

Health and Sanitary Control Board Agenda for February 28, 2019

- **Call to order**
- **Attendance**
- **Approval of minutes**
- **Statement to Respondents**
- **Hearing Procedures**
- **Swear in witnesses**
- **Board cases**
- **New business**
- **Announcements**
- **Adjournment**

Health and Sanitary Control Board Meeting
February 28, 2019 @ 9:30 a.m.
Docket

1) 2501 Lincoln St., LLC	Case No.: 19-001 SP
2) Villa D'este Condominium, Inc.	Case No.: 19-002 SP
3) David Greene	Case No.: 19-003 SAN
4) Spring Lake- Northwood HOA, Inc.	Case No.: 19-005 SP
STATUS CASES	
5) Safe Harbor Assisted Living Resort	Case No.: 18-112 SAN
6) Septic Medic, Inc.	Case No.: 18-135 SAN
7) Cypress At Woodmont III Condo Assoc., Inc. <i>\$100.00 per day per order</i>	Case No.: 18-127 SP
8) Roshini Investments, Inc. d/b/a Travelodge <i>\$50.00 per day per order</i>	Case No.: 18-126 SP
9) Emerald Isles Condo Assoc. Inc. c/o Next	Case No.: 18-125 SP

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA
DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 19-001 SP

2501 LINCOLN ST, LLC.,

Respondent.

_____ /

NOTICE OF HEARING

TO:

*Andrij B. Susla, Esq.
Clifford R. Friedman, Esq.
Florida Department of Health
Broward County
Administrative Center
780 SW 24th Street
Fort Lauderdale, Florida 33315*

2501 Lincoln St., LLC
c/o Imad Youssef / Elias Nohra
2509 Lincoln St.
Hollywood, FL 33020

PLEASE TAKE NOTICE that a hearing will be held before the BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD at the Broward County Health Department Administrative Center, 780 SW 24th Street, 3rd Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the enclosed Complaint issued on February 1, 2019. The hearing will be held on **Thursday, the 28th day of February 2019, at 9:30 a.m.**, or as soon thereafter as same may be heard. In accordance with the provisions of Section 15-237, *Broward County Code of Ordinances*, you may be represented by legal counsel.

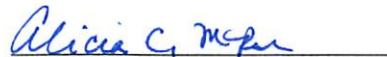
NOTE: IF YOU DECIDE TO APPEAL THE DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, YOU MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Failure to appear at the time and place fixed for the hearing shall be deemed to authorize the Board, without further notice, to find the facts to be as alleged in the Complaint, and to issue any appropriate Order in this proceeding; therefore, failure to attend may result in an Order being issued adverse to your interest.

PLEASE GOVERN YOURSELF ACCORDINGLY.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA), ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY, SHOULD CONTACT THE ADA COORDINATOR NOT LATER THAN FIVE (5) BUSINESS DAYS PRIOR TO SUCH PROCEEDING AT 2421 S.W. 6TH AVENUE, FORT LAUDERDALE, FLORIDA, OR BY TELEPHONE AT (954) 467-4854 OR VIA FLORIDA RELAY SERVICE AT 1-800-955-8770.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been provided to the process server along with the Complaint this 5th day of February 2019.



Alicia C. McRae
Clerk
Broward County Health and
Sanitary Control Board
780 SW 24th Street
Fort Lauderdale, FL 33315
Telephone: (954) 467-4700, Ext. 4104

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA
DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 19-002 SP

VILLA D'ESTE CONDOMINIUM, INC.,

Respondent.

NOTICE OF HEARING

TO:

*Andrij B. Susla, Esq.
Clifford R. Friedman, Esq.
Florida Department of Health
Broward County
Administrative Center
780 SW 24th Street
Fort Lauderdale, Florida 33315*

**Villa D'este Condominium, Inc.
c/o First Service Residential
6300 Park of Commerce Blvd.
Boca Raton, FL 33487*

*Villa D'este Condominium, Inc.
c/o Florence Linden, Secretary
685 E. Hillsboro Blvd.
Deerfield Beach, FL 33441*

*Jay Levine, Esq.
2500 North Military Trail, Suite 283
Boca Raton, FL 33431*

PLEASE TAKE NOTICE that a hearing will be held before the BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD at the Broward County Health Department Administrative Center, 780 SW 24th Street, 3rd Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the enclosed Complaint issued on February 5, 2019. The hearing will be held on **Thursday, the 28th day of February 2019, at 9:30 a.m.**, or as soon thereafter as same may be heard. In accordance with the provisions of Section 15-237, *Broward County Code of Ordinances*, you may be represented by legal counsel.

NOTE: IF YOU DECIDE TO APPEAL THE DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, YOU MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Failure to appear at the time and place fixed for the hearing shall be deemed to authorize the Board, without further notice, to find the facts to be as alleged in the Complaint, and to issue any appropriate Order in this proceeding; therefore, failure to attend may result in an Order being issued adverse to your interest.

PLEASE GOVERN YOURSELF ACCORDINGLY.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA), ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY, SHOULD CONTACT THE ADA COORDINATOR NOT LATER THAN FIVE (5) BUSINESS DAYS PRIOR TO SUCH PROCEEDING AT 2421 S.W. 6TH AVENUE, FORT LAUDERDALE, FLORIDA, OR BY TELEPHONE AT (954) 467-4854 OR VIA FLORIDA RELAY SERVICE AT 1-800-955-8770.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been provided to the process server along with the Complaint this 5th day of February 2019.



Alicia C. McRae
Clerk
Broward County Health and
Sanitary Control Board
780 SW 24th Street
Fort Lauderdale, FL 33315
Telephone: (954) 467-4700, Ext. 4104

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA,
DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 19-003 SAN

DAVID GREENE,

Respondent.

NOTICE OF HEARING

TO:

*Andrij B. Susla, Esq.
Clifford R. Friedman, Esq.
Florida Department of Health
Broward County
Administrative Center
780 SW 24th Street
Fort Lauderdale, Florida 33315*

David Greene
4210 SW 21st Street
Fort Lauderdale, FL 33317

PLEASE TAKE NOTICE that a hearing will be held before the BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD at the Broward County Health Department Administrative Center, 780 SW 24th Street, 3rd Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the enclosed Complaint issued on February 4, 2019. The hearing will be held on **Thursday, the 28th day of February 2019 at 9:30 a.m.**, or as soon thereafter as same may be heard. In accordance with the provisions of Section 15-237, *Broward County Code of Ordinances*, you may be represented by legal counsel.


NOTE: IF YOU DECIDE TO APPEAL THE DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, YOU MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Failure to appear at the time and place fixed for the hearing shall be deemed to authorize the Board, without further notice, to find the facts to be as alleged in the Complaint, and to issue any appropriate Order in this proceeding; therefore, failure to attend may result in an Order being issued adverse to your interest.

PLEASE GOVERN YOURSELF ACCORDINGLY.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA), ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY, SHOULD CONTACT THE ADA COORDINATOR NOT LATER THAN FIVE (5) BUSINESS DAYS PRIOR TO SUCH PROCEEDING AT 2421 S.W. 6TH AVENUE, FORT LAUDERDALE, FLORIDA, OR BY TELEPHONE AT (954) 467-4854 OR VIA FLORIDA RELAY SERVICE AT 1-800-955-8770.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing and Complaint was provided to the process server this 4th day of February 2019.



Alicia C. McRae
Clerk
Broward County Health and
Sanitary Control Board
780 SW 24th Street
Fort Lauderdale, FL 33315
Telephone: (954) 467-4700, Ext. 4104

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA
DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 19-005 SP

**SPRING LAKE- NORTHWOOD HOMEOWNERS
ASSOCIATION, INC.,**

Respondent.

_____ /

NOTICE OF HEARING

TO:

*Andrij B. Susla, Esq.
Clifford R. Friedman, Esq.
Florida Department of Health
Broward County
Administrative Center
780 SW 24th Street
Fort Lauderdale, Florida 33315*

Spring Lake- Northwood HOA, Inc.
8280 NW 94th Avenue
Tamarac, FL 33321

Kaye Bender Rembaum, R.A.
1200 Park Central Blvd. South
Fort Lauderdale, FL 33064

PLEASE TAKE NOTICE that a hearing will be held before the BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD at the Broward County Health Department Administrative Center, 780 SW 24th Street, 3rd Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the enclosed Complaint issued on February 5, 2019. The hearing will be held on **Thursday, the 28th day of February 2019, at 9:30 a.m.**, or as soon thereafter as same may be heard. In accordance with the provisions of Section 15-237, *Broward County Code of Ordinances*, you may be represented by legal counsel.

NOTE: IF YOU DECIDE TO APPEAL THE DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, YOU WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, YOU MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Failure to appear at the time and place fixed for the hearing shall be deemed to authorize the Board, without further notice, to find the facts to be as alleged in the Complaint, and to issue any appropriate Order in this proceeding; therefore, failure to attend may result in an Order being issued adverse to your interest.

PLEASE GOVERN YOURSELF ACCORDINGLY.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990 (ADA), ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY, SHOULD CONTACT THE ADA COORDINATOR NOT LATER THAN FIVE (5) BUSINESS DAYS PRIOR TO SUCH PROCEEDING AT 2421 S.W. 6TH AVENUE, FORT LAUDERDALE, FLORIDA, OR BY TELEPHONE AT (954) 467-4854 OR VIA FLORIDA RELAY SERVICE AT 1-800-955-8770.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been provided to the process server along with the Complaint this 5th day of February 2019.



Alicia C. McRae
Clerk
Broward County Health and
Sanitary Control Board
780 SW 24th Street
Fort Lauderdale, FL 33315
Telephone: (954) 467-4700, Ext. 4104

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA DEPARTMENT OF
HEALTH BROWARD COUNTY,**

Complainant,

Case No.: 18-122 SAN

SAFE HARBOR ASSISED LIVING RESORT,

Respondent.

ORDER

THIS CAUSE came before the State of Florida, Department of Health, Broward County Health and Sanitary Control Board (hereinafter referred to as "Board") on January 31, 2019 at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared for and on behalf of Complainant; Israela Herskovitz, Ronnie Herskovitz and James Statton appeared on behalf of the Respondent.

A. DOH inspector Clifford Saieh testified that there is progress since the last inspection, although still unsatisfactory. He presented the results of his last inspection which was held on January 30, 2019.

B. James Stratton, pest control expert testified regarding the plans implemented to cure the bed bugs issue.

WHEREUPON, IT IS HEREBY ORDERED:

1. That the inspector is directed to inspect the property once per month until the results of the inspection are satisfactory.
2. That the Board shall retain jurisdiction over the parties and subject matter of this cause for a period of ninety (90) days from the date of the hearing

to ensure the enforcement of the provisions of this Order and to assure continued compliance.

3. **That a status conference will be held related to this matter on February 28, 2019 at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on February 28, 2019 at 9:30 a.m.**

4. Any violation of this Order of the Board may subject Respondent to a Motion for Sanctions being brought against it by the Department of Health and a civil penalty of up to \$500 per day being assessed. Said civil penalty may be in addition to other Orders of the Board. If such violation of this Board's Order is continuing, each day's violation shall be a separate violation subject to a civil penalty not to exceed \$500 per day.

DONE and ORDERED the 31st day of January 2019.

PLEASE BE ADVISED THAT PURSUANT TO SECTION 15-241 OF THE BROWARD COUNTY CODE OF ORDINANCES ENTITLED "ORDERS OF THE BOARD," SUBSECTIONS (h), (i), AND (j), AN ORDER, DECISION OR OPINION OF THE BOARD MAY BE APPEALED BY THE FILING OF A WRIT OF CERTIORARI IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA, BY ANY PARTY RECEIVING AN ADVERSE RULING FROM THE BOARD. SUCH APPEALS SHALL BE COMMENCED WITHIN THIRTY (30) DAYS FROM THE DATE OF RENDITION OF THE FINAL DECISION, ORDER OR OPINION. THE FLORIDA APPELLATE RULES SHALL APPLY TO THE FILING OF A WRIT OF CERTIORARI COMMENCED HEREUNDER.

/s/ Stuart Kaufman

Stuart Kaufman

Chairman

BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Filed and copies furnished
this 13th day of February 2019

Alicia C. McRae

Alicia C. McRae, CLERK
BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Copies Mailed and/or Faxed to:

Andrij B. Susla, Esq.
Chief Legal Counsel
Clifford R. Friedman, Esq.
Senior Attorney
Broward County Health Department
780 SW 24th Street
Fort Lauderdale, Florida 33315

Safe Harbor Assisted Living Resort
c/o Israela Herskovitz
1320 SW 26th Street
Fort Lauderdale, FL 33315

Majestic Care Marina Mile, LLC
c/o Israela Herskovitz
7200 W. Camino Real, Suite 200
Boca Raton, FL 33433



**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 18-135 SAN

v.

SEPTIC MEDIC, INC.,

Respondent.

ORDER

THIS CAUSE came before the State of Florida, Department of Health, Broward County Health and Sanitary Control Board (hereinafter referred to as "Board") for a hearing on January 31, 2019 at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared on behalf of Complainant. No one appeared on behalf of the Respondent.

Based upon the testimony and evidence presented and after being otherwise fully advised in the premises, the Board hereby makes the following findings of fact:

A. That this Board has jurisdiction over the parties and subject matter of this cause by virtue of Section 15-235 of the *Broward County Code of Ordinances*.

B. That Respondent, Septic Medic, Inc. was duly and properly served with the Notice of Hearing and Order filed by the Florida Department of Health- Broward County in the above-styled cause as required by the *Broward County Code of Ordinances*.

C. That Respondent owns/manages the property located at **1831 N. 50th Avenue, Hollywood, Broward County, Florida.**

D. Septic Medic, Inc. violated Florida Administrative Code 64E-010(1) and Broward County Code 15-23(a)(3) by operating without a valid Septage Disposal Service Operating Permit and removing the contents of a septic tank without a valid permit.

WHEREUPON, IT IS HEREBY ORDERED:

1. That the Respondent immediately pay an administrative fee in the amount of \$500.00 and an administrative fine in the amount of \$500.00 totaling \$1,000.00 by February 18, 2019 to the "Florida Department of Health-Broward County" and sent to the following address:

FLORIDA DEPARTMENT OF HEALTH -BROWARD COUNTY

Attn.: Nicolas Kellman
780 SW 24th Street
Fort Lauderdale, FL 33315

2. That the Board shall retain jurisdiction over the parties and subject matter of this cause for a period of ninety (90) days from the date of this Order to ensure the enforcement of the provisions of this Order and to assure continued compliance with the previously noted violations as identified hereinabove.

3. Any violation of this Order of the Board may subject Respondent to a Motion for Sanctions being brought against it by the Department of Health and a civil penalty of up to \$500 per day being assessed. Said civil penalty may be in addition to other Orders of the Board. If such violation of this Board's Order is continuing, each day's violation shall be a separate violation subject to a civil penalty not to exceed \$500 per day.

4. That a status conference will be held related to this matter on February 28, 2019, at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on February 28, 2019 at 9:30 a.m., at which time, if Respondent is not in compliance with this Order and based on testimony from the Complainant, additional fines, fees and sanctions may be imposed by the Board.

DONE and ORDERED the 31st day of January 2019.

PLEASE BE ADVISED THAT PURSUANT TO SECTION 15-241 OF THE BROWARD COUNTY CODE OF ORDINANCES ENTITLED "ORDERS OF THE BOARD," SUBSECTIONS (h), (i), AND (j), AN ORDER, DECISION OR OPINION OF THE BOARD MAY BE APPEALED BY THE FILING OF A WRIT OF CERTIORARI IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA, BY ANY PARTY RECEIVING AN ADVERSE RULING FROM THE BOARD. SUCH APPEALS SHALL BE COMMENCED WITHIN THIRTY (30) DAYS FROM THE DATE OF RENDITION OF THE FINAL DECISION, ORDER OR OPINION.

**THE FLORIDA APPELLATE RULES SHALL APPLY TO THE FILING OF A
WRIT OF CERTIORARI COMMENCED HEREUNDER.**

/s/ Stuart Kaufman

Stuart Kaufman

Chairman

BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Filed and copies furnished
this 12th day of February 2019.

Alicia C. McRae

Alicia C. McRae, CLERK
BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD



Copies Mailed and/or Faxed to:

Andrij Susla, Esq.

Clifford R. Friedman, Esq.

Florida Department of Health - Broward County

Administrative Center

780 SW 24th Street

Fort Lauderdale, Florida 33315

Septic Medic, Inc.

c/o Andy Tolomeo

1831 N. 50th Avenue

Hollywood, FL 33021

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA DEPARTMENT
OF HEALTH BROWARD COUNTY,**

Complainant,

Case No.: 18-127 SP

**CYPRESS AT WOODMONT III CONDOMINIUM
ASSOCIATION, INC,**

Respondent,

_____ /

ORDER

THIS CAUSE came before the State of Florida, Department of Health, Broward County Health and Sanitary Control Board (hereinafter referred to as "Board") for status hearing on January 31, 2019 at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq., appeared for and on behalf of Complainant; no one appeared on behalf of Cypress at Woodmont III Condominium Association, Inc., Respondent.

Based upon the testimony and evidence presented and after being otherwise fully advised in the premises, the Board hereby makes the following findings of fact:

A. That this Board has jurisdiction over the parties and subject matter of this cause by virtue of Section 15-235 of the *Broward County Code of Ordinances*.

B. That Respondent, Cypress at Woodmont III Condominium Association, Inc. was duly and properly served with the Notice of Hearing and Order filed by the Florida Department of Health- Broward County in the above-styled cause as required by the *Broward County Code of Ordinances*.

C. That Respondent owns/manages the property located at **7435 Woodmont Terrace, Tamarac, Broward County, Florida.**

D. The inspector, Clifford Saieh advised that the pool is closed for non-payment of the pool permit.

E. Accounts Receivables Supervisor, Mr. Nicolas Kellman advised that the fees and fines previously order by the Board were not paid.

WHEREUPON, IT IS HEREBY ORDERED:

1. That the Respondent immediately pay the outstanding fees and fines totaling \$1,100.00 to the "Florida Department of Health-Broward County" and sent to the following address:

FLORIDA DEPARTMENT OF HEALTH -BROWARD COUNTY

Attn.: Nicolas Kellman
780 SW 24th Street
Fort Lauderdale, FL 33315

2. **That additional fees in the amount of \$100.00 per day will be assessed beginning on February 1, 2019 until the total amount due is satisfied.**

3. That the pool will remain closed by the Department until all fees and fines ordered are satisfied.

4. That the Board shall retain jurisdiction over the parties and subject matter of this cause for a period of ninety (90) days from the date of this Order to ensure the enforcement of the provisions of this Order and to assure continued compliance with the previously noted violations as identified hereinabove.

5. Any violation of this Order of the Board may subject Respondent to a Motion for Sanctions being brought against it by the Department of Health and a civil penalty of up to \$500 per day being assessed. Said civil penalty may be in addition to other Orders of the Board. If such violation of this Board's Order is continuing, each day's violation shall be a separate violation subject to a civil penalty not to exceed \$500 per day.

6. **That a status conference will be held related to this matter on February 28, 2019 at 9:30 a.m. and this Order shall serve as notice to the Respondent that this matter will be addressed on February 28, 2019 at 9:30 a.m.,** at which time, if Respondent is not in compliance with this Order and based on testimony from the Complainant, additional fines, fees and sanctions may be imposed by the Board.

DONE and ORDERED the 31st day of January 2019.

PLEASE BE ADVISED THAT PURSUANT TO SECTION 15-241 OF THE BROWARD COUNTY CODE OF ORDINANCES ENTITLED "ORDERS OF THE BOARD," SUBSECTIONS (h), (i), AND (j), AN ORDER, DECISION OR OPINION OF THE BOARD MAY BE APPEALED BY THE FILING OF A WRIT OF CERTIORARI IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA, BY ANY PARTY RECEIVING AN ADVERSE RULING FROM THE BOARD. SUCH APPEALS SHALL BE COMMENCED WITHIN THIRTY (30) DAYS FROM THE DATE OF RENDITION OF THE FINAL DECISION, ORDER OR OPINION. THE FLORIDA APPELLATE RULES SHALL APPLY TO THE FILING OF A WRIT OF CERTIORARI COMMENCED HEREUNDER.

/s/ Stuart Kaufman

Stuart Kaufman
Chairperson
BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Filed and copies furnished
this 31st day of January 2019.

Alicia C. McRae

Alicia C. McRae, CLERK
BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Copies Mailed and/or Faxed to:

Andrij B. Susla, Esq.

Chief Legal Counsel

Clifford R. Friedman, Esq.

Senior Attorney

Broward County Health Department

780 SW 24th Street

Fort Lauderdale, Florida 33315



Cypress at Woodmont III Condo Association, Inc.

c/o Property Management Partners

7112 W. McNab Road

Tamarac, FL 33321

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 18-126 SP

v.

**ROSHINI INVESTMENTS, INC.
d/b/a TRAVELODGE,**

Respondent.

ORDER

THIS CAUSE came before the State of Florida, Department of Health, Broward County Health and Sanitary Control Board (hereinafter referred to as "Board") for a status hearing on January 31, 2019 at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared on behalf of Complainant. No one appeared on behalf of the Respondent.

Based upon the testimony and evidence presented and after being otherwise fully advised in the premises, the Board hereby makes the following findings of fact:

A. That this Board has jurisdiction over the parties and subject matter of this cause by virtue of Section 15-235 of the *Broward County Code of Ordinances*.

B. That Respondent, Roshini Investments, Inc. d/b/a Travelodge was duly and properly served with the Notice of Hearing and Order filed by the Florida Department of Health- Broward County in the above-styled cause as required by the *Broward County Code of Ordinances*.

C. That Respondent owns/manages the property located at **1251 E. Sunrise Blvd., Fort Lauderdale, Broward County, Florida.**

D. The inspector, Clifford Saieh advised that the pool is closed for non-payment of the pool permit.

E. Accounts Receivables Supervisor, Mr. Nicolas Kellman advised that the fees and fines previously order by the Board were not paid, nor was the permit fee.

WHEREUPON, IT IS HEREBY ORDERED:

1. That the Respondent immediately pay the outstanding fees and fines totaling \$1,100.00 to the "Florida Department of Health-Broward County" and sent to the following address:

FLORIDA DEPARTMENT OF HEALTH -BROWARD COUNTY

Attn.: Nicolas Kellman
780 SW 24th Street
Fort Lauderdale, FL 33315

2. **That additional fees in the amount of \$50.00 per day will be assessed beginning on February 1, 2019 until the total amount due is satisfied.**

3. That the pool will remain closed by the Department until all fees and fines ordered are satisfied.

4. That the Board shall retain jurisdiction over the parties and subject matter of this cause for a period of ninety (90) days from the date of this Order to ensure the enforcement of the provisions of this Order and to assure continued compliance with the previously noted violations as identified hereinabove.

5. Any violation of this Order of the Board may subject Respondent to a Motion for Sanctions being brought against it by the Department of Health and a civil penalty of up to \$500 per day being assessed. Said civil penalty may be in addition to other Orders of the Board. If such violation of this Board's Order is continuing, each day's violation shall be a separate violation subject to a civil penalty not to exceed \$500 per day.

6. **That a status conference will be held related to this matter on February 28, 2019, at 9:30 a.m.** This Order shall serve as notice to the Respondent that this matter will be addressed on February 28, 2019 at 9:30 a.m., at which time, if Respondent is not in compliance with this Order and based on testimony from the Complainant, additional fines, fees and sanctions may be imposed by the Board.

DONE and ORDERED the 31st day of January 2019.

PLEASE BE ADVISED THAT PURSUANT TO SECTION 15-241 OF THE BROWARD COUNTY CODE OF ORDINANCES ENTITLED "ORDERS OF THE BOARD," SUBSECTIONS (h), (i), AND (j), AN ORDER, DECISION OR OPINION OF THE BOARD MAY BE APPEALED BY THE FILING OF A WRIT OF CERTIORARI IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA, BY ANY PARTY RECEIVING AN ADVERSE RULING FROM THE BOARD. SUCH APPEALS SHALL BE COMMENCED WITHIN THIRTY (30) DAYS FROM THE DATE OF RENDITION OF THE FINAL DECISION, ORDER OR OPINION. THE FLORIDA APPELLATE RULES SHALL APPLY TO THE FILING OF A WRIT OF CERTIORARI COMMENCED HEREUNDER.

/s/ Stuart Kaufman

Stuart Kaufman

Chairman

BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Filed and copies furnished
this 31st day of January 2019.

Alicia C. McRae

Alicia C. McRae, CLERK
BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD



Copies Mailed and/or Faxed to:

Andrij Susla, Esq.

Clifford R. Friedman, Esq.

Florida Department of Health - Broward County

Administrative Center

780 SW 24th Street

Fort Lauderdale, Florida 33315

Roshini Investments, Inc. d/b/a Travelodge

c/o Kaushik Patel, Mgrm.

1251 E. Sunrise Blvd.

Fort Lauderdale, FL 33304

**PROCEEDING BEFORE THE
BROWARD COUNTY HEALTH AND SANITARY CONTROL BOARD**

**STATE OF FLORIDA DEPARTMENT OF HEALTH-
BROWARD COUNTY,**

Complainant,

Case No.: 18-125 SP

v.

EMERALD ISLES CONDO ASSOCIATION, INC.

Respondent.

_____ /

ORDER

THIS CAUSE came before the State of Florida, Department of Health, Broward County Health and Sanitary Control Board (hereinafter referred to as "Board") for a status hearing on January 31, 2019, at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared on behalf of Complainant. No one appeared on behalf of the Respondent.

Based upon the testimony and evidence presented and after being otherwise fully advised in the premises, the Board hereby makes the following findings of fact:

A. That this Board has jurisdiction over the parties and subject matter of this cause by virtue of Section 15-235 of the *Broward County Code of Ordinances*.

B. That Respondent, Emerald Isles Condo Association, Inc. was duly and properly served with the Notice of Hearing and Order filed by the Florida Department of Health- Broward County in the above-styled cause as required by the *Broward County Code of Ordinances*.

C. That Respondent owns/manages the property located at **4528 54th Street, Broward County, Florida.**

D. The Respondent's pool remains closed for failure to renew the annual permit fee.

WHEREUPON, IT IS HEREBY ORDERED:

1. The Respondent pay a civil penalty on the amount of \$500.00, an administrative fee in the amount of \$500.00 and the outstanding \$700.00 required to renew the pool permit no later than February 15, 2019. Payments shall be made to the "Florida Department of Health-Broward County" and sent to the following address:

FLORIDA DEPARTMENT OF HEALTH -BROWARD COUNTY
Attn.: Nicolas Kellman
780 SW 24th Street
Fort Lauderdale, FL 33315

2. The pool will remain closed by the Department until all fees and fines ordered are satisfied.

3. That the Board shall retain jurisdiction over the parties and subject matter of this cause for a period of ninety (90) days from the date of this Order to ensure the enforcement of the provisions of this Order and to assure continued compliance with the previously noted violations as identified hereinabove.

4. Any violation of this Order of the Board may subject Respondent to a Motion for Sanctions being brought against it by the Department of Health and a civil penalty of up to \$500 per day being assessed. Said civil penalty may be in addition to other Orders of the Board. If such violation of this Board's Order is continuing, each day's violation shall be a separate violation subject to a civil penalty not to exceed \$500 per day.

5. That a status conference will be held related to this matter on February 28, 2019, at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on February 28, 2019 at 9:30 a.m., at which time, if Respondent is not in compliance with this Order and based on testimony from the Complainant, additional fines, fees and sanctions may be imposed by the Board.

DONE and ORDERED the 31st day of January 2019.

PLEASE BE ADVISED THAT PURSUANT TO SECTION 15-241 OF THE BROWARD COUNTY CODE OF ORDINANCES ENTITLED "ORDERS OF THE BOARD," SUBSECTIONS (h), (i), AND (j), AN ORDER, DECISION OR OPINION OF THE BOARD MAY BE APPEALED BY THE FILING OF A WRIT OF CERTIORARI IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA, BY ANY PARTY RECEIVING AN ADVERSE RULING FROM THE BOARD. SUCH APPEALS SHALL BE COMMENCED WITHIN THIRTY (30) DAYS FROM THE DATE OF RENDITION OF THE FINAL DECISION, ORDER OR OPINION. THE FLORIDA APPELLATE RULES SHALL APPLY TO THE FILING OF A WRIT OF CERTIORARI COMMENCED HEREUNDER.

/s/ Stuart Kaufman

Stuart Kaufman

Chairman

BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD

Filed and copies furnished
this 5th day of February 2019.

Alicia C. McRae

Alicia C. McRae, CLERK
BROWARD COUNTY HEALTH AND
SANITARY CONTROL BOARD



Copies Mailed and/or Faxed to:

Andrij Susla, Esq.

Clifford R. Friedman, Esq.

Florida Department of Health - Broward County

Administrative Center

780 SW 24th Street

Fort Lauderdale, Florida 33315

Emerald Isles Condominium Association, Inc.

c/o Next Generation Property Service (Celia McCoy)

2841 SW 156th Avenue

Davie, FL 33331

Emerald Isles Condominium Association, Inc.

c/o Next Generation Property Service

4474 Weston Road, # 102

Davie, FL 33311

David D. Iglesias, Esq., R.A.

15800 Pines Blvd., Floor 3, Room 303

Pembroke Pines, FL 33027