	50.00%	40.00%	40.00%	40.00%	50.00%	61.54%	61.54%	61.54%		
Notified Absence Reasons											
1 - Absence Due to Illness											
2 - Absence Due to Out of Town Business											
3 - Absence Due to Automobile Problems											
4 - Absence Due to Work or Business Emergencies											
5 - Absent Without Prior Notice, Previously Confirmed Attendance											
6 - Absent Due to Family Responsibilities/Emergencies/Death in Family											
7 - Absent Due to Automatic Board Disqualification by Board of County Commission Action - Reinstated Per Ruling of County Attorney, but unable to attend because of Last Minute Notification											
8 - Absent Due to Status Research by Assistant County Attorney - Due to Change of Address											
9 - Absent Due to Unknown Reason											
N - No notice provided											
L - Last Minute notice provided											

28

Nuisance Abatement Board Commissioner Appointments Roster and 1997 - 2007 Attendance Report

Current NAB Members (As of 12/31/07)	Appointing Commissioner	Date Recently Appointed	Original Appointment Date	Service/Term End Date	Past NAB Members	Appointing Commissioner	Date Recently Appointed	Original Appointment Date	Service/Term End Date
Figueroa, Carlos	Natacha Seijas	11/30/04	06/18/02	11/30/08	Aldoceea, Julio	Rebecca Sosa	12/01/03	07/23/02	01/31/07
Giles, Regina M.	Dennis C. Moss	07/07/05	02/01/94	11/30/08	Antunez, Jr., Emiliano	Javier D. Souto	03/16/04	03/16/04	11/14/06
Joffe, Roxanne	Joe A. Martinez	11/30/04	11/18/93	11/30/08	Balido, Albert	Natacha Seijas	01/14/97	01/14/97	10/01/96
Lawton, Harold	Barbara A. Jordan	01/19/05	10/21/97	11/30/08	Bellido, Nelson	Jimmy Morales	06/17/03	06/17/03	06/17/03
Mora, Pedro	Bruno Barreiro	04/19/05	02/20/00	11/30/08	Crespo, Henry	Carlos Gimenez	05/11/04	06/29/05	04/30/98
Sammis, Gregory	Audrey M. Edmonso	06/09/06	01/21/93	11/30/08	Gonzalez-Amor, Manuel	Pedro Reboredo	03/18/97	03/18/97	01/23/03
Sessler, Steve	Sally Heyman	03/16/07	03/30/04	11/30/10	Grigsby, Andy	Javier D. Souto	08/31/02	02/01/94	01/23/03
Starks, Reverend Willie	Dorri D. Rolle	04/30/03	02/27/03	10/31/06	Hernandez, Elizabeth	Sherman Winn	*	11/03/93	10/04
Stelzer, Lance	Katy Sorenson	11/30/06	01/21/93	11/30/10	Ilhardt, Ronald	Natacha Seijas	*	05/15/98	04/30/99
Vasquez, Jennifer	Carlos Gimenez	09/12/06	09/12/06	11/30/08	Jones, Donald	Gwen Margolis	04/21/98	04/29/93	10/01/96
Pending Appointment	Jose Diaz	Pending Since 10/01/97	*	*	LaCasa, Edward	Mayor Clark/Betty T. Ferguson	*	02/29/96	10/15/96
Pending Appointment	Rebecca Sosa	12/07/03	07/23/02	01/31/07	Malooof, Albert	Maurice Ferré	*	01/21/93	12/93
Pending Appointment	Javier D. Souto	03/16/04	03/16/04	11/14/06	Nunez, Ricardo	Harvey Ruvin	02/04/97	01/21/93	08/01/00
					O'Neil, Sandy	Bruce Kaplan	07/25/95	01/21/93	12/12/97
					Reyes, Nelson	Sally Heyman	05/08/03	05/08/03	11/03/03
					Ruiz, Jose	Jimmy Morales/Reboredo	06/05/01	05/19/98	03/21/02
					Williams, John	Dorri D. Rolle	11/05/98	08/01/94	01/23/03

Total Potential Attendance for Meetings Held/Scheduled for Current and Past Years

Total Present/Able	Total Possible Number of Members Held/Scheduled	Attendance at Meetings Held/Scheduled	Percentage
78	148	148	52.70%
67	115	115	58.26%
70	115	115	60.87%
80	123	123	65.04%
70	104	104	67.31%
60	101	101	59.41%
51	91	91	56.04%
65	96	96	67.71%
67	93	93	72.04%
67	96	96	69.79%
65	88	88	73.86%
740.00	1170.00	1170.00	63.25%

2007 Total Percentage of Participation (Based on 8 meetings held (With 1 Postponed at the meeting due to quorum), 6-Postponements Due to Quorum, 1 Postponement due to Quorum and a Limited Agenda)

2006 Total Percentage of Participation (Based on 7 Meetings Held (with one postponed at the meeting due to quorum), 1 Postponement Due to Quorum, 1-Postponed Due to Attorney Request, 2-Postponed due to Attorney Request, 2-Postponed due to Quorum & Attorney Request, 2-Postponed due to Property Owner's Request)

2005 Total Percentage of Participation (Based on 7 Meetings Held- 2 Postponement Due to Quorum, 3-Postponed Due to Minimal Business, 1- Due to Hurricane Wilma, 1- Due to Property Owner's Request)

2004 Total Percentage of Participation (Based on 7 Meetings Held- 3 Postponement Due to Quorum, 2-Postponed Due to Minimal Business)

2003 Total Percentage of Participation (Based on 8 Meetings Held - 2 Postponement Due to Quorum, 2-Postponed Due to Minimal Business)

2002 Total Percentage of Participation (Based on 7 Meetings Held - 4 Postponement Due to Quorum, 2-Postponed Due to Minimal Business)

2001 Total Percentage of Participation (Based on 8 Meetings Held - 1 Postponement Due to Quorum, 2-Postponed Due to Minimal Business, 1-Postponed due to the September 11 tragedies)

2000 Total Percentage of Participation (Based on 10 Meetings Held - 1 Postponement Due to Minimal Business, 1 - Postponement Due to Quorum)

1999 Total Percentage of Participation (Based on 10 Meetings Held - 1 Postponement Due to Minimal Business)

1998 Total Percentage of Participation (Based on 10 Meetings Held - 1 Postponement Due to Quorum)

1997 Total Percentage of Participation (Based on 9 Meetings Scheduled - 5 Postponed Due to Quorum)

**Code of Miami-Dade County
ARTICLE XIII.A. NUISANCE ABATEMENT***

Sec. 2-98.4. Legislative findings and intent.

This article [Ordinance No. 92-42] is enacted pursuant to the provisions of the Miami-Dade County Home Rule Charter and Florida Statute, Section 893.138, as it may be renumbered or amended from time to time, and shall be known and may be cited as the "Miami-Dade County Public **Nuisance Abatement** Ordinance."

The Board of County Commissioners of Miami-Dade County, hereby finds and declares that any places or premises which are used as the site of the unlawful sale or delivery of controlled substances, prostitution, youth and street gang activity, gambling, illegal sale or consumption of alcoholic beverages, or lewd or lascivious behavior, may be a public **nuisance** that adversely affects the public health, safety, morals, and welfare. This Board also finds that abating the public **nuisance** which results from said criminal activity is necessary to improve the quality of life of the residents of Miami-Dade County and that said **abatement** will safeguard the public health, safety, and welfare.

This article is hereby declared to be remedial and essential to the public interest and it is intended that this article be liberally construed to effect the purposes as stated above. The provisions of this article and the standards set forth herein shall be applicable only to the unincorporated areas of Miami-Dade County, Florida.

The provisions of this article shall be cumulative and supplemental to and not in derogation of any provision of the Florida Statutes, the Code of Miami-Dade County, or any other applicable law.

Sec. 2-98.5. Definitions.

For the purpose of this article the following definitions shall apply:

Public nuisance: Any place or premise which has been used on more than two (2) occasions within a twelve-month period:

- (1) As the site of the unlawful sale or delivery of controlled substances, or
- (2) By a youth and street gang for the purpose of conducting a pattern of youth and street gang activity, or
- (3) For prostitution, or solicitation of prostitution, or
- (4) For illegal gambling, or
- (5) For the illegal sale or consumption of alcoholic beverages, or

- (6) For lewd or lascivious behavior, or

- (7) Any premise or place declared to be a nuisance by Florida Statute, Section 823.05 or Section 823.10 as they may be renumbered or amended from time to time.

Sec. 2-98.6. Operating procedure.

Any employee, officer or resident of Miami-Dade County may file a complaint and request for prosecution with the Miami-Dade County Public **Nuisance Abatement** Board regarding the existence of a public **nuisance** located within Miami-Dade County. Said complaint shall be filed with the Director of the Miami-Dade Police Department, or his designee. Upon the filing of more than two (2) complaints on any particular place or premises, the Director or his designee shall mail written notice of such complaints by certified mail with return receipt to the owner of the place or premises complained of at the owner's address as shown in the Miami-

Dade County property tax collector's file. Said notice shall provide for the owner of the place or premises to contact the Director or his designee within fourteen (14) days of receipt of the notice. This time period shall be allowed for the purpose of allowing the owner to take such good faith measures as are appropriate to abate the **nuisance**. The Director or his designee may extend the fourteen (14) days to allow the owner to institute or continue actions to abate the **nuisance** provided the actions are reasonable. In the event the owner fails to respond to Notice of Complaint or fails to take reasonable action to abate the **nuisance**, the Director or his designee shall schedule a hearing on the complaint before the Miami-Dade County Public **Nuisance Abatement** Board, and written notice of said hearing shall be by certified mail with return receipt to the owner of the premises and the complainant at least ten (10) days prior to the scheduled hearing.

The aforesaid notice of hearing shall include:

- (a) A statement of the time, place and nature of the hearing;
- (b) A statement of the legal authority and jurisdiction under which the hearing is to be held;
- (c) A reference to the particular sections of the statutes and ordinances involved;
- (d) A short and plain statement summarizing the incidents complained of.

Sec. 2-98.7. Public Nuisance Abatement Board.

The Miami-Dade County Public **Nuisance Abatement** Board is hereby created and established. The Board shall consist of nine (9) members with one member appointed by each County Commissioner.

(a) *Qualification of members.* The composition and representative membership of the Board shall be as follows:

- (1) All members shall reside in the unincorporated areas of Miami-Dade County.
- (2) One (1) member shall be a law enforcement officer as defined in Florida Statutes, Section 943.10 who is retired or inactive and who is not employed by Miami-Dade County.
- (3) One (1) member shall be an attorney practicing law in Miami-Dade County and a members in good standing of the Florida Bar.
- (4) Eleven (11) members of the general public, who possess outstanding reputations for civic pride, integrity, responsibility and business or professional ability, with interest or experience in abating public nuisances.

(b) *Terms of office.* The initial appointments to the Board shall be as follows: Seven (7) members shall be appointed for the term of one year, six (6) members shall be appointed for the term of two (2) years. Thereafter all appointments shall be made for the term of two (2) years. No members shall serve more than three (3) consecutive terms or seven (7) years. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term of office. A member may be removed with or without cause by the affirmative vote of not less than a majority of the entire County Commission. Should any member of the Board fail to attend three (3) consecutive meetings without due cause, the chairperson shall certify the same to the County Commission. Upon such certification, the member shall be deemed to have been removed and the County Commission shall fill the vacancy by appointment.

(c) *Organization of the Board.* The members of the Board shall elect a chairperson and such other officers as may be deemed necessary or desirable, who shall serve at the will of the Board. Members shall serve without compensation, but shall be entitled to be reimbursed for necessary expenses incurred in the performance of their official duties, upon approval by the County Commission.

(d) *Meetings of the Board.* Meetings of the Board shall be held monthly, or more frequently if necessary, to hear and dispose of the pending complaints. Notice of the time and place of meetings shall be given to all complainants and owners of premises scheduled to be heard. Notice shall be given in writing at least ten (10) days prior to the hearing. Any aggrieved person may request a continuance of the hearing. The Board may grant a continuance of any hearing for good cause. The chairperson may call an emergency meeting of the Board, and meetings may also be called by written notice signed by three (3) members of the Board. The meetings of the Board shall be recorded and be transcribed at the expense of the party requesting the transcript. All meetings shall be in compliance with Florida's "Government in Sunshine Law" and Chapter 286.011, Florida Statute. No less than seven (7) members shall constitute a quorum. No less than six (6)

members voting affirmatively shall be required to declare any place or premises a public nuisance under this provision. The County Manager shall provide adequate and competent clerical and administrative personnel, and such technical or scientific personnel as may be reasonably required by the Board for the proper performance of its duties. The County Manager shall provide a regular meeting place for the Board. All records shall be public records as defined by Chapter 119.011, Florida Statutes.

(e) *Conduct of hearings*

(1) The Director of the Miami-Dade Police Department or his designee shall present cases before the Board. All parties shall have an opportunity to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, and to be represented by counsel. When appropriate, the general public may be given an opportunity to present oral or written communications. If the Board proposes to consider such material, then all parties shall be given an opportunity to cross-examine or challenge or rebut it. The Board may consider any evidence, including evidence of the general reputation of the place or premises. All testimony shall be under oath and shall be recorded. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Orders of the Board shall be based on competent and substantial evidence and must be based on a preponderance of the evidence.

(2) After considering all evidence, the Board may declare the place or premises to be a public nuisance as defined in this chapter and may enter an order prohibiting.

(i) The maintaining of the nuisance;

(ii) The operating or maintaining of the place or premises; or

(iii) The conduct, operation, or maintenance of any business or activity on the premises which is conducive to such nuisance.

(3) An order entered under subsection (2) shall expire after one year or at such earlier time as stated in the order. The Board may retain jurisdiction to modify its orders prior to the expiration of said orders.

(4) The Board may bring a complaint under Section 60.05 of the Florida Statutes, seeking a permanent injunction against any public nuisance.

Sec. 2-98.8. Costs.

In the event that the Board declares a place or premises to be a nuisance and issues an order pursuant to Section 2-98.7(e)(2) above, the Board shall assess against the owner of the place or premises the costs which the County has incurred in the preparation, investigation, and presentation of the case. These costs shall be due and payable ten (10) days after the written order of the Board has been filed. A certified copy of an order imposing costs may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists or, if the violator does not own the land, upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the sheriffs of this state including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After one year from the filing of any such lien which remains unpaid, Miami-Dade County may foreclose or otherwise execute on the lien. Interest shall accrue on the unpaid costs at the legal rate of interest set forth in Section 55.03, Florida Statute as that may be amended from time to time.

Sec. 2-98.9. Appeals.

An aggrieved party may appeal a final order of the Miami-Dade County Public *Nuisance Abatement* Board to the Circuit Court of the Eleventh Judicial Circuit, Appeals Division. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Board. An appeal shall be filed within thirty (30) days of the date of the written order appealed from.

Sec. 2-98.10. Rights preserved.

This article does not restrict the right of any person to proceed under Section 60.05 of the Florida Statutes, against any Public Nuisance.

Miami-Dade County
Nuisance Abatement Board

Conduct of Hearings

Chairperson's Opening Statement

- I. Identify case, property, property/business owner(s), nuisance category.
- II. Stipulation between parties
- III. Presentation of case by coordinator (DiCarlo)
 - A. Opening informational statement
 - B. Initial Notification
 - C. Communications with property/business owner(s)
 - D. Hearing Notification information
 - E. Outline of incidents to be presented
- IV. Presentation of documents and statements through witness testimony or evidence.
 - A. Witness direct examination
 - B. Cross examination by property/business owner(s) or legal representative
 - C. Questions by Board to witness
- V. Sworn statements by complainants who wish to be heard, to be followed by questions from coordinator, property/business owner(s) and Board.
- VI. Sworn statements by impacted community citizens, to be followed by questions from coordinator, property/business owner(s), and Board.
- VII. Property/business owners' presentation of their defense to be followed by questions of witnesses by coordinator and Board.
- VIII. Closing statements by coordinator and property/business owner(s).
- IX. Public discussion by the Board of the case.
- X. Board Motions
- XI. Board vote on motions
- XII. Announcement of disposition and any necessary board orders.
- XIII. Board Hearing on the Matter of Costs

NUISANCE ABATEMENT HEARING
Chairperson Opening Statement

The County Commission enacted the Nuisance Abatement Ordinance, #92-42, on June 1, 1992. The Ordinance was enacted to give citizens, employees, and officers of Dade County a means for finding relief from various nuisance problems in their neighborhoods. A place or premises could be considered a public nuisance when it is the site of three or more of the following types of complaints or offenses:

1. The Sale or Delivery of Controlled Substances
2. Youth or Street Gang Activity
3. Prostitution
4. Lewd or Lascivious Activity
5. Gambling
6. Illegal Sale or Consumption of Alcoholic Beverages
7. Activity as defined by Florida Statutes 823.05 or 823.10

The Miami-Dade Police Department has been charged with the responsibility of identifying the properties with three or more complaints of the above types of activity and investigating the public nuisance.

The Miami-Dade Police Department has established the Nuisance Abatement Unit to coordinate the investigations of these properties, and to notify the property owners of the complaints against their properties and the responsibilities that the property owners have to abate the nuisance. The Department has asked that all complaints against the properties be filed by police report so that they can be documented and thoroughly investigated. The Nuisance Abatement Unit will notify the property/business owners of the complaints after three or more are documented and allow them 14 days to effectively abate the nuisance. The owner must take immediate responsibility to abate the nuisance activity.

The Nuisance Abatement Unit will present the matter to the Board in a public hearing, if any of the following occur:

1. The property/business owner fails to contact the Nuisance Abatement Unit within 14 days of receipt of the initial notification letter.
2. The nuisance is not abated as noted by the receipt of further complaints or nuisance related incident information within or after the 14 days notification period.
3. The property/business owner fails to take reasonable action to abate the nuisance activity within the 14-day notification period.

The Nuisance Abatement Unit and the Miami-Dade Police Department will present the case to the Board. This is an administrative hearing and any evidence including that of the general reputation of the property may be heard by the Board. Formal rules of evidence will not apply, but fundamental due process will be observed and will govern the proceedings. Orders of the Board shall be based on competent and substantial evidence and must be based on a preponderance of the evidence.

The property/business owners have the opportunity to be represented by counsel and to question all witnesses, review any evidence presented, and to present witnesses and evidence

on their behalf. After both sides conclude their cases, the Board will be required to decide if the place or premise does or does not constitute a public nuisance. If the place is considered a nuisance, then the Board must decide what action to take to abate the nuisance. The Board could order that the place or premises be closed and all activities cease on the premises, or they could order that a specific activity that is conducive to the nuisance be halted or steps be taken by the property/business owner to prevent the recurrence of the nuisance. If the Board finds that the property is a public nuisance, then they would order that property/business owner pay for the costs of the investigation within 10 days. If the Board's orders are not followed, a lien would be placed against the property or other assets of the owner and the County could foreclose against the lien.

The Board will be counseled on all matters by the Assistant County Attorney. All matters presented here will be public and will be recorded. If the affected parties decide to appeal any decision of the Board, they must insure that a verbatim transcript be provided and the appeal must be made to the Circuit Court of the Eleventh Judicial Circuit.

All witnesses will be sworn-in, and the Nuisance Abatement Unit will present the witnesses and begin the presentation of the evidence. The property owner will then question the witnesses and this could be followed by questions from the Board. The property owner will then be allowed to present evidence and witnesses in his behalf. These witnesses will be questioned by Mr. DiCarlo and the Board if necessary.

If there are any members of the community in the audience who wish to be heard because they have a direct interest in this matter and they have not been called as witnesses, they must register with Mr. DiCarlo and be allowed a few minutes to make a statement followed by questions by each side of the Board.

Each side will then be allowed a few minutes to summarize their positions and the Board will deliberate among themselves without any interruptions from the participants.

After a decision is made and if the Board has found that the place is a public nuisance, then the matter of costs will be considered and decided by the Board.

The Board will listen to one person at a time and will not accept any interruptions from a person who is not recognized to speak. If either side has an objection to any question or evidence, it will be allowed to be raised and the reasons heard. The Board Chairperson or Vice Chairperson will consider the objection, consult with the County Attorney if necessary, and rule on the objection.

We are here to help the County, community, citizens, and property owners find solutions to these nuisances, and the Board will have to make the final decision that will ultimately help in the abatement of the nuisance in question.

Are there any questions about these proceedings?

Are there any stipulations between the property owner and the Miami-Dade Police Department?

Let us begin. Mr. DiCarlo please present the Miami-Dade Police Department Case.

**MIAMI - DADE COUNTY
NUISANCE ABATEMENT BOARD**

Attachment #6

COMPLAINANT'S AFFIDAVIT OF NUISANCE COMPLAINT/INCIDENT

STATE OF FLORIDA
COUNTY OF MIAMI - DADE

Before me, the undersigned authority, personally appeared _____ of _____,

("Affiant's" Full Name)

(Address)

_____, (optional), who being first duly sworn, deposed and
(Phone Number)

stated that Affiant witnessed activity believed to be in violation of Miami-Dade County
Nuisance Abatement Ordinance #92-42 (Sections 2-98.4 through 2-98.10 of the Miami-
Dade County Code), at _____,

(Address of Place or Premises)

(Business and/or Owner's Name)

in the Unincorporated Area of Miami-Dade County, Florida on _____ at
_____. At _____ (Date)

(Time)

that time and place, Affiant witnessed the following conduct/incident:

(Please continue on a blank paper and attach if necessary. An Incident Log may be used and attached also).

The Affiant ___ has ___ has not reported the incident to Miami-Dade Police Department
_____, _____, Police Report # _____, (if applicable and
available.)

(Date) (Time)

The Affiant ___ would ___ would not be willing to testify to the above incident before the
Miami-Dade County Nuisance Abatement Board. The affiant understands that this
affidavit becomes a part of the file, regarding the above premises, of the Miami-Dade
Police Department Nuisance Abatement Unit, and the Nuisance Abatement Board, and
may constitute a public record.

FURTHER AFFIANT SAYETH NAUGHT

(Affiant's Signature)

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____, who is [not personally known to me therefore I
(Affiant's Name)
relied upon the following form of identification: _____], or [to me known to be the person named above] and who executed the foregoing affidavit (and attachments _____**) and [acknowledged before me, under oath, that he executed the same and that the matters set forth therein are true] or [did not take an oath].

DATED this _____ day of _____, 20____.

MY COMMISSION EXPIRES:

**NOTARY PUBLIC,
STATE OF FLORIDA**

PRINTED NOTARY SIGNATURE

Notary Stamp.

Instructions to Notary Public: Cross out inapplicable language and fill in type of identification, if appropriate. The Affidavit should be dated by the Notary Public.

Instructions to Affiant: Please complete the affidavit by printing in black ink and sign in front of a Notary Public. Incident logs, outlining more than one incident, may be utilized and attached. Please sign the attachments in front of the Notary Public also. The count of the pages attached to this affidavit should be inserted into the section marked, "and attachments _____**," above.

This affidavit should be sent to:

Miami-Dade Police Department
Intergovernmental Bureau
Nuisance Abatement Unit
7617 SW 117 Avenue
Miami, Florida 33183

Any questions concerning this affidavit or the Nuisance Abatement Program may be directed to Mr. Jack DiCarlo, Administrative Officer 3, Nuisance Abatement Unit, at telephone number (305) 596-3850, Extension #280.



Miami-Dade County Nuisance Abatement Board (NAB)



Minutes

Attachment # 7.

Board Members

Carlos Figueroa
 Regina M. Giles
 Roxanne Joffe
 Harold Lawton
 Pedro Mora
 Gregg Samms, Chairperson
 Steve Sessler
 Reverend Willie Starks
 Lance Stelzer, Vice-Chairperson
 Jennifer Vasquez
 Vacancy
 Vacancy (Julio Aldecocea resigned 1/31/07)
 Vacancy (Emiliano Antunez, Jr. resigned 11/14/06)

Appointing Commissioners

Natacha Seijas
 Dennis C. Moss
 Joe A. Martinez
 Barbara A. Jordan
 Bruno A. Barreiro
 Audrey M. Edmonson
 Sally A. Heyman
 Dorrin D. Rolle
 Katy Sorenson
 Carlos A. Gimenez
 Jose "Pepe" Diaz
 Rebeca Sosa
 Javier D. Souto

Date of Meeting: January 17, 2008 (Thursday)

Meeting Place: Commission Chambers on the 2nd floor of the Miami-Dade Stephen P. Clark Government Center, 111 NW 1 Street.

Meeting Times: The meeting, scheduled for 5:30 p.m., convened at 5:55 p.m. and was adjourned at 7:05 p.m.

1a. Attendance (at January 17, 2008, meeting)

Members Present: Regina Giles, Harold Lawton, Pedro Mora, Gregory Samms, Steve Sessler, and Jennifer Vasquez.

Members Absent: Carlos Figueroa (Advised on January 17, 2008, that he had a family commitment); Roxanne Joffe (Advised that she had not received the notification and had a business meeting already scheduled); Lance Stelzer (Advised that he was ill, but would attend if needed to insure a quorum), Reverend Willie Starks (Advised that he had a business meeting).

Assistant County Attorney Terrence Smith attended and advised the NAB in all matters.

Ib. Attendance (at December 13, 2008, meeting)

The meeting was postponed at 6:15 p.m. due to lack of a quorum.

Members Present: Regina Giles, Harold Lawton, Pedro Mora, Gregory Samms, Steve Sessler, and Jennifer Vasquez.

Members Absent: Carlos Figueroa (Advised on January 17, 2008, that he had a family commitment); Roxanne Joffe (Advised that she had not received the notification and had a business meeting already scheduled); Lance Stelzer (Advised that he was ill, but would attend if needed to insure a quorum), Reverend Willie Starks (Advised that he had a business meeting).

Assistant County Attorney Terrence Smith attended and advised the NAB in all matters.

II. Minutes

The Minutes of the November 15, 2007, meeting, were reviewed and approved. The meeting scheduled for December 13, 2007, was postponed at 6:15 p.m. on December 13, 2007, due to lack of a quorum.

III. Hearings/Status Reports/Costs

A. RE: 3240 NW 82 Street: A single family residence.
(Status report on NAB's October 11, 2007, Closure Order – Request for review and modification of NAB Order; owner's lack of response, compliance – the owner was found in a nursing home, the owner's son responded to the notification on October 10, 2007, and appeared before the NAB on October 11, 2007; the owner had not responded since the NAB declared the Premises a Public Nuisance (PN) in the absence of the owner on February 1, 2007)

Property Owner: Ms. Elizabeth Fallon
Frank Fallon, Son of Owner

Mr. Frank Fallon appeared before the NAB. The NAB was advised that Ms. Elizabeth Fallon passed away in December. The NAB was advised that the house is still closed and secured and was done at Mr. Fallon's request in November 2007, due to his inability to control and confront the drug dealers that had taken over the house without his or his mother's permission. The NAB and Mr. DiCarlo advised Mr. Fallon that a status report and cost hearing will be held at a future NAB meeting in late January or February. The NAB expressed its

condolences and asked Mr. Fallon to continue to work with MDPD and Mr. DiCarlo and postponed the formal cost hearing.

- B.** RE: 1918 NW 82 Street, A single family rental house
(Status report on NAB deferral of November 15, and October 11, 2007;
The NAB hearing was deferred on July 19, 2007; Narcotics activity as
reported by the Miami-Dade Police Department (MDPD) Narcotics Bureau
(NB) in March 2007; Mr. Harrison responded, but is waiting for court's
eviction)
Property Owner: Mr. Vincent Harrison

The NAB was advised that Mr. Harrison is making progress, but is still trying to obtain the final court order to have the tenants evicted. The NAB agreed that the matter should be deferred until the next meeting or pending any additional incidents.

- C.** RE: 3615 NW South River Drive, El Centro Espanol
(Status Report and NAB hearing regarding costs and potential new
owner's abatement plans; Premises Declared a PN on April 6, 2006;)
Property Owners: Mr. Jean Pierre Besancon
Ms. Maria D. Besancon
Business Owner: Miami River Club, Inc.
/Manager Valencia Night Club, Inc.
Rio Corporation
Mr. Abdon Grau, President
Mr. Raul Aguilar, Manager

Assistant County Attorney Terrence Smith and Mr. DiCarlo advised the NAB that the property owners and the County reached a stipulated agreement regarding the costs and requested that the NAB review and approve the agreement. The NAB, after discussion, approved the stipulated agreement requiring that the owners pay costs of \$32,837.65 within 90 days. The NAB was further advised that the owners are attempting to complete the sale of the premises to a party that has no ties to the current owners or managers of the premises and the club, but intends to open another strip club. Additionally, the NAB and the owners' attorneys were advised that Miami-Dade Police Department recommends that the new owners try to find alternative uses for the premises instead of an adult entertainment strip club, as crime in the area has been drastically reduced since its closing. However, no matter what use the new owners intend for the club, it was recommended that the new owners present and review their plans for the use of the premises to Miami-Dade Police, the Nuisance Abatement Board, and other necessary County entities to insure that they follow all laws and requirements and provide the necessary security arrangements for such a club so that that there will be no recurrence of the nuisance activity.

- D. RE: 7762 NW 8 Avenue: A single family house converted into two households with three bedrooms each; problems with house on west side structure.
(Status report on August 16, 2007, deferral: narcotics activity as reported by the MDPD NB during a search warrant in March 2007; notification returned by mail; house, under a previous owner, was the site of problems, but the NAB hearing was deferred due to the abatement plan by the owner)
Property Owner: Mr. Michael Avin

The NAB was advised that the matter had been deferred several months ago due to the owner's response and decision to evict the tenants. The NAB was advised that the owner's real estate management representative has not provided the final status but believes that the home is now vacant. The NAB was advised that there have been no additional incidents since April 2007, and the matter will continue to be deferred, pending additional information from the owner. Mr. DiCarlo advised that he will continue to try to contact the owner to determine the status of the tenants.

- E. RE: 2116 NW 89 Terrace: A single family house.
(Status Report, Cost Hearing; Declared a PN on November 15, 2007, after a new narcotics incident on October 17, 2007; the NAB deferred the hearing on October 11, 2007, pending the owner's eviction of the tenants and additional incidents; narcotics activity as reported by the MDPD Narcotics Bureau during a search warrant in April 2007; Northside investigations in September 2007)
Property Owners: Ms. Maria A. Ruiz
Mr. Alvaro Ruiz

The NAB was advised that the owners reported that they have caused the house to be vacated and boarded up, secured it, and posted trespass warning signs. The NAB was advised that the owners were scheduled for a status report and cost hearing but they had contacted Mr. DiCarlo and advised that they would be unable to appear on the day of the meeting. The NAB elected to postpone the hearing until the next meeting to allow the owners the opportunity to be present.

- F. RE: 1821 NW 69 Street: A single family house.
(Status Report, Cost Hearing; Declared a PN on November 15, 2007: narcotics activity as reported by the MDPD Narcotics Bureau during a search warrant in March 2007; notification returned by mail; re-mailed to two other possible addresses, one person responded and said that she was not the person who owned the property and did not know anything about a family trust; A tenant of the house received the notification on

November 1, 2007, and advised that she would try to find and give it to the owner)

Property Owner: The Gonzalez Family Trust

The NAB was advised that the owners have still not been found and have not responded to the notification letters. The NAB Order declaring the Premises a Public Nuisance is still pending.

G. RE: 2360 NW 92 Street: A single family house.
(Status Report, Cost Hearing; Declared a PN on November 15, 2007: narcotics activity as reported by the MDPD Northside Crime Suppression Team during a search warrant in June 2007, and a few other incidents during 2007; a person with the same last name as the owner was arrested in connection with the drug activity and is pending trial; notification delivered to a resident at the house on November 1, 2007, and mailed to the house (address of record) and another possible address for the owner; no response has been received).

Property Owners: Mr. George Heastie
 Ms. Eunice Heastie Wilson

The owners did not appear as notified. The NAB was advised by Mr. DiCarlo that he and Sergeant Bannamon, after not having heard from the owner after the NAB Order was sent to him on December 12, 2007, initiated contact and met with him on or about January 11, 2008. The house was found to be open (all windows and doors were broken and open), vacant, and abandoned by the owner's brother. Junk and trash were littered all over the yard and the house and a shed in the rear. The owner said he had not visited the house for about one year and was shocked by the conditions. Mr. DiCarlo advised that the owner at that time was advised again of the NAB Order, Cost Summary, and the NAB meeting scheduled for January 17, 2008. Mr. DiCarlo further advised that he had passed by the house and found it to be boarded up this week. The NAB elected to proceed with the cost hearing and ordered that the owner pay costs requested by MDPD totaling \$2,449.30. The NAB again requested that the owner appear at the next meeting and present an abatement plan.

H. RE: 6704 NW 18 Avenue: A & T Discount Market
(New hearing: narcotics activity as reported by the NB during a search warrant in March – April 2007; a notification letter was delivered and received on November 21, 2007, at the address of record of the owner per Property Tax Records and by a person at the premises. It was also mailed by certified and regular mail on November 21, 2007, and received at two locations on November 23, 2007; the owner has not responded with an abatement plan).

Property Owners: Mr. Ernest Cottle
Ms. Doris L. Cottle
Business Owners: Ms. Dora Joseph, A & T Discount Market

Ms. Kim Walton appeared before the NAB and advised that she bought the house from the owners and received a Quit Claim Deed for \$1.00 on December 15, 2007. Ms. Walton advised that she was not sure if anybody is now operating the store, but she has a key. She advised that she went to Georgia with Ms. Dorsey (a witness to the Quit Claim Deed) and completed the sale with them, but had no relationship and could not explain why it was sold for \$1.00 in consideration. Ms. Walton advised that she is planning on making the store into a store and a salon, but is not sure when she will be able to do that. She advised that she was not aware of the drug activities at the store and does not know who would be at the store. She was advised by Mr. Samms, Mr. DiCarlo, and Mr. Smith to provide the sale agreement and to contact an attorney regarding her responsibilities and the sale of the property to her. Mr. Samms advised that there are several nuisance incidents at the property and that the NAB would postpone the meeting until February 28, 2008, to allow her more time to meet with Mr. DiCarlo and finalize her information after her purchase of the property.

I. RE: 7930 NW 10 Avenue, Single Family House
(Status Report on Nuisance Abatement Unit Deferral of NAB Hearing in August – December 2005, Subject to Deferral)
Property Owners: Mr. Sherman Taylor
Mr. Calvin L. Taylor

The NAB was advised that there were additional incidents since a meeting was deferred in August 2006 due to the owner's abatement plans. Mr. DiCarlo advised that he and Sergeant Bannamon's squad met with the owner and a social worker from the Community Action Agency to evaluate his situation as the house is scheduled to be demolished pursuant to an Unsafe Structure Board order. The NAB was advised that the owner has agreed to again keep the property secure and limit visitors and alcohol consumption by visitors in his yard. The NAB was advised that the matter will be deferred pending any additional incidents and the closure of the Unsafe Structures matter.

IV NAB Discussion/Adjournment

Pursuant to Section 2-11.40 of the Code of Miami-Dade County (MDC), the NAB reviewed and unanimously approved the 2008 Sunset Review of County Boards Report for the (NAB) and requested that it be submitted to the Board of County Commissioners (BCC).

The NAB emphasized that it has successfully abated public nuisance properties and recommended that the BCC approve the continuation of the NAB.

Additionally, the NAB, during its review of the biennial report, expressed concerns about its difficulty with achieving quorums, partly due to three vacancies pending Commissioners' appointments, and requested that the BCC appoint members to fill the NAB vacancies as soon as possible. The NAB requested that the Chairperson, in his memorandum requesting the County Commission to accept the biennial report, express the members' concerns and appreciation to the BCC for its support and any assistance that the BCC can provide in expediting these pending appointments so that the NAB can continue its very important work in abating nuisances and preventing crime in the MDC community.

The NAB meeting was adjourned at 7:05 p.m.

Support, Mailing, and Contact Information for the NAB, MDPD NAU, and the County Attorney are as follows:

**Miami-Dade Police Department
Intergovernmental Bureau
Nuisance Abatement Unit**

Jack DiCarlo, Administrative Officer 3

**7617 S. W. 117 Avenue
Miami, Florida 33183**

**Telephone: 305-596-3850 Ext. 280
Fax: 305-273-8495
E-Mail: jdicarlo@mdpd.com**

**Terrence A. Smith
Assistant County Attorney**

NAB 2008 Meeting Schedule

Primary Date for Month

January 17, 2008	3 rd Thursday
February 28	4 th (Last) Thursday
March 27	4 th (Last) Thursday
April 17	3 rd Thursday
May 1 (Tentative)	1 st Thursday
May 29 (for June)	5 th (Last) Thursday
July 10	2 nd Thursday
August 26	4 th Tuesday
September 11	2 nd Thursday
October 16	3 rd Thursday
November 13	2 nd Thursday
December 11	2 nd Thursday

Alternate Date for Month

January 31	5 th (Last) Thursday
March 5	1 st Wednesday
April 3	1 st Thursday
April 23	4 th Wednesday
May 7	1 st Wednesday
June 4	1 st Wednesday
July 24	4 th Thursday
None	
September 25	4 th (Last) Thursday
October 22	4 th Wednesday
November 19	3 rd Wednesday
December 17	3 rd Wednesday

The alternate meeting dates for each month will be utilized in the event of quorum difficulties on the primary meeting dates, NAB Member preferences for alternate meeting dates, or in the event of a large amount of meeting business that may require an additional meeting.

**MIAMI-DADE POLICE DEPARTMENT
Intergovernmental Bureau
Nuisance Abatement Web Page**

Miami-Dade County enacted the Nuisance Abatement Ordinance (NAO), No. 92-42, requiring property and business owners to eliminate public nuisances. The NAO provides the community a tool to encourage owners to take responsibility for preventing recurring nuisance activities on their property in unincorporated Miami-Dade County.

The NAO addresses recurring criminal/nuisance activity involving:

1. The unlawful sale, delivery, or possession of controlled substances/narcotics
2. Youth and street gang criminal activity
3. Prostitution or solicitation of prostitution
4. Lewd and lascivious activity
5. Illegal gambling
6. The illegal sale, possession, or consumption of alcoholic beverages
7. Other criminal activities that are a danger to the public health, safety, and welfare

What type of nuisance activities are NOT addressed by the NAO?

Private nuisances that may involve neighbor disputes including: noise, barking dogs, loud music, code enforcement, and other non-criminal activity. While these and other activities may be a community problem, they are not addressed by the NAO, but may be addressed through other Miami-Dade Police Department (MDPD) or Miami-Dade County entities, including Team Metro and Building and Zoning.

How can a complaint be made?

The NAO allows anyone to file a police report/complaint with MDPD at 4-POLICE (305-476-5423). Although complaints may be made anonymously, to make a formal complaint, the attached Citizen's Complaint Affidavit may be completed and forwarded to the below address. All complaints must include the exact address of the alleged nuisance property and details about the activity and may be mailed to the

Miami-Dade Police Department
Intergovernmental Bureau Nuisance Abatement Unit
7617 SW 117 Avenue
Miami, Florida 33183

Complaints may also be forwarded by e-mail to: ibinfo@mdpd.com

How are the complaints handled?

MDPD officers investigate the complaints and criminal activity and provide reports to the Nuisance Abatement Unit (NAU). If there are three or more substantiated and

documented complaints within a twelve-month period, and a pattern of recurring activity, the NAU will send official notification to the property owner requiring the owner to respond in writing with a plan of action within 14 days and to take immediate action to eliminate the nuisance activity.

Nuisance Abatement Board (NAB)

If the owner fails to respond and take sufficient steps to abate the nuisance, and/or there are additional incidents, the case will be presented to the Miami-Dade County NAB that is appointed by the County Commissioners. The NAB will review the evidence and hear testimony from police officers, citizens, and the owners to determine if there is evidence to declare the premises a public nuisance and/or if the owners have taken sufficient steps to abate the nuisance.

Nuisance Abatement Board Orders

If the Board finds the premises to be a Public Nuisance, the NAB may order immediate actions to be taken by the owners to abate the nuisance. Orders to owners may include:

1. Take immediate action to abate the nuisance, i.e., security, lights, fencing, cameras.
2. Stop any activity that is conducive to the nuisance, i.e., failing to check identification for possible underage sale of alcohol.
3. Order that the property and/or business be closed and secured.
4. Order that the property/business owners pay substantial MDPD and County costs.
5. Order that the owners report to the NAB their progress in abating the nuisance for one year.

For Additional Information or Questions

Questions about the NAO or other information about this topic may be directed to the NAU at 305-596-3850, ext. 280, or by e-mail to jdicarlo@mdpd.com.

You can help make your community safer and crime free.
Please call the police and report any criminal or suspicious activity.
Call 911 if it is an emergency.

http://www.miamidade.gov/mdpd/BureausDivisions/IGB/nuisance_abatement.asp

A		B		C		D		E		F		G		H		I		J		K	
Street Address		Type of Place		Recorded Incident		# of Recorded Incidents		Owner 1st Notify Date		Cost Request Amount		Costs Ordered		Costs Paid		Costs Due		Investigator Letter Date		Property Notes	
1																					
2	Miami Dade County																				
3	Nuisance Abatement Board																				
4																					
5	Miami-Dade Police Department																				
6	Nuisance Abatement Unit																				
7																					
8	Summary of Significant Cases 1993 - 2007																				
9																					
10																					
11																					
12	10001 (9801) W. FLAGLER STREET	Trailer Park/Multiple Units	3/29/2005	73	4/13/2005	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5/16/2001		The NAB considered a large trailer park at Flagler Street and 100 Avenue that was the site of narcotics and other criminal activity. The NAB and the NAU deferred the hearing after the Property Owner advised that he would evict the problem tenants, install security fencing around the perimeter, place a professional security guard at the entrance way seven days a week for 12 hours at night. The owner has also held crime watch meetings with the police and his tenants to provide for greater awareness and police notification of concerns. Two of three trailer tenants complied with all recommendations by police and the Trailer Park Owner. A third tenant was evicted. The property is being monitored by police for additional activity, but activities have been significantly reduced. The property has recently proceeded with closure of all of the trailers due to other inspections and safety concerns by County Building and other officials.	
13	10020-22 S. W. 171 STREET	Duplex	12/18/1997	14	3/3/1998	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
14	10120 S. W. 171 ST	House	11/17/1994	8	6/8/1994	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55	3206.55				
15	10145-47 W. INDIGO ST	Duplex	11/25/2003	41	1/13/2004	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
16	10220 S. W. 171 STREET	Duplex	5/2/2002	9	7/31/2002	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
17	10250 S. W. 172 STREET	Single Family Residence	9/21/2000	9	10/30/2000	3035.72	1.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10/3/2000		November - December 2000: The NAB declared a house at 10250 S. W. 172 Street, a public nuisance due to illegal narcotics activity. The NAB ordered that the owners take appropriate actions to abate the nuisance activity.	
18	10250 S. W. 181 STREET	House	8/28/2000	13	7/26/1995	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
19	10257 S. W. 173 TERRACE	Single Family Residence	5/4/2000	7		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7/6/1999		July 2000: The NAU informed the NAB about illegal narcotics at a house at 10257 S. W. 173 Terrace. The NAU advised the NAB that he had notified the property owner that he would request the NAB to defer the hearing for 30 days due to the owner's actions to abate the nuisance, including remodeling of the house, installation of security fencing, and screening of tenants. The house was sold in 2007.	
20	10280-82 S. W. 175 ST	Duplex	4/20/1999	7	8/9/1999	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4/22/1999		January - June 1999: The NAB declared a rental duplex at 10310-12 S. W. 175 Street, a public nuisance due to illegal narcotics activity. The owner, in conjunction with the NAB, implemented several actions, including the following: screen all future tenants; keep the property secure and vacant until he is able to find reliable tenants or he sells the property, and work with his neighbors and the police to abate the nuisance. The owner paid costs of \$2,000 as ordered by the NAB. Except for a couple of incidents, the property has remained crime free for the next couple of years.	
21	10310-12 S. W. 175 STREET	Duplex	10/23/1998	25	2/14/1997	3989.17	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	10/23/1998		January - June 1999: The NAB declared a rental duplex at 10310-12 S. W. 175 Street, a public nuisance due to illegal narcotics activity. The owner, in conjunction with the NAB, implemented several actions, including the following: screen all future tenants; keep the property secure and vacant until he is able to find reliable tenants or he sells the property, and work with his neighbors and the police to abate the nuisance. The owner paid costs of \$2,000 as ordered by the NAB. Except for a couple of incidents, the property has remained crime free for the next couple of years.	
22	10330 S. W. 173 TERRACE	Duplex	12/15/2000	16	10/23/1998	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5/21/1997		The owner responded to the NAU notification letter and closed and sold the house. The house was later demolished and illegal activities were significantly reduced.	
23	10330 S. W. 175 STREET	Single Family Residence	9/9/1999	18	9/8/1999	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
24	10335 S. W. 176 STREET	Duplex	6/27/1997	3	11/6/1997	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7/24/1997		The owner found that the owner did not have control of the house, her relatives and more than 15 people at a time that she often allowed to sleep at the house were conducive to the drug activity, and the elderly owner was at risk for her safety. The NAB initially ordered that the house be vacated, closed, and secured for the safety of the owner and the community, but agreed to reconsider that order if the owner presented a satisfactory abatement plan. The NAB reconsidered its order of closure at the next meeting provided that the owner complied with stated abatement actions including the following: clear and clean the yard of all overgrowth and junk and trash that will allow for the hiding of drugs; install additional security lighting; repair and erect additional security fencing; provide that MDPD officers arrest trespassers; evict all borders and limit visitors to those with no criminal records.	
25	10345 S. W. 176 STREET	House	3/28/1995	12	10/12/1995	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
26	10347 S. W. 175 STREET	Single Family Residence	3/25/1999	6	9/23/1999	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3/31/1999		The NAB and NAU deferred a hearing on a house at SW 103 Avenue and 173 Street. The owner met with the NAU and MDPD Officers after receiving notice of the drug activity allegedly being conducted by a relative and other tenants. The owner evicted the tenants, cleaned and secured the house, and secured a fence around the property. No additional incidents have been reported and the house remains closed. The NAB advised the owner that they would reconsider the matter if there are any additional incidents or lack of compliance by the owner with his abatement plans.	
27	10361 S. W. 175 STREET	Duplex	7/18/1998	13	7/23/1998	3385.44	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00	2000.00				
28	10375 S. W. 173 STREET	Single Family Residence	3/5/2006	9	12/29/2005	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
29	10375 S. W. 173 TERRACE #2	Single Family Residence	5/9/2006	10	7/27/2006	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
30	10375 S. W. 173 TERRACE	House/Single Family	8/11/2005	43	12/28/2002	3344.78	3000.00	3340.84	3340.84	3340.84	3340.84	3340.84	3340.84	3340.84	3340.84	3340.84	3340.84				
31																					
32	10380 S. W. 180 STREET	Other	7/18/1996	7	9/18/1996	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7/24/1996		After the owner met with the NAU and provided an abatement plan, including increased security, lighting, and supervision of tenants, the NAB and NAU deferred the hearing regarding a rental duplex at SW 189 Street and 113 Place, pending any additional incidents or lack of compliance. The narcotics activity has been reduced significantly.	

9	A		B		C		D		E		F		G		H		I		J		K	
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes											
10	10421 S. W. 168 STREET	House/Single Family	1/20/1998	6	12/10/1997	0.00	0.00	0.00	0.00	1/28/1998	Prior to a scheduled NAB hearing regarding narcotics activity, the owners met with the NAU and police officers and presented an abatement plan that included evicting the tenants, repairing and remodeling the house, and agreeing to screen and set rules for prospective tenants. The hearing was deferred pending additional nuisance activity and no additional incidents were reported as of 1998.											
33	10445 S. W. 174 TERRACE	Single Family Residence	4/19/2001	18	7/2/1999	0.00	0.00	0.00	0.00	2/23/1999												
34	10455 S. W. 173 TERRACE	Duplex	12/12/1996	4	2/14/1997	0.00	0.00	0.00	0.00	12/31/1996												
35	10480 S. W. 170 STREET	House	4/18/1996	6	3/4/1997	0.00	0.00	0.00	0.00	6/4/1996												
36	10520 S. W. 183 STREET	House	11/14/1996	3	2/19/1997	0.00	0.00	0.00	0.00	1/22/1996												
37	10521-23 S. W. 180 STREET	Duplex	8/11/1999	19	9/8/1999	3158.12	3158.12	0.00	3158.12	4/30/1999	October 28, 1999 - Mr. Bouie appeared before the NAB, but did not respond until he appeared before the NAB. Officers from the Miami-Dade Police Department (MDPD) Narcotics Bureau and Cutler Ridge Station were present and prepared to testify, but Mr. Bouie stipulated that more than two (2) incidents summarized on the incident Summary occurred on the property within six (6) months. The NAB declared the premises, a rental duplex, a public nuisance and placed the property under the jurisdiction of the NAB for one year. The NAB ordered that Mr. Bouie meet with Mr. DiCarlo and review Mr. Bouie's abatement plan that should include, but not be limited to the following NAB recommendations: fences be erected to delineate the different residences and the circular drive and prevent loitering, no loitering and trespassing signs be posted on the property; officers be provided written authority to warn and arrest trespassers; officers be provided with a list of all tenants on the premises; tenants be provided notice that nothing can be sold from the premises and that they may be subject to eviction if sales of various items including alcohol, candy, or illegal drugs continue, rules and regulations											
38	10521-23 S. W. 180 STREET	Duplex									(Continued from above cell) should be drawn up for all tenants; background checks, including credit, residential, landlord, and criminal be conducted on all prospective tenants; and provide a written action plan to abate the nuisance for the Board's consideration on December 2, 1999. After several meetings with the NAU and NAB, the problems were significantly reduced.											
39	10541 S. W. 171 ST	House	7/1/1996	3	7/1/1996	0.00	0.00	0.00	0.00	1/23/1996												
40	10545 S. W. 178 STREET	House	1/6/1995	5	10/3/1995	3892.46	1.00	0.00	1.00													
41	1057 N. W. 79 ST	Bar/Lounge	3/24/2007	36	5/16/2007	0.00	0.00	0.00	0.00		The NAB was advised that the owner of a bar at NW 79 Street and 10 Avenue met with the NAU and MDPD officers and presented an abatement plan that included: meet with all family members and employees and establish written and verbal rules and regulations regarding zero tolerance for drugs and other criminal activity on the premises; cooperate with MDPD in any investigations; conduct criminal background checks on all current and prospective employees; provide additional training to security staff regarding security; consider hiring a licensed security company to provide assistance; install a new security camera system; establish better communications with MDPD officers and encourage the enforcement of trespassing statutes; review interior and exterior security lighting; utilize a metal detector wand to screen all customers and employees for weapons; comply with MDC requirements for closing hours; and take other necessary actions to prevent any additional drug or criminal activities. The NAU recommended and the NAB agreed to defer the matter pending any additional activities or lack of compliance with their abatement plans.											
42	10601 S. W. 173 STREET	Duplex	2/25/1999	6	1/4/2000	0.00	0.00	0.00	0.00	3/5/1999	May 2000: A house at 10601 S. W. 173 Street, has been the location of ongoing illegal narcotics activity. The NAB heard that the owner could not appear because of his incarceration. The owner's relatives managed the rental property and no further incidents were reported. The NAB deferred the matter until the owner could appear, but he sold the property before the hearing was rescheduled. No additional actions were taken and the nuisance was abated.											
43	10621-23 SW 184 ST	Duplex	3/2/2007	4	3/27/2007	0.00	0.00	0.00	0.00		Upon complaints regarding drug activity to MDPD and Director Parker, the Narcotics Bureau and NAU conducted an investigation at a rental duplex at SW 184 Street and 107 Avenue. The investigation resulted in the arrest of three persons during two search warrants from December 2006 thru February 2007. The NAU and Team Metro notified the owner of the criminal activity and violations of the NAO and other code violations. The owner responded and initiated abatement actions including: initiated evictions against persons at this unit and five (5) other duplexes that she owned in the block, cleaned up all junk, trash, and junk vehicles in the yard, and rehabilitated the properties for new tenants that they conducted background checks on. The NAB deferred the hearing pending any additional incidents or lack of compliance with the abatement plans. No additional incidents have been reported.											
44	10625 S. W. 88 ST	Bar/Lounge	7/9/1995	3	5/30/1993	5000.00	5000.00	5000.00	0.00		August 1993 - August 1994: A bar/lounge at 10625 S. W. 88 Street was found to be a public nuisance due to evidence involving the illegal sale and consumption of alcohol, several automatic assault weapon shootings resulting in serious injuries to several citizens, and other disturbances on the property. The NAB ordered the business closed pending the showing of adequate security measures. The business did not close and the County sought an injunction from a circuit court judge. The business presented a security plan to the judge, which included the posting of 10 armed security guards, and was allowed to remain open, but was advised that it would be closed if there were any additional serious incidents. No further serious incidents have been reported. Costs of \$5,000 were imposed and paid. The club ended up closing after the injured parties filed several successful lawsuits against the club and the property owners.											
45	10680 S. W. 146 STREET	Single Family Residence	7/11/2005	11	7/8/2004	0.00	0.00	0.00	0.00		A single family house at SW 107 Avenue and 146 Street was the site of considerable narcotics activity. The owner responded to the notice of violation regarding narcotics activity at the Premises. The NAB was advised that the owner's abatement actions included eviction of two tenants, background checks on future tenants, security lighting, and possible installation of security fencing to prevent loitering. Due to the owner's response and a recent reduction in incidents, the NAB agreed with the NAU's agreement to defer action unless there are additional incidents or a failure by the owner to comply with his abatement plans and the recommendations of MDPD and the NAU. No additional incidents have been reported and the house was sold in 2006.											
46	1070-72 N. W. 112 STREET	Duplex	3/8/2001	15	7/2/2001	2092.90	350.00	350.00	0.00													
47	10730 S. W. 221 STREET	House	2/4/1994	3	5/25/1994	0.00	0.00	0.00	0.00	2/8/1994												
48	10759 S. W. 56 STREET	Restaurant	10/12/2006	14	10/13/2005	0.00	0.00	0.00	0.00		The owners of a restaurant at SW 56 Street and 107 Avenue have provided an abatement plan that includes: removal of video game machines being used for gambling, termination of employees who fail to comply with rules governing the sale and consumption of alcoholic beverages, fencing of the perimeter of the building. The NAU and the NAB deferred the matter pending additional incidents or lack of compliance with their abatement plan. Kendall District Officers and the NAU are continuing to monitor the premises as additional incidents have been observed.											

49

	A		B		C		D		E		F		G		H		I		J		K	
	Street Address	Type of Place	Last Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter	Letter Date	Property Notes										
9																						
10																						
11																						
12																						
50	10784 S. W. 24 STREET	Lingerie Modeling	8/6/1996	2	8/11/1994	0.00	0.00	0.00	0.00													
51	10905 S. W. 38 STREET	Single Family Residence	6/22/2000	3	2/22/2001	0.00	0.00	0.00	0.00													
52	1101 N. W. 201 STREET	Single Family Residence	11/7/2002	6	4/8/2003	0.00	0.00	0.00	0.00													
53	11273 S. W. 190 STREET	Duplex	2/5/2002	4	7/3/2002	0.00	0.00	0.00	0.00													
54	11324 S. W. 187 TERRACE	Duplex	7/10/2001	40	3/28/1996	4659.29	3960.89	3960.89	0.00													
55	11387-S. W. 187 TERRACE	Duplex	2/13/2002	5	7/31/2002	0.00	0.00	0.00	0.00													
56	11341 S. W. 186 STREET	House	12/22/1994	7	10/31/1995	0.00	0.00	0.00	0.00													
	11362-60 S. W. 189 STREET	Duplex	7/19/2002	21	4/12/1999	3978.44	3478.44	1100.00	2378.44													
57	11370-72 S. W. 189 STREET	Duplex	2/2/2006	16	8/10/2006	0.00	0.00	0.00	0.00													
58	11551 - 11628 S. W. 224 STREET	Duplex	5/12/2006	28	6/15/2005	0.00	0.00	0.00	0.00													
59																						
60	11627 (11551 - 11628) S. W. 224 ST	Duplex	7/8/2003	6	6/15/2005	0.00	0.00	0.00	0.00													
	11771 BISCAYNE BOULEVARD	Adult Book & Video Stores	4/13/1993	11	11/30/1992	2600.00	2800.00	2800.00	0.00													
61																						
62	11780 S. W. 182 TERRACE	Single Family Residence	3/12/1998	23	10/16/1998	0.00	0.00	0.00	0.00													
63	11801 S. W. 185 TERRACE	House	1/4/1995	3	7/26/1995	0.00	0.00	0.00	0.00													
64	1186 N. W. 103 ST	Apartments	9/3/1993	31	1/14/1994	0.00	0.00	0.00	0.00													
	11890 S. W. 220 ST	Markets	9/9/2001	106	5/2/2001	8656.55	4100.00	4100.00	0.00													
65	11950 S. W. 215 STREET	Single Family Residence	8/18/2003	16	10/2/2003	2242.65	1000.00	0.00	1000.00													
66	12001 N. W. 27 AVENUE	Bar/Lounge Female Strippers	6/22/2003	144	1/6/2003	13384.63	11000.00	0.00	11000.00													
67	1201 N. E. 191 STREET	Apartments/Single Unit Problem	2/1/2002	3	4/3/2002	0.00	0.00	0.00	0.00													
68	12045 S. W. 218 STREET	House	8/22/1995	3	10/31/1995	0.00	0.00	0.00	0.00													
69	12195 S. DIXIE HIGHWAY	Lingerie Modeling	6/25/1993	4	1/25/1994	0.00	0.00	0.00	0.00													
70	1223 N. E. 110 TERR.	Apartments/Single Unit Problem	4/2/2003	3	5/28/2003	0.00	0.00	0.00	0.00													
71	12500 S. W. 30 STREET	Single Family Residence	3/1/2002	3	5/15/2002	0.00	0.00	0.00	0.00													
72	1342-44 N. E. 110 TERRACE	Duplex	12/30/1996	5	9/12/1997	0.00	0.00	0.00	0.00													
73	13690 S. W. 268 STREET (WOODY	Gas Station/Markets	4/27/2004	98	6/2/2004	0.00	0.00	0.00	0.00													
74																						
75	13725 S. W. 268 STREET	House/Single Family	8/14/1997	4	9/26/1997	0.00	0.00	0.00	0.00													
76	14020 MONROE STREET	House/Single Family	5/27/1998	6	7/14/1998	2742.54	2742.54	2742.54	0.00													
77	1430 N. W. 119 ST	Bar/Lounge	2/25/2000	21	12/27/1993	0.00	0.00	0.00	0.00													
78	14400 POLK STREET	House	7/13/1996	15	3/28/1996	4799.12	4799.12	4799.12	0.00													
	14518-600 LINCOLN BOULEVARD	Markets	8/24/2001	145	4/14/1997	4370.70	3500.00	3500.00	0.00													
79																						
80	14520 TYLER STREET	House	2/11/1994	4	6/15/1994	0.00	0.00	0.00	0.00													
81	14607 BETHUNE DRIVE	Markets/Not 24 Hours	5/11/2005	142	6/12/1996	0.00	0.00	0.00	0.00													

50

S	A		B		C		D		E		F		G		H		I		J		K	
	Street Address	Street Address	Type of Place	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter	Investigator Date	Property Notes								
10	14607 BETHUNE DRIVE #2		Markets/Not 24 Hours			0	2/10/2005	0.00	0.00	0.00	0.00											
82	14640 TYLER ST		Single Family Residence		5/5/2004	8	6/2/2004	0.00	0.00	0.00	0.00											
83	14721 MONROE STREET		House		9/15/1995	8	7/28/1995	0.00	0.00	0.00	0.00											
84	14750 N. E. 16 AVENUE		Adult Book & Video		11/13/2000	21	12/3/1993	0.00	0.00	0.00	0.00											
85	14770 S. W. 286 STREET		House		10/4/1998	5	12/23/1996	0.00	0.00	0.00	0.00											
86	14813 W. DIXIE HIGHWAY		Bar/Lounge Female Strippers		9/28/1995	7	2/14/1996	0.00	0.00	0.00	0.00											
87	14832 N. W. 8 COURT		Single Family Residence		8/28/2002	3	4/3/2003	0.00	0.00	0.00	0.00											
88	14836 N. W. 7 AVE		Shopping Center		5/6/2005	16	5/12/2005	0.00	0.00	0.00	0.00											
89	15041 FILLMORE STREET		House		4/7/1994	4	5/25/1994	0.00	0.00	0.00	0.00											
90	15220 - 40 S. W. 72 ST		Markets/Not 24 Hours		7/16/2004	40	8/12/2004	0.00	0.00	0.00	0.00											
91	15451-75 S. W. 288 STREET		Apartments/Entire Bldg Problem		2/16/2000	127	11/12/1999	1158.58	8500.00	5500.00	3000.00											
92	15501 S. W. 297 STREET		House		4/14/1997	5	4/9/1997	0.00	0.00	0.00	0.00											
93	16015 N. W. 27 AVENUE		House		4/8/1998	35	5/7/1998	5410.80	1748.55	0.00	1748.55											
94	16115 N. W. 27 AVENUE		House		9/25/1996	12	11/7/1996	0.00	0.00	0.00	0.00											
95	16710 N. W. 22 AVENUE		Other		7/25/1993	16	10/20/1993	3457.07	3457.07	2000.00	1457.07											
96	16715 N. W. 22 Avenue		Single Family Residence		8/18/1993	46	4/8/1993	6090.66	6090.66	3500.00	2590.66											
97	17010 S. W. 100 AVENUE, #C		Apartments/Single Unit Problem		5/8/1996	11	7/25/1995	0.00	0.00	0.00	0.00											
98	1730 N. W. 68 STREET		Single Family Residence		6/10/2004	26	9/17/2004	0.00	0.00	0.00	0.00											
99	17304-02 S. W. 105 AVENUE		Single Family Residence		3/17/2000	6	4/28/2000	0.00	0.00	0.00	0.00											
100																						

9	A		B		C		D		E		F		G		H		I		J		K							
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes																	
10	17343 N. W. 20 AVENUE	Single Family Residence	10/6/2001	11	7/28/2000	4141.69	4141.69	0.00	4141.69	8/26/1999	August - September 2000: The NAB declared a house at 17343 N. W. 20 Avenue, a public nuisance due to illegal narcotics activity. The NAB ordered the owner to abate the nuisance activity, and advised that any further activity may result in an order of closure. The activities stopped for approximately one year, but another joint federal and MDPD investigation resulted in the uncovering of additional activities in 2001, after the NAB's jurisdiction expired. No additional NAB actions were able to be taken as the activities were again abated before a new hearing could be scheduled. Costs of \$4,142 were ordered but have not been paid.																	
101	17345 S. W. 103 AVENUE	Duplex	4/12/2005	19	5/11/2005	0.00	0.00	0.00	0.00		A house at SW 173 Street and 103 Avenue was the site of narcotics activity. The NAU and NAB deferred the hearing after the owner's bank foreclosed and advised that they would secure the house and sell it. No additional incidents have been reported and the house has been taken over by a new owner.																	
102	17351 S. W. 104 AVENUE	Single Family Residence	3/6/2003	100	6/26/2003	4337.58	3737.00	0.00	3737.00		A single family house at SW 173 Terrace and 104 Avenue was the sight of ongoing criminal activity. The NAB declared it to be a public nuisance in 2003 and maintained jurisdiction in 2004. The owners installed a security fence and lighting and restricted access to the Premises. The criminal narcotics activity at the Premises has been reduced significantly.																	
103	17452 S. W. 104 AVENUE	Markets/Not 24 Hours	5/15/1999	88	3/18/1999	0.00	0.00	0.00	0.00		April - June 1999: The NAB was scheduled to hear a case involving drug and alcohol activity at a store, surrounding parking lots, and vacant lots at S. W. 174 Terrace and 104 Avenue. Due to the abatement steps the owner had taken and additional proposals during the May meeting that included posting a professional security guard and closing a vacant lot that was the sight of loitering, alcohol, and drug violations, Miami-Dade Police Department officials, the owner, and the NAB agreed to defer the hearing unless there were additional incidents or a failure of the owner to comply with their abatement plans. The owner complied with all recommendations and no complaints of nuisance activity were received or observed. The owner has continued to work with Cutler Ridge District Officers and the Nuisance Abatement Unit to insure that his property and other properties in the community do not become public nuisances due to criminal activity.																	
104	17491 S. W. 102 AVENUE	House/Single Family	11/17/1998	9	10/28/1998	2306.63	2306.63	0.00	2306.63		February - April 1999: The NAB declared a house at 17491 S. W. 102 Avenue, a public nuisance due to illegal narcotics activity. The owner agreed that the house would be vacated and secured and the yard would be cleaned and maintained to prevent loitering and drug activity. The owner was ordered to take other abatement actions including: fence the property and provide for screening for future rental candidates. The owner has not paid costs of \$2,307, and a lien has been placed against the property. The property essentially remained crime free for the next several years and was rehabilitated by new owners.																	
105	1751 N. W. 185 STREET	Single Family Residence	10/1/2002	4	1/8/2003	0.00	0.00	0.00	0.00	10/11/2002	A house at 17520 Homestead Avenue was declared a public nuisance by the NAB on October 28, 1999. The owners agreed to clean and secure the property and an adjacent vacant lot that they have partial ownership and control of. The owners installed No Trespassing signs, removed seats, and maintained the fence to prevent loitering, drug activity, and alcohol violations. The NAB ordered costs of \$1,000. The nuisance activities were reduced at this location but resumed again in 2002.																	
106	17520-00 HOMESTEAD AVENUE	Single Family Residence	10/1/2002	0	10/3/2002	2404.36	1000.00	0.00	1000.00		The house was declared a nuisance for the second time in October 2002, due to narcotics activity, loitering, and alcohol problems. The owners were ordered to take abatement actions including controlling loitering in the yard and vacant lot by allowing only those relatives living at the house; authorize MDPD Officers to arrest Trespassers; dissuade anybody from sitting in the yard, particularly at the fence lines where drugs were being sold to passers-by; prohibit alcohol consumption, particularly in the yard and the vacant lot; maintain the premises free of all junk and trash and junk vehicles; and repair and keep the fences secure at all times. After meeting with MDPD Officers and the NAU at the property, the owners managed to convince relatives and visitors that they must abide by the requirements of the NAB. Loitering and criminal incidents have been seriously curtailed at the property since the NAB hearing. The NAB deferred the matter of costs, but in December 2003, ordered that a reduced amount of costs totaling \$500 be paid. Costs have not been paid.																	
107	17520-00 HOMESTEAD AVENUE	Single Family Residence		0	10/3/2002	2404.36	1500.00	0.00	1500.00		A single family rental house at NW 17 Avenue and 94 Street has been the site of much narcotics activity as reported by the Northside Crime Suppression Team officers. The owner advised the NAB that they evicted the tenants and will sell the house. No additional incidents have been reported and the NAB elected to defer the hearing. The house was sold.																	
108	1760 - 64 N. W. 94 STREET	Single Family Residence	11/22/2004	13	11/23/2004	0.00	0.00	0.00	0.00		November 14, 2001 - Due to more than 25 documented MDPD incident reports involving drugs and other criminal activity from 1995 thru 2001, the NAB declared the property a Public Nuisance and ordered that the owners take actions to abate all criminal activity and clean and clear the premises of all junk, trash, and visual impediments. The owner's son advised that all of this would be done, including the repair of all electrical problems identified by the Unsafe Structures inspectors. After additional incidents the NAB ordered that visitors be limited and only two adult children of the owners live at the property. After additional incidents in August 2002, the property was ordered to be vacated and secured to prevent further activity. The Owners were ordered to pay costs of \$4,321. The owners and others failed to abide by the NAB Orders and orders by the Unsafe Structures Board and activities continued in December 2002. In April 2003, the Unsafe Structures Board completed demolition of the property upon the owner's failure to bring the house up to safe standards. The vacant lot has been fenced off and few problems have occurred.																	
109	17630 S. W. 104 AVENUE	Duplex	11/3/1994	3	10/18/1995	0.00	0.00	0.00	0.00	11/10/1994																		
110	1775 N. W. 65 STREET	Single Family Residence	4/7/2004	57	10/30/2001	4321.49	4321.49	0.00	4321.49																			
111	1780 N. W. 75 STREET			4			0.00	0.00	0.00		The owner of a house at NW 75 Street and 18 Avenue met with IB officers and the NAU at the house and advised that his abatement plans included: the pending eviction of his tenants; rehabilitation and cleaning of the house; background checks on any prospective tenants; and communications with the police and neighbors. The NAU recommended and the NAB agreed to defer the hearing pending any additional incidents or lack of compliance with their abatement plans.																	
112	17800 NW 129 AVENUE	Lot/Empty Land	3/25/2004	52	8/10/2004	0.00	0.00	0.00	0.00		A farming lot at NW 178 Street and 129 Avenue in the Miami Lakes District was being used on a weekly basis for gambling and cock fights, as reported by the Strategic and Specialized Investigations Bureau, Intergovernmental Bureau, and Miami Lakes Officers. The owner agreed to tear down a cock fighting and gambling ring and restrict access to the Premises. The NAB deferred the matter and no additional incidents have been reported.																	

52

9	A		B		C		D	E	F	G	H	I	J	K
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes			
10	17863-61 S. W. 103 AVENUE	Apartments/Single Unit Problem	2/7/2007	8	3/29/2008	0.00	0.00	0.00	0.00	1/25/1995	Upon receiving notification by the NAU of narcotics activity at a duplex at SW 78 Street and 103 Avenue, the owner appeared before the NAB in 2007. The owner advised that they evicted the responsible tenant, will conduct background investigations on prospective tenants, and will maintain the cleanliness and security of the duplex. The NAB and the NAU deferred the hearing pending any additional incidents or lack of compliance with their abatement plan.			
11														
12														
114														
115	7921 S. W. 107 AVENUE	Duplex	3/18/1995	3	7/26/1995	0.00	0.00	0.00	0.00					
117	17923 S. W. 107 AVENUE	Duplex	4/9/1996	20	7/12/1995	2982.70	0.00	0.00	0.00					
118	18001 S. W. 105 AVENUE	Duplex	6/29/2000	16	10/31/1995	0.00	0.00	0.00	0.00					
119	18067 HOMESTEAD AVE	Markets	10/14/1993	6	2/11/1994	0.00	0.00	0.00	0.00					
120	1814 N. W. 67 STREET	Duplex	2/14/2003	14	6/13/2002	0.00	0.00	0.00	0.00					
121	1820 N. W. 65 STREET	Single Family Residence	12/22/2001	16	10/3/2001	1214.65	1214.64	1214.64	0.00					
122	1821 N. W. 69 ST	Single Family Residence	3/21/2007	4	10/29/2007	0.00	0.00	0.00	0.00	4/6/2007	The owners, a family trust, of a house at NW 69 Street and 18 Avenue had not responded to the NAU notification letter regarding narcotics activity and the finding of more than 85 grams of cocaine by Narcotics Bureau detectives in March 2007. As the house was being occupied by apparently unauthorized vagrants and the owner has not been located, the NAB agreed that sufficient notification had been provided at the premises and elected to hear the matter. The NAB declared the premises a Public Nuisance and ordered that the owner respond and provide an abatement plan to the NAU and the NAB and take actions to insure that no additional narcotics activities will be allowed. Additional NAU and NAB actions, including costs, are pending.			
123	18212-10 S. W. 102 AVENUE	Apartments/Single Unit Problem	2/9/1995	3	10/26/1995	0.00	0.00	0.00	0.00					
124	18227 HOMESTEAD AVE	House	12/23/1993	11	2/15/1994	0.00	0.00	0.00	0.00					
125	18229 HOMESTEAD AVENUE	House	9/3/1993	17	9/24/1993	0.00	0.00	0.00	0.00					
126	18230 W. DIXIE HIGHWAY	Massage Studios	12/20/1992	3	3/2/1993	0.00	0.00	0.00	0.00					
127	1842 N. W. 67 ST	Single Family Residence	2/6/2007	4	4/24/2007	0.00	0.00	0.00	0.00					
128	18521 S. W. 92 AVENUE	House	10/12/1994	3	10/18/1995	0.00	0.00	0.00	0.00					
129	18607-06 S. W. 113 COURT	Duplex	7/11/1997	23	6/14/1996	0.00	0.00	0.00	0.00					
130	18910-12 S. W. 113 PLACE	House	2/21/1994	4	5/25/1994	0.00	0.00	0.00	0.00					
131	1901 NW 47 TERR	Single Family Residence	6/10/2007	5	10/24/2007	0.00	0.00	0.00	0.00					
132	1908 N. W. 67 ST	Single Family Residence	5/13/2003	13		0.00	0.00	0.00	0.00					
133	1910 S. W. 57 AVE (RED ROAD)	Bar/Lounge	2/4/1994	20	3/18/1994	0.00	0.00	0.00	0.00					
134	1918 N. W. 82 STREET	Single Family Residence	3/15/2007	5	5/15/2007	0.00	0.00	0.00	0.00					
135	19501 N.W. 2 AVE	Lingerie Modeling Stores	7/9/1998	16	8/31/1998	0.00	0.00	0.00	0.00					
136	19995 S. DIXIE HIGHWAY	Bar/Lounge Female Shoppers	10/6/1994	5	9/19/1995	0.00	0.00	0.00	0.00					
137	21135 N. W. 37 AVENUE	Bar/Lounge	2/29/1995	14	4/5/1993	0.00	0.00	0.00	0.00					
138	2116 N. W. 89 Terrace			8										
139	2130 N. W. 133 ST	House	4/19/1993	15	12/16/1992	9174.68	9174.68	9174.68	0.00					

A	B		C		D		E		F		G		H		I		J		K
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter	Costs Due	Costs Paid	Costs Due	Investigator Letter	Costs Due	Costs Paid	Costs Due	Investigator Letter	
9	2130 N. W. 133 STREET	House	4/16/1998	22	12/23/1996	8877.99	8877.99	825.32	8052.67										The house was declared a nuisance for the second time in 1997, but the owner did not maintain control of the house and incidents resumed. A court ordered injunction was sought and a County Court hearing with Mr. Shine was held on March 12, 1998. A Nuisance Abatement Board and Miami-Dade County Motion for Enforcement was granted. The Court found that Mr. Shine has violated prior Court and Nuisance Abatement Board Orders and found him in Contempt of Court. The Court allowed Mr. Shine until April 10, 1998, to vacate the premises, but ordered that he be subject to arrest for trespassing and subject to a Writ of Bodily Attachment for Contempt, if he fails to vacate the premises, or remains and/or returns there. Also any other parties who are found on the premises were subject to arrest for trespassing. The Court extended the jurisdiction of the Nuisance Abatement Board for one year after the compliance of Mr. Shine commenced. The house was vacated and secured. No further problems occurred, but the owner lost the house due to foreclosure of a mortgage.
10	2132 N. W. 86 STREET	Single Family Residence	7/21/1999	15	6/18/1999	3006.49	2000.00	0.00	2000.00	10/16/1999									July - December 1999: A rental house at 2132 N. W. 86 Street was declared a public nuisance due to drug and prostitution activity. The owner evicted the tenants and cleaned up the inside and outside of the property. The owner agreed to due background checks on future tenants. Reduced Costs of \$2,000 were ordered but are still pending.
141	2145 N. W. 154 STREET	Single Family Residence	5/18/2002	36	10/3/2002	0.00	0.00	0.00	0.00	6/11/2002									
142	2152 N. W. 98 STREET	Single Family Residence	5/31/2002	4	7/3/2002	0.00	0.00	0.00	0.00										
143	2169 N. W. 80 STREET	House/Single Family	7/30/2001	4	4/1/2002	0.00	0.00	0.00	0.00										
144	21855 S. DIXIE HWY	Bar/Lounge	7/18/2003	50	10/1/2003	0.00	0.00	0.00	0.00										
145	22200-04 S. W. 116 AVENUE	Apartments/Single Unit Problem	4/21/2001	13	9/15/1999	0.00	0.00	0.00	0.00	7/28/1999									
146	22210 S. W. 116 AVENUE	Blank	1/26/2002	16	10/3/2001	2091.02	2091.02	0.00	2091.02										
147	22300 S. W. 116 AVENUE	Apartments/Entire Bldg Problem	11/19/2001	21	11/27/2000	5940.83	5940.83	0.00	5940.83	6/7/1999									
148	22325 S. W. 117 COURT	House	5/12/2006	21	10/20/2006	0.00	0.00	0.00	0.00	1/11/1994									
149	22365 S. W. 115 COURT	Apartments/Entire Bldg Problem	7/11/2000	15	1/24/2000	7237.76	7237.76	0.00	7237.76	6/10/2000									
150	2247 N. W. 57 STREET	Duplex	3/27/1998	4	7/14/1998	2014.61	1114.61	1621.90	-507.29	4/2/1999									
151	2269 N. W. 57 ST	Single Family Residence	11/20/2004	11	11/3/2004	1964.93	1000.00	0.00	1000.00										
152	2305 N. W. 87 STREET	Single Family Residence	7/18/2002	5	12/3/2002	0.00	0.00	0.00	0.00	7/5/2002									
153	2328 N. W. 55 ST	Duplex	12/16/2003	5	5/7/2003	0.00	0.00	0.00	0.00	2/7/2003									
154	2340 N. W. 53 STREET	Single Family Residence		0	3/10/2005	0.00	0.00	0.00	0.00										

54

S	A		B		C		D		E		F		G		H		I		J		K	
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes											
9																						
10																						
11																						
12	2352 N. W. 46 ST	Markets/Not 24 Hours	12/4/2004	111	5/3/2001	6641.25	5000.00	5000.00	0.00		May 2001 - Present: The NAB declared a property, which is a neighborhood market, at 2352 NW 46 Street, a public nuisance due to illegal narcotics and other criminal activity, including a nighttime drive-by shooting homicide in the parking lot resulting in one death and several injuries. The owner, in conjunction with the NAB, implemented several actions including: posted a security guard from 8:00 p.m. to 4:00 a.m., seven days a week; installed fencing; and utilized video cameras for surveillance and prevention. The number of incidents at the premises were drastically reduced for the next couple of years. The owners paid NAB Ordered costs of \$5,000 and it was recommended that the security guard be maintained. The costs were paid. The security guard was maintained for a number of additional months and narcotics activity continues to remain reduced, but the premises is being monitored by Northside and the NAU.											
156	2360 N. W. 92 ST	Single Family Residence	8/27/2007	11	10/29/2007	0.00	0.00	0.00	0.00		The owners of a house at NW 24 Avenue and 92 Street had not responded to the NAU notification letter regarding illegal narcotics activity as investigated by MDPD Narcotics Bureau and Northside detectives by November 2007. A 69-year-old brother of the registered owner was arrested and alleged to be involved in the drug activity. The NAB in the absence of the owner elected to hear the matter and declared the Premises a Public Nuisance. The owners of the house, the third house to be declared a Public Nuisance on November 15, 2007, were ordered to appear at the next NAB hearing and present an abatement plan. The owner, after Mr. DiCarlo, appeared at the NAB positioned hearing in December 2007, and advised that his brother has been in trouble at the house and other places for most of his life and that he would have to seek a court injunction to force his brother and other drug vagrants living at the house without his permission to vacate the premises and allow him to gain control of it. The owner agreed that he would provide an abatement plan prior to the next NAB meeting.											
157																						
158	2361-57 N. W. 57 STREET	Single Family Residence	2/14/2003	15	5/15/2002	0.00	0.00	0.00	0.00	3/6/2002												
159	2400 N. W. 43 ST	Duplex	2/12/2003	4	5/7/2003	0.00	0.00	0.00	0.00	2/20/2003												
160	2407 N. W. 54 STREET	Markets/Not 24 Hours	6/16/2004	18	9/20/2004	0.00	0.00	0.00	0.00		A market at NW 24 Avenue and 54 Street was the site of considerable activity including loitering, narcotics, alcohol, and gambling. The owners responded to the NAU's notification letter and installed fencing at the rear and sides of the market, installed additional security lighting, and prohibited loitering. No additional significant incidents were reported and the NAB deferred the matter pending any additional incidents or lack of compliance with the owner's abatement plan.											
161	2430 N. W. 162 STREET	House	12/6/1996	4	2/14/1997	3130.00	3130.76	0.00	3130.76		October 2002 - Present: The NAB declared a private social club at 2455 NW 54 Street a public nuisance after hearing evidence of drug sales, usage, and cocaine table setups uncovered by MDPD Narcotics Bureau detectives. The evidence included the recovery of almost 500 grams of cocaine in the club at the time of the execution of a search warrant. The owners, who advised that they did not know of the drug activity being conducted by the members and visitors of the social club, advised that they would close the club, upon the recommendation of the NAB, until they could return with a plan in November 2002 to be acceptable to the NAB. Recommendations by the police and NAB included security guards, fencing, lighting, identification of club members being allowed access to the premises, and better management. The owners closed the club and reopened it as a new restaurant in July 2003 after complying with all recommendations by the NAU, MDPD Criminal Code enforcement investigators, Team Metro, the Florida Department of Health, and the Florida Department of Alcoholic Beverages and Tobacco. The owners paid NAB ordered costs of \$1,											
162	2455 N. W. 54 STREET	Bar/Lounge	8/8/2002	4	10/1/2002	2480.90	1240.00	1240.00	0.00													
163																						
164	2525 N. W. 207 STREET	Markets	12/11/1995	17	3/6/1996	0.00	0.00	0.00	0.00													
165	2538 N. W. 104 TERRACE	House	5/9/1993	12	10/21/1993	0.00	0.00	0.00	0.00													
166	26476 S. DIXIE HIGHWAY	Hotel/Motel	7/23/1993	19	11/5/1993	0.00	0.00	0.00	0.00													
167	2745 N. W. 42 STREET	Apartments/Entire Bldg Problem	2/24/2007	152	9/15/2005	0.00	0.00	0.00	0.00		The owners of a large apartment complex at NW 27th Avenue and 43 Terrace have agreed to consider security fencing around the perimeter and access control gates. Additionally, they have scheduled three professional security guards on Friday, Saturday, and Sunday evenings for 12 hours and possibly periodically during the week to provide enhanced security. The owners have also conducted crime awareness and controls meetings with their residents and MDPD Officers. The NAU and the NAB have deferred the hearing pending additional incidents or lack of compliance with their abatement plans. MDPD and the NAU are continuing to monitor the Premises.											
168	2756 - 50 N. W. 48 STREET	Duplex	2/9/2005	3	3/8/2005	0.00	0.00	0.00	0.00													
169	2760 N. W. 56 ST	Duplex	2/13/2003	4	6/13/2003	0.00	0.00	0.00	0.00	2/21/2003												
170	2773 N. W. 57 ST	Duplex	1/9/2007	9	10/24/2006	0.00	0.00	0.00	0.00	7/28/2006	The NAB, after hearing from the NAU and the owner of a rental apartment complex containing eight units at NW 27 Avenue and 57 Street, elected to defer the hearing pending any additional incidents and compliance with an abatement plan that included: eviction of any responsible tenants; meet with all tenants; and authorize MDPD officers to arrest trespassers. Background checks on prospective tenants; meet with all tenants; and authorize MDPD officers to arrest trespassers. After two additional narcotics search warrants in February and June 2007, a NAB hearing to consider the matter was scheduled. The owners advised that they had again evicted tenants and followed all of the recommendations of the NAU and Mr. DiCarlo. The NAB, after due consideration and recognition that the owners really have tried to do everything possible to respond to the recommendations of the NAU, NAB, and officers, again elected not to declare the premises a public nuisance, but advised the owners that they would have little choice but to do so if there are any additional incidents or lack of compliance with the owners' abatement plans.											
171	285 N. W. 82 ST	Apartments/Entire Bldg Problem	6/30/2007	34	7/6/2007	0.00	0.00	0.00	0.00		The NAU sent a notification letter to the owner of a single family house at NW 2 Avenue and 82 Street that was the site of illegal narcotics and other criminal activity in and around the house and in and around approximately five possibly illegal detached rental units in the rear yard. The owner advised the NAU that her abatement plan would include eviction of all tenants; boarding up and securing both the main house and all of the rental units until she obtains an opinion as to whether she has the right to use all of the units for rental; and clean and maintain the yard free of all junk and trash. The owner secured the entire yard with security fencing and provided authorization for MDPD officers to monitor the premises and arrest trespassers. The NAU agreed to defer the hearing pending any additional incidents or lack of compliance by the owner with their abatement plans. The house has remained secured and crime free since September 2007.											

55

	A		B		C		D	E	F	G	H	I	J	K
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes			
9	2958 N. W. 44 ST	Duplex	10/26/2006	13	10/16/2006	3151.50	1000.00	0.00	1000.00	7/28/2006	The NAB, after hearing from the NAU and the owner of a rental house at NW 30 Avenue and 44 Street, elected to defer the hearing pending any additional incidents and the promised submission of an abatement plan in 2007. As the owner did not provide a satisfactory abatement plan, failed to appear for further NAB meetings, and persons previously arrested were frequenting the premises again, the NAB declared the premises a public nuisance in March 2007 and ordered the owner to provide an abatement plan. The owner evicted the tenants and closed and secured the house. However, the owner sold the house after the eviction, but left the property littered with junk and trash. The new owner was notified that the property must be cleaned up and rehabilitated in compliance with MDC and state health and minimum housing regulations. The original owner appeared at a status report and cost hearing in September 2007. He and the new owner assured that the property was cleaned of all junk and trash and the house boarded and secured pending the rehabilitation of the property. The original owner was ordered to pay reduced costs of \$1,000 in view of his			
10	2970 N W 101 STREET	Single Family Residence	7/31/2004	30	9/3/2003	5577.98	6847.98	0.00	6847.98		September 2003 - Present: The NAB declared a house at 2970 NW 101 Street to be a public nuisance based on evidence of narcotics activity investigated by the MDPD Narcotics Bureau. The owner, who advised that she is taking steps to control her own drug problem, was ordered to discontinue the practice of allowing homeless people to stay at the house; and to fence off the front yard. The owner failed to appear at a recent meeting and additional incidents were reported. The NAU contacted the owner in jail and insisted that the owner follow the orders of the NAB and abate the Nuisance. The owner appointed a representative who appeared before the NAB. The owner's representative caused the Premises to be vacated, installed a fence, posted No Trespassing signs, and cleaned up the yard. No additional incidents were reported for several months. Costs of \$9,847 were ordered but were not paid. It was learned in December 2004 that the owner lost the house through foreclosure.			
11	2976-74 N. W. 28 STREET	Duplex	10/3/2002	6	12/3/2002	1788.49	1000.00	1063.00	-63.00	10/11/2002	October 2001 - Present: Since the NAB declared a house at 2989 NW 43 Terrace a public nuisance in October 2001, the activity at the house has decreased, but not completely. The NAB throughout 2002, ordered the owners to take additional action to abate the nuisance. Jurisdiction was lost in October 2002, but the house is still being monitored by MDPD and the NAU. Costs of \$2,400 were paid, but the house continued to have problems and was declared a nuisance two additional times.			
12	2989 N. W. 43 TERRACE	Duplex	9/30/2005	49	8/28/2001	3736.90	2400.00	2900.00	-500.00		The NAB, after considering evidence of ongoing drug activity since August 2006, declared the house at NW 30 Avenue and 43 Terrace a public nuisance for the third time since 2000. After considering the lack of effective abatement plans by the owners and previously ordered temporarily effective abatement actions, the NAB ordered that the owners and all residents vacate, close and secure the premises. After being closed for a couple of weeks, the NAB, upon presentation of a more complete abatement plan, allowed the owners to reopen the house providing only that three designated persons live there, visitors be limited and not allowed during night hours, the fence and gates be locked and secured at all times, and the owner's son attend drug rehabilitation counseling. Since the house has been allowed to reopen, there has been a significant reduction in criminal activity at the premises and the surrounding streets. The NAB will hear a final status report and consider the matter of costs in early 2008.			
13	2989 N. W. 43 TERRACE	Single Family Residence	6/6/2006	21	11/23/2005	0.00	0.00	0.00	0.00		The NAB, after considering evidence of ongoing drug activity since August 2006, declared the house at NW 30 Avenue and 43 Terrace a public nuisance for the second time since 2000. After considering the lack of effective abatement plans by the owners and relatives, the NAB ordered abatement steps to be taken by the owners and occupants. The activity was abated temporarily.			
14	2976-74 N. W. 28 STREET	Duplex	10/3/2002	6	12/3/2002	1788.49	1000.00	1063.00	-63.00	10/11/2002	October 2001 - Present: Since the NAB declared a house at 2989 NW 43 Terrace a public nuisance in October 2001, the activity at the house has decreased, but not completely. The NAB throughout 2002, ordered the owners to take additional action to abate the nuisance. Jurisdiction was lost in October 2002, but the house is still being monitored by MDPD and the NAU. Costs of \$2,400 were paid, but the house continued to have problems and was declared a nuisance two additional times.			
15	2989 N. W. 43 TERRACE	Duplex	9/30/2005	49	8/28/2001	3736.90	2400.00	2900.00	-500.00		The NAB, after considering evidence of ongoing drug activity since August 2006, declared the house at NW 30 Avenue and 43 Terrace a public nuisance for the third time since 2000. After considering the lack of effective abatement plans by the owners and relatives, the NAB ordered abatement steps to be taken by the owners and occupants. The activity was abated temporarily.			
16	2989 NW 43 TERRACE	Single Family Residence		0	2/12/2004	1900.00	1000.00	0.00	1000.00		The NAB, after considering evidence of narcotic incidents from 1996 thru 2002, declared the house at 3012 NW 55 Street a public nuisance. The owners were ordered to take actions including the following: remove a junk vehicle and open trailer, that appeared somebody was sleeping in, from the property, review the fencing and lighting, and abide by the recommendations of the NAU and MDPD officers. The owners paid NAB ordered costs of \$1,000 in July 2003. However, in July MDPD Narcotics Bureau detectives had uncovered additional evidence of drug sales. The owners did not appear at a hearing in December 2003, but have been ordered to pay additional costs of \$1,050 and appear at a NAB hearing in January 2004. The owners appeared and advised that they would evict the tenants. The owners eventually sold the house and no additional problems have been reported. The owners paid costs of \$1,000, but have not paid the additional ordered costs.			
17	30031 S. W. 146 AVENUE	House/Single Family	8/7/1997	3	9/26/1997	0.00	0.00	0.00	0.00	8/29/2002	January 2003 - 2005: The NAB, after hearing evidence of narcotic incidents from 1996 thru 2002, declared the house at 3012 NW 55 Street a public nuisance. The owners were ordered to take actions including the following: remove a junk vehicle and open trailer, that appeared somebody was sleeping in, from the property, review the fencing and lighting, and abide by the recommendations of the NAU and MDPD officers. The owners paid NAB ordered costs of \$1,000 in July 2003. However, in July MDPD Narcotics Bureau detectives had uncovered additional evidence of drug sales. The owners did not appear at a hearing in December 2003, but have been ordered to pay additional costs of \$1,050 and appear at a NAB hearing in January 2004. The owners appeared and advised that they would evict the tenants. The owners eventually sold the house and no additional problems have been reported. The owners paid costs of \$1,000, but have not paid the additional ordered costs.			
17	3012 N.W. 55 STREET	Duplex	2/6/2004	17	11/27/2002	3030.33	2096.79	1000.00	1096.79		The owner of a single family rental house at NW 94 Street and 30 Avenue met with the NAU and officials from the building department and agreed to have vacated, close, and secure the house, except for one tenant to monitor the house for him. The NAB elected to defer the matter pending additional incidents or lack of compliance by the owner. Additionally, the owner was provided additional time to work with building department officials and to bring the house into compliance with building and minimum housing codes prior to re-letting the house again. No additional incidents have been reported and the house remained closed and secured and the yard was cleaned and secured. The Building Department's Unsate Structure Board, following a request for review by the NAU, ordered and completed demolition of the house deemed unsafe in July 2007.			
18	30350 S. W. 154 AVE	House/Single Family	5/23/2001	3	7/28/2001	0.00	0.00	0.00	0.00	6/13/2001	The owner and tenants of a house at NW 30 Avenue and 66 Street advised that the drug activity was due to the tenant allowing the brother to live at the premises while the tenants were in the midst of a domestic split up. When they moved back in, they learned from the NAU of the drug activity. They advised that the brother was no longer living there, agreed to not let a homeless person sleep in a homemade shack in the rear yard, and agreed to maintain the premises crime free. The NAB, after much consideration and assurances from both the tenant and the owner that there would be no further activity, agreed to defer the matter pending any additional incidents or lack of compliance with their abatement plan.			
19	3052 N. W. 94 STREET	Duplex	11/30/2006	51	1/18/2007	0.00	0.00	0.00	0.00		Upon notification of narcotics activity at NW 92 Street and 31 Avenue, the owner appeared before the NAB but did not provide an abatement plan. The NAB provided the owner another 30 days to consider the matter and recommended that he consider eviction of the tenants. The owner advised the NAB that he would consider evicting the tenant's sons who were allegedly involved in the activity and the owner met with the NAU at the property. The NAB deferred the hearing in May 2007 pending any additional incidents. However, a new incident involving the tenant's sons was reported in June 2007, and the NAB agreed to hear the matter in October 2007. The NAB found that there was not enough evidence related to the property to declare it a nuisance at this time, but advised the owner that any further incidents would force it to reconsider the matter and that he should take steps to insure that the tenant and her sons further prevent the drug activity. The NAU and MDPD are continuing to monitor the premises.			
20	3063 N. W. 66 STREET	Single Family Residence	3/15/2007	7	8/2/2007	0.00	0.00	0.00	0.00		Upon notification of narcotics activity at NW 92 Street and 31 Avenue, the owner appeared before the NAB but did not provide an abatement plan. The NAB provided the owner another 30 days to consider the matter and recommended that he consider eviction of the tenants. The owner advised the NAB that he would consider evicting the tenant's sons who were allegedly involved in the activity and the owner met with the NAU at the property. The NAB deferred the hearing in May 2007 pending any additional incidents. However, a new incident involving the tenant's sons was reported in June 2007, and the NAB agreed to hear the matter in October 2007. The NAB found that there was not enough evidence related to the property to declare it a nuisance at this time, but advised the owner that any further incidents would force it to reconsider the matter and that he should take steps to insure that the tenant and her sons further prevent the drug activity. The NAU and MDPD are continuing to monitor the premises.			
21	3093 N. W. 59 STREET	House/Single Family	1/24/2007	0	2/9/2005	0.00	0.00	0.00	0.00	1/24/2007	Upon notification of narcotics activity at NW 92 Street and 31 Avenue, the owner appeared before the NAB but did not provide an abatement plan. The NAB provided the owner another 30 days to consider the matter and recommended that he consider eviction of the tenants. The owner advised the NAB that he would consider evicting the tenant's sons who were allegedly involved in the activity and the owner met with the NAU at the property. The NAB deferred the hearing in May 2007 pending any additional incidents. However, a new incident involving the tenant's sons was reported in June 2007, and the NAB agreed to hear the matter in October 2007. The NAB found that there was not enough evidence related to the property to declare it a nuisance at this time, but advised the owner that any further incidents would force it to reconsider the matter and that he should take steps to insure that the tenant and her sons further prevent the drug activity. The NAU and MDPD are continuing to monitor the premises.			
22	3110 N. W. 92 ST	Single Family Residence		3	3/29/2007	0.00	0.00	0.00	0.00		Upon notification of narcotics activity at NW 92 Street and 31 Avenue, the owner appeared before the NAB but did not provide an abatement plan. The NAB provided the owner another 30 days to consider the matter and recommended that he consider eviction of the tenants. The owner advised the NAB that he would consider evicting the tenant's sons who were allegedly involved in the activity and the owner met with the NAU at the property. The NAB deferred the hearing in May 2007 pending any additional incidents. However, a new incident involving the tenant's sons was reported in June 2007, and the NAB agreed to hear the matter in October 2007. The NAB found that there was not enough evidence related to the property to declare it a nuisance at this time, but advised the owner that any further incidents would force it to reconsider the matter and that he should take steps to insure that the tenant and her sons further prevent the drug activity. The NAU and MDPD are continuing to monitor the premises.			

	A	B	C	D	E	F	G	H	I	J	K
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes
9											
10											
11											
12	3131 N. W. 61 STREET	Single Family Residence	7/21/2003	36	8/13/2003	4944.54	1000.00	1000.00	0.00		A single family house at NW 31 Avenue and 61 Street was the site of much narcotics activity. The NAB declared it a nuisance in September 2003 and the owner agreed to fence off the property and keep it vacant until he demolishes it. The owner has not demolished the house, but no additional incidents have been reported and the owner paid costs of \$1,000 ordered by the NAB.
185											
186	3136 N. W. 56 STREET	Single Family Residence	1/17/2003	4	5/7/2003	0.00	0.00	0.00	0.00	1/27/2003	The owners of a single family rental house at NW 32 Avenue and 82 Street did not respond to a NAB notification letter. Due to the apparent lack of control and suspected ongoing narcotic activity, the NAB declared the premises a public nuisance in February 2007, and ordered the house to be vacated, closed, and secured in May 2007, when there was no further response and it was determined that the owners are not in control of the house. The property case, pending additional MDPD and NAB action as the owners had not responded and complied as of August 2007, was found by MDPD Northside Crime Suppression Team (CST) detectives to be the site of additional drug activity in September 2007, by vagrants who had taken over the house. The NAU and IB Officers, after six months of searching, located the owner, suffering from Alzheimer's disease, in a nursing home in West Virginia. Additionally, the owner's son who was reported to be the only living heir to the house, was found to be hiding Miami, in fear of the drug dealers who had battered, threatened, and forced him from the house in December 2005, and were allegedly still involved in the drug act
187	3240 N. W. 82 STREET		1/16/2006	18	12/15/2006	0.00	0.00	0.00	0.00		(Continued from above cell) due to her medical and mental condition, the son was located and advised that he could take responsibility for the house in representation of his mother. The owner's son advised that the alleged drug dealers and vagrants who had taken over the house were occupying it illegally and requested that MDPD officers enforce trespassing statutes and assist him with insuring that the house, supposed to be vacated, closed, secured and boarded up. The NAB so ordered the owner and the son to cause the house to be vacated, closed, secured and joined with the son to request that the County and MDPD assist the owner with this, as neither the owner nor her son were physically or economically capable of insuring that this happens. The house was vacated, and secured from entry in November 2007. The costs will be secured by a lien on the premises and MDPD Officers are continuing to monitor the premises. No additional activities have been reported and no persons have tried to break in through the boarded doors and windows.
188											
189	3320 N. W. 80 TERRACE	Single Family Residence	12/27/2001	17	7/28/2001	2814.55	2814.55	3339.67	-525.12		October - December 1996: In October, the NAB declared 3600 N. W. 191 Street, site of M & M Market and several illegal narcotics transactions, a public nuisance. The NAB ordered the owners to close the store and property for 30 days, for the purposes of developing a satisfactory abatement plan, and working with the MDPD and their neighbors to take action to prevent the nuisance activity. The owners took actions to prevent the activity and reopened after 45 days. Costs of \$4,133 were ordered but have not been paid.
190	3600 N. W. 191 STREET	Markets/Not 24 Hours	8/23/1996	40	3/19/1996	4133.82	4133.82	0.00	4133.82		
191	3601-3625 N. W. 191 STREET	Parking Lot	7/8/1995	9	3/19/1996	0.00	0.00	0.00	0.00		
192	3607 N. W. 191 STREET	Other	5/31/1995	3	3/19/1996	0.00	0.00	0.00	0.00		
193	3611 N. W. 191 STREET	Other		0	3/19/1996	0.00	0.00	0.00	0.00		
194	3613 N. W. 191 STREET	Other		0	3/19/1996	0.00	0.00	0.00	0.00		
195	3615 N. W. 191 STREET	Other	4/21/1995	1	3/19/1996	0.00	0.00	0.00	0.00		
196	3615 N. W. SOUTH RIVER DRIVE	Bar/Lounge	2/10/2006	251	5/5/2004	0.00	0.00	0.00	0.00		In April 2006, the NAB, after hearing evidence presented by the NAU and MDPD Officers from the Airport District, Narcotics Bureau, Strategic and Specialized Investigations Bureau (Vice & organized crime), and the Intergovernmental Bureau, declared the "Centro Espanol" Adult Entertainment/Strip Club at 3615 NW South River Drive a public nuisance based on prostitution and narcotics, as well as many other crimes including homicide, robbery, aggravated batteries, and shootings. The NAB ordered that the owners take the necessary and legal actions to work with MDPD and abate the nuisance activity. In conjunction with ongoing investigations by the MDPD, including the MDPD Legal Bureau Foreclosure Section, a court continued to hear new evidence of ongoing prostitution and drug activity, and after several hearings ordered the owners to close the business in June 2006. Ongoing efforts by the MDPD Legal Bureau and all concerned local and state officials resulted in the forfeiture of \$1.5 million to the County and the Law Enforcement Trust Fund and the owners agreed to sell the property and the business.
197											
198	3625 N. W. 191 STREET	Markets/Not 24 Hours	7/8/1995	2	3/19/1996	0.00	0.00	0.00	0.00		(Continued from above previous cell) The closure of the business and the combined and continuing efforts by all, including the NAB over two years, resulted in a major reduction in criminal activity and MDPD Calls for Service at the property and in the surrounding Airport District community, thereby resulting in significant ongoing savings for investigative and police costs. A status report and cost hearing is pending in January 2008. This case, and others over the years, exemplifies the coordinated County, MDPD, and State and Federal law enforcement efforts in IB initiated "Quality of Life" investigations and the effectiveness of the NAO, NAB, and nuisance abatement program for the public health, safety, and welfare of the citizens
199	4701 N. W. 32 AVENUE	Markets	4/22/1993	21	6/21/1993	0.00	0.00	0.00	0.00		
200	4807 N. W. 183 ST	Other	11/10/1997	41	11/3/1997	0.00	0.00	0.00	0.00		
201	4884 N. W. 192 ST	Single Family Residence	7/25/2003	5	9/30/2003	0.00	0.00	0.00	0.00	8/21/2003	The NAB and NAU deferred action on a Liquor Store/Bar and residential complex at NW 49 Street and 22 Avenue. The property owner advised that the liquor store business was abandoned by the business owner and she decided to operate a mortgage broker business and retail clothing store, in addition to two rental apartments on the second floor. The owner cleaned and painted the structure, conducted background checks on prospective tenants, provided for better security, and has greatly improved the appearance of the premises in the neighborhood. Criminal drug activity has been substantially reduced and the nuisance was abated.
202	4992-80 N. W. 22 AVENUE	Blank	1/16/2005	15	11/23/2005	0.00	0.00	0.00	0.00		A single family house at NW 30 Avenue and 54 Street was one of three houses that neighbors complained about ongoing narcotics activity. After several investigations, the owner, who lived in another state, was notified of the activity. The owners' relatives agreed to evict the persons involved and secure the house. Additionally, the owner's son, who was involved, was incarcerated for several months. No additional activity has been reported and the owner's son sold the property in 2005. The new owners have been working on rehabilitating the premises. No additional significant incidents have been reported, but narcotics activity continues on the street at NW 30 Avenue.
203	5431 N. W. 30 AVENUE	Single Family Residence	12/10/2003	12	1/15/2004	0.00	0.00	0.00	0.00	9/29/2003	

57

9	A		B		C		D		E		F		G		H		I		J		K	
	Street Address	Type of Place	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter	Investigator Date	Property Notes										
10	5621 N. W. 30 AVENUE	Single Family Residence	1/30/2004	7	5/7/2003	1995.44	1000.00	1078.50	-78.50	2/12/2003	The NAB declared a single family house at NW 56 Street and 30 Avenue to be a public nuisance in June 2003. The NAB continued to monitor the Premises through 2004 and warned the owners that any additional activity may result in the ordered closure of the Premises. The activities decreased significantly and the owners sold the house in 2004.											
204	5757 N. W. 22 AVENUE	Bar/Lounge	1/28/2002	65	10/30/2001	0.00	0.00	0.00	0.00		December 2001 - November 2002. A bar at NW 57 Street and 22 Avenue was the site of several problems including illegal parking and illegal alcohol consumption during one night a week. In conjunction with a notification from the NAU, the owners agreed to take abatement steps including the appointment of three security guards on the problem night. As a result of this agreement and monitoring by the owners and MDPD officers, the problem activities have been reduced. NAB action was deferred unless there are additional and ongoing serious incidents.											
205	5920 N. W. 30 AVE	Single Family Residence	11/17/2004	4	1/10/2005	0.00	0.00	0.00	0.00		After meeting with the NAU at the premises, the owner of a house at NW 59 Street and 30 Avenue advised that he had changed tenants and rented the house to a new family. The NAU and NAB deferred the matter pending additional incidents or non-compliance with his abatement plan. The house was sold and there have been no additional incidents.											
206	6201 N. W. 24 AVENUE	Markets	6/12/1993	16	8/24/1993	0.00	0.00	0.00	0.00		In February 2004, The NAB considered the matter of a 10 Story hotel at NW 79 Street and 6 Avenue. Investigations by the MDPD Northside Station and Strategic and Specialized Investigations Bureau revealed narcotics and prostitution as well as other criminal activity at the hotel. A security guard, who was suspected of directing much of the activity, was arrested. The owners advised the NAB that they would have taken appropriate actions to abate the nuisance activity. The NAB deferred the matter and asked the owners and MDPD to develop a plan that would be acceptable to all parties. A stipulated agreement was reached with the owners and approved by the NAB in April 2004. Reported incidents decreased substantially. MDPD and the NAB continue to monitor the Premises. Additionally, the security guard also sent people to another house at NW 67 Street and 19 Avenue to buy drugs. The owner was notified and appeared before the NAB in March 2004. The owner assured the NAB that the activities would be prevented and the house would be sold. Additional, but reduced activities have been reported at the hotel and MDPD and the NAU are co-											
209	6600 N. W. 18 AVENUE	Markets/Not 24 Hours	2/3/2007	87	7/26/2002	0.00	0.00	0.00	0.00		The owners of a closed store at NW 18 Avenue and 68 Street have not responded to the NAU notification letter and a hearing has been scheduled for January 2008. The store was the site of much internal drug activity during 2007.											
210	6704 N. W. 18 AVE	Markets/Not 24 Hours	4/12/2007	9	11/21/2007	0.00	0.00	0.00	0.00		April 1994 - March 1995: The NAB heard evidence concerning lewd and lascivious activities, prostitution related activities, and other disturbances in the store and parking lot of an adult book and video store, located at 6833 S. W. 40 Street (Bird Road). Initially the NAB declared the premises to be a public nuisance and ordered the business to be closed. After two months the business presented a plan, which included closing all video booths and a theater in the store and providing better security measures in the parking lot, and was allowed to reopen. The NAB heard further complaints in January 1995 and ordered the store to modify their operating procedures. Costs of \$4,800 were imposed and paid in September 1996. As a result of further meetings with citizens, Commissioners Reboredo and Souto, the County Manager, Dade County Public Works Department Officials, the NAU, and other MDPD Officials, two gates were installed by Dade County to close off two alleys at night, there by preventing loiterers from conducting activity in the parking lot and driving through the neighborhood.											
211	6833 S. W. 40 ST	Adult Book & Video	6/7/1995	1	11/15/1993	4851.32	4851.32	5393.05	-541.73		In conjunction with complaints at Bird Road Book and Video, complaints at this bar next door resulted in the issuance of a notification letter to the owners. The property and business owners provided an abatement plan in conjunction with the finding of a nuisance at the adult book store and the problems subsided.											
212	6835 S. W. 40 STREET	Bar/Lounge		0	2/17/1995	0.00	0.00	0.00	0.00		The owner of a house at NW 8 Court and 77 Street has advised that she would evict the tenants and sell the property after rehabilitating it. The NAU and NAB have deferred the hearing pending any additional incidents.											
213	7229 S. W. 24 STREET	Lingerie Modeling	6/30/1994	17	8/1/1994	0.00	0.00	0.00	0.00		In 2002, after the owner met with the NAU and agreed to take several actions to abate the nuisance, including providing rules and regulations to his current tenants, the NAB deferred the hearing pending any additional incidents. The owner maintained control of the house with no additional incidents until it was sold in 2005.											
214	7276 S. W. 8 STREET	Lingerie Modeling Stores	6/19/1995	5	9/15/1995	0.00	0.00	0.00	0.00		A vacant commercial and residential building at NW 8 Avenue and 79 Street was the site of considerable drug and prostitution activity. The owners agreed to secure and vacate the building. The owners also agreed to repair and maintain the security of the fencing. Activities have been reduced considerably and the NAB deferred the matter. However, the owners did not maintain the security of the Premises and take other actions required by the Unsafe Structures Board. The building was demolished by Miami-Dade County on January 16, 2006.											
215	7745 S. W. 86 STREET	Apartments/Single Unit Problem	5/29/1997	3	9/26/1997	0.00	0.00	0.00	0.00	10/8/2004	June - August 2000: The NAB declared a house at 8016 N. W. 10 Avenue, a public nuisance due to illegal narcotics activity. The NAB ordered that the owner keep the premises secured and vacant until he addresses and corrects all the concerns. The owner did not follow the instructions of the MDC Unsafe Structures Board and the house was demolished.											
217	7762 N. W. 8 AVE	Duplex	3/15/2007	3	7/5/2007	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
218	7762 N. W. 8 AVENUE	Duplex	1/24/2002	13	2/8/2003	0.00	0.00	0.00	0.00	1/31/2002	The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
219	7844 S. W. 24 STREET	Lingerie Modeling Stores	10/28/1995	4	12/19/1995	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
220	7930 N. W. 10 AVENUE	Duplex	5/11/2007	57	8/9/2005	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
221	7938 N. W. 5 AVE	Duplex	9/21/2004	3	11/2/2004	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
222	7983-7981 N. W. 12 PLACE	Duplex	4/17/2001	11	4/2/2001	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
223	801 - 811 N. W. 79 ST	Warehouse	8/19/2004	18	10/14/2004	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
224	8016 N. W. 10 AVENUE	Duplex	3/3/2000	10		3156.41	3156.41	0.00	3156.41	11/10/1999	The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											
225	8089 N. W. 5 COURT	Apartments/Entire Bldg Problem	8/18/2004	10	1/11/2005	0.00	0.00	0.00	0.00		The owner of a small apartment complex at NW 5 Court and 81 Street advised that tenants involved in narcotics activity would be evicted, background checks would be done on future tenants, fencing and access control gates would be considered, and a meeting would be held with all tenants. The NAB hearing was deferred pending any additional incidents or lack of compliance. A few incidents have occurred, but the reported incidents involving drug sales have been significantly reduced.											

58

A		B		C	D	E	F	G	H	I	J	K	
9	10	Type of Place		Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Cost Request Amount	Costs Ordered	Costs Paid	Costs Due	Investigator Letter Date	Property Notes	
11	12	8266 N. W. 5 AVENUE		1/30/2001	10	2/26/2001	2402.99	1200.00	1225.00	-25.00			
226	227	8292 - 90 N. W. 4 AVENUE		6/27/2001	6	8/30/2001	0.00	0.00	0.00	0.00		A rental duplex at NW 6 Avenue and 81 Street was the site of considerable narcotics activity. The owners responded to the NAU notification letter and evicted the tenants in the problem apartment. The NAB elected to defer the matter upon the recommendation of the NAU. No additional incidents have been reported.	
228	229	836-838 N. W. 81 STREET		10/11/2004	12	1/12/2005	0.00	0.00	0.00	0.00		A single family house at NW 25 Avenue and 87 Street was the site of much narcotics activity, including activity involving residents and relatives of the owner, as reported by the Northside Crime Suppression Team and the Narcotics Bureau. The NAB declared the Premises a public nuisance and ordered the owner to restrict access to the house by her relatives, prevent the activity, secure the yard, and maintain it free of junk and trash and junk vehicles. No additional activity has been reported. Costs of \$1,000 were ordered, but have not been paid.	
230	231	8791 N. W. 25 AVENUE		3/2/2004	11	4/8/2004	2084.15	1000.00	0.00	1000.00		August 2000 - February 2001: The NAB, after reviewing evidence of drug activity, alcohol activity, and other illegal activity at the premises from 1996 to 2000, and abatement actions taken, declared the property at 901-905 N. W. 79 Street, which is the site of a residential rental structure and the One Stop Market, a public nuisance. The NAB ordered and the owners took actions including the following: Closed and secured the residential property until it was deemed acceptable for residential or business use; fenced off the residential lot and parking area; maintained the premises free of all junk, trash, litter, and debris; provided regular reports to the NAB of all calls to police and all actions being taken to abate the nuisance. The NAB ordered costs of \$4,000, but in 2001, after the premises remained crime free, agreed to reduce the costs to \$2,500. The costs were paid and the crime, especially narcotics activity, at the premises was significantly reduced for the next few years. The closed part of the property was remodeled and is currently housed by a medical clinic and no significant further problems have been reported.	
232	233	8800 S. W. 8 STREET		1/15/1998	5	3/2/1998	2559.56	0.00	0.00	0.00			
234	235	8601 S. W. 126 TERRACE		5/3/1995	6	10/16/1995	0.00	0.00	0.00	0.00			
236	237	901 N. W. 79 STREET		9/19/2000	34	8/1/2000	4424.20	4000.00	2500.00	1500.00			
238	239	9011 S. W. 197 STREET		1/24/1997	5	1/16/1997	0.00	0.00	0.00	0.00	12/9/1996		
240	241	9330 N. W. 17 AVENUE		11/11/1992	10	3/2/1993	0.00	0.00	0.00	0.00			
242	243	9712 S. W. 24 STREET		9/12/2000	13	2/28/2001	0.00	0.00	0.00	0.00			
244	245	9900 N. W. 12 AVENUE		10/21/2004	3	6/9/2005	0.00	0.00	0.00	0.00			
246	247	Totals		220	4434.00		180923.91	82220.03	98703.88				

59

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 2-98.4 THROUGH 2-98.11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA CONCERNING NUISANCE ABATEMENT; REVISING PURPOSE, DEFINITIONS, OPERATING PROCEDURES, THE PUBLIC NUISANCE ABATEMENT BOARD, HEARING PROCESS AND FEES AND COSTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-98.4 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 2-98.4. Legislative Findings and intent.

This article [Ordinance No. 92-42] is enacted pursuant to the provisions of the >>Miami-<<Dade County Home Rule Charter and Florida Statute, Section 893.138, as it may be renumbered or amended from time to time, and shall be known and be cited as the [{"Metropolitan"}]>>"Miami-<<Dade County Public Nuisance Abatement Ordinance."

The Board of County Commissioners of >>Miami-<<Dade County, hereby finds and declares that any places or premises which are used as the site of the unlawful sale>>,<< [{"øf}] delivery>>, or possession<< of controlled substances, prostitution,

¹Words stricken through and/or [{"double bracketed}] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

youth and street gang activity, gambling, illegal sale>>, possession,<< or consumption of alcoholic beverages, [[~~er~~]] lewd or lascivious behavior, >>other criminal activity as defined in federal laws and/or Florida Statutes, or violations of the Code of Miami-Dade County<< may be a public nuisance that adversely affects the public health, safety, morals, and welfare. This Board also finds that abating the public nuisance which results from said [[~~eriminal~~]] activity is necessary to improve the quality of life of the residents of >>Miami-<<Dade County and that said abatement will safeguard the public health, safety, and welfare.

This article is hereby declared to be remedial and essential to the public interest and it is intended that this article be liberally construed to effect the purposes as stated above. The provisions of this article and the standards set forth herein shall be applicable only to the unincorporated areas of [[~~Metropolitan~~]] >>Miami-<<Dade County, Florida. >>It is not intended to replace, modify, supersede or diminish the standards or procedures established for the abatement of nuisances within any municipality or anywhere within Miami-Dade County or by any other Federal, State, County, or municipal laws. By Inter-local Agreement, which is authorized by resolutions adopted by the Miami-Dade Board of County Commissioners and the municipality's governing board, the County and any municipality may provide for the application and enforcement of this article within the boundaries of such municipality. All Inter-local Agreements agreed upon between Miami-Dade County and any municipality shall include a fee schedule. This requirement does not apply to Inter-Local Agreements that were executed prior to January 1, 2005,<<

The provisions of this article shall be cumulative>>, independent,<< and supplemental to and not in derogation of any provision of the Florida Statutes, the Code of [[~~Metropolitan~~]]>>Miami-<<Dade County, or any other applicable law.

Section 2. Section 2-98.5 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-98.5. Definitions.

For the purpose of this article the following definitions shall apply:

>>A.<<Public nuisance: Any place or premise>>s<< which has been used

>>(1) by a youth and criminal street gang for the purpose of conducting a pattern of youth and criminal street gang activity, or<<

>>(2) on more than two (2) occasions within a twelve month period:

~~[[1]]~~ >>(a)<< As the site of the unlawful sale>>, << ~~[[or]]~~ delivery>>, manufacture, cultivation, or possession<< of controlled substances >>(including, but not limited to substances and pharmaceuticals defined and regulated under Federal controlled substance laws, Florida Statutes, Chapters 893, and 499, any substance sold in lieu of a controlled substance in violation of Florida Statutes Section 817.563 or any imitation controlled substance defined in Section 817.564),<< or

~~[[2)]~~ By a youth a street gang for the purpose of conducting a pattern of youth and street gang activity, or]

~~[[3]]~~ >>(b) As the site of<< ~~[[For]]~~ prostitution, or solicitation of prostitution, >>or any violation of Florida Statutes Chapter 796, as it may be renumbered or amended from time to time, <<or

~~[[4]]~~ >>(c) As the site of<< ~~[[For]]~~ illegal gambling, or

~~[[5]]~~ >>(d) As the site of<< ~~[[For]]~~ the illegal sale>>, << ~~[[or]]~~ consumption>>, << or >>possession<< of alcoholic beverages>>, containers, or open containers,<< or

~~[[6]]>>e) As the site of<< ~~[[Før]]~~ lewd or lascivious behavior, or~~

>>(f) As the site of Violations of Florida Statute 812.019, Dealing in Stolen Property, as it may be renumbered or amended from time to time, or

~~[[7]]>>g<<) Any premise>>s<< or place >>that could be<< declared to be a nuisance by Florida Statutes, Section 823.05 or Section 823.10 as they may be renumbered or amended from time to time.~~

Evidence of violations of other federal, state, or local public nuisance laws, or other laws where a violation may create a danger to the public, health, safety, and welfare, or the failure to comply with the requirements, terms, and agreements in conjunction with these laws may be used to supplement and/or provide evidence of a public nuisance against a Premises in a Nuisance Abatement Board Hearing. As used herein, the term "Evidence" means any complaint, as defined in Paragraph B below, or findings of fact and conclusions of law of any federal, state, or local court or administrative entity.

- B. Complaint: A complaint and/or incident documented on local, state, or federal law enforcement report, police report, incident report, arrest report, Uniform Civil Violation Notice, warning notice, notice of violation, notarized affidavit, or oral or written sworn statement documenting an incident(s) or reasonable belief (as substantiated by local, state, or federal law enforcement, judicial, or government officials) that any of the above types of activities are occurring.
- C. Owner: Shall include the Property Owner/Property Manager and Business Owner/Manager as applicable.
- D. Places/Premises: Shall include, but not be limited to, any residential property, business property, farm land, land, vacant lot, parking area, vessel, vehicle, area controlled by

a homeowner or condominium or other similar association, or other property that comes within the control of a business, or business enterprise, or other activity associated with a business.

- E. Occasion: Shall be defined as any single instance and/or occurrence where there is evidence of ongoing nuisance activity or the receipt of a documented, substantiated complaint where the evidence shows that the activity was occurring on more than one day. Each instance and/or day of activity shall constitute a separate occasion/incident.<<

Section 3. Section 2-98.6 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-98.6. Operating procedure.

Any employee, officer>>, << [[~~or~~]] resident>>, or visitor<< of [[~~Metropolitan~~]] >>Miami-<<Dade County may file a complaint and request for prosecution with the [[~~Metropolitan~~]] >>Miami-<<Dade County Public Nuisance Abatement Board regarding the existence of a public nuisance located within [[~~Metropolitan~~]] >>Miami-<<Dade County. Said complaint shall be filed with the Director of the [[~~Metropolitan~~]] >>Miami-<<Dade Police Department, or his designee. Upon the filing of more than two (2) complaints on any particular place or premises >>or enterprise controlling such places or premises, within a twelve-month period,<< the Director or his designee shall mail written notice of such complaints >>or a notice of complaints and a Nuisance Abatement Board hearing<< by certified mail with return receipt to the [[~~o~~]]>>O<<wner of the place or premises complained of at the [[~~o~~]]>>O<<wner's address>>. Although any address reasonably likely to advise the Property/Business Owners may be used, using the address,<< as shown in the >>Miami-<<Dade County property tax collector's file>>, shall be deemed conclusively as proper. In lieu of the requirements of certified mail, the notice requirements may be fulfilled by Personal Service, hand delivery, or posting in a conspicuous place on the premises. Where service of process cannot be had in any of the manner described herein, service of process may be made by publication in

a newspaper or publication of general circulation in Miami-Dade County once a week for two (2) consecutive weeks.<< Said notice shall provide for the ~~[[o]]>>O<<wner >>(s)<< of the place or premises to contact, >>verbally and in writing,<< the Director or his designee within fourteen (14) days of receipt of the notice. This time period shall be >>provided<< ~~[[allowed]]~~ for the purpose of allowing the ~~[[owner]]~~ >>Owners<< to take such good faith measures as are appropriate to abate the nuisance. The Director or his designee may extend the fourteen (14) days to allow the ~~[[owner]]~~ >>Owners<< to institute or continue actions to abate the nuisance provided the actions are reasonable. In the event the ~~[[owner]]~~ >>Owner(s)<< fails to respond to >>the<< Notice of Complaint or fails to take ~~[[reasonable]]~~ >>sufficient<< action to abate the nuisance, >>or there are further substantiated and/or documented complaints/incidents,<< the Director or his designee ~~[[shall schedule]]~~ >>may conduct<< a hearing on the ~~[[complaint]]~~ >>complaints<< before the ~~[[Metropolitan]]~~ >>Miami-<<Dade County Public Nuisance Abatement Board, and written notice of said hearing shall be ~~[[by certified mail with return receipt to the]]~~ owner, of the premises and the complainant.]] >>sent by any of the methods for service of the initial notice of complaints<< at least ten (10) days prior to the scheduled hearing. >>The notice of hearing may be in the same notification as the notice of complaint(s), provided that the 14-day period of time is allowed for the Owner to take action to abate the nuisance. In the event, a property is used as a business, then notification shall be given to both the Property Owner and Business Owner, if the latter is not the Property Owner. If neither the Property Owner nor the Business Owner can be served, due to an inability to locate them, and the notices were delivered and/or posted at the address of record of at least one party on a timely basis, notice to one party shall constitute sufficient notice to the other party. Any person or party who shall not appear and show cause as aforesaid shall be as fully bound by the proceedings taken as if he/she had appeared and shown cause. If notification requirements have been fulfilled, the hearings may be held upon the absence of the Owners.~~

Additionally, the Director of the Miami-Dade Police Department, or his designee, may eliminate the 14-day waiting period and 10-day Hearing Notification Period, and requirements of more than two (2) complaints (incidents) within a twelve (12) month period.

and schedule a Nuisance Abatement Board Hearing, or Circuit Court Injunction hearing with a minimum of three (3) days notice to be provided to the Owner (s) as required by Florida Statutes, Section 893.138.

The Nuisance Abatement Board and/or the County Attorney shall have power of subpoena for any person or documents.

In the event the place or premises has already been declared a public nuisance by previous actions of the Board, the jurisdiction of the Board has ended, and there is new evidence of nuisance activity at, on, or in relation to the premises, the requirements for a new "notice of complaints" and for a 14-day period for the Owner(s) may be waived by the Director of the Miami-Dade Police Department or his designee and the case may be scheduled for a Board hearing and/or a Court Injunction Hearing under Florida Statutes, Section 60.05 (with at least three (3) days notification prior to the scheduled hearing). All evidence previously presented to the Board may be considered in the new proceedings.<<

The aforesaid notice of hearing >>to the Owner(s)<< shall include:

- (a) A statement of the time, place and nature of the hearing;
- (b) A statement of the legal authority and jurisdiction under which the hearing is to be held;
- (c) A reference to the particular sections of the statutes and ordinances involved;
- (d) A short and plain statement summarizing the incidents complained of.

Section 4. Section 2-98.7 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-98.7. Public Nuisance Abatement Board.

The ~~[[Metropolitan]]~~ >>Miami-<<Dade County Public Nuisance Abatement Board is hereby created and established. The Board

shall consist of ~~[[nine (9)]]~~ >>thirteen (13)<< members with one member appointed by each County Commissioner.

(a) Qualification of members. The composition and representative membership of the Board shall be as follows:

- (1) All members shall >>permanently<< reside in ~~[[the unincorporated areas of]]~~ >>and shall be a qualified elector of Miami-<<Dade County>>, unless the Board of County Commissioners, by a two-thirds vote of its membership, waives this requirement, and should have reputations for integrity and community service.<<
- (2) One (1) member shall be a law enforcement officer ~~[[as defined in Florida Statutes, Section 943.10]]~~ who is retired or inactive ~~[[and]]~~ >>or<< who is not employed by Miami-Dade County>>, and who meets the definition of "law enforcement officer", as defined by Section 943.10 of the Florida Statutes, at the time he or she was in active status or who is currently in active status. <<
- (3) One (1) members shall be an attorney practicing law in >>Miami-<<Dade County and a member[[s]] in good standing of the Florida Bar.
- (4) Eleven (11) members of the general public, who possess outstanding reputations for civic pride, integrity, responsibility, and business or professional ability, with interest or experience in abating public nuisances.
- >>(5) Three (3) alternate members to be appointed by the Mayor, the County Manager, and the Director of the Miami-Dade Police Department or his designee, subject to ratification by the Board of Miami-Dade County Commissioners, who shall serve upon the absences of a Board Member(s).<<

- (b) Terms of office. The initial appointments >>of members and alternates<<to the Board shall >>be in accordance with Sections 2-11.38 and 2-11.38.1 of the Code of Miami-Dade County and shall<< be as follows: Seven (7) members shall be appointed for the term of one year, six (6) members shall be appointed for the term of two (2) years. Thereafter all appointments shall be made for the term of >>office corresponding with the term of the appointing Commissioner << [[-two (2) years]]. >>Generally, no<< [[No]] members shall serve more than [[three (3) consecutive terms or seven (7) years]] >>eight (8) consecutive years, but may return to the Board after a 2 year hiatus and reappointment by the Board of County Commissioners as required by Section 2-11.38.2(b) of the Code of Miami-Dade County, Florida. Notwithstanding the term limit set forth herein, the term limit provision shall not apply to current members. A Board member may apply for waiver from the Board of County Commissioners, who may approve such application upon a two-thirds (2/3) vote of its membership.<< Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term of office. >>Pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, Florida, as it may be renumbered and amended from time to time, the term of every Board member nominated by a Commissioner shall automatically expire when the nominating Commissioner leaves office, or (2) the nominating Commissioner's term of office expires. A Board Member whose term has expired shall continue to serve until the responsible Commissioner reappoints or replaces him or her with a new appointee approved by the Board of County Commissioners.<< A member may be removed with or without cause by the affirmative vote of not less than a majority >>vote<< of the [[entire]] County Commission[[.]]>>, and must comply with the attendance requirements of § 2-11.39 as it may be renumbered and amended from time to time. Pursuant to § 2-11.39, acceptable excuses for non-attendance must be submitted verbally or in writing to the county official designated to receive such excuses, at least 24 hours prior to the start of the scheduled meeting. The provisions of this section may be waived by a two-thirds (2/3) vote of the members of the

Board of County Commissioners. Should any member of the Board fail to comply with this section, the chairperson or the Board by a majority vote shall certify the same to the County Commission. Upon such certification, the member shall be deemed to have been removed and the County Commission shall fill the vacancy by appointment.<< [[Should any member of the Board fail to attend three (3) consecutive meetings without due cause, the chairperson shall certify the same to the County Commission. Upon such certification, the member shall be deemed to have been removed and the County Commission shall fill the vacancy by appointment.]]

* * *

- (d) Meetings of the Board. Meetings of the Board shall be held monthly, or more frequently if necessary, to hear and dispose of the pending complaints. Notice of the time and place of meetings shall be given to ~~[[all]]~~ complainants and ~~[[e]]~~>>O<<wners of premises scheduled to be heard. Notice >>to the Owners<< shall be given in writing at least~~[[ten (10) days]]~~ >>three (3) days<< prior to the hearing >>or as stipulated in § 2-98.6.<< Any aggrieved person may request a continuance of the hearing. The Board may grant a continuance of any hearing for good cause. The chairperson may call an emergency meeting of the Board, and meetings may also be called by written notice signed by three (3) members of the Board. The meetings of the Board shall be recorded and be transcribed >>(with a copy to the Clerk of the Board and the County Attorney)<< at the expense of the party requesting the transcript. All meetings shall be in compliance with Florida's "Government in Sunshine Law" and Chapter 286.011, Florida Statute>>s<<. No less than >>a majority of the<< ~~[[seven (7)]]~~ members >>duly appointed to the board, provided that at least one-half (1/2) of the full board membership has been appointed,<< shall constitute a quorum >>for purposes of conducting the business of the Board, including but not limited to ~~[[. No less than six (6) members voting affirmatively shall be required]]~~ conducting hearings<< to declare any place or premises a

public nuisance under this provision. The County Manager shall provide adequate and competent clerical and administrative personnel, and such technical or scientific personnel as may be reasonably required by the Board for the proper performance of its duties. The County Manager shall provide a regular meeting place for the Board. All records shall be public records as defined by Chapter 119.011, Florida Statutes.

- (e) Conduct of hearings.
- (1) The Director of the ~~[[Metro]]~~ >>Miami<<Dade Police Department or his designee shall present cases before the Board. All parties shall have an opportunity to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, and to be represented by counsel. When appropriate, the general public may be given an opportunity to present oral or written communications. If the Board proposes to consider such material, then all parties shall be given an opportunity to cross-examine or challenge or rebut it. The Board may consider any evidence, including>>, but not limited to,<< evidence of the general reputation of the place or premises>>. Evidence of general reputation shall include but not be limited to prior Board Orders, formal or informal stipulated agreements and abatement plans; MDPD notifications, and incidents older than twelve months; the general reputation of the Owner(s) or their associates, employees, or tenants; and evidence concerning other properties that may be owned, managed, or controlled by the Owner(s).

Any parties presenting any documentation to the Board without prior notification to the Director of the Miami-Dade Police Department, or his designee, shall ensure that adequate copies for the Board, the Clerk of the Board, and the Owner(s) be available for review at the Board meeting.<< All testimony shall be under oath and shall be recorded.

Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings. Orders of the Board shall be based on competent and substantial evidence and must be based on a preponderance of the evidence. >>Evidence may include, but is not limited to, documents and reports of the Miami-Dade Police Department, county agencies, or other local, state, or Federal law enforcement agencies.<<

- (2) After considering all evidence, the Board may declare the place or premises to be a public nuisance as defined in this chapter and may enter an order >>requiring the Owner(s) to adopt such procedure(s) as may be appropriate under the circumstances to abate any such nuisance and/or it may enter an order immediately<< prohibiting>>, but not be limited to any of the following:<<
- (i) The maintaining of the nuisance;
 - (ii) The operating or maintaining of the place or premises~~[[or]]~~>>, including the closure of the place or premises or any part thereof; << or
 - (iii) The conduct, operation, or maintenance of any business or activity on the premises which is conducive to such nuisance;>> and/or
- (3) Notwithstanding the provisions set forth in subsection (2) of this Section, the Board shall prohibit or require actions by the Owner(s) as permitted or required by the Code of Miami-Dade County, Florida and/or applicable Florida Statutes or Federal Law, or any other legal steps deemed necessary by the Nuisance Abatement Board, the County Attorney, inspectors of the County, State, or Federal Agencies, or the Director or designee, or police officers of the Miami-Dade Police

Department, to abate the nuisance and/or to protect the public health, safety, and welfare.<<

(~~[[3]]~~>>4<<) An order entered under subsection>>s<< (2>>or 3<<) shall expire after one year or at such earlier time as stated in the order. The Board may retain Jurisdiction to modify its orders >>or to extend the time period of jurisdiction past the expiration date, upon the showing of cause that the Owners have not taken reasonable and/or sufficient action to abate the nuisance or there are additional nuisance activities, or the Owners have not adhered to the orders of the Board, << prior to the expiration of said orders.

(~~[[4]]~~>>5<<) The Board may bring a complaint under Section 60.05 of the Florida Statutes, seeking a >>temporary or<< permanent injunction against any public nuisance.

Section 5. Section 2-98.8 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

>>Sec. 2-98.8. Fines, Costs, and Recording.<<

>>(a) Prehearing Settlement. The Director of the Miami-Dade Police Department may enter into stipulations of settlement with the Property and Business Owners regarding their plans to abate any nuisance activities. Such negotiated stipulations may include but not be limited to any costs incurred by the Miami-Dade Police Department and the County for the investigation of the complaints, preparation of the notification to the Owners, and investigation of the Owners' plans to abate the nuisance activity. The stipulation of settlement may be reviewed and approved by the Nuisance Abatement Board, prior to a Board Order declaring the Premises a Public Nuisance. In the event there is noncompliance by the Owner with any of the terms of the stipulation, the Director of Miami-Dade Police Department or his designee may either seek enforcement of

the terms by the Board or present the case to the Board for purposes of declaring a property a public nuisance.<<

>>(b) The Board may order fines in increments of \$250 or another appropriate higher or lesser amount as it deems appropriate and necessary, per incident and/or day of non-compliance. Fines shall not exceed \$15,000 (or a total amount as allowed by Florida Statutes, Section 893.138, as amended) each time a premises is declared a public nuisance.<<

>>(c)<<Costs >>Levied by the Board<<. In the event [[that]] the Board declares a place or premises to be a nuisance and issues an order pursuant to Section 2-98.7(e)(2) >>or (3)<< above, the Board shall assess against the >>Property<< [[ø]]>>O<<wner >>and Business Owner (jointly and severally)<< of the place or premises the costs which the County has incurred in the preparation, investigation, and presentation of the case >>and monitoring of the premises and/or investigation of all incidents and/or conditions showing evidence of a public nuisance. In the event that the Owner(s) fail to comply with the orders of the Board, all costs associated with further investigation and enforcement of the order, shall be additionally assessed. Costs shall include, but not be limited to, any investigative, administrative, research, equipment, supplies, and attorney fees, incurred by the County Manager's Office, County Attorney's Office, the MDPD, and other Miami-Dade County Departments. Any other Municipal, State, or Federal Law Enforcement or Government Agency may request that the Board also order related costs to be paid to their agencies.

A summary of the actual costs to be requested by Miami-Dade County or other agencies shall be provided to the Owner(s) no less than 3 days prior to the cost hearing. The Owner(s), upon presentation of these costs, shall be given an opportunity to provide a written proposal along with supporting documentary evidence of the costs they believe to be acceptable, that will be reviewed before the Board, if a finding of a public nuisance is returned by the

Board. If the Owners and officials of Miami-Dade County cannot arrive at an acceptable determination of reasonable costs, then evidence of costs will be heard by the Board to determine the reasonableness of costs. The Board will order actual costs incurred by Miami-Dade County, unless the Owners dispute the costs in a hearing as asserted in a prior proposal provided to Miami-Dade County Officials. The Owners and County officials shall be afforded a cost hearing, if requested. The Owners shall be able to provide evidence of unreasonable costs or additional evidence of their efforts to abate the nuisance activity and the County shall provide evidence of the reasonableness of the costs. Each party may refute or cross examine the witnesses or evidence presented. The witnesses and evidence provided in the public nuisance hearing may be considered as evidence of the costs. Unless upon a majority vote of the Board, the Board specifically finds that the costs or any parts of the costs are unreasonable, or upon a specific finding of any of the following mitigating circumstances, the Board shall order the actual costs. Mitigating circumstances shall include, but not be limited to: substantial, competent evidence that (1) the Owners have instituted measures that will abate or have successfully abated the nuisance activity; (2) a finding that the costs are unreasonable; (3) evidence that neither the Owners, or their relations, or their employees, or their invited friends, or their tenants, or invited associates of the tenants, were involved in or did not have knowledge of or could not be presumed to know of the nuisance activity; (4) a consummated sale of the premises will provide undue hardship to the new Owners, who have not been associated with the nuisance activity, and who present evidence to the Board that they will take reasonable actions to abate the nuisance; (5) evidence that the goals of the Nuisance Abatement Ordinance and Board to abate the nuisance will severely restrict the ability of the Board and the Owner(s) to successfully abate the nuisance; (7) the inability of the Board to find that the property is a public nuisance; (8) or there was insufficient probable cause to find that the nuisance existed. Upon a majority vote of the Board and a detailed opinion of the application of the above listed

mitigating circumstances, the Board may order an amount less than the actual costs requested under the following guidelines: No Order of Costs may be less than the actual costs levied as a result of the pre-hearing settlement with the Owner(s) unless there is a finding of no nuisance because of a lack of evidence of probable cause that the nuisance exists or existed; the amount of costs may be levied in its entirety and later reduced to no less than 25% of the actual ordered costs or the levied fines if the nuisance is abated successfully during the entire jurisdiction of the Board and the Owners provide evidence of complete and responsible adherence to the Board Orders.<< These costs shall be due and payable ten (10) days after the written order of the Board has been filed >>or the date of the cost hearing whichever is earlier.<<

([e])>>d<< >>Recording of Orders, Fines and Costs.<< A certified copy of an order >>declaring a premises a public nuisance and other orders to abate the nuisance and<< imposing >>fines and/or<< costs >>or penalties assessed under Sec. 2-98.8 (a)<< may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists or, [[if the violator]] [[does not own the land,]] upon any other real or personal property owned by the violator >>(Owner);<< and it may be enforced in the same manner as a court judgment by the sheriffs of this state including levy against [[the]] personal property, but shall not be deemed to be a court judgment except for enforcement purposes. >>Whenever a Notice of Complaint has resulted in a fine being levied or a Board Order, a copy of such final order shall be filed in the office of the Clerk of the Circuit Court of Miami-Dade County, Florida, who shall cause the same to be recorded among the public records of Miami-Dade County. The recordation of such final order shall constitute constructive notice to any subsequent purchasers, transferees, grantees, mortgagors, mortgages, lessees, lienors, and all persons having, claiming or acquiring any interest in the property described therein, or affected thereby. When the nuisance specified in said final order has been abated and all fines and costs for enforcement have been paid, a certificate certifying the

nuisance has been abated shall be filed and the order canceled. All such final orders shall include the proper legal description of the property involved. The costs of recording the original final order and the certificate of cancellation shall also be recoverable as costs from the Owner of record prior to recording the certificate of cancellation. The original final order may include an automatic date of cancellation/expiration, exclusive of the costs/fines liens, and shall be effective if the Board has not filed a notice of extension as allowed under Sec. 2-98.7 (4). Any person acquiring any interest in or to property described in a final order after recordation thereof, shall take the property subject to the requirements set forth in the final order, and all other provisions of this Article.<< After ~~[[one year from]]~~ the filing of any such lien which remains unpaid, Miami-Dade County may foreclose or otherwise execute on the lien. Interest shall accrue on the unpaid costs>> and/or fines<< at the ~~[[legal rate of interest]]~~ >>annual interest rate of 18%<<[[set forth in Section 55.03, Florida Statutes, as that may be amended from time to time.]]

~~[[d]]>>e)~~

Fines and/or Cost Payments shall be made payable to the Miami-Dade Board of County Commissioners, excepting those orders requiring payment to other agencies, and sent to the Director of the Miami-Dade Police Department, or his designee. Fines and Costs receipts shall be used to offset costs of the enforcement of the Nuisance Abatement Ordinance and other associated criminal statutes and crime prevention programs. Fines, costs, and liens relating to a Premises in an incorporated area of Miami-Dade County that may be under the jurisdiction of the Nuisance Abatement Board pursuant to an Interlocal Agreement authorized by this Chapter and approved by the Miami-Dade Board of County Commissioners shall be payable in conjunction with the terms of the Interlocal Agreement.

Liens created pursuant to this Article may be discharged and satisfied by paying the Miami-Dade County Board of County Commissioners, excepting those orders requiring payment to other agencies, and sent to the Director of the

Miami-Dade Police Department, or his designee the amount specified in the notice of lien, together with interest thereon from the date of filing of the lien computed at a rate of eighteen (18) percent per annum, together with administrative costs, filing and recording fees and fees paid to file a satisfaction of the lien in the public records. When such lien has been discharged, the Board or other agency responsible for the lien shall promptly cause evidence of the satisfaction and discharge of such lien to be recorded in the public records. Any person, firm, or legal entity, other than the present Property and/or Business Owner(s) involved, who pays any such unsatisfied lien shall be entitled to receive an assignment of the lien held by the County and shall be subrogated to the rights of the County in respect to enforcement of such lien, as permitted by law.<<

Section 6. Section 2-98.9 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows

Sec. 2-98.9. Appeals.

An aggrieved party may appeal a final order of the ~~[[Metropolitan]]>>Miami-<<Dade County Public Nuisance Abatement Board to the Circuit Court of the Eleventh Judicial Circuit, Appeals Division. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Board. An appeal shall be filed within thirty (30) days of the date of the written order appealed from.~~

Section 7. Section 2-98.4 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows

>>Sec. 2-98.10, Enforcement.

If a property is declared a public nuisance and the Board Issues an Order for Abatement, a fine of \$250 shall be levied for each day the Owner does not comply with the Board's Order or the property continues to be a public nuisance as evidenced by further incidents

on the premises and/or the filing of a Miami-Dade Police Department (or other law enforcement agency) Offense/Incident Report or an affidavit by an employee, officer, or resident of Miami-Dade County.

Any Owner, or person who hinders, or obstructs, any County or State Official, in the discharge of his duties under this chapter, or in carrying out the Orders of the Board, or who fails to follow the orders of the Board, shall be cited by County Officials and/or Police, and upon conviction thereof in the County Court, shall be punished by a fine not to exceed five hundred dollars (\$500) or by imprisonment in the county jail for not more than sixty (60) days, or by both such fine and imprisonment.

In the event that the Board orders the Owner to close the property and/or secure it, and the Owner fails to do so, as determined by inspectors of the Miami-Dade County Departments of Team Metro, Building, Code Enforcement, Building and Zoning, and/or officers or officials of the Miami-Dade Police Department, or other County or State agencies (or as they may be named or renamed from time to time), the Board authorizes the County to secure the premises as necessary to safeguard the public health, safety, and welfare. The Owner will automatically be assessed the costs and be subject to lien and foreclosure action as in Section 2-98.8 d-e.<<

Section 8. Section 2-98 of the Code of Miami-Dade County, Florida, is hereby amended to add Section 2-98.11 and reads as follows:

Sec. 2-98.1[[[θ]]>>1<< Rights preserved.

This article does not restrict the right of any person to proceed under Section 60.05 of the Florida Statutes, against any Public Nuisance.

Section 9. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 10. It is the intention of the Board of County Commissioners, that the applicable provisions of this ordinance, including but not limited to jurisdictions, types of nuisance activity, Board membership requirements and term limits, dates of nuisance activity, definitions, costs, and fines, hereby being amended, may be applied retroactively, for enforcement purposes, to the original date of adoption of the ordinance, or to the dates of amendments to Florida Statutes, 893.138.

Section 11. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 12. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 13. This ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency: _____

Prepared by: _____

Terrence A. Smith

COUNTY ADVISORY BOARD INFORMATION

Attachment #11

BOARD NAME:

Nuisance Abatement Board

BOARD SUPPORT COST INFORMATION

	<u>FY07/08</u>	<u>FY06/07</u>		<u>FY05/06</u>
DIRECT COSTS	AMOUNT (\$)	AMOUNT (\$)	ITEM	AMOUNT (\$)
	\$ 1,000.00	\$ 1,000.00	Copies, Certified Copies, Recording	\$ 1,000.00
	\$ 50.00	\$ 50.00	Parking	\$ 50.00
	\$ 400.00	\$ 400.00	Postage	\$ 400.00
	\$ 11,880.00	\$ 10,800.00	Other: Includes NAB Meeting facilities, security, witnesses, County Attorney staff, Technical Staff (3)	\$ 10,800.00
	\$ 3,000.00	\$ 1,250.00	Other: Court Reporter	\$ 1,250.00
			Other:	
	\$ 16,330.00	\$ 13,500.00	TOTAL	\$ 13,500.00
INDIRECT COSTS	AMOUNT (\$)	AMOUNT (\$)	ITEM	AMOUNT (\$)
	\$ 156,468.00	\$ 130,390.00	Staff Support* (2)	\$ 224,071.00
	\$ 7,000.00	\$ 5,000.00	Other: NAU Equipment, Cars, Computers, etc.	\$ 8,000.00
	\$ 5,000.00	\$ 5,000.00	Other: MDPD Administrative	\$ 5,000.00
			Other:	
	\$ 168,468.00	\$ 140,390.00	TOTAL	\$ 237,071.00
TOTAL BOARD SUPPORT COST:	\$ 184,798.00	\$ 153,890.00		\$ 250,571.00

(Add total Direct and Indirect Costs)

Source of Funds:

General Fund, NAB Ordered Costs (1), Law Enforcement Trust

(i.e, General Fund, Interest Earning, Fines, etc.)

* Includes staff time dedicated to supporting the board. Example: John earns \$40,000 annually and spends 25% of his time on board support related work. The calculation would be \$40,000 + 20% benefits x 25% = \$12,000 for indirect board support costs.) Please make sure to also include staff time dedicated from other departments, such as the County Attorney's Office.

ALSO ATTACH SEPARATE FINANCIAL INFORMATION FOR PROGRAMS

SUPPORTED BY THIS BOARD - Not Applicable

COUNTY ADVISORY BOARD INFORMATION

Attachment #11
Page #2

(1) NAB Ordered Costs Information

Cost Orders Requested	\$236,810			
Costs Ordered by NAB		\$179,924		
Costs Not Ordered by NAB	\$56,886			
Costs Reduced by settlement during appeals, or by NAB due to owners' abatement actions		\$17,547		
Net Costs Due		\$162,377		
Costs Paid by Owners			\$79,670	
Interest and Fees Collected			\$2,831	
Total Collected to date			\$82,501	
Net Pending Collection, Liens, Foreclosures, or deemed uncollectible				\$79,876

NOTE: Costs are only ordered and collectible if the NAB declares a premises a public nuisance.

(2) NOTES regarding NAU staff

Salaries (including Fring Benefits) include the below listed positions)

Administrative Officer 3 (AO3) (Jack DiCarlo) - Include in all three fiscal years

2nd AO3 Detached from Central Records Bureau

Worked: NAU F/T 10/1/05 - 3/13/06

Worked: NAU P/T 3/13/06 - 12/31/06

Clerk 4: Worked: 10/1/05 - 3/13/06

Position not filled after resignation

(3) NAB Meetings (Estimated \$1,300 per meeting x 10 meetings annual, Includes Estimated facilities, security, witnesses, court reporter, County Attorney, Technical, paper/copies); an increase was estimated for FY 2007/08 as the court reporter costs are expected to increase due to a new contract.

<p>The NAU Staff has been operating with one AO3 since January 2007, thereby reducing the costs significantly. Staff vacancies and anticipated positions have not been filled, but are recommended for consideration to be filled.</p>	<p>Successful Enforcement of the NAO results in significant savings to MDPD, the County, and the Taxpayers due to the reduction in Police Calls for Service, enforcement and investigative costs, other County Services required, and the abatement of the nuisance activity at the property and in the community.</p>
<p>The MDPD enforcement of the NAO depends on indirect costs related to criminal investigations and the information regarding complaints and reports that are utilized to provide documentation to enforce the NAO.</p>	<p>Other indirect costs in support of enforcement of the NAO and other Quality of Life concerns, not included above, include police investigations, other County Code Enforcement, other IB investigative enforcement, County Attorney, Police Legal Bureau, Overtime for police officer witnesses, etc.</p>