

Memorandum



Date: March 6, 2012

Agenda Item No. 1F11

To: Honorable Joe A. Martinez, Chairman
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Gimenez", written over the printed name of the sender.

Subject: 2012 Sunset Review of County Boards – Nuisance Abatement Board

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2012 Sunset Review of County Boards Report for the Nuisance Abatement Board. The Board approved the attached report at its meeting of December 14, 2011, and has recommended the continuation of its board.

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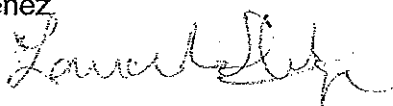
Genaro "Chip" Iglesias
Deputy Mayor/Chief of Staff

Memorandum



Date: December 14, 2011

To: Carlos A. Gimenez
Mayor

From: Lance Stelzer 
Chairperson, Nuisance Abatement Board

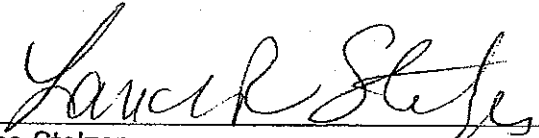
Subject: Biennial Sunset Review of County Boards for 2012 – Nuisance Abatement Board

Pursuant to Section 2-11.40 of the Code of Miami-Dade County (MDC), I am submitting the 2012 Sunset Review of County Boards Report for the Nuisance Abatement Board (NAB) for transmittal to the Board of County Commissioners (BCC). The NAB reviewed and approved the attached report at its meeting of December 14, 2011.

It is recommended that the BCC approve the continuation of the NAB. Additionally, it is requested that the BCC appoint members to fill the NAB vacancies.

BACKGROUND

1. The Nuisance Abatement Ordinance (NAO), 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 the unincorporated MDC 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 to be provided in 2012, because the NAO and the NAB have been effective tools 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 a safer place for the citizens and visitors of the community.


Lance Stelzer
Board Chairperson

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Miami-Dade County Nuisance Abatement Board

Coordinator: Jack DiCarlo, Administrative Officer 3
Miami-Dade Police Department (MDPD)
Public Information & Education Bureau (PIEB)
Nuisance Abatement Unit (NAU)
Telephone: (305) 596-3850 ext.280

Assistant County Attorneys: Shannon Summerset, Terrence Smith, Shanika Graves

BIENNIAL (2010-2011) SUNSET REVIEW QUESTIONNAIRE MIAMI-DADE COUNTY BOARDS - 2012

I. GENERAL INFORMATION

1. Name of Board Reporting:

The Miami-Dade County (MDC) Nuisance Abatement Board (NAB).

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

Number of NAB members: 11

Number of NAB vacancies: 2

Number of NAB vacancies due to expired terms, but members are continuing to serve pending reappointment (as listed below): 6

The following list indicates board members and their appointing County Commissioner:

Board Members

Appointing Commissioners

Mia Battle (Serving pending new/reappointment)
Carlos Figueroa (Serving pending new/reappointment)
Regina M. Grace
Roxanne A. Joffe
Harold Lawton (Serving pending reappointment)
Walter Livingstone
Pedro Mora (Serving pending new/reappointment)
Robert Powers
Dr. Maria Saunders
Steve Sessler (Serving pending reappointment)
Lance Stelzer, Chairperson (Serving pending new/reappointment)
Vacancy
Vacancy (Reverend Willie Starks Resigned May 28, 2009)
Gregory Samms (replaced on September 1, 2011)

Xavier L. Suarez
Esteban Bovo, Jr.
Dennis C. Moss
Joe A. Martinez
Barbara A. Jordan
Javier D. Souto
Bruno A. Barreiro
Audrey M. Edmonson
Rebeca Sosa
Sally A. Heyman
Lynda Bell
Jose "Pepe" Diaz
Jean Monestime
Audrey M. Edmonson

3. Identify number of meetings and members' attendance (Attach records reflecting activity from January 1, 2010 through December 31, 2011): (Attachment #1).

	<u>2010</u>	<u>2011</u>
Number of Meetings Held:	7	7
Number of Meetings with Quorum	6	6
Number of Meetings postponed Prior to meeting because of the Inability to obtain a Quorum or Due to a limited agenda:	7	7

4. What is the source of your funding?

The funding source is the General Fund for support of salary, fringe benefits, court reporters, meeting places, meeting security, equipment, and operating supplies. The funding source for the NAB and the NAU has been included in the MDPD Public Information & Education Bureau Budget. Currently, all NAU operating expenses are encumbered by MDPD General Funds, and may be offset by the imposition of costs, charged to the property owners by orders of the NAB, 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 and hearings on January 23 and in April 1993.

6. A copy of the ordinance creating the NAB is attached (Attachment #2).

7. NAB'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 MDC 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 prevent crime and ensure compliance with the NAO and other applicable state and local laws.

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

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 #3**) and "Chairperson Opening Statement" (**Attachment #4**) are attached.

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 Supervisor/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 December 14, 2011, as reflected by the attached minutes of the December 14, 2011, meeting (**Attachment #5**).

II. EVALUATION CRITERIA/PERFORMANCE MEASURES/ACCOMPLISHMENTS

1. Is the board serving the purpose for which it was created (Please provide detailed information)?

Yes. In January 2012, the NAB will complete its nineteenth year of service to the citizens of MDC. The NAO and the NAB have given citizens, police officers, and MDC 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 or NAU.

2. Is the board serving current community needs (Please provide detailed information)?

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, PIEB, and NAU in conjunction with the NAB have created a web page, 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 75 Community Oriented Policing seminars to more than

2,300 officers in the MDPD, including Police Academy recruits.

3. What are the board's major accomplishments?

A. During last 24 months, 2010 - 2011: During this time period, the NAB met 14 times; attempted to schedule meetings another 14 times, declared 4 properties public nuisances; heard several status reports on properties they had previously declared public nuisances; heard evidence and ordered owners to pay costs totaling \$2,004 on 2 properties that had previously been declared a public nuisance; and heard evidence and received more than 30 status reports on 20 properties that the NAB elected not to declare the premises a public nuisance and defer NAB action because of substantial abatement actions and plans presented 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, some buildings the NAB/NAU had considered action on were considered for demolition by the Permitting, Environment, and Regulatory Compliance 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 413 properties; opened files on more than 62 properties, closed files on 207 properties, and reviewed and utilized more than 500 incident reports involving these properties.

The attached Spread Sheet (**Attachment #6**) is a list of the cases considered by the NAB and MDPD's NAU during the time period from 2010 - 2011.

Other crime prevention and nuisance abatement actions of the Nuisance Abatement Unit include: assisting with coordination of the Regional Community Collaboration on Violence (RCCV) as they have monthly meetings and site surveys regarding crime prevention measures at Miami-Dade Public Housing sites; assisting with the Pain Management Clinic Task force and preparation of a report for consideration of the Mayor and the County Commission; assisting with coordination of MDPD Officers' volunteer efforts to build houses in partnership with Habitat for Humanity; liaison with the PERC regarding Community Zoning Appeals Board hearings on three properties.

B. Since established:

The NAB, in conjunction with officers, supervisors, and officials from MDC 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 19 years.

The NAU, in conjunction with MDPD officers and the NAB, has opened investigations on approximately 1,440 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 252 of these properties, with notification letters pending further NAU and MDPD investigation on several other properties. Hearings have been convened or scheduled on 195 of these properties and the NAB has declared 73 of them public nuisances. MDPD investigators, including Narcotics Bureau personnel, have sent investigative reports and requests for abatement notification letters to the owners of more than 372 of these 1,440 properties, thereby possibly resulting in the cooperation of the owners and abatement of the nuisance

without requiring NAU notifications and NAB hearings. In total, 1067 property files have been closed and 373 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. A list of significant properties and how they were addressed by the NAB, MDPD, and the NAU, pursuant to the NAO is attached (**Attachment #7**).

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

No. Florida Statute Chapter 893.138 has established the ability for Counties and municipalities to take the initiative on abating nuisances by establishing Nuisance Abatement Boards and programs in their jurisdictions. 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 Neighborhood Compliance Department, Planning and Zoning Department, 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. In general, the NAB has encouraged property and business owners to take proactive crime preventive actions on their properties and businesses and reduced the necessity for more formal NAB action or state court actions and time.

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 Amendments reflect changes regarding pain management clinics pending legislation.

The proposed amendments are being finalized for submission to the Board of County Commissioners. Several changes have been made to address Commissioner and County Management concerns and are being submitted for consideration by the BCC in 2012.

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 MDC, 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 BCC may exercise residency waiver options, upon a two-thirds vote of the Board.

Amendments include quorum requirements that will assist with preventing the postponement of hearings due to the inability to obtain a quorum.

7. What is the operating cost of the board, both direct and indirect (Report on FY 2010/11 and FY 2011/12)?

The costs for fiscal year 2010 - 2011, including the operating costs of the NAU, were estimated at approximately \$124,333. The costs for fiscal year 2011 - 2012, including the operating costs of the NAU, assuming the vacancies are not filled, are projected at approximately \$124,783. 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 #8**).

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

Although formal performance 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.

The NAB evaluates and measures its success on each individual case that is brought before it. The NAB and NAU focus on: the seriousness of the cases being reviewed, including life and death issues, public safety, and crime prevention; the regularity of the criminality at the property; the cooperation and quality of communications with the property and business owners and the written abatement plans that they present; and the difficulties presented to MDPD officers because of the quantity of resources having to be inordinately expended.

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, PIEB, 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 presented to the NAB for a hearing upon meeting the requirements of the NAO.

Attachments (1-8) are listed below:

1. NAB Membership Attendance Records (Attachment #1 for 2010 and 2011)
2. Nuisance Abatement Ordinance (NAO) – Original/Current
3. NAB Conduct of Hearings
4. Chairperson Opening Statement
5. NAB Minutes December 14, 2011, meeting, including review and vote of the Annual Sunset Report.
6. Significant Cases Highlighted from 2010 - 2011
7. Significant Cases Highlighted from 1993 – 2009
8. NAB and NAU Estimated Costs Summary

**MIAMI - DADE COUNTY NUISANCE ABATEMENT BOARD
MEMBERSHIP ATTENDANCE RECORD
JANUARY 2010 - DECEMBER 2010**

	01/06/10	02/17/10	04/22/10	06/09/10	07/19/10	09/01/10	10/27/10
Board Members	Held	Held	Held	No Quorum - NAB Status	Held	Held	Held
Battle, Mia	Present	Present	Present	Absent	Present	Present	Present
Figueroa, Carlos	Absent	Absent	Present	Absent	Present	Present	Absent
Grace (Giles), Regina M.	Absent	Absent	Present	Absent	Present	Absent	Present
Joffe, Roxanne	Absent	Present	Present	Present	Present	Absent	Present
Lawton, Harold	Present	Present	Present	Present	Present	Present	Present
Walter, Livingstone	Present	Present	Present	Absent	Present	Present	Present
Mora, Pedro	Absent	Present	Absent	Present	Present	Absent	Absent
Samms, Gregory	Present	Absent	Absent	Absent	Present	Present	Absent
Saunders, Maria	Present	Present	Absent	Absent	Present	Present	Present
Sessler, Steve	Present	Present	Present	Present	Absent	Present	Present
Stelzer, Lance	Present	Present	Present	Present	Absent	Present	Absent
Vacancy	*	*	*	*	*	*	*
Vacancy	*	*	*	*	*	*	*
	*	*	*	*	*	*	*
Total Members Present	7	8	8	5	9	8	7
Total Members Appointed	11	11	11	11	11	11	11
Percentage of Attendance	63.64%	72.73%	72.73%	45.45%	81.82%	72.73%	63.64%

**MIAMI - DADE COUNTY NUISANCE ABATEMENT BOARD
MEMBERSHIP ATTENDANCE RECORD
JANUARY 2011 - DECEMBER 2011**

	01/12/11	03/21/11	05/11/11	07/13/11	10/05/11	11/09/11	12/14/11
	Held	Held	Held	Held	Held	No Quorum	Held
Battle, Mia	Present	Absent	Present	Present	Present	Present	Absent
Figueroa, Carlos	Present	Present	Absent	Absent	Absent	Absent	Absent
Grace (Giles), Regina M.	Absent	Present	Absent	Absent	Absent	Absent	Absent
Joffe, Roxanne	Present	Present	Present	Present	Absent	Present	Present
Lawton, Harold	Present	Present	Present	Present	Present	Absent - L	Present
Livingstone, Walter	Present	Present	Present	Present	Present	Absent	Present
Mora, Pedro	Present	Present	Present	Absent	Absent	Absent	Present
Robert Powers (Joined 9/1/2011)					Present	Absent	Present
Samms, Gregory	Absent	Absent	Present	Present	Replaced	N/A	N/A
Saunders, Dr. Maria E.	Present	Absent	Present	Absent	Present	Absent	Absent
Sessler, Steve	Present	Present	Present	Present	Present	Absent	Absent
Stelzer, Lance	Present	Present	Present	Absent	Present	Present	Present
	*	*	*	*	*	*	*
Total Members Present	9	8	9	6	7	3	6
Total Members Appointed	11	11	11	11	11	11	11
Percentage of Attendance	81.82%	72.73%	81.82%	54.55%	63.64%	27.27%	54.55%

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 (NAB)

Conduct of Hearings

Chairperson's Opening Statements

- I. Identify case, property, property/business owner(s), nuisance categories.
- II. Stipulation between parties.
 - a. Motions by the Board.
 - b. Abatement plans hearing, as appropriate.
- III. Presentation of case by coordinator (Mr. Jack DiCarlo).
 - a. Opening informational statement.
 - b. Initial Notification.
 - c. Communications with property/business owner (s).
 - d. Hearing Notification information.
 - e. Outline (Summary) 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 the Board.
- VI. Sworn statements by impacted community citizens, to be followed by questions from coordinator, property/business owner(s), and the Board.
- VII. Property/business owners' presentation of their defense to be followed by questions of witnesses by the coordinator and the Board.
- VIII. Closing statements by the coordinator and the property/business owner(s).
- IX. Public executive 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.

Miami-Dade County
Nuisance Abatement Board (NAB) Hearing

Chairperson Opening Statement

The Miami-Dade County (MDC) Board of County Commissioners enacted the Nuisance Abatement Ordinance (NAO), #92-42, on or about June 1, 1992. The NAO was enacted to provide citizens, employees, and law enforcement officers of MDC a means for finding relief from various nuisance problems in their unincorporated 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 Criminal Activity.
3. Prostitution.
4. Lewd or Lascivious Activity.
5. Gambling
6. Illegal Sale or Consumption of Alcoholic Beverages.
7. Activities as defined by Florida Statutes 823.05 or 823.10.

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

MDPD has established the Nuisance Abatement Unit (NAU) 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/business owners have to abate the nuisance. The MDPD has asked that all complaints against the properties be filed by police report so that they can be documented and thoroughly investigated. The NAU 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 by contacting the NAU coordinator as soon as receiving the letter and submitting a detailed plan of action and the steps being taken to abate the nuisance.

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

1. The property/business owner fails to contact the NAU 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 premises does or does not constitute a public nuisance. If the place is considered a nuisance, the Board must decide what action must be taken by the owners 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 owners to prevent the recurrence of the nuisance. If the board finds that the property is a public nuisance, then they would order that the 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(s) 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 any affected parties decide to appeal any decision of the Board, they must insure that a verbatim transcript be provided and the appeal must be filed with the Circuit court of the Eleventh Judicial Circuit, Appeals Division, within 30 days of the date of the written order appealed from.

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 have the opportunity to cross-examine the County's witnesses and this may be followed by questions from the Board. The property/business owner will then be provided the opportunity to present evidence and witnesses in his/her behalf. These witnesses may be cross-examined by Mr. DiCarlo and questioned by the Board as they see fit.

If there are any members of the community in the audience who wish to be heard because they have direct interest/knowledge 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 and the Board.

Each side will then be provided a few minutes to summarize their positions and the Board will deliberate in public session without any interruptions from the parties.

After a decision is made and if the Board has found that the Premises is a Public Nuisance, then the Board will allow both sides to make sides regarding recommendations for actions to be taken for abating the nuisance activity and the Board will decide the actions to be ordered for the owners to comply with.

After a place or premises has been declared a public nuisance, the matter of costs will be considered and decided by the Board.

In general, 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 to the Board Chairperson and the reasons for the objection. 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/business 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/business 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 (NAB) Minutes

Board Members

Appointing Commissioners

Mia Battle (Serving pending new/reappointment)
 Carlos Figueroa (Serving pending new/reappointment)
 Regina M. Grace
 Roxanne A. Joffe
 Harold Lawton (Serving pending reappointment)
 Walter Livingstone
 Pedro Mora (Serving pending new/reappointment)
 Robert Powers
 Dr. Maria Saunders
 Steve Sessler (Serving pending reappointment)
 Lance Stelzer, Chairperson (Serving pending new/reappointment)
 Vacancy
 Vacancy (Reverend Willie Starks Resigned May 28, 2009)

Xavier L. Suarez
 Esteban Bovo, Jr.
 Dennis C. Moss
 Joe A. Martinez
 Barbara A. Jordan
 Javier D. Souto
 Bruno A. Barreiro
 Audrey M. Edmonson
 Rebeca Sosa
 Sally A. Heyman
 Lynda Bell
 Jose "Pepe" Diaz
 Jean Monestime

Date of Meeting: December 14, 2011 (Wednesday)

Meeting Place: The meeting was held in Conference Room #18-3 of the Commission Chambers on the 18th 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 6:15 p.m. and was adjourned at 7:05 p.m.

I. Attendance

Members Present: Roxanne Joffe, Harold Lawton, Walter Livingstone, Pedro Mora, Robert Powers, and Lance Stelzer.

Members Absent: Mia Battle (Out of town), Carlos Figueroa (Personal), Regina Giles (Personal Obligations), Dr. Maria Saunders (Emergency Business Meeting), Steve Sessler (Out of town business) advised that they were unable to attend.

Assistant County Attorneys (ACA) Shanika Graves and Terrence Smith advised the NAB during the meeting.

II. Minutes

The NAB reviewed and approved the Minutes of the July 13, and October 5, 2011, meetings. The meeting on November 2, 2011, was postponed due to limited agenda items. The meeting on November 9, 2011, was postponed at the meeting due to lack of a quorum, as only three members (with one on the way) appeared. The scheduled meeting on December 7, 2011, was postponed until December 14, 2011.

III. Hearings/Status Reports/Costs

- A. RE: 17600 Homestead Avenue, J S All Night Store, formerly known as Nat's, a convenience store
(Status Report, May 11, 2011 - Ordered to follow the order and close from midnight to 6:00 a.m. effective May 13 and was allowed another 14 days until May 26, 2011, to arrange a professional uniformed security guard from 6:00 a.m. to midnight or close the store if not able to provide the security guard; declared a nuisance on 3/21/2011 – ordered to have a security professional guard from 6:00 a.m. to 12:00 midnight and close the store between midnight and 6:00 a.m.; status report/new hearing – new incidents after stipulated agreement approved on September 1, 2010; status report and review and approval of stipulated agreement entered into on June 9, 2010; status report on NAB deferral to allow the owners 30 days to abate the nuisance and the recommendations on April 22, 2010; review of stipulated agreement, new incidents, and/or a decision to declare the Premises a Public Nuisance; new hearing was scheduled for April 22, 2010; a Nuisance Abatement Unit (NAU) Notification Letter, dated February 17, 2010, detailing many incidents and police calls for service, including alcohol related incidents, was sent by certified mail and regular mail and hand delivered to the property owner and the business owners of 17600 Homestead Avenue at their addresses of record; neither the property owner nor the business owner had responded with an abatement plan within 14 days, but an attorney for the business manager responded and asked for a postponement of the March 3, 2010, meeting and on March 16, 2010, advised that he had contacted both the property and business owner and they would appear on March 17, 2010; the NAU postponed the March 17, 2010, NAB meeting until April 21, 2010; the NAU and the owners/managers and Mr. Herrera met at the property and discussed abatement recommendations on April 14, 2010.
- Property Owners: Mr. Nathaniel Green Jr. and Ms. Suvetta Green
Business Owners: Nat's All Night Store, Inc.
Mr. Nathaniel Green

	J S All Night Store Inc.
	Mr. Emmery Montan, President
Business Manager	Mr. Jose Corona
Attorney	Mr. J.C. Herrera – Withdrew May 11, 2011

Miami-Dade Police Department (MDPD) Officer Ron Tookes and NAU Supervisor Jack DiCarlo advised that the owners are complying with the NAB Order, including keeping the business closed from midnight to 6:00 a.m. and maintaining a visible uniformed licensed security guard on the premises from 6:00 a.m. to midnight to monitor the parking and surrounding areas and prevent loitering and alcohol drinking. Additionally, it was advised that the business owner bought the lot on the north side of Homestead Avenue and fenced it off as well as continues to monitor it with cameras. Officer Tookes advised that the loitering and criminal activity, including alcohol consumption within 100 feet of the store, has been greatly reduced at the store and in the neighborhood and he and his fellow officers monitor the area routinely and work with the owner and the security guard to address any issues. The NAB approved the report.

- B. RE: 11360-62 SW 189 Street, Duplex Rental Property
(Status report; costs declared of \$1,000 on October 5, 2011; new incidents from March through June 2011; eviction not yet done as agreed and ordered on September 1, 2010; declared a nuisance on September 1, 2010; letter sent on July 20, 2010, regarding illegal narcotics activities investigated by the Narcotics Bureau and Hammocks District officers from March 2009 through July 2010; the property was previously declared a Nuisance in 1999).
Property Owner: Ms. Earline Merritt

The NAB was advised that the owner has moved in a new family to one of the duplex units after evicting the previous tenants, but has the second one vacant pending repairs of the stolen electrical wiring, copper plumbing pipes, and air conditioning equipment. The NAB was advised that there have not been any new narcotics incidents since June 2011, and that the jurisdiction of the NAB has ended, but MDPD Hammocks District officers and the NAU will continue to monitor the premises. The NAB approved the report.

- C. 14801 – 14819 West Dixie Highway, a multi-business complex, including Food Stop (14801), a barber shop/beauty salon (14803 leased and subleased), 14805 (Partie Girl, Inc.), 14807 (Naked Truth Adult Book Store), 14809 W. Dixie Highway, and 14811 – 13 or possibly 19 (Angel's Adult Entertainment Club).
(Status report on stipulated agreement, executed on December 15, 2010, and effective through December 14, 2012, reviewed by the NAB on September 1, 2010, and amended through discussions with the owner

since then; status report on July 19, 2010, NAB continuation and Abatement plans; A MDPD Nuisance Abatement Unit (NAU) notification letter, based on complaints/incidents by Miami-Dade Police Officers and interested citizens involving narcotics, shootings, aggravated batteries & assaults, homicides, weapon violations, and other criminal activities, was hand-delivered to all interested parties of record at their addresses of record pursuant to Miami-Dade County Property Tax, Certificate of Use and Occupancy, and Local Property Tax Records, as well as Florida Corporate Records on May 20, 2010; the property owners and business owners/interested parties were requested to submit abatement plans, showing their past, present, and future actions being taken to prevent the criminal and nuisance/safety-related activities; a Nuisance Abatement Board Hearing scheduled for June 2, 2010, was postponed to allow the interested parties time to prepare and submit their abatement plans; the NAB hearing scheduled for June 9, 2010, was also deferred to allow for presentation of the interested parties' abatement plans and implementation or for the NAB to review the abatement plans with the owners; the owners have also been notified of a scheduled Nuisance Abatement Board hearing on July 19, 2010, in the event the abatement plans are unacceptable or need to be reviewed by the NAB, there are additional incidents or concerns by citizen and police complainants or police officials, or the NAB determines that a full hearing should be held, or the MDPD and NAU, the County Attorney, the interested parties, or citizen complainants request that a hearing regarding their concerns should be held).

Property Owners/ N & D Holding, LLC, Property Owner
Managers: N & D Holding, Inc., Property Owner
Mr. Ariel Edelsburg, Director, Registered Agent
Ms. Susanne Bojman Edelsburg, Director
Represented by Benjamin & Aaronson, P.A., Daniel
R. Aaronson, Esquire
Albo Builders, Christine Marino, Property Manager

Mr. DiCarlo advised the NAB that the nuisance activities have been reduced at the premises since the stipulated agreement was reached and executed as of December 15, 2010, but that there have been other concerns, including a recent fight and shooting that are under investigation, that MDPD and the NAU are continuing to monitor. The NAB was advised that the owners will be asked to make a report regarding their ongoing compliance with their abatement actions at a future meeting. The NAB was also advised that the County, under ACA Tom Robertson, reached an agreement with the owners that stipulates that they will surrender the license for Adult Entertainment in June 2012. The NAB approved the report.

- D. 22315 – 22345 SW 112 Avenue, Allapattah Grocery Store
(Status Report on October 5, 2011, deferral; NAU and MDPD officers met with the owners in September 2011, and the owners agreed to several abatement recommendations; NAU Notification Letter sent in August 2011 due to complaints regarding illegal drugs, illegal sale or consumption of alcoholic beverages, a shooting, and a homicide).

Property Owners: B & S, 2010, LLC
Mr. Bassam S. Eghneim, MGRM
Ms. Kasha Samar, MGRM
Business Owners: Sabbah, Inc.
Mr. Sarwat Hassan, President
Mr. Sarwat Eghneim

The NAB was advised that the NAU and MDPD officers, including Officer Ron Tookes, met with the property and business owners (brothers) after they responded to the NAU notification letter in September 2011. The NAB was advised that the letter was based on several narcotics and alcohol incidents as well as complaints from neighbors about the activities and shootings/homicide. The owners, who were going to appear previously, but reported it would be difficult to appear today because of recent surgery to one of the brothers, agreed to take several actions to abate the criminal and nuisance activity including: to install additional interior and exterior cameras and a monitor showing customers that the property and entrance are being monitored at the store entrance; record the activities observed by the cameras for at least two weeks and provide them to NAB whenever needed; clean up the brush and a tree in the southwest corner of the parking lot to prevent loitering and places to hide drugs; advise customers that loitering and alcohol consumption on or around the property will not be tolerated; fence off the rear (east) and other parts of the property to prevent loitering; clean up and maintain the property free of all junk and trash; and to sign a "No Trespassing" affidavit to allow MDPD officers to enforce trespassing laws, and to post "We Care" signs warning against trespassing. The NAB was advised that criminal activities and loitering/consumption of alcoholic beverages have been significantly reduced and the owners have complied with the MDPD recommendations with the exception of installing the fencing. Based on Mr. DiCarlo's conversations with the business owner, Mr. Hassan, the NAB was advised that they have pulled the fencing permit, have dug the fence postholes, are awaiting the County inspection, and expect to install the fence this week. The NAB accepted the report, after being advised that the owners will be asked to appear and report their abatement actions at a future NAB meeting.

- E. 7779 NW 9 Avenue, a single family house
(Status report; declared nuisance on October 5, 2011 in the absence of the owner; Notification Letter sent due to narcotics activity and other problems at this abandoned residence; possible foreclosure.

Property Owner: Mr. Jose Sanchez

The NAB was advised that the Nuisance Abatement Order was mailed to the owner, but since no response had been received to the mailing or to telephone calls, another call was placed to the owner on December 13, 2011. As the owner answered this call and advised that he had not received the NAB order, a copy was faxed to him. The NAB was advised that the owner was asked to respond in writing with the actions that he is taking to abate the nuisance and in view of our meeting agreement at the property on October 3, 2011. It was reported to the NAB that during the telephone call, the owner advised that he had obtained a demolition permit and planned on demolishing the residence/structure in the next two weeks, but had boarded up the window after our meeting on October 3, 2011. MDPD officers had found that it was secure at the window, but reported on December 13, 2011, that the window was again open, people appeared to be loitering inside, the fence was not secure, and the grass was still overgrown. The NAB was also advised that the property has been identified as an Unsafe Structure by Building officials and the unsafe structure Board has ordered that it be repaired to meet code or be demolished.

The NAB was advised that the owner was informed of the immediate need to take action to secure the property to prevent loitering and drug activities before he is able to demolish it. The NAB asked that the property owner provide a copy of the demolition permit (it has been requested, but not provided) and that he be advised that he needs to appear before the NAB, especially if he does not keep the property secured and/or demolish it as promised. Additionally, the owner will be advised that a cost hearing will be scheduled. The NAB approved the report.

F. 2728 NW 46 Street, Scott Grocery
(Status report on October 5, 2011, deferral; Notification Letter sent due to narcotics activity investigated by the Narcotics Bureau and Northside District)

Property Owners: Ms. Docie Ann Williams

Business Owners: Mr. Joe Lewis Scott

Ms. Harriet Marie Scott

The NAB was advised that the market was the site of drug activities, including sales and possession of large amounts with intent to sell by the business owner and his son, as investigated by the MDPD Narcotics Bureau from 2008 through 2011. The NAB was advised that the property owner advised, when contacted as there was no response from the business owner, that the father had passed away in August 2011, just as the NAU letter was mailed. The NAB was advised that the property owner and the wife of the deceased business owner met with MDPD officers and Mr. DiCarlo at the premises in September 2011. They both advised that the business had been closed and the business owner was cleaning

it out of all store possessions. The property owner advised that she would be cleaning the property and would try to rent it out again, but would do background checks of any prospective tenants. She advised that she would keep it secure until then. The NAB accepted the report, but asked that it be monitored to make sure that it is being kept secured.

- G. 14741 Monroe Street, Single Family Rental Home
(Status report; declared nuisance on October 5, 2011; Notification Letter sent due to narcotics and other criminal activity, including subjects shooting at the house on October 3, 2011, as investigated by the Kendall District and Narcotics Bureau Tactical Narcotics Team (TNT).
Property Owner: Ms. Letty Gonzales

The NAB was advised that the owner responded to the NAB order declaring it a nuisance, filed an eviction, and was able to get the tenants to vacate the property at the end of November 2011. The owner, as verified by the Kendall District Team Police officers, hired a locksmith to change the locks and secured the house after the tenants moved out. The owner has advised that she will keep it secured, clean it, and prepare it for rental after conducting background checks on prospective tenants. The NAB was advised that there have been no additional incidents at the premises, but a lot next door was mowed and cleaned by the County after complaints about loitering and drug activity, but loitering may have to be monitored. Additionally, the NAB was advised that there was a homicide at another house down the street, and the area will be monitored by Kendall District officers. The NAB accepted the report and asked that the property be monitored to make sure that it stays secured until it is rented.

- H. 1836 NW 67 Street, Single Family House
(Nuisance Abatement letter regarding narcotics activity as investigated by Northside Crime Suppression Team was mailed on December 12, 2011; upon the owner's response, a meeting will be held with the owner at the property; a tentative NAB hearing is scheduled on January 11, 2012).
Property Owner: 1836 Dorsey LLC
Ms. Lakeisha Dorsey

The NAB was advised that this letter was mailed and the NAU is waiting for the owner to respond and will set up a meeting with them at the house.

- I. 2942 NW 60 Street, Single Family House
(Nuisance Abatement letter regarding narcotics activity as investigated by the Narcotics Bureau and Northside District was mailed on December 12, 2011; upon the owner's response a meeting will be held with the owner at the property; a tentative NAB hearing is scheduled for January 11, 2012.

The NAB was advised that this letter was mailed and the NAU is waiting for the owner to respond and will set up a meeting with them at the house.

IV. NAB Discussion/Adjournment

Annual Sunset Review Report; 2012 Schedule

The NAB members reviewed the 2010 – 2011 Sunset Report and voted unanimously to approve all documents and submit them, along with an accompanying memorandum from the NAB Chairperson to the Mayor and the Board of County Commissioners (BCC) for their review during the County's Sunset Review process. The NAB Chairperson, Mr. Lance Stelzer, executed a memorandum accompanying the Sunset Review report. The NAB members requested that the BCC make appointments to fill vacancies and consider reappointing any current members who are serving pending such action.

The NAB reviewed the proposed 2012 NAB schedule and approved it. The NAB will next meet on Wednesday, January 11, 2012, at 5:30 p.m. and the 2012 schedule is included below in the meeting minutes.

Mr. Walter Livingstone, who volunteered and was appointed by the NAB to represent the NAB on the County's Pain Management Clinic Task Force (PMCTF), and Mr. DiCarlo, advised the NAB of the just completed PMCTF report. The PMCTF report is to be presented to the BCC in the next month and it encompasses the PMCTF review points, recommendations, and proposed ordinances, including amendments to the Nuisance Abatement Ordinance in conjunction with recent amendments to Florida Statute 893.138. These amendments will enable local NABs to take actions regarding public nuisance properties relating to illegal pharmaceutical prescriptions and dispensing of the prescription drugs that are reported to be causing deaths throughout Florida. The NAB Ordinance proposed amendments, to be submitted to the BCC in 2012, will include the proposed amendments, as submitted to PMCTF by ACA Terrence Smith, of the Nuisance Abatement Ordinance. Additionally, the NAB was advised that the PMCTF report includes other proposals for zoning restrictions, registration of Pain Management Clinics, and other County actions that will help the County work in conjunction with Florida Department of Health inspectors at these locations.

The NAB adjourned the meeting 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
Public Information & Education 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

Shannon Summerset, Shanika Graves, Terrence Smith
Assistant County Attorneys

NAB 2011 Meeting Schedule

Primary Date for Month

Alternate Date for Month

*January 5	Postponed 1/3/2011	*January 12	Held
*February 2	Postponed - Agenda	February 9	Postponed Agenda
*March 2	Postponed - Agenda	March 9	Postponed Agenda
*March 21	Held		
*April 6	Postponed - Agenda	April 13	Postponed Agenda
April 20	Postponed - Agenda	April 25	Postponed Agenda
*May 11	Held		
*June 1	Postponed - Agenda/Quorum		
*July 13	Held		
* August 31	Postponed - Agenda		
*September 14	Postponed - Quorum & Agenda		
*October 5	Held	October 12	Cancelled
*November 2	Postponed to November 9	November 9	No Quorum
*December 7	Postponed to December 14	December 14	Held

NAB 2012 Proposed Meeting Schedule

Primary Date for Month

January 11, 2012	2 nd Wednesday
February 1	1 st Wednesday
March 7	1 st Wednesday
April 4	1 st Wednesday
May 9	2 ND Wednesday
May 30	Last Wednesday for June
July 11	2 nd Wednesday
August 29	Last Wednesday
September 12	2 nd Wednesday
October 10	2 nd Wednesday
November 14	2 nd Wednesday
December 5	1 st Wednesday

Alternate Date for Month

February 8	2 nd Wednesday
April 11	2 nd Wednesday
July 18	3 rd Wednesday
October 17	3 rd Wednesday
November 9	No Quorum
December 12	2 nd 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.

Attachment #6

Miami-Dade County Nuisance Abatement Board					
Miami-Dade Police Department Nuisance Abatement Unit					
Summary of Cases 2010 - 2011					
Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
Ave NW St	Single Family Residence/Narcotics	11/2/2007	29	12/15/2006	The NAB declared the house a public nuisance in early 2007. The owner's son requested that the County board up the house in November 2007, as his mother was in a nursing home out of state and died in January 2008. NAB, NAU, and MDPD continued to monitor the property in 2010. The son, who advised he had been forced from the house in 2006 by drug dealers, was unemployed and having personal medical problems and did not assume control of the house or maintain it. It continued to remain boarded, but the yard had to be maintained by County officials. The property was sold in a tax sale in 2010, but the liens were not satisfied through the sale and continued to remain on the property. No additional incidents have been reported and the house remains crime and nuisance free.
St NW S er Dr	Bar/Lounge/Adult Entertainment/Narcotics/Prostitution/Other Crimes	2/10/2006	251	5/5/2004	In April 2006, the NAB declared the Adult Entertainment Club a public nuisance due to drugs, prostitution, lewd and lascivious activities, homicides, robberies, batteries, and other criminal activities. After arrests of the owners and the forfeiture of \$1.5 million of cash found during the investigation, the MDPD reached an agreement that the property would be sold to non-related owners and this was accomplished in 2008. The new owners opened it as a nightclub for a short time in 2010, but after a brief time, the nightclub closed. The new owners applied for a zoning change to again allow for adult nightclub use. It was approved by the Community Zoning Appeals Board 8 in November 2010, for Adult Entertainment use. The owners have not yet reopened the adult nightclub in 2011 and it remains secure and crime and nuisance free. As a result of the County, MDPD, and NAB actions, crime in the area continued to be greatly reduced and the new owners will be asked to work with MDPD to ensure that there are no additional problems when the club reopens.
St SW Ct	Multi Family Rental Apartments/Narcotics	4/28/2010	26	10/29/2010	The NAB, after the NAU and MDPD met with the owner of a rental quadriplex at SW 223 Street and 117 Court, accepted in January 2011 an abatement plan that included eviction of one of the problem tenants and rules and regulations for the additional tenants. The matter was deferred pending any additional incidents or lack of compliance with the abatement plans. No additional narcotics incidents have occurred and the MDPD calls for service have substantially decreased.
Ave NW er	Single Family Residence/Narcotics	2/27/2009	30	11/23/2005	The NAB and NAU, after considering evidence of ongoing drug activity and declaring the house a public nuisance in August 2006 for the third time, continued to monitor the premises and hold meetings with the owner through 2011, due to sporadic actions. The owner has been repeatedly advised to take actions to prevent any further activity or the NAB will have to consider the matter further and take decisive action. After it was declared a nuisance in 2006 and ordered closed for 30 days, the owner has been relatively successful in deterring the nuisance activity for two years. There were about five possession cases in 2010, but they were almost all roadway cases and possession of drug paraphernalia. There have been no cases since August 2010, and the owner paid \$2,200 on costs and interest.

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3 Ave / 173 T	Single Family Residence/Narcotics				The NAU representative, after seeing that the house, declared a public nuisance for the second time since 2000, had remained relatively drug-free for a while, stopped in to congratulate the elderly owner and her family for their successful abatement. It was learned while at the house that two adult sons, while they had apparently not been caught recently, had again been conducting drug-related activities at the house. The owner and her sons were talked to about the situation and were invited to meet with the NAB again to discuss making sure that there was no recurrence. Even though at least one of them has been arrested at other locations, there have not been significant arrests at the house. The owner's attorney promised to work with her and would consider evicting the son if any further activities occurred. A cost hearing was held and the owner was ordered to pay reduced costs of \$1,004. There have been sporadic incidents at the house and the MDPD officers and the NAU are continuing to monitor it.
113 Pl & 189 St	Rental Duplex/Narcotics	7/9/2009	38	9/1/2009	After accepting an abatement plan and the owner's request for deferral in 2007 at a rental duplex at SW 189 Street and 113 Place, the NAB was asked to reconsider their deferral based on new incidents in 2008 – 2009. The NAB heard the matter on November 4, 2009. After hearing from the owner that he had evicted at least two responsible tenants and would be willing to evict another and prevent him from being on the property, the NAB deferred the matter further to allow the owner the opportunity to initiate the eviction and take other necessary actions to prevent any further activity. The NAB also asked the police to continue to work proactively in the area to eliminate drug activities throughout this MDPD Hammocks District neighborhood. In a January 2010 follow-up meeting, the owner advised that he may allow other relatives of the evicted tenant to move in over the objections by the NAU and NAB. Since January 2010, the owner, who has been receptive to recommendations, has communicated with the NAU and has reduced, but not completely eliminated, the number of incidents. The owner will be contacted again in 2012.
21 Ave NW St	Rental Duplex/Narcotics	10/1/2009	15	12/26/2009	The NAB was advised that the owner of a rental duplex at NW 21 Avenue and 93 Street responded to the NAU notification letter in January 2010, and advised that he had evicted his tenants. The NAB deferred the matter to allow the owner to meet with the NAU and submit an abatement plan. There have been no additional incidents at the premises.
106 Ave 172 St	Rental Duplex/Narcotics	7/29/2009	3	12/3/2009	The NAB was advised that the owner of a rental duplex at SW 106 Avenue and 172 Street, responded to the February 2010 notification letter and met with the NAU and MDPD officers at the premises. The owner advised that he would discuss the issues with his tenant and her boyfriend, take other security steps, and evict them if there are any more problems. The NAU and the NAB elected to defer the matter pending any additional incidents or lack of compliance with the abatement plan. No additional incidents have been reported.
113 St & 113 Pl	Rental Duplex/Narcotics	8/26/2009	14	12/30/2009	After responding to a notification letter in January 2010, and providing an abatement plan, the owner of the rental duplex at SW 189 Street and 113 Place met with the NAU and Hammocks District officers and advised that he evicted the responsible tenants and moved new tenants in to one of the duplex units, and agreed to improve and maintain the fencing and the lighting. He further advised that the tenant of the second unit will keep a close eye on everything happening at the property and will notify him and the police if he sees any problems. The NAB agreed to accept the owner's abatement plan and deferred the hearing pending any additional incidents or lack of compliance with it. While there have been incidents at the street corners, very few narcotics incidents have actually taken place at the property.
44 Ave & 44 St	Single Family Vacant House/Narcotics	3/17/2009	5	12/26/2009	After a Narcotics Search Warrant, the owner of the house at NW 44 Street and 27 Avenue responded to the NAU notification letter and met with the MDPD and the NAU at the property. After they agreed to clean the yard of all junk and trash, remove some equipment, and keep the house secured until they are able to rehabilitate it for rental, the NAB meeting was deferred pending further investigation and incidents. Building officials and the Unsafe Structures Board later ordered the owner to repair or demolish the structure. MDPD officers are continuing to monitor as there have been additional sporadic narcotics incidents at the yard and roadway of this and the neighboring vacant house.

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8 Ave V 213 St	Rental Duplex/Narcotics	7/9/2009	20	12/26/2009	After narcotics arrests, the owner of a duplex at SW 213 Street and 118 Avenue responded to the NAU February 2010 notification letter, submitted an abatement plan, and met with the NAU and MDPD at the property. The owners evicted the tenants involved, agreed to conduct background checks on prospective tenants, and agreed to ensure that the fencing is maintained secure, the yard is cleaned and maintained, and lighting maintained. The NAB accepted the abatement plan and deferred the matter pending any additional incidents or lack of compliance.
St SW Ct	Single/Multi-Family Home Converted/Narcotics	12/2/2009	3	2/12/2010	After a narcotics search warrant at a house at SW 99 Court and 42 Avenue in 2009, the owner responded to the NAU notification and met with the NAU and MDPD officers at the property. The owner evicted the involved tenants, agreed to conduct background checks on future tenants, and agreed to implement rules and regulations for all tenants. The NAB agreed with the NAU recommendation to defer the hearing pending any additional incidents or lack of compliance with the abatement plan.
3 St mestead	Convenience Store/Alcohol & Other	9/1/2011	100+	2/17/2010	A convenience store was the site of many different police reports regarding illegal alcohol consumption in the parking lot and surrounding areas. The owners were warned by the police that they needed to control their patrons. The property and business owners appeared before the NAB in April 2010 and submitted an abatement plan to the NAB. South District officers advised that neighbors were concerned about school children walking past the store and seeing the activities that present a poor image to the kids and the community. The NAB heard from the officers and listened to the owners' abatement plans and agreed to postpone the matter for 30 days to allow the owners the opportunity to implement all of the MDPD, NAU, and NAB recommendations, including security and cameras that will help prevent the illegal alcohol consumption. The NAB advised that if there were any additional alcohol violations or other criminal incidents, it would proceed with the hearing in 30 days. The NAU prepared a written stipulated agreement that was approved by the NAB in June and July 2010, after the activities were reduced.
St mestead	Convenience Store Continued				After a relatively calm period, MDPD officers were continuing to monitor and found that incidents were again increasing in January 2011. MDPD officers conducted a video surveillance for one week and found that the owners were not controlling the alcohol consumption in the parking lot, including late at night, and did not have necessary security. The NAB was asked to hear the matter and reviewed the new evidence including a new video showing much activity in the parking lot during the day and night. Additionally, it was learned that a shooting with injuries occurred at the store in the middle of the night. On March 21, 2011, the NAB found the property to be a public nuisance after reviewing the new evidence. The NAB ordered that the owners hire professional licensed uniformed security guards to be visible in the parking lots from 6:00 a.m. to midnight; close the store from midnight to 6:00 a.m., install cameras, monitor, and record them; install fencing and lighting, and take other necessary security measures to prevent consumption of alcoholic beverages. Since this order was entered, incidents have been significantly reduced.
ve NW St	Family Duplex/Narcotics	11/3/2009	4	4/5/2010	The recorded owner of the house advised by telephone in April 2010 that the house at NW 22 Avenue and 102 Street was only in her name because her name was used to buy several houses in a mortgage fraud scheme. The old owner of the house was contacted and his family advised that a grandson was one of those arrested for the drug activity during a search warrant and agreed that he would be counseled about the drug activities. As the NAB deferred the matter and the original owners have apparently successfully reclaimed the house, there have been no more incidents.
t & NW ve	Single Family Home Converted/Narcotics/ Other	6/1/2011	57	8/9/2005	The NAB accepted the owner's abatement plans for the property at NW 79 Street and 10 Avenue. The Unsafe Structures Board ordered the demolition of two of the four structures on the land and it was concluded in 2010. There have been several street corner incidents, but only sporadic incidents involving the exact address. The owner's son appears to have been living in one of the remaining structures and has also been involved in a couple of incidents close to the house. Property tax records show that the property is now included in a Miami-Dade list of lands available for sale because of non-payment of taxes.

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1 Ave & N 44 St	Single Family Rental Home/Narcotics	6/1/2009	24	1/18/2008	The house was declared a nuisance on May 29, 2008, after several narcotics and other criminal incidents. The owner has evicted tenants a few times and the house now remains vacant, secure, and partially fenced off. There has not been a narcotics incident at the property since 2009, but the owner and police continue to monitor the property.
Ave NW Terr	Rental Boarding Room House/Narcotics	11/5/2008	21	4/25/2008	After accepting the owner's abatement plans and deferring a NAB hearing in October 2009, pending any additional incidents, the boarding house at NW 17 Avenue and 69 Terrace remained clear of any police/narcotics reports through 2009 and 2010. The NAU and the owner were advised by the Narcotics Bureau of an additional search warrant in 2011. The property will be monitored for additional incidents and a hearing will be considered.
3 PL & V 189 St	Rental Duplex/Narcotics	7/16/2011	34	7/20/2010	The rental duplex had been declared a public nuisance in the early 2000s. Neighbors and MDPD officers have complained about and identified illegal drug activities by the residents and visitors. The premises was declared a public nuisance in September 2010 and the owner was ordered to evict the tenants and secure both units until they are ready for rental. Sporadic incidents occurred as the owner did not evict the tenants and moved a new family in until July 2011. One of the vacant units was burglarized and vandalized. The NAB heard a final status report, ordered costs of \$1,000 on October 5, 2011, and advised the owner that they will consider declaring it a nuisance again if there are additional incidents.
3 St & / 117	Quadrplex/Narcotics	3/17/2009	96	7/17/2008	After reviewing more than 75 narcotics incidents at a rental quadrplex, the property was found to be a Public Nuisance in November 2008, and the NAB agreed that the owner should evict all remaining tenants and work with the community to find new tenants. Additionally, the owner agreed to provide enhanced security and to work with the police to prevent any further activities. While the activities initially slowed after the evictions, the property changed hands through a foreclosure initiated in 2009. Recent additional incidents shall be reviewed with MDPD officers and the new owners.
Ave & / 45 St	Single Family Rental House Convert/Narcotics	5/31/2008	7	8/6/2008	The owner of a rental house at NW 30 Avenue and 45 Street appeared before the NAB in October 2008 and in 2009 and advised that she would evict all tenants and re-rent the property. However, the owner advised that it was difficult to evict one of the tenants as he had difficulty finding other housing due to personal probationary problems. The NAB elected to defer the matter pending any additional incidents or lack of compliance by the owners with their abatement plans. There have been sporadic incidents in 2010 and 2011 and the NAU is continuing to monitor the house.
ST & Dixie /	Adult Entertainment Nightclub - shopping center - Narcotics - Shootings - Other			5/18/2010	The NAB was advised that there have been several problems at the shopping center and adult entertainment center at West Dixie Highway and 148 Street. Incidents have included narcotics, homicides, aggravated batteries, shootings, and other criminal issues. Neighbors have been very concerned and complained about gunshots striking their commercial and residential properties. The owner's attorney advised that the property and business owners, while denying that the property is a public nuisance, are taking many abatement actions to ensure that there will be no additional problems for the safety of the premises and the surrounding neighborhood. The owners' abatement plans included the following: they have increased uniformed armed security, to include two from 8 or 9:00 p.m. to closing, and internal security staff; metal detectors will be used to screen all patrons and employees for weapons; installation of new cameras that are IP accessible; camera access will be provided to MDPD officers to assist them in patrols and investigations.

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8 ST & Dixie y					All cameras will be recorded for a minimum of seven days and the recordings will be provided to MDPD upon any incidents; they are not going to allow any subleasing of other businesses at the plaza and will evict all current businesses except for Angels and the Food Stop and carefully screen all future tenants (essentially this is because they believe that the Barber Shop where arrests were made in August 2009 was responsible for the problems at the property); extra lighting will be installed and will be maintained all around the plaza; MDPD officers will be authorized to enforce trespassing statutes; signs prohibiting drugs, weapons, loitering, and trespassing will be installed; and other security measures will be taken. Upon the recommendations of the NAU to the NAB, the owners agreed that they will screen all persons, including employees and independent contractors for weapons; the VIP room will be walled off and not used for patrons; panic and sounding alarms will be installed on all fire doors; and security guards will wear high visibility uniforms. They agreed to try to assist with parking problems in the neighborhood.
3 ST & Dixie y	Nightclub			5/18/2010	MDPD officers and neighbors appeared and testified before the NAB in July 2010. A neighboring property/business owner testified about his concerns regarding the activities at the property. He advised that he and other neighboring property owners are very concerned about shootings that have occurred at the premises and that he believes that bullet holes in neighboring apartment complexes and businesses are a result of these shootings and that they are causing a safety issue for all. He also advised that many in the neighborhood are concerned that Angels does not have enough parking and their customers are parking in neighboring properties and this is causing a major concern for everybody. A neighboring property owner named advised that he is also concerned about parking on his property just north of the club.
1 ST & Dixie y	Nightclub			5/18/2010	The NAB discussed all issues presented and advised that they would postpone the meeting until September 1, 2010, to allow the owners more time to prepare for a full hearing and to implement their abatement plans to see how they work. The NAB advised that they would consider holding a full hearing if there are additional incidents.
1 ST & Dixie y	Nightclub			5/18/2010	The NAB met with the owners and their attorneys on September 1, 2010, and it was decided to execute a written stipulated agreement between the owners and the County. The agreement was finalized in April 2011. There have been sporadic cases, but serious incidents have been significantly reduced. The County also executed an agreement with the owners that they will abandon adult entertainment at the location in June 2012. MDPD is continuing to monitor the property after another fight and shooting in August 2011, but security guards were very cooperative and may have prevented more people from being hurt during this.
1 AVE & 102 ST	Duplex/Narcotics	9/27/2008	13	11/4/2008	The owners of a house at NW 12 Avenue and 102 Street appeared before the NAB in February 2009. The owner advised that the house is pending foreclosure, but they would work with MDPD and the NAU to secure the house and fix the fence around the yard. As there had been several complaints regarding drug activities and vagrants sleeping in the vacant house, it was determined that the security measures would be a big help toward preventing the activities. The foreclosing bank was also notified, but it was advised that the owner was still responsible. There was one additional incident in the beginning of 2010, but none since and the property is now in the possession of a bank.
11 ST & NW ave	Single Family House/Narcotics/Other	11/19/2008	9	2/1/2009	The owners of a house, located at NW 25 Avenue and 87 Street, appeared before the NAB on April 1, 2009. The house had previously been declared a public nuisance due to drug activity in April 2004 and it had been learned by the NAU that, while it had been maintained without incident for a couple of years, there had been a new narcotics investigation and search warrant with arrest of a family member at the house in October 2008. The NAB elected to provide the family more time to implement their abatement plans and efforts were made by MDPD and social workers to try to assist handicapped family member with drug rehabilitation programs. There have been no additional drug problems at the house, but unfortunately several shots were fired into the house in the middle of the night in March 2010, and two of the family members were injured. No arrests have been made and no additional incidents have occurred. MDPD officers have been asked to continue to monitor the premises.

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5 St & W 138 Ct	Rental Duplex/Narcotics	12/1/2008	12	3/15/2009	The owner of a rental duplex at 266 Street and SW 138 Court responded to a NAU notification letter and advised that he had evicted the tenants at the premises after the search warrant in December 2008 and would take action, including conducting criminal background checks of prospective tenants. The NAB and the NAU deferred the hearing in May 2009. New incidents in June 2009 were discovered and the NAB was asked to reconsider the matter in January 2010. At a NAB hearing in January 2010, the owner reported that he had evicted three tenants after a narcotics search warrant in November 2008, but didn't realize that he re-rented to a relative of one of the individuals in 2009. The NAB, after hearing that there was another search warrant involving the same subjects and hearing from the owner that he would evict everybody there and conduct future background checks, elected to provide more time. However, the NAB advised that if there were anymore narcotics incidents or a failure to comply, it would declare it a nuisance. There have been no new incidents.
7 Ave & W 56 St	Restaurant & Shopping Center/Alcohol/Homicide	10/20/2008	43	10/13/2005	A shopping center, including a restaurant operating as a bar was declared a nuisance due to criminal activities including alcohol violations, fights, aggravated batteries, and a homicide, on August 26, 2009. The owners and their attorneys appeared before the NAB in February 2010 and advised that they have complied substantially with all of the NAB recommendations at the 2009 hearing and were working to change the complexion of the store by opening up another type of store and evicting the business. The store has not been evicted, but they complied with the NAB order to stop selling alcohol after 11:00 p.m. and continued to close the restaurant at 11:00 p.m. for at least the next year. The criminal activities and requirements for MDPD to respond have been significantly reduced. There have been criminal court orders for the business owner and manager to pay for the costs of the criminal investigation. Research is being conducted to determine what costs should be attributable to the NAB case and the NAB will be asked to consider the matter.
Ave & W 67 St	Single Family Rental Home/Narcotics	4/9/2009	3	5/18/2009	The owners of a rental house at NW 19 Avenue and 67 Street were notified of illegal narcotics activity as investigated by the MDPD Narcotics Bureau. The investigation resulted in the arrest and conviction of the two resident grandsons of the tenant who had been renting from the owner for several years. After meeting with MDPD officers and the NAU at the premises, the owner was undecided about evicting the tenants and was asked to present her abatement plans to the NAB. The owner, after reviewing the matter with the NAB on July 15, 2009, advised that she would be evicting the tenants. The NAB elected to defer the matter to allow the owner to implement her abatement plans. The owner later advised that she had completed the eviction and would be conducting background checks on future prospective tenants after she completed cleaning and repairing the house. No additional incidents have been reported.
Ave & W 189 St	Rental Duplex/Narcotics	4/21/2009	9	6/1/2009	The owner of a rental house at SW 113 Place and 189 Street appeared before the NAB on August 26, 2009, and agreed with the NAB that he would evict the tenants as part of his abatement plans. The NAB deferred the matter and was advised in January 2010, that the eviction had been completed and a new family had moved in after the owner completed background checks. No additional incidents have been reported.
Ave & W 26 St	Restaurant & Shopping Center/Narcotics/Other	3/1/2011	47	4/8/2011	A restaurant at a large shopping center at SW 118 Avenue and 26 Street was the subject of a narcotics investigation in December 2010 and January 2011. Hammocks District gang investigators arrested several people for drug activities on the sidewalk and parking lot right outside of the restaurant. During a joint investigation with Florida's Division of Alcoholic Beverages and Tobacco and the Narcotics Bureau, it was determined that the restaurant was operating outside of the Certificate of Use by allowing alcohol consumption without food and after allowable hours at 1:00 a.m. Also, the restaurant had disk jockey entertainment without use approval. Further investigation confirmed the narcotics activities in January 2011 and several people were arrested including a disk jockey who had more than 60 bags of narcotics in his possession. Several customers were arrested with the same types of bags of narcotics.

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9 Ave & 1/26 St	Restaurant & Shopping Center	3/1/2011		4/8/2011	A notification letter was sent to the property and business owners in April 2011. As no response was received from the business owner, the property owner was contacted and advised of the problems during a meeting at the property in May 2011. The property owner hired a new security service and increased coverage at night and during the day. The restaurant ownership changed and the name was changed. The owners agreed that they would confirm the alcohol sales rules and hours for restaurants and would do background checks on all employees. The abatement plan was presented to the NAB in May 2011. The NAB, after hearing the plans from the property and business owner, elected to accept the abatement plans and defer the matter. The NAB advised that it would resume the hearing if there are any additional incidents or lack of compliance with the abatement plan. While there are many different types of police calls for service because of the nature of this large shopping center with many businesses, there have not been additional narcotics incidents. The shopping center has become part of the MDPD Midwest District.
Ave & 1/46 ST	Convenience Store/Narcotics	2/11/2011	27	8/25/2011	After finding that the owner and his son were arrested several times at the convenience store at NW 46 Street and 27 Avenue, for narcotics sales and holding large amounts of narcotics, a notification letter was sent to the property and business owners in September 2011. The property owner responded and advised that the business owner had died in August 2011 and his wife, who also ran the store, agreed to close the business and vacate the store. The son was found to be jailed because of the narcotics activity. The property owner agreed to keep the store closed and secured until a new business tenant is found and a background check is run on them. The parking lot needs to be secured and lights need to be expanded. The NAB was advised of the situation with the closing of the business and elected on October 5, 2011, to defer the hearing pending any additional incidents or lack of compliance with the abatement plans.
Ave & 102 ST	Foreclosure Duplex/Narcotics	7/1/2010	11	12/21/2010	An notification letter was sent to the foreclosing bank owners on Dec 21, 2010 based on drug cases in June 2010 at a duplex at NW 12 Avenue and 102 Street. Officials from the bank foreclosure unit responded and obtained a court order to evict all parties from the duplex after the foreclosure in 2011. The NAB hearing was postponed in February 2011 to allow the bank's attorneys time to complete the eviction, as the tenants (previous owners) refused to leave. The bank officials met with MDPD Northside detectives and the NAU in April 2011 and agreed to do the following since the eviction was completed: put up a gated fence in front, cleaned up shrubbery and fences in back, cleaned up the inside of the house, and agreed to fix up the house for rental if they do not sell as it is. The NAB was advised and agreed to defer the hearing pending any additional incidents or lack of compliance with abatement plan. The property was sold to another company in July 2011. There have been no new incidents at the property as it remained secure until it was sold.
Ave & 276 ST	Single Family Rental Home/Narcotics	4/20/2010	3	8/12/2010	The three year-old house at SW 153 Avenue and 276 Street was the site of a narcotics investigation and search warrant in April 2010. A notification letter was sent to the property owner and he appeared at the NAB hearing in October 2010. The owner agreed that he would evict the tenants, secure the house, have the neighbors watch it, and do background checks on prospective tenants or sell the house. The NAB elected to accept the owner's abatement plans and defer the matter pending any additional incidents or lack of compliance with the abatement plans. No additional incidents have been reported.
H1 JROE	Single Family Rental Home/Narcotics	8/5/2011	19	9/27/2011	Kendall District Team Police officers advised that they and the Narcotics Bureau have been making several narcotic cases at a house at SW 147 Street and Monroe Street in Richmond Heights. Based on several police reports, a notification letter was sent to the owner. The owner responded quickly and advised that she has known the tenants for a long period of time as she rented another place to their mother when they were much younger. The owner advised that she would like to evict them but would be concerned because of the long-term relationship. During a meeting with the mother and one of the tenants, it was learned that there have been at least two shootings since July, including one on Sunday, October 3, 2011, when several shots were fired at the house from a passing car. Police advised that nobody from the house called this incident in to police, but a very concerned citizen did. The NAU and police advised that they were very concerned for the safety of the tenants and neighboring residents.

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741 nroe ST	Single Family Rental Home				As a result of the seriousness of the situation and the fact that the tenants did not seem concerned about the shootings, the NAB was asked to hear the matter on October 5, 2011. Several officers testified about the serious and ongoing narcotics sales and other activities at the house. The tenants did not appear as promised. The NAB declared the house a public nuisance, ordered the owner to take the following actions to make the place safe for the community: evict the tenants, conduct background investigations on prospective tenants, secure the house, change the locks, secure and maintain the security of the fence, and install appropriate lighting.
St & NW ve	Single Family Rental Home Convert/Narcotics	7/7/2011	14	8/26/2011	Intracoastal District Crime Suppression Team officers were found to have made several arrests for narcotics and drug paraphernalia possession inside this single family house illegally subdivided into approximately four units. The owner advised that he was not aware of the activity, had bought the house in an auction a few years ago, but had really not visited it until this day. The owner agreed to appear at the NAB meeting on October 5, 2011, to close and secure a window that the crackheads are going in and out of, to authorize MDPD officers to enforce trespassing statutes, and to clean and maintain the yard. As the owner did not appear at the NAB Meeting, the NAU and officers advised the NAB of the problems at the house and requested that they proceed with the hearing. The NAB reviewed all of the testimony of the officers and the NAU and declared the premises a public nuisance. The NAB ordered the Owner to secure and maintain all of the windows and doors, clean up all of the junk and trash in the yard, secure all of the fences around the house, and to authorize MDPD to enforce trespassing statutes. A written order was issued.
PL & 189 St	Rental Townhouse/Narcotics/ Other	4/18/2010	9	8/26/2010	This rental townhouse at SW 189 Street and 113 Place was brought to the NAB's attention as a result of a narcotics search warrant and the failure of the owner to respond. After contacting the owner of record, he advised that the house was being transferred back to the original owner of record. The owners advised, during a meeting with officers and the NAU at the premises that the house was, in their opinion, transferred into the rental manager's name by a Quit Claim Deed and they believed that he would be paying the mortgage. After they learned that he had not been paying the mortgage and the house was going into foreclosure, they tried to get the house back from the rental agent and the foreclosing bank. The house was returned to their name and they agreed to secure the house and keep it secured at the doors, windows, and fences. The house has been sold and there have been no more incidents since much damage was done during a burglary in which pipes, electrical wiring, and copper were stolen. No additional incidents occurred, but the house was sold to a new owner in January 2011.
ve & 57 ST	Multi Apartment Rental Complex/Narcotics	10/21/2010	18	10/24/2006	As a result of other appearances before the NAB regarding narcotics search warrants at different apartments, the NAB was asked to hear the case after a new search warrant at NW 57 Street and 27 Avenue. The NAB heard that during the execution of a search warrant, one of the apartments was being used by the tenant's relative instead of the tenant. The owner advised the NAB that they would evict the new tenants, hold a meeting with all of the tenants in about 10 apartments, conduct background investigations on prospective tenants, and request all of their tenants to control their visitors. The NAB elected to defer the matter, pending additional investigations and cases. No narcotics incidents have been reported since October 2010.
St & 112 ue	Convenience Store/Narcotics/Alcohol /Other	6/1/2011		8/15/2011	As a result of a citizen complaint, the NAU and MDPD officers reviewed all of the incidents at a store at SW 223 Street and 112 Avenue. It was determined that there were several incidents involving alcohol, narcotics, and a homicide in the past two years. In response to a notification letter, the owners met with the NAU and MDPD in September 2011 and agreed to include the following in their abatement plans: install additional cameras, monitors, and recording devices to demonstrate to their patrons that the inside and outside of the store are being monitored; install a fence around the rear of the premises and work with other property owners to coordinate for security; clean shrubbery and trees so that people cannot hide behind them or hide drugs; authorize MDPD officers to enforce trespassing laws; warn their patrons that there will be no loitering or alcohol consumption within 100 feet of the store; and provide visible security guards if they are unable to satisfactorily control the parking lot. The NAB has deferred pending any additional incidents or lack of compliance.

Miami-Dade County

Nuisance Abatement Board

Miami-Dade Police Department

Nuisance Abatement Unit

Summary of Significant Cases 1993 - 2009

Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
1000 W Flagler	Trailer Park Multiple Units - Narcotics - Other	3/29/2005	73	4/13/2005	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, and place a professional security guard at the entranceway 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 officials. The trailer park is closed and vacant.
1000 Ave SW 173 rd, Case# 2-1	Single Family Residence - Narcotics	5/9/2006	10	7/27/2006	The NAB after considering evidence of ongoing drug activity, as investigated by South District 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 who 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, 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. (Cont.)
1000 Ave SW 173 rd Case #2-2	House/Single Family - Narcotics	8/11/2005	43	12/28/2002	(Continued from Cell above) 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.
1000 Ave SW 173 rd Case #2-3	Single Family Residence - Narcotics	5/9/2006	10	7/27/2006	The NAB and NAU, after declaring the house at SW 104 Avenue and 173 Terrace a public nuisance for the second time since 2000, continue to monitor the premises. The elderly owner appears to have complied with the NAB order to limit visitors, especially those who have been involved in the criminal drug activity, and has been successfully able to maintain the house free of nuisance incidents thru 2009. The NAB will continue to monitor the situation and consider the matter of costs in 2010.
1000 Ave S. W. 180	Duplex - Narcotics	8/11/1999	19	9/8/1999	October 28, 1999 - The owner appeared before the NAB. Officers from the MDPD's Narcotics Bureau and South District were present and prepared to testify, but the owner stipulated that more than two incidents summarized on the incident summary occurred on the property within six 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 the owner meet with the NAU and review his 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 (Cont. on cell below)
1000 Ave S. W. 180	Duplex - Narcotics				(Continued from above cell) sales of various items including alcohol, candy, or illegal drugs continue; rules and regulations 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.
1000 Ave SW 184 ST	Duplex - Narcotics	3/2/2007	4	3/27/2007	Upon complaints regarding drug activity to MDPD and former 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 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.

Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
3 Ave SW 88 ST	Bar/Lounge - Alcohol - Gang Shootings	7/9/1995	3	5/30/1993	August 1993 - August 1994: A bar/lounge 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 8 - 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.
7 Ave SW 56 Street	Restaurant - Alcohol - Homicide	10/12/2006	14	10/13/2005	The owners of a restaurant located 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, and 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.
7 Ave SW 56 Street	Restaurant - Alcohol - Homicide	10/20/2008	43	10/13/2005	The owners of a shopping center, including a restaurant operating as a bar, were notified of criminal nuisance activities and violations at the center and business, and asked to appear before the NAB after meeting with the NAU. The owners and their attorneys appeared before the NAB on April 1, 2009, and advised that they would be taking actions to abate the nuisance activities including alcohol violations (serving alcohol without required meals), serving alcohol after 1:00 a.m., serving to juveniles, and solicitation of alcoholic beverages from customers by employees, as well as other criminal activities. The NAB deferred the matter and required that they report back in 30 days with a detailed written abatement plan. After a few postponements and additional investigations and reports of incidents, the NAB heard the matter on August 26, 2009. After hearing concerns from many neighborhood citizens, Commissioner Souto's Chief of Staff, MDPD Kendall Crime Suppression Team detectives, and reviewing reports from them including (Cont on cell below)
7 Ave SW 56 Street	Restaurant - Alcohol - Homicide	10/20/2008	43	10/13/2005	(Cont. from cell above) MDPD's former Strategic and Specialized Investigation Bureau detectives regarding incidents concerning the above activities and other activities including two homicides, aggravated batteries, and fights, and hearing from the owners that the business owner was present during some of the activities and that a night manager and the business owner had been arrested a few times for the activities, the NAB declared the premises, including a cafeteria, a public nuisance. The NAB ordered the owners to take actions to abate all of the alleged activities, to cease the sale of alcohol without food and to cease the sale of alcohol after 11:00 p.m., among other things. Additionally, the owners were ordered to meet with the NAU and MDPD officers, and determine what other recommendations they need to comply with. While there have been few reported additional serious incidents, the business owners have still not presented written abatement plans nor met with the NAU, and a few recent NAB meetings to discuss the matter have had to be postponed. The NAB will meet in January 2010, to review the matter.
Ave SW 189 Street	Single Family Residence - Narcotics	4/21/2009	9	6/1/2009	The owner of a rental house located at SW 189 Street and 113 Place appeared before the NAB on August 26, 2009, and advised that he had talked to the tenants about the narcotics activity that they had been arrested for at the premises. He advised the NAB that he would consider eviction if there were any more incidents. After discussion with the NAB, the owner advised that he would evict the tenants as soon as possible. The NAB elected to defer the matter but advised if there were additional incidents or a failure to comply with his abatement plan, it would consider rehearing the matter and declaring the premises a public nuisance. The owner advised that he has obtained his tenant's agreement to vacate the premises as soon as the place she is moving to is ready. No additional incidents have been reported.
Ave SW 186 Street	House - Narcotics	12/22/1994	7	10/31/1995	
Ave SW 189 Street	Duplex - Narcotics	7/19/2002	21	4/12/1999	April - September 1999: The NAB declared a duplex a public nuisance due to illegal narcotics activity. The owner agreed to take several steps to screen their tenants and provide better security for the property. After additional incidents, the owner and her relatives were ordered to vacate the property and secure it for one month. After the month, the owner's relatives were allowed to move back in but were warned that any additional activities would result in further NAB actions. A partially ordered amount of costs was paid, but they are still pending. The duplex was declared a nuisance again with a different owner in 2010.
Street, Biscaynelevard	Adult Book & Video Stores	4/13/1993	11	11/30/1992	The NAB declared this adult book and video store, which was the site of lewd and lascivious activity 1992 - 1993, a public nuisance. The store agreed to close a large part of their hidden video booths. The owner paid costs of \$2,800 that were imposed by the NAB.
Street and NW Avenue	Nightclub/Adult Entertainment - Narcotics, Lewd & Lascivious	6/22/2003	144	1/8/2003	A Strip Club at NW 27 Avenue and 119 Street was declared a public nuisance in 2003, due to considerable drug and other criminal activity. The owners were ordered to provide adequate security, and maintain control of their patrons and employees. Criminal and nuisance activities diminished considerably and the premises was maintained in a much better manner throughout 2004. Costs of several thousand dollars were ordered.
Ave and SW Street	Gas Station/Markets - Narcotics	4/27/2004	98	6/2/2004	A market and gas station at SW 136 Avenue and 268 Street was the site of narcotics activity, robberies, and aggravated batteries. The owners were notified of the problems and agreed to take several actions including security fencing and lighting, and installation of additional security cameras. The NAB was asked to defer the hearing based on the successful actions taken by the owners to abate the nuisance. The activities have been considerably reduced, but the premises is still being monitored by MDPD's South District and the NAU.
Street Lincolnlevard	Markets - Narcotics, Alcohol, Other	8/24/2001	145	4/14/1997	On October 30, 1997, the NAB heard a case involving the commercial property, the site of a grocery, a fish market, and two vacant businesses. The premises was the site of illegal drug activity, illegal sale or consumption of alcoholic beverages, and other criminal activity. The NAB ordered the owner to temporarily close and secure the premises until they developed an acceptable abatement plan and were allowed to reopen after agreeing to provide a private security guard on the premises for 10 hours a day and take other actions to abate the nuisance. Parts of the shopping center did not reopen. The owners worked closely with police officers of the MDPD Kendall District. The NAB also ordered costs of \$3,500 and they were paid. The owners successfully abated the nuisance and the number of criminal incidents was reduced significantly. The shopping center was later sold and demolished.

Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
1 Street and NW Avenue	Shopping Center - Narcotics	5/6/2005	16	5/12/2005	A tailoring shop at NW 7 Avenue and 148 Street was the site of significant narcotics activity as uncovered by the MDPD Intracoastal District Crime Suppression Team. The owner advised that the tenant who was suspected to be involved in the activity agreed to vacate the premises. The property owner agreed to conduct background checks on future tenants and take further security steps with his building that housed other businesses. The NAU and the NAB deferred the hearing and no additional activity has been reported since May 2005.
1 Avenue and 288 STREET	Apartments/Entire Bldg Problem - Narcotics, Other	2/16/2000	127	11/12/1999	February 2000 - February 2001: The NAB found this property, a six building apartment complex, a public nuisance due to illegal narcotics and other criminal activity. The owners were ordered to take actions including: provide a security guard from 8:00 p.m. to 6:00 a.m., seven days a week; repair and maintain all fences; install and maintain adequate security lighting; clean and fix the pool for the use of all residents or cover, close and secure it; install and maintain access and identification control gates at all entrances/exits; maintain the premises free of all trash, debris, junk cars, broken windows, and broken doors; secure all doors and entrances of any apartment, office, or structure to prevent unauthorized access; conduct background checks on all tenants and employee candidates; and take action to evict any tenants who are involved in criminal activity on the premises. The owners complied with all NAB orders including paying reduced costs of \$5,500. The criminal activity was drastically reduced for the next couple of years. The owners sold the property a few years later.
Street and NW Avenue	Liquor Store - Narcotics	7/26/1993	16	10/20/1993	January 1996 - May 1996: The NAB, in August 1994 and March 1995, convened hearings regarding a market and liquor store across the avenue from each other. It was reported that numerous arrests for narcotics violations and other illegal activities had occurred on both premises, as evidence was presented by police officers and approximately 100 citizens. The NAB declared both properties to be public nuisances and to be closed in March 1995. Additionally, the NAB ordered costs of \$6,090 and \$3,457, to be paid by the property owners. Masada Market immediately closed, but the owners appealed the costs. The liquor store was granted a stay of closure, upon appeal to Appellate Court. In January 1996, the Appellate Court supported the NAB's findings of public nuisance regarding it, but overturned the order of closure and remanded the matter of penalties and costs back to the NAB. The NAB monitored the premises for one year and the nuisance activity was abated. The owners paid \$2,000 in reduced costs. The property was later sold and the liquor store was closed.
Street and NW Avenue	Market - Narcotics	8/18/1993	46	4/8/1993	January 1996 - May 1996: The NAB, in August 1994 and March 1995, convened hearings regarding a market and liquor store across the avenue from each other. It was reported that numerous arrests for narcotics violations and other illegal activities had occurred on both premises, as evidence was presented by police officers and approximately 100 citizens. The NAB declared both properties to be public nuisances and to be closed in March 1995. Additionally, the NAB ordered costs of \$6,090 and \$3,457, to be paid by the property owners. The market immediately closed but the owners appealed the costs. The liquor store was granted a stay of closure, upon appeal to Appellate Court.
Street Weststead Avenue	Single Family Residence - Narcotics	8/24/2002	49	10/14/1999	After receiving notice from the owner's daughter that the owners were refinancing the mortgage so that they could qualify for a mortgage to provide handicapped equipment for this handicapped person who is suffering from a stroke or other ailment that does not allow her to move around the apartment, the NAB elected to accept the costs already paid. No incidents were reported.
Street Weststead Avenue	Single Family Residence - Narcotics		0	10/3/2002	A house at 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.
Street Weststead Avenue	Single Family Residence - Narcotics		0	10/3/2002	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.
1 NW 65 Street	Single Family Residence - Narcotics	4/7/2004	57	10/30/2001	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.
1 Avenue NW 133	House - Narcotics	4/19/1993	15	12/16/1992	April 1993 - April 1994: A house was ordered closed and secured due to illegal narcotics activities dating back to 1985. Costs of \$9,300 were imposed. The owner secured the premises for one year and the incidents ceased. However, after reopening the house, narcotic incidents resumed and another notification letter was provided to the owner in December 1996. The costs of \$9,300 were paid when the owner took out a 2nd mortgage.

Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
Avenue NW 133 Street	House - Narcotics	4/16/1998	22	12/23/1996	The house was declared a nuisance for the second time in 1997, but the owner did not maintain control of the house and incidents recurred. A court ordered injunction was sought and a County court hearing was held on March 12, 1998. A Nuisance Abatement Board and Miami-Dade County Motion for Enforcement was granted. The court found that the owner has violated prior Court and Nuisance Abatement Board orders and found him in Contempt of Court. The court allowed him 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 commenced. The house was vacated and secured. No further problems occurred, but the owner lost the house due to foreclosure of a mortgage.
Street SW 116 Avenue	Apartments/Entire Bldg Problem - Narcotics	11/19/2001	21	11/27/2000	December 2000 - October 2001: The NAB declared a quadriplex house a public nuisance due to illegal narcotics activity. The owner was ordered to take actions to abate the nuisance, obtain the proper permits and fix all electrical problems, and complete the fencing to prevent loitering and drug activity; review and install adequate exterior lighting; conduct background checks of all prospective tenants; and provide copies of background checks to the NAB. The NAB ordered that costs of \$5,940.83 be assessed against the property and the owner. From March 2001 to October 2001, the NAB was advised that the owner has not completely complied, and a couple of other incidents were reported. Eventually, the owner complied with most of the recommendations and drug activities were significantly reduced for a time. The NAB declined to approve a requested reduction in costs. The costs have not been paid. MDPD and the NAU continue to monitor the premises.
Street SW 115 Street	Apartments/Entire Bldg Problem - Narcotics	7/11/2000	15	1/24/2000	February 2000 - October 2001: In July 2000, the NAB declared a four unit complex a public nuisance due to illegal narcotics activity and the failure of the owner to comply with previously stated abatement plans. The NAB ordered that the owner must take actions including cause the premises to be vacated, boarded up, and secured, until the owner appears at the next meeting with an acceptable plan to abate the nuisance, fence off the entire property to prevent trespassing, and post No Trespassing signs. Additionally, the NAB ordered that costs totaling \$7,237 be paid. After the owner failed to comply, a court order was obtained and the owner complied and secured the vacant property. The property was later lost by the owner in foreclosure. The nuisance activity at the premises was reduced significantly while it was vacant.
Avenue NW 46 Street	Market - Narcotics, Other, Homicide	12/4/2004	111	5/3/2001	May 2001 - Present: The NAB declared a property, which is a neighborhood market, 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.
Avenue NW 54 Street	Bar/Lounge - Social Club - Narcotics	8/8/2002	4	10/1/2002	October 2002 - Present: The NAB declared a private social club a public nuisance after hearing evidence of drug sales, usage, and cocaine table setups. The evidence included the recovery of almost 500 grams of cocaine in the club. 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 \$1,240. No additional narcotics incidents have been reported.
Avenue NW 57 Street	Multi-Unit Apartments - Narcotics	1/9/2007	9	10/24/2006	After the NAB elected not to declare this 8 unit apartment complex a nuisance in 2007 during three different hearings, due to the owners' abatement actions, the owners' have significantly reduces the number of illegal narcotics incidents. MDPD and the NAU continued to monitor and there were additional problems again in 2010 - 2011.
Avenue NW 57 Street	Multi-Unit Apartments - Narcotics	1/9/2007	9	10/24/2006	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; 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.
Avenue NW 101 Street	Single Family Residence - Narcotics	7/31/2004	30	9/3/2003	September 2003 - Present: The NAB declared a house 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 \$6,847 were ordered but were not paid. It was learned in December 2004 that the owner lost the house through foreclosure.
Avenue NW 43 Street	Single Family Residence, Narcotics, Other	9/30/2005	49	8/28/2001	October 2001 - Present: Since the NAB declared the house 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.

Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
Avenue NW 43 ace	Single Family Residence, Narcotics, Other	6/6/2006	21	11/23/2005	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.
venue NW 43 ace	Single Family Residence, Narcotics, Other	2/27/2009	30	11/23/2005	The NAB and NAU, after considering evidence of ongoing drug activity and declaring the house a public nuisance in August 2006, for the third time continued to monitor the premises and hold meetings with the owner thru 2009. The owner has been repeatedly advised to take actions to prevent any further activity or the NAB will have to consider the matter further and take stronger action. After it was declared a nuisance in 2006 and ordered closed for 30 days, the owner has been relatively successful in deterring the nuisance activity for two years. However, the actions are starting to recur in 2009. The NAB, in furtherance of the 2006 case, ordered the property owner in July 2009 to pay costs of \$2,000. The owner was reminded of the abatement actions that she should be continuing to take, including limiting visitors and tenants to only the family and not admit anybody who has had problems at the residence or with drug problems.
venue NW 43 ace	Single Family Residence, Narcotics, Other		0	2/12/2004	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.
venue NW 82 et	Single Family Residence - Narcotics	11/6/2006	18	12/15/2006	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 in Miami, in fear of the drug dealers who had battered, threatened, and forced him from the house in December 2005. (Continued Cell Below)
venue NW 82 st	Single Family Residence - Narcotics				(Continued from above cell) 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 ensuring 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 ensuring 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.
venue NW 82 st	Single Family Residence - Narcotics	11/2/2007	29	12/15/2006	The NAB declared the house a public nuisance in early 2007. Having assisted the owner's son with ordering the closing and boarding up of the house in November 2007, as his mother was in a nursing home out of state and died in January 2008, the NAB, NAU and MDPD continued to monitor the property. The son reported to the NAB in January 2008, that he has inherited the house and will work with the probate court to monitor and maintain the property, although he has limited resources. The NAB heard the matter of costs in and, in consideration of the son's agreement to close and secure the house, ordered reduced costs of \$3,000. The owner was ordered to continue to monitor the house and establish plans to maintain it, restore and reopen it, or keep it secured until sold or rented. As of December 2009, there have been no additional incidents and the nuisance activities have been abated. However, the owner has not maintained communications with the NAU and has not restored and maintained the house or paid the costs.
venue NW 191 st	Markets/Not 24 Hours - Narcotics	8/23/1996	40	3/19/1996	October - December 1996: In October, the NAB declared the market, site of 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.
reet NW South Drive	Nightclub/Adult Entertainment - Narcotics, Prostitution, Lewd & Lascivious	2/10/2006	251	5/5/2004	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 Adult Entertainment/Strip Club 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 Forfeiture 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. The owners agreed to sell the property and the business.
reet NW South Drive	Nightclub/Adult Entertainment				(Continuation 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

Street Address	Type of Place/Nuisance Activity	Last Recorded Incident	# of Recorded Incidents	Owner 1st Notify Date	Property Notes
Street NW South er Drive	Nightclub/Adult Entertainment	2/10/2006	251	5/5/2004	It was found that the business owners failed to report more than \$1.5 million of cash found during the investigation as income and the owners and managers were eventually arrested for these criminal violations. After the Circuit Court ordered the business closed in 2006, ongoing efforts by the MDPD Legal Bureau resulted in the following: \$1.5 million was forfeited to the County, the State, and the Law Enforcement Trust Fund; the premises was sold, per agreement with the County to a party who had no ties with the owners who had been arrested for the ongoing activities; the adult entertainment business has continued to remain closed; crime has been reduced considerably in this region of the MDPD Airport District. The NAB, pursuant to a stipulated agreement between the owners and the County, ordered in January 2008, that the owners pay costs of \$32,837.65. The money was paid in March 2008.
Street NW 22 Avenue	Liquor Store/Bar - Narcotics	11/6/2005	15	11/23/2005	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.
venue and NW Street	Hotel - Motel - Narcotics, Other	11/17/2003	118	1/2/2004	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 and 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 were reported at the hotel. The hotel closed in 2010 and is still closed.
venue SW 40 et	Adult Book & Video - Lewd/Lascivious, Other	6/7/1995	1	11/15/1993	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. 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.
venue SW 40 et	Bar/Lounge -		0	2/17/1995	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.
venue NW 79 et	Warehouse - Narcotics, Prostitution	8/19/2004	18	10/14/2004	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.
street NW 10 rue	Duplex - Narcotics	3/3/2000	10		June - August 2000: The NAB declared a house 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.
venue NW 79 et	Single Family Residence, Convenience Store, Narcotics	9/19/2000	34	8/1/2000	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, which is the site of a residential rental structure and a 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.

COUNTY ADVISORY BOARD INFORMATION

Attachment #8

BOARD NAME: Nuisance Abatement Board

BOARD SUPPORT COST INFORMATION

	FY11/12	FY10/11	
DIRECT COSTS	AMOUNT (\$)	AMOUNT (\$)	ITEM
	\$ 1,000.00	\$ 1,000.00	Copies, Certified Copies, Recording
	\$ 500.00	\$ 50.00	Parking (1)
	\$ 400.00	\$ 400.00	Postage
	\$ 11,880.00	\$ 11,880.00	Other: Includes NAB Meeting facilities, security, witnesses, County Attorney staff, Technical Staff
	\$ 1,500.00	\$ 1,500.00	Other: Court Reporter
			Other:
	\$ 15,280.00	\$ 14,830.00	TOTAL

	AMOUNT (\$)	AMOUNT (\$)	ITEM
INDIRECT COSTS	\$ 99,503.00	\$ 99,503.00	Staff Support* (2)
	\$ 5,000.00	\$ 5,000.00	Other: NAU Equipment, Cars, Computers, etc.
	\$ 5,000.00	\$ 5,000.00	Other: MDPD Administrative
			Other:
	\$ 109,503.00	\$ 109,503.00	TOTAL

TOTAL BOARD SUPPORT COST: \$ 124,783.00 \$ 124,333.00

(Add total Direct and Indirect Costs)

Source of Funds: General Fund, NAB Ordered Costs

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

(1) Notes Regarding Parking - We have been able to accommodate parking for free for the NAB at the County Parking Lot on NW 3 Street, but it is now closed for construction and the only convenient lot to park at is either the City of Miami lot on the East side of the government Center or two County Parking garages on NW 3 Avenue. Reimbursement for parking for the NAB Members and NAU Staff will be necessary.

(2) NOTES regarding NAU staff

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

Administrative Officer 3 (AO3) (Jack DiCarlo) - include in both fiscal years

Investigative Support Staff reduced and not filled since October 1, 2010

Police Officer retired in 2009 - not filled

Clerk 4 Position not filled since 2006

Position not filled after resignation