

**Code Enforcement Hearing  
Minutes  
August 05, 2020**

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**Present:** D. John Morgeson Jr., Special Magistrate  
Debra Knutcher, City Attorney  
Officer Carrie Long  
Melani Beringer, Deputy City Clerk

**1. Call to Order/Rules of Procedure**

Special Magistrate D. John Morgeson Jr. called the Code Enforcement Hearing to order at 2:05 p.m. He stated that formal rules of evidence do not apply and fundamental fairness will be afforded to all. After hearing all of the relevant evidence a verbal order will be issued which will be reduced to writing and mailed to all participants. The order of the presentation will begin with the City presenting their evidence of the alleged violation(s) and then the Respondent shall present his/her case. All witnesses offering testimony or presenting evidence will be required to swear or affirm that the testimony they provide is the truth.

**2. Administration of Oath to Defendants/Witnesses**

Special Magistrate Morgeson instructed the audience members who wished to testify, to stand and be sworn in by the Clerk. The Clerk administered the oath.

**3. Additions, Deletions, Modifications**

**4. Cases**

- A. Case # 10-19-08719  
Noncompliance/ Lien    Owner Information: Malagon Ramirez  
Loc. Address: 257 S Volusia Avenue  
RE: Finding of Fact/Non Compliance/ Lien

Code Enforcement Officer Long presented her case: Ms. Long stated that a finding of fact was issued at the February 05, 2020 Code Enforcement hearing. The Respondent is still in non-compliance.

Recommendation: Staff recommends that the Magistrate find the Respondent guilty of non-compliance and issue a property lien in the amount of \$38,250.00

Malagon Ramirez, Respondent, came forward.

Juan DeSosa, Contractor, 12114 Triple Tale Ln., Orlando, came forward to speak on behalf of Mr. Ramirez. Mr. Desosa stated that due to the Corona virus, Mr. Ramirez has not been able to complete the work on the home as required.

The Magistrate closed the public hearing. Mr. Morgeson ordered that the Respondent has failed to comply with the February 6, 2020, Findings of Fact, Conclusions of Law and Order by failing to timely correct all the violations. Therefore, it is hereby ordered that an administrative fine is imposed for 92 days of non-compliance beginning May 6, 2020 through and including August 5, 2020, for a total amount of \$23,000, which will continue to increase daily until verification of compliance has been established. This order may be recorded in the Public Records of Volusia County and thereafter shall constitute a lien against the following described land on which the violation exists and upon any other real or personal property owned by Respondent.

### **Adjournment**

There being no further cases to discuss, the hearing was adjourned at 2:29 p.m.