

## **Health and Sanitary Control Board Agenda for January 31, 2019**

- **Call to order**
- **Attendance**
- **Approval of minutes (December 6, 2018)**
- **Statement to Respondents**
- **Hearing Procedures**
- **Swear in witnesses**
- **Board cases**
- **New business**
- **Announcements**
- **Adjournment**

Health and Sanitary Control Board Meeting  
January 31, 2019 @ 9:30 a.m.

**Docket**

|   |                      |                                      |
|---|----------------------|--------------------------------------|
| 1) Emerald Isles Condo Assoc. Inc. c/o Next     | Case No.: 18-125 SP  | pending payment                      |
| 2) Serenity Place IV Condominium Assoc., Inc.   | Case No.: 18-131 SAN | pending payment                      |
| 3) SGC Atlas Gatehouse on the Green, LLC        | Case No.: 18-132 SAN | pending payment                      |
| 4) SGC Atlas Gatehouse on the Green, LLC        | Case No.: 18-133 SAN | pending payment                      |
| 5) Septic Medic, Inc.                           | Case No.: 18-135 SAN | NOV                                  |
| <b>STATUS</b>                                   |                      |                                      |
| 6) Safe Harbor Assisted Living Resort<br>1/3/19 | Case No.: 18-112 SAN | unsatisfactory as of                 |
| 7) Sunpointe Springs Condo Assoc. Inc.          | Case No.: 17-218 SP  | satisfactory                         |
| 8) Racquet Club Garden Apts. 6 & 7              | Case No.: 18-055 SP  | fees paid                            |
| 9) Roshini Investments, Inc. d/b/a Travelodge   | Case No.: 18-126 SP  | outstanding fees/<br>permit fee paid |
| 10) Cypress At Woodmont III Condo Assoc., Inc.  | Case No.: 18-127 SP  | outstanding fees                     |
| 11) Azalea 27, LLC                              | Case No.: 18-114 SAN | Fees/ fines paid                     |
|   |                      |                                      |
|   |                      |                                      |

**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 CONDOMINIUM ASSOCIATION, INC.  
c/o NEXT GENERATION PROPERTY SERVICE**

**Respondent,**

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**AMENDED NOTICE OF HEARING**

**TO:   *Andrij Susla, Esq.*  
          *Clifford R. Friedman, Esq.*  
          *Florida Department of Health - Broward County*  
          Administrative Center  
          780 SW 24<sup>th</sup> Street  
          Fort Lauderdale, Florida 33315**

**Emerald Isles Condominium Association, Inc.  
c/o Next Generation Property Service  
2841 SW 156<sup>th</sup> Avenue  
Davie, FL 33331**

**Emerald Isles Condo (Pool)  
4528 SW 54<sup>th</sup> Street  
Dania Beach, FL 33314**

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 located at 780 SW 24<sup>th</sup> Street, 3<sup>rd</sup> Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the Complaint issued on November 26, 2018 and served by process served on December 6, 2018. The hearing will be held on **Thursday, the 31<sup>st</sup> day of January 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**

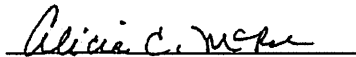
**MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**

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 Amended Notice of Hearing was mailed on the 14th day of December 2018.



Alicia C. McRae  
Clerk  
Broward County Health and  
Sanitary Control Board  
780 SW 24<sup>th</sup> 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.: 18-131 SAN**

**SERENITY PLACE IV CONDOMINIUM  
ASSOCIATION, INC.,**

**Respondent.**

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**NOTICE OF HEARING**

**TO:**

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

Serenity Place IV Condominium Association, Inc.  
1501 NW 45<sup>th</sup> Street, Suite C  
Deerfield Beach, FL 33064

Serenity Place IV Condominium Association, Inc.  
c/o Carole Donovan, Director  
1501 NW 45<sup>th</sup> Street, Suite 6B  
Deerfield Beach, FL 33064

Serenity Place IV Condominium Association, Inc.  
c/o Alex Rivera, R.A.  
1501 NW 45<sup>th</sup> Street, Suite A-1  
Deerfield Beach, 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 24<sup>th</sup> Street, 3<sup>rd</sup> Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the enclosed Complaint issued on December 3, 2018. The hearing will be held on **Thursday, the 31<sup>st</sup> day of January 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.

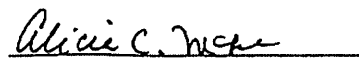
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**PLEASE GOVERN YOURSELF ACCORDINGLY.**

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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 14<sup>th</sup> day of December 2018.



Alicia C. McRae

Clerk

Broward County Health and

Sanitary Control Board

780 SW 24<sup>th</sup> 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.: 18-132 SAN**

**SGA ATLAS GATEHOUSE ON THE GREEN, LLC**

**Respondent.**

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**NOTICE OF HEARING**

**TO:**

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

Gatehouse on the Green (special)  
150 SW 91<sup>st</sup> Avenue  
Plantation, Fl 33324

Gatehouse on the Green (special)  
c/o ERP Operating Limited Partnership  
2 N. Riverside Plaza, Suite 400  
Chicago, IL 60606

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 24<sup>th</sup> Street, 3<sup>rd</sup> Floor, Executive Conference Room, Fort Lauderdale, Florida, 33315 pursuant to compliance with the enclosed Complaint issued on December 3, 2018. The hearing will be held on **Thursday, the 31<sup>st</sup> day of January 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.

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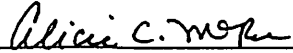
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I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Hearing has been provided to the process server along with the Complaint this 14<sup>th</sup> day of December 2018.

  
Alicia C. McRae  
Clerk  
Broward County Health and  
Sanitary Control Board  
780 SW 24<sup>th</sup> 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.: 18-133 SAN**

**SGA ATLAS GATEHOUSE ON THE GREEN, LLC**

**Respondent.**

---

**NOTICE OF HEARING**

**TO:**

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

Gatehouse on the Green (pool 2)  
150 SW 91<sup>st</sup> Avenue  
Plantation, Fl 33324

Gatehouse on the Green (pool 2)  
c/o ERP Operating Limited Partnership  
2 N. Riverside Plaza, Suite 400  
Chicago, IL 60606

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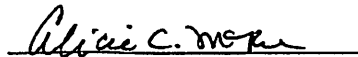
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780 SW 24<sup>th</sup> Street  
Fort Lauderdale, FL 33315  
Telephone: (954) 467-4700, Ext. 4104

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

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

**Complainant,**

**Case No.: 18-135 SAN**

**SEPTIC MEDIC, INC.,**

**Respondent.**

---

**NOTICE OF HEARING**

**TO:**

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

Septic Medic, Inc.  
1831 N. 50<sup>th</sup> Avenue  
Hollywood, FL 33021

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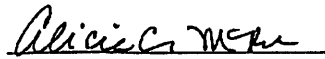
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Alicia C. McRae

Clerk

Broward County Health and

Sanitary Control Board

780 SW 24<sup>th</sup> 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.: 18-112 SAN**

**SAFE HARBOR ASSISTED LIVING RESORT,**

**Respondent.**

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**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 hearing on December 6, 2018 at the Department of Health in Broward County. Clifford Friedman, Esq. and Andrij Susla, Esq. appeared for and on behalf of Complainant; Israela Herskovitz 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 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 1320 SW 26<sup>th</sup> Street, Fort Lauderdale, Broward County, Florida.

D. That the Department has met its burden of proof and Respondent violated *Florida Statutes*, Chapter 381.006 as alleged in the Complaint by failing to maintain proper safety and maintenance standards.

WHEREUPON, IT IS HEREBY ORDERED:

1. To abate all violations no later than January 30, 2019.
2. That bi-weekly inspections are conducted until the next scheduled hearing to ensure compliance.
3. The Respondent is directed to pay a \$500.00 administrative fee; a \$500.00 civil penalty and a \$50.00 re-inspection fee totaling \$1,050.00 no later than December 7, 2018.
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 January 31, 2019 at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on January 31, 2019 at 9:30 a.m., at which time, if Respondent is not in

compliance with this Order additional fines, fees and sanctions may be imposed by the Board.

DONE and ORDERED the 6<sup>th</sup> day of December 2018.

**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  
the 14<sup>th</sup> day of December 2018.

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

Copies Mailed and/or Faxed to:

*Andij Susla, Esq.*  
*Clifford R. Friedman, Esq.*  
Broward County Health Department  
780 SW 24<sup>th</sup> Street  
Fort Lauderdale, Florida 33315

Safe Harbor Assisted Living Resort  
c/o Israela Herskovitz  
1320 SW 26<sup>th</sup> 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.: 17-218 SP**

**SUNPOINTE SPRINGS CONDOMINIUM  
ASSOCIATION, INC., (SUNPOINTE SPRINGS)**

**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 December 6, 2018 at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared for and on behalf of Complainant; Carlos Vasquez appeared on behalf of the Respondent.

A. Mr. Vasquez testified that the repairs on the pool are complete.

**WHEREUPON, IT IS HEREBY ORDERED:**

1. The reinspection fees in the amount of \$100.00 are due no later than December 20, 2018.
2. That the pool signage is corrected by December 31, 2018 to include the bathing load and the hours that swimming is permitted.
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 the hearing to ensure the enforcement of the provisions of this Order and to assure continued compliance.



4. That a status conference will be held related to this matter on January 31, 2019 at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on January 31, 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 6<sup>th</sup> day of December 2018.**

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 14<sup>th</sup> day of December 2018

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 24<sup>th</sup> Street  
Fort Lauderdale, Florida 33315

Sunpointe Springs Condominium Association, Inc.  
c/o Carlos Vasquez, Property Manager  
7609 NW 42<sup>nd</sup> Place  
Sunrise, FL 33351

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

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

**Complainant,**

**Case No.: 18-055 SP**

**v.**

**RACQUET CLUB GARDEN APTS. 6 & 7,**

**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 December 6, 2018, at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared on behalf of Complainant. Maria Padron 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, Racquet Club Garden Apts. 6 & 7 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 210 Lakeview Drive, Weston, Broward County, Florida.

D. The respondent appeared at the hearing seeking mitigation of the administrative fee and fine totaling \$1,000.00.

**WHEREUPON, IT IS HEREBY ORDERED:**

1. The request for mitigation is granted; the civil penalty is reduced to \$0.00 and the administrative fee shall stand at \$500.00; due by January 20, 2019 and shall be made payable to "Florida Department of Health-Broward County" and sent to the following address:

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

2. If the payment is not received by the due date of January 20, 2018, the civil penalty will revert back to \$500.00.

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 January 31, 2019, at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on January 31, 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 6<sup>th</sup> day of December 2018.**

**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 14<sup>th</sup> day of December 2018.

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 24<sup>th</sup> Street  
Fort Lauderdale, Florida 33315

Racquet Club Garden Apartments 6 & 7  
c/o Ancla Management, Inc./ Carolina Hernandez  
17100 Royal Palm Blvd., Ste. 1  
Weston, FL 33326

Racquet Club Garden Apartments 6 & 7  
[marypadrons@gmail.com](mailto:marypadrons@gmail.com)

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

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

**Complainant,**

**Case No.: 18-126 SP**

**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 on December 6, 2018 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 Roshini Investments, Inc. d/b/a Travelodge, 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 Complaint 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., Sunrise, Broward County, Florida.**

D. That the Department has met its burden of proof and Respondent violated sections 514.031(1) & (4), *Florida Statutes*, and Rule 64E-9.015(1)(b)(2) of the *Florida*

*Administrative Code*, and section 36.49(o)(1) of the *Broward County Administrative Code* (Environmental Health Services) as alleged in the Complaint by failing to renew the annual pool permit and operating a pool without a valid permit from the Department.

**WHEREUPON, IT IS HEREBY ORDERED:**

1. That as a result of the findings of the Board the Respondent is in violation of the above referenced sections of Florida Law. The Respondent shall pay a five hundred dollar (\$500.00) civil penalty, a five hundred dollar (\$500.00) administrative fee in addition to two hundred dollars (\$200.00) to obtain the 2018-2019 annual pool permit from the Department. Said penalties and fees are to be paid to the Department by January 23, 2019 and shall be made payable to "Florida Department of Health-Broward County" and sent to the following address:

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

2. The Department is directed to close the pool immediately until the fees and penalties fines are paid.

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 January 31, 2019 at 9:30 a.m. and this Order shall serve as notice to the Respondent that this matter will be

addressed on January 31, 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 6<sup>th</sup> day of December 2018.

**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 14<sup>th</sup> day of December 2018.

*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 24<sup>th</sup> Street  
Fort Lauderdale, Florida 33315

Roshini Investments, Inc. d/b/a Travelodge  
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.: 18-127 SP**

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

**Respondent,**

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**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 on December 6, 2018 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 Complaint 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. That the Department has met its burden of proof and Respondent violated sections 514.031(1) & (4), *Florida Statutes*, and Rule 64E-9.015(1)(b)(1) of the *Florida*

*Administrative Code*, and section 36.49(o)(2) of the *Broward County Administrative Code* (Environmental Health Services), section 36.49(l)(2) of the *Broward County Administrative Code* (Environmental Health Services), and section 36.49(n)(2) of the *Broward County Administrative Code* (Environmental Health Services) as alleged in the Complaint by failing to renew the annual pool permit and operating a pool without a valid permit from the Department.

**WHEREUPON, IT IS HEREBY ORDERED:**

1. That as a result of the findings of the Board the Respondent is in violation of the above referenced sections of Florida Law. The Respondent shall pay a five hundred dollar (\$500.00) civil penalty, a five hundred dollar (\$500.00) administrative fee in addition to the five hundred and fifty dollars to obtain the 2018-2019 annual pool permit from the Department. Said penalties are to be paid to the Department by January 23, 2019 and shall be made payable to "Florida Department of Health-Broward County" and sent to the following address:

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

2. The Department is directed to close the pool immediately until the fee and civil penalty are paid.

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 January 31, 2019 at 9:30 a.m. and this Order shall serve as notice to the Respondent that this matter will be addressed on January 31, 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 6<sup>th</sup> day of December 2018.

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 14<sup>th</sup> day of December 2018.

*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 24<sup>th</sup> 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.: 18-114 SAN**

v.

**AZALEA 27, LLC,**

**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 December 6, 2018, at the Department of Health in Broward County. Andrij B. Susla, Esq. and Clifford R. Friedman, Esq. appeared on behalf of Complainant. Stephen Satz 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, Azalea 27, LLC 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 **601 SW 27<sup>th</sup> Avenue, Fort Lauderdale, Broward County, Florida.**

D. The respondent appeared at the hearing seeking mitigation of the administrative fee and fine totaling \$1,000.00.

**WHEREUPON, IT IS HEREBY ORDERED:**

1. The request for mitigation is granted; the administrative fine is reduced to \$100.00 and the administrative fee shall stand at \$500.00; due by December 20, 2018 and shall be made payable to "Florida Department of Health-Broward County" and sent to the following address:

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

2. If the payment is not received by the due date of December 20, 2018, the administrative fine will revert back to \$500.00.

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 January 31, 2019, at 9:30 a.m. This Order shall serve as notice to the Respondent that this matter will be addressed on January 31, 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 6<sup>th</sup> day of December 2018.**

**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 14<sup>th</sup> day of December 2018.

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 24<sup>th</sup> Street  
Fort Lauderdale, Florida 33315

Azalea 27, LLC  
c/o Stephen Satz and Marc Lehmann  
300 West 41<sup>st</sup> Street, Suite 202  
Miami Beach, FL 33140

Azalea 27, LLC  
601 SW 27<sup>th</sup> Avenue  
Fort Lauderdale, FL 33312  
[carole@corpbizsolution.com](mailto:carole@corpbizsolution.com)